

MECHANICSBURG BOROUGH COUNCIL PUBLIC HEARING AND
REGULAR BOROUGH COUNCIL MEETING
COUNCIL CHAMBERS, BOROUGH OFFICE BUILDING
2 West Strawberry @ North Market Street
Mechanicsburg, PA 17055-6282

March 18, 2003

7:30 P.M.

CALL TO ORDER: At 7:30 p.m. President Rider called the Council meeting to order

PLEDGE OF ALLEGIANCE: President Rider led those assembled in the Pledge of Allegiance to the flag.

ATTENDANCE: Roll call taken with the following present: President Rider, Vice President Eichelberger, Councilmen McDermott, Ritter, Seagrist, Whitcomb, Winchell, Jr. Councilperson Miller, Mayor Ritter, Solicitor Schorpp, Engineer Bruening, Chief Spotts, Manager Stough and Assistant Secretary Boyer.

Also in attendance: Cress-Sentinel, Walde-Patriot, John Becker, Eric Clancy, David Hoover, Floyd Kautz, Jr., Raymond Martin, Larry Seagrist, Jeff Shatzer, Charles Sheriff, Jay Stoner & Scott Tochterman.

ADDITIONS TO AGENDA:

1. Request of Naomi Thompson for relief from the penalty on her 2002 per capita taxes

GUESTS

Jeff Shatzer, 129 E Main Street, addressed Borough Council on behalf of the Mechanicsburg Little League. Mr. Shatzer invited Borough Council to attend the opening day ceremony on April 12th at 9 a.m. at the York Street field. Interested Councilmembers should RSVP to Mr. Shatzer. Mr. Shatzer also requested that Borough Council approve the replacement of the existing scoreboards at York Street and Finkenbinder Fields with new LED electronic scoreboards to be sponsored by Giant Corporation. Mr. Shatzer reviewed the design with Borough Council and asked that Borough Council add approval of this request to the agenda this evening. Mr. Shatzer indicated that all costs of sign installation and all sign maintenance and electrical costs would be shouldered by Mechanicsburg Little League.

APPROVAL OF AGENDA: Councilman Seagrist moved, Councilman McDermott second, approval of the agenda with the two additions noted by Manager Stough and Mr. Shatzer. The motion carried, 7:0.

CITIZEN COMMENTS:

President Rider asked for citizen comments and there were none.

CORRESPONDENCE:

- 1) Manager Stough reminded Borough Council that the deadline for applications for the Tri-County Boroughs Association Scholarship is May 12th.
- 2) PSAB Summer Conference will be held June 21st through June 25th.
- 3) Tri-County Borough's Dinner will be held on March 25th. Deadline for reservations is March 21st.
- 4) Two handicapped parking permit applications were received and forward to the Public Safety Committee for review. As the applications where received late in the month, they will be added to the April agenda.

APPROVAL OF MINUTES: Councilman Winchell moved, Vice President Eichelberger second, approval of the minutes of the February 18, 2003 Council meetings as submitted. The motion carried, 7:0.

APPROVAL OF MONTHLY REPORTS: Councilman McDermott moved, Councilman Whitcomb second, approval of the monthly reports as submitted. The motion carried 7:0.

MANAGER'S REPORT:

- ◆ Manager Stough reported that the bond proceeds have been invested in an account with Dolphin & Bradbury. Treasurer Gsell received six proposals before placing the money with Dolphin & Bradbury to get the best return.
- ◆ Community Pancake Breakfast was held Saturday at Citizen's Fire Company and approximately 250 tickets were sold.

MAYOR'S REPORT

The Mayor reported:

- ◆ March 8th – attended the CPARC Celebration for members, volunteers and staff at the Trindle Springs Church Hall.
- ◆ March 11th – attended the Mechanicsburg Chamber of Commerce Mixer at the Joseph T. Simpson Public Library. The Mayor officiated one wedding.

Trivia Question: The Borough of Mechanicsburg's hand pumper was housed where, before the building of the station at 53 East Main Street?

Answer: The pumper was housed in a garage just north of Locust Street on Market Street. Later it was moved to a garage on the Staley property on East Locust Street, which is now the PNC parking lot. It was eventually housed in the first floor of Franklin Hall. No one knew the correct answer. Thanks to Bob Dietrich for providing this month's question.

Mayor Ritter gave a "Charlie" award to Charlie Sheriff for all of his hard work in organizing the 175th Anniversary Community Pancake Breakfast.

CHIEF OF POLICE REPORT

- ◆ Chief Spotts reported that he received a citizen letter of appreciation for Officer Vincent for an incident that he handled.

SOLICITOR'S REPORT

The Solicitor had no report.

