

MECHANICSBURG BOROUGH COUNCIL MEETING
COUNCIL CHAMBERS, BOROUGH OFFICE BUILDING
36 West Allen Street
Mechanicsburg, PA 17055-6257

October 5, 2004

7:30 PM

CALL TO ORDER: At 7:30 PM President Winchell called the Council meeting to order.

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

ROLL CALL: Roll call taken with the following present: President Winchell, Councilmen Kautz, Humes, McDermott, Ryder, Seagrist, Jr. Councilperson Geiger, Mayor Ritter, Solicitor Schorpp, Chief Spotts, Chief Seagrist, Manager Stough and Assistant Secretary Boyer. Vice President Whitcomb was absent.

Press: Cress – Sentinel, Elias-Patriot News. Also in attendance: Bob Dietrich, Nancy Hanlon, Greg Harder, Rich Heineck, Gene Hejmanowski, Jack Neibert, Suzanne Reppert, Jim & Patty Schmick, Charlie Sheriff, Jay Stoner Jeffrey VanBoskirk and Darrell Westby

GUESTS:

There were none.

CITIZEN COMMENTS:

President Winchell asked for comments from the public, and there were none.

ADDITIONS TO AGENDA:

1. Discussion and possible action on the Green Party Rally Request.
2. Discussion and possible action on Zoning Amendment.
3. Councilman Ryder asked that an Executive Session be added, with possible action.

APPROVAL OF AGENDA: Councilman Seagrist made a motion, Councilman McDermott second, approving the agenda with the additions as noted. The motion carried 6:0.

CORRESPONDENCE:

Manager Stough report:

1. Manager Stough reported he gave a tour of the Municipal Center to the Life Studies class from the Mechanicsburg High School
2. PSAB will be offering a class on constitutional issues in Carlisle on Oct 27th if anyone is interested in attending
3. A letter was received from Karen McDonough thanking the Borough Staff for their cooperation during the recent advertising efforts for the new Borough print map.
4. Manager Stough informed Council that e-mail was received from Roger Ciecierski expressing his interest in the Zoning Hearing Board Alternate position, which is vacant.
5. Several letters of interest have been received for the Emergency Services Advisory Board.
6. A request was received for a letter of support for the rivers conservation plan for the lower Conodoguinet Creek and staff will add this item to the next meeting agenda.
7. A check in the amount of over \$144,000 was received from the Auditor General from the General Municipal Pension System State Aid, and will be sent to ARIS to be placed in the pension funds.

APPROVAL OF MINUTES:

Councilman Ryder made a motion, Councilman Kautz second, to approve the minutes of the September 21, 2004 Council meeting. The motion passed with all in favor.

MANAGER'S REPORT:

Manager reported that the Street Department is milling on Alison and Norway at the intersection and this will hopefully help stormwater drain into exiting storm sewer outlets and the work will be completed Monday.

Manager Stough reported that the County is looking for three people to serve as judge of elections in three of the Borough wards; interested individuals should contact the county for details.
A meeting has been scheduled with PennDOT officials on October 29th to discuss the sinkhole on Shepherdstown Road.

MAYOR'S REPORT:

The Mayor reported:

September 24th – Attended the Grand Opening of the United State Army Heritage and Education Center. This Center is used by students of Mechanicsburg High School.

September 25th – Welcomed Judy Krebs, the new owner of Cabin Crafts on East Main Street, to the Mechanicsburg Business Community. The event was sponsored by the Chamber of Commerce.

September 29th – The Mayor's team participated in the wheelchair basketball games at the Mechanicsburg Middle School. October is National Disabilities Employment Awareness Month. This event is sponsored by the Navy Fleet Material Support Office. Don't asked the score, we went home rethinking the word disabled.

October 2nd – presented a 50th wedding anniversary citation and a key to the city to Mr. & Mrs. Wayde Kelly. Mr. Kelly owns the property where the Arch Street School was located.

October 2nd – Friends of the Library held their last book sale at 34 West Allen Street. They have announced that they have found a new location, closer to the library.

October 2nd – Officiated a wedding.

October 4th – participated in the annual meeting of the proprietors of the Union Church. The new humidity control system is up and running.

Upcoming

October 11th – Crime Watch Guest will be Holly Morgan-Maul, Community Affairs Manager for GAUDENZIA, an outpatient substance abuse service.

Look for the '2004 Simply the Best Place to Live - Mechanicsburg' sign as you approach Mechanicsburg from Trindle Road.

Trivia Question: Mechanicsburg back in 1805 was called "Drytown". What was the name of the first street?

Answer: Simpson Street

CHIEF OF POLICE REPORT

Chief Spotts had no report.

SOLICITORS REPORT

The Solicitor asked that Council taken action take action to schedule a public hearing before the meeting November 16th at 7 PM to receive public comment on the requested Zoning map change from the American Legion and also to include in the Zoning Amendment Ordinance a provision deleting Section 1505.C.2, which is the controversial section dealing with political signs.

FIRE CHIEF'S REPORT

Chief Seagrist reminded Council that this is fire prevention week.

JR. COUNCILPERSON REPORT

- ◆ On Monday six Mechanicsburg High School students attended an economic summit sponsored by Team PA and they met with business leaders and individuals from the Department of Community and Economic Development, the theme was "How to Keep Young People in Pennsylvania".
- ◆ Today, the High School had their first blood drive, with many people donating throughout the day.
- ◆ The golf team competed at the Mid Penn Competition today.
- ◆ Homecoming is scheduled for next weekend.

COUNCIL COMMITTEE REPORTS: New list distributed

Community Development/Downtown – Humes – Councilman Humes reported that this committee met last Wednesday to begin the process of forming a non-profit organization to oversee downtown revitalization; many residents were in attendance. Those attending filled out forms indicating their particular interest in the effort.

Fire Committee – Ryder – Councilman Ryder reported that work continues on the SOP update. Meetings are being scheduled every two weeks to keep the work moving forward.

Highway/Public Safety – Kautz – Councilman Kautz reported that he recently met with the Borough Highway Department regarding their needs for the upcoming fiscal year. Councilman Kautz encouraged other Council members to visit the Highway Department and talk to the employees about their jobs and concerns.

Ordinance/Administration/Legislative Action – Whitcomb – No Report

Public Communications – McDermott – Councilman McDermott thanked the Manager for putting the survey from the newsletter on the Web site. Survey deadline is October 15th and copy deadline for the next edition of the newsletter is October 29th. He encouraged Council members to submit information on their Committee activities and also asked for suggested survey questions for future surveys.

School Board – Ryder- Councilman Ryder reported that last Tuesday evening he attended a meeting at First United Methodist Church where interested residents and church members from several congregations discussed how local churches could help to get young people off the streets. Group members will talk to young people and find out what their needs are and what can be done to provide a place for them to come and socialize that would meet their needs. The plans for the Elmwood Avenue School were presented at the School Board meeting.

Finance/Appropriations/Insurance – Winchell- President Winchell asked the Borough Manager to advertise meetings of the Finance Committee for the purpose of working on the 2005 budget. Meetings will be scheduled for Mondays at 7:30 AM on October 18th, October 25th, November 1st and November 8th.

Health/Recreation – Seagrist – Councilman Seagrist noted the next Recreation Commission meeting is scheduled for October 11th at 7 PM. Councilman Seagrist thanked Nancy Hanlon for providing an article on skate parks to him and asked that Council consider some of the grant funding for parks for use in developing a skate park at the old tennis court area of Memorial Park. Last Friday Councilman Seagrist reported that he met with the Solicitor regarding formation of an inter-municipal board or authority to oversee the pool. Councilman Seagrist apprised Council of his desire to try to ensure the long-term survival and success of the Mechanicsburg Pool as a recreational facility and his feeling that the Borough needs to secure long-term financial commitments from neighboring municipalities to achieve this goal. He indicated that the Solicitor advised him of three possible options for the future of the pool. The first was the possible formation of a joint municipal pool authority. The second was an intergovernmental cooperative agreement similar to the existing joint recreation board. The third option was formation of a private non-profit cooperation to oversee the pool. Councilman Seagrist explained that the Solicitor had given him information on all the options, which was very enlightening. Of the three options, Councilman Seagrist stated he is recommending Council consider formation of a pool authority, which would address ownership concerns, in that the Borough would be leasing the pool to the authority, but would not be giving up ownership of the pool and the authority would allow the pool to be available for grant funding not available to a private non-profit. The authority would also provide other municipalities the ability to be involved in the operation and future of the pool facility. This is a major issue for Council to examine and it would be a good idea to contact Wade Associates and ask them to put together some cost estimates on forming an authority that would give us a dollar amount, so the Borough could move forward on contacting other municipalities and getting financial commitments from them. The costs could then be proportioned to each municipality based on a cost sharing formula, which would be determined. After some additional discussion, President Winchell directed Councilman Seagrist to contact Wade Associates and get cost estimates and then schedule a Recreation Committee meeting to discuss the matter after information is received from Wade Associates. Solicitor Schorpp explained that each participating municipality would make a capital contribution to the authority initially and then pay a proportioned share of the annual operating budget based on the outcome of a feasibility study. The number of seats on the authority would be proportionate to the percentage of the financial outlay. Example, if Mechanicsburg Borough was to pay fifty percent of the up-front costs, then they would have 50% of the seats on the Authority Board. What the Borough would be asking of Wade Associates is to estimate the start up costs and annual operation budget. Councilman Seagrist thanked Solicitor Schorpp for his time and help with this project.