FIRE CHIEF REPORT

Fire Chief had no report.

COUNCIL COMMITTEE REPORTS

Recycling Committee: Winchell: No Report

Finance-Appropriations-Insurance: Rider: No Report.

Health-Recreation: Rider: No Report

Public-Safety-Highway: Eichelberger: No Report

Public Communications: Eichelberger. No Report.

Ordinance-Administration-Legislative Action: Seagrist: Councilman Seagrist asked why the written determination on the non-uniform pension COLA did not address his question regarding the use of outside funds to provide a COLA to the retirees. Manager Stough indicated that once a donation was received and placed in any Borough account it would fall under the same regulations as other Borough funds. Any money solicited privately would not be able to be deposited in or dispersed from a Borough account. Some discussion followed on what would be needed to change the regulations regarding this at the State legislative level.

Property-Building: Ritter: No Report

School Board: McDermott. Councilman McDermott reported that the School Board work session will be held on Tuesday, March 25th and discussion will continue on use of the former Intermediate School building. Councilman McDermott announced that Mr. Ballinger would be retiring as principal at the end of the school year. Councilman McDermott also wished Jr. Councilman Miller a Happy Birthday.

Community Development: McDermott: Councilman McDermott thanked Borough Staff, Mayor Ritter, Mr. Sheriff and the Community business that contributed to the success of the Pancake Breakfast.

W.S.C.O.G.: Ritter: Councilman McDermott reported on the meeting last week where Stephanie Williams from the Cumberland County Greenway Open Space made a presentation. There will be a public meeting on Open Space Preservation on April 28th at 7 p.m. at the Silver Springs Community Social Hall. The results of the COG Strategic Plan will be out to participating municipality shortly. COG may be hosting a County Commissioner Candidate debate. Vice President Eichelberger added that COG is looking to expand its task force for implementation of the Strategic Plan beyond the delegates and alternates currently on the board. He asked interested individuals to volunteer to assist with this project.

Fire Committee: Winchell: Manager Stough noted that 16 sets of bid specification for the new fire truck were sent out and only one company has indicated that they will not bid. An addendum to the bid was sent out to clarify points brought up at the pre-bid meeting with vendors. Friday April 4th at 1 p.m. will be the bid opening. The Fire Committee will meet on the 9th to review the bids and they will be ready for Council action at the meeting of April 15th.

AGENDA ITEMS:

- ◆ **Consider request of Mechanicsburg Little League for permission to install new scoreboards at York and Finkenbinder Fields.**
 Mr. Shatzer asked for Borough Council's approval of the request to install new scoreboards. Discussion followed on how the electrical service would be provided to the new signs. Manager Stough noted that both signs would contain off premise signage, as the sponsors name would appear on the sign. The existing signs do contain signage, but the increase in size would constitute expansion of the existing non-conformance. Solicitor Schorpp noted that when Borough Council passed the Ordinance exempting Borough owned properties from the provisions of the Zoning Ordinance, at Council's request a provision was added that when a non compliance to the Zoning Ordinance was to be enacted by Council that all property owners within a 200 foot radius of the area proposed for the change would be notified in writing twenty one days prior to action. Mr. Shatzer indicated that the delay of twenty-one would prohibit erection of the new scoreboards for this year's season. Manager Stough noted that if letters were sent out this week, Council could act on this request at the April 15th meeting. Councilman Seagrist made a motion to direct the Borough Manager to send a notice to all property owners with 200 feet of the property boundaries of both York Street and Finkenbinder Field notify them of the request and proposed date of action by Borough Council. Councilman McDermott seconded the motion, which passed with all in favor.
- ◆ **Consider Waiver requests and Subdivision and Land Development Plan of John Sopensky.**
 Manager Stough stated that he asked Engineer Bruening to be in attendance this evening to answer any questions of Borough Council regarding the Sopensky and United Methodist Church Subdivision and Land Development Plans. The United Methodist is not on the agenda this evening, as they requested some additional time to present their plans to Silver Springs Township, as most of the proposed project is located in Silver Springs Township. Manager Stough noted that the United Methodist Church plan is minor lot line change to create additional parking are. Mr. Bruening reviewed the waivers and his comments on the Sopensky plan with Borough Council. After review Mr. Bruening answered questions from Borough Council regarding the Sopensky plan and indicated that he is waiting for a new submission from the applicant. After some additional discussion, Councilman McDermott made a motion, second by Councilman Whitcomb, to accept the 60 day time extension offered by the developer, Mr. Sopensky, for review of his subdivision and land development plan. The motion passed, 7:0.
- ◆ **Consider action on Ordinance 1049 establishing an Intermunicipal Cooperation Agreement relative to the Joint Recreation Agreement.**
 Solicitor Schorpp indicated that this is the same agreement reviewed by Borough Council in the fall and that the Ordinance has been properly advertised for action by Borough Council this evening. Councilman Whitcomb made a motion to adopt Ordinance 1049 as advertised. Councilman McDermott seconded the motion, which passed by a roll call vote as indicated,