Loan Review Committee- Humes – No Report

Property/Buildings – Kautz – Councilman Kautz reported that a meeting was held with representatives from the Museum Association regarding the proposed lease of the train station. The Museum will be getting back to Council with their concerns regarding the lease in writing by October 8th.

Recycling Committee – Ryder- Councilman Ryder reported that Council viewed a presentation on Pay- as-You-Throw refuse collection from the Recycling Director at Penn Township, Gene Hejmanowski, prior to this evening's meeting. Council will receive additional information on the subject at future Council meetings.

W.S.C.O.G. - McDermott – Councilman McDermott reported the next COG meeting will be held October 18th. The Cumberland County Municipal Advisory Board met last week and Councilman Seagrist was able to attend.

Councilman Seagrist reported that a demonstration on 800 MHz radio system was conducted and it was announced that the system will be operational countywide by the end of the year.

AGENDA ITEMS October 5, 2004:

- ◆ **Discussion and possible action on Property Maintenance Code, Ordinance 1063.**
Manager Stough reported that two changes were recommended by the Solicitor under the minimum width of rooms and the heat supply exception section of the property code and the Ordinance was now ready for advertisement. Councilman Seagrist made a motion to authorize the Solicitor to advertise the Ordinance with the modifications outlined by the Manager. Councilman Ryder seconded the motion, which passed with all in favor. Councilman Seagrist thanked Vice President Whitcomb and Councilman Humes for all the work they did to move this forward on this important quality of life issue.
- ◆ **Approval of the West Shore Tax budget for 2005**
Councilman McDermott made a motion, second by Councilman Seagrist to adopt Resolution 21-2004 approving the West Shore Tax budget for 2005. Councilman Humes asked about several expense items in the budget that were not budgeted and the contingency fund monies spoke to in the budget. Manager Stough explained the budget and fund particulars. After the explanation, the motion passed unanimously.
- ◆ **Appointment of Delegate and Alternate for the West Shore Tax Bureau for 2005.**
Councilman Ryder made a motion to appoint Harry Gsell as delegate and Jack Winchell as alternate representative to the West Shore Tax Bureau for 2005. Councilman Seagrist seconded the motion, which passed with all in favor.
- ◆ **Discussion and possible action on post retirement insurance deductible policy.**
Manager Stough indicated that the policy is not ready at this time. Councilman Seagrist made a motion to table this till the next council meeting. Councilman Kautz seconded the motion, which passed 6:0.
- ◆ **Approval of Special Events Application for the Olde Tyme Day event on August 6, 2005 and closure of S. Market Street between Main and Simpson for this event.**
Manager Stough introduced Jeff Van Boskirk, representative for the foot traffic committee, who was in attendance to answer any question regarding the next two agenda items. Suzanne Reppert, owner of the Rosemary House, voiced her objection to the event scheduled on September 10th. President Winchell asked that Council first consider the request of street closure on August 6th for the Olde Tyme Day Event. Councilman McDermott made a motion to approve the request to close South Market Street from Main to Simpson on August 6, 2004 for the Olde Tyme Day event. Councilman Ryder seconded the motion, which passed with all in favor.
- ◆ **Approval of Special Events Application for the Arts and Craft Festival to be held Sept 10, 2005 and closure of South Market Street from Main to Simpson for this event.**
President Winchell opened the floor for discussion of this request. Councilman Ryder asked Mr. Van Boskirk if the committee had considered other dates for their event. Mr. Van Boskirk stated that the committee chairperson was only available on this date in September and they did not want to conflict with Streets for Treats in October. Councilman Humes asked Ms. Reppert to explain her objection to the event. Ms. Reppert explained that for twelve years she has been holding an event on that date and the proposed event would limit parking and access to her business by the patrons of this event. Ms. Reppert explained that her event, the Fairy Festival, is a unique event which draws in primarily mothers with children ages 3 to 11 and the Craft Fair patrons would be different in demographic. She further stated that having the Craft Fair on the same date would detract from the intimate unique quality of her event, as well as limiting access and parking. Ms. Reppert also noted she would potentially lose business if she changes her date, after many years on a consistent date. Alternate locations were suggested for the craft show such as North Market Street or the Church of God Community Center and alternate dates were also discussed. Patty Schmick, 10 S. Market Street, owner of Civil War and More expressed her feeling that the Craft Fair would not detract from the Fairy Festival. Ms. Schmick stated that an alternate location would not work as most of the merchants are located there and can operate their businesses, while tending to the needs of the vendors. Cliff Rogers, 214 East Marble, stated that the area in front of the Rosemary House could be left open for the Fairy Festival. After much discussion Councilman Ryder offered to mediate with the two groups and hope to obtain a compromise and report back to Council in two weeks. Some additional discussion continued after which Councilman Ryder made a motion, second by Council Seagrist, to table this matter till the October 19th meeting. The motion passed unanimously.
- ◆ **Discussion on Fire Vehicle Insurance Coverage.**
Manager Stough indicated he has nothing to report at this time. Councilman McDermott made a motion to table, second by Councilman Ryder. The motion passed with all in favor.