Eichelberger	Yea
McDermott	Yea
Rider	Yea
Ritter	Yea
Seagrist	Yea
Whitcomb	Yea
Winchell	Yea

- ◆ **Consider Resolution 2-2003 offering support to the Capital Region Economic Development for their Enterprise Zone.**
 Manager Stough reviewed Resolution 2-2003 with Borough Council. Councilman Seagrist made a motion, second by Councilman McDermott to adopt Resolution 2-2003 in support of the Capital Region Economic Development Enterprise Zone. The motion passed unanimously.
- ◆ **Appointment of the Borough Manager as Chief Administrative Officer for the Uniform and Non-Uniform Pension Plans.**
 President Rider made a motion, seconded by Councilman Winchell to appoint the Borough Manager as Chief Administrative Officer for the Uniform and Non-Uniform pension plans. The motion carried, 7:0.
- ◆ **Consider inclusion of a summer intern program in conjunction with the Junior Councilman program.**
 Councilman McDermott made a motion to include an optional summer internship program as part of the Junior Councilperson program. Councilman Ritter seconded the motion, which passed, 7:0.
- ◆ **Consider approval of the ride along program for park security officers.**
 Councilman Seagrist made a motion, second by Councilman Whitcomb, to approve the ride along program for park security officers for the 2003 summer program with the waiver releases approved by the solicitor. The motion carried unanimously.

- ◆ **Consider acceptance of the retirement of Patrol Officer Susan F. Kreitzer, effective April 15, 2003.**
Councilman Seagrist made a motion to accept, with regret, the resignation of Patrol Officer Susan Kreitzer, effective April 15, 2003. Councilman Whitcomb seconded the motion, which passed with all in favor.
- ◆ **Consider hiring of Devin L. Montgomery as a Probationary Patrol Officer, pending successful completion of physical and psychological testing.**
Chief Spotts indicated that Devin L. Montgomery was at the top of eligibility list and is Act 120 certified. Councilman Whitcomb asked if other candidates have been interviewed. Chief Spotts indicated that the top three candidates were interviewed. President Rider made a motion to offer employment to Devin L. Montgomery as a Probation Patrol Officer with the Mechanicsburg Police Department pending successful completion of physical and psychological testing. The motion carried, 7:0.
- ◆ **Consider approval for disbursement of Memorial Day Parade Contribution to Veterans Council - \$150.00.**
Councilman Whitcomb made a motion, second by Councilman Eichelberger to disburse the budgeted \$150.00 contribution to the Veterans Council to be used towards the Memorial Day Parade. The motion carried unanimously.
- ◆ **Consideration of request of Audrey Logar for Neighborhood Picnic to be held on Gross Drive August 2nd.**
President Rider made a motion to approve the request of Audrey Logar to close Gross Drive on August 2nd for a neighborhood picnic. Councilman McDermott seconded the motion, which passed with all in favor.
- ◆ **Consider request of the Halloween Parade Association for approval of the parade route for October 14th 2003.**
Councilman Whitcomb made a motion to approve the request of the Halloween Parade Association to hold the annual Parade on October 14th, with the same route as usual. Councilman McDermott seconded the motion, which passed with all in favor.
- ◆ **Request from Friends of the Mechanicsburg Library to use space at 34 West Allen Street.**
Manager Stough suggested that guidelines for use be drawn up prior to approval of the use of this space by the Library. The Solicitor will prepare a lease, without cost, for Council's review and action at the April meeting. Councilman Whitcomb made a motion, second by Councilman Winchell to table this till the April meeting. The motion passed with all in favor.
- ◆ **Request of Nancy Kreiner from the local chapter of POW-MIA to hold a flag retirement ceremony on June 14th at 10:00 a.m. on the Square.**
Councilman Whitcomb made a motion to approve the request of Nancy Kreiner to hold a flag retirement ceremony on the Square June 14th. Councilman McDermott seconded the motion, which passed unanimously.
- ◆ **Request of Nancy Kreiner from the local chapter of POW-MIA to hold their annual vigil on the Square September 19th at 7:00 p.m.**
Councilman Seagrist made a motion to approve the request of the local chapter of POW-MIA to hold their annual vigil on the Square on September 19th. Councilman Whitcomb seconded the motion, which passed by a vote of 7 for none against.
- ◆ **Discussion and possible authorization to advertise the Cedar Run Stormwater ordinance.**
President Rider made a motion, second by Councilman Ritter, to authorize the solicitor to advertise the Cedar Run Stormwater ordinance. The motion passed, 7:0.
- ◆ **Consider reallocation of \$9,000 to assist in meeting Recreation Grant expenses.**
Manager Stough reviewed this item with Borough Council and Councilman Winchell made a motion to reallocate the \$9,000 designated for payment of the truck purchased by the Recreation Department for use as payment of expenditures for the Soldiers and Sailors Memorial Park rest room project. Councilman Seagrist seconded the motion, which passed with all in favor.
- ◆ **Discussion on Delta Development contract.**
Manager Stough asked if there was any questions regarding the Delta Development contract and there were none.
- ◆ **Discussion on implementation of a Downtown Manager Program through DCED and formation of a 501.C.3 organization to implement the program.**
Councilman McDermott discussed the formation of a 501.C.3 to be the umbrella group to oversee the proposed Main Street Manager Program and application for funding for this project from DCED. Manager Stough reviewed the Downtown Manager grant process. Councilman McDermott then made a motion, second by Councilman Winchell to authorize the formation of a 501.C.3 organization to oversee a downtown program. President Rider asked about the financial commitment on behalf of Borough Council. Manager Stough reviewed the costs associated with the grant process which requires a \$90,000 local match over a five year period, but added that the motion on the floor this evening is just a pledge of support for the formation of the 501.C.3 organization, not an authorization to apply for grant funding. Solicitor Schorpp asked if Borough Council would be asking him to prepare the legal paperwork for the incorporation of this non-profit group and submit the paperwork for the 501.C.3 status. President Rider indicated that Council would be looking to the Solicitor for legal guidance in this matter. Some discussion followed on the possibility of donations from business within the community after formation of this organization. After much additional

discussion, a vote was taken and the motion passed by a vote of 5 in favor (Eichelberger, McDermott, Rider, Ritter, Winchell) and 2 against (Seagrist, Whitcomb).

◆ **Consider request of Naomi Thompson for exoneration from penalties on her 2002 per capita tax for which she never received a bill.**

Manager Stough reviewed the request of Naomi Thompson for exoneration from the penalties applied to her 2002 per capita tax bill as she moved and never received the bill notice. Our tax collector, Barry Heckard, has checked his records and she has always paid her tax bills at discount rate in the past. Councilman Whitcomb made a motion, second by Councilman Seagrist, to exonerate Ms. Thompson of the per capita tax penalties. The motion passed with all in favor

APPROVAL OF EXPENDITURES PAID: Councilman Winchell moved, Councilman McDermott second, approval of expenditures paid from February 1, 2003 through February 28, 2003 in the amount of \$171,869.84 for the General Fund; \$60,626.54 for the Highway Aid Fund and \$21,273.92 for the Capital Improvement Fund. Councilman Seagrist asked what the expenditure on February 7, 2003 in the amount of \$182.92. Chief Spotts indicated that it was for film and film developing costs. The motion carried unanimously.

CITIZEN COMMENTS

Chief Seagrist asked if the approval of the neighborhood picnic on Gross Drive would include allowing for access to the fire hydrant in case of an emergency. President Rider indicated that it would.

EXECUTIVE SESSION

President Rider adjourned the public meeting to Executive Session at 8:30 p.m.

At 9:05 p.m. President Rider reconvened the public meeting.

Councilman Seagrist made a motion to amend the employee handbook to prohibit participation in the Borough's Health Plan by former, current or future appointed Borough Officials and to direct the Solicitor to draft and advertise an Ordinance to prohibit extension of Borough Health Insurance to former, current and future elected officials as of July 1, 2003. President Rider seconded the motion. Councilman Winchell questioned President Rider on his protocol regarding recognizing Councilman Seagrist before asking for motions from the floor. Solicitor Schorpp reviewed the parliamentary procedure relative to motion for Borough Council. Solicitor Schorpp indicated that Council could vote on the motion and if it failed, other motions could be brought to the floor. A Councilman could move to table the motion and if that motion is seconded, it would be voted on before the primary motion, and if approved would open the floor for other motions. He also added that an amendment to the motion could be offered, and if seconded would be voted on prior to a vote being taken on the motion. The motion passed by a vote as follows: voting yea; Eichelberger, McDermott, Rider & Seagrist; voting nay; Ritter, Whitcomb & Winchell.

ANY OTHER BUSINESS:

President Rider asked if there was any additional business to come before this meeting, and there was none.

ADJOURNMENT: With no further business to come before Council, President Rider adjourned the meeting at 9:15 p.m. p.m.



Jonathan S. Stough
Borough Secretary