- ◆ **Discussion on Emergency Advisory Services Board.**
President Winchell indicated that he would like to get all the survey responses in before moving forward with formation of a board. Manager Stough indicated he would leave this on the next Council agenda.
- ◆ **Consider Resolution 20-2004 eliminating the employee contribution to the Police Pension plan for 2005.**
Manager Stough informed Council that this resolution would eliminate contributions by employees to the Police Pension Fund for the 2005 year. Councilman Ryder made a motion, second by Councilman Kautz, to adopt Resolution 20-2004 as presented. The motion passed with all in favor.
- ◆ **Discussion and possible action on lease for the Passenger Station.**
Manager Stough indicated that a copy of the deed was requested by the Museum and it was provided to them. The Museum will be submitting any questions or concerns regarding the lease to the Council by October 8th. Councilman McDermott stated that the House and Senate are both considering the Bill which would qualify the Museum to purchase the building and hopefully it will get through both the House and the Senate this session.
- ◆ **Discussion and possible action on blighted property at 22 East Simpson Street.**
Manager Stough brought Council up to date on the situation at the vacant property on 22 East Simpson Street. After we put this matter on the agenda, we received correspondence from HUD and we have spoken to a representative from the mortgage company and we are working with them to resolve the problem. With no action required at this time, Councilman Ryder made a motion to table, second by Councilman McDermott. The motion passed unanimously.
- ◆ **Discussion on wireless microphone policy.**
Manager Stough has nothing to report on this at this time.
- ◆ **Discussion on Historic District Ordinance.**
Manager Stough reported that the Solicitor, Ed LeClear and he have been working on the boundary descriptions and a draft should be ready for Council in two weeks.
- ◆ **Discussion and possible action on a Recreation Department Assistant Position.**
Manager Stough reviewed the particulars of this proposed new position. Councilman Ryder stated that he thinks this position is premature, given that part of the job description is supervision of the pool and recreation employees. After brief discussion, Councilman Ryder made a motion, second by Councilman Seagrist to table this request at this time until additional information is received on the future of the pool. Councilman McDermott indicated that he is of the opinion that this is not a new position and that Tonya Brown was in this position and moved up several years ago and the position was never filled and it is needed. After some additional discussion a vote was taken on the motion, which passed with all in favor.
- ◆ **Discussion on Tri County Boroughs Association Dinner Meeting scheduled for January 25, 2005.**
Councilman Seagrist informed Council that the Tri-County Boroughs Association has requested Mechanicsburg host the January dinner meeting, as Mechanicsburg is centrally located. Possible places for the meeting were briefly discussed. Councilman Seagrist offered to research a location. President Winchell thanked Councilman Seagrist for offering to make the arrangements. Possible locations suggested were Scotties, Snappers, La Campanara and the Borough Fire Companies. Councilman Seagrist will inform the Tri-County Borough Association President that Mechanicsburg will host the meeting. After additional discussion a vote was taken on the motion, which passed with all in favor.
- ◆ **Discussion on request of the Green Party Candidates for use of the Borough property at the corner of Main and Market Streets for a rally on Sunday October 17th from 3 to 5 PM.**
After a brief discussion on the possible need for additional Police Services, Councilman Seagrist made a motion the Council approve the use of the square for this event, provided that the Green Party agree to pay for any additional police if required. Police Chief Spotts indicated that the numbers indicated on the application would not require any additional police services. Councilman McDermott seconded the motion, which passed with all in favor.
- ◆ **Discussion on amendment to the Zoning Ordinance.**
Councilman Seagrist made a motion, second by Councilman McDermott, to authorize the Solicitor to draft and advertise the amendments to the Zoning Ordinance related to use of the Wilcox property and changes to the political sign ordinance. The motion passed with all in favor.

CITIZEN COMMENTS

None

ANY OTHER BUSINESS:

Councilman McDermott reminded Council that the Halloween Parade is next Tuesday evening at 7 PM.
Councilman Kautz reminded Council of the Historic District Public Hearing on October 18th at 7 PM.

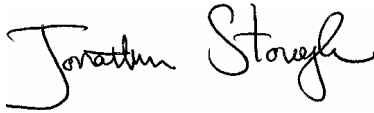
At 9:07 PM, President Winchell adjourned the meeting to Executive Session, with possible action.
At 9:50 PM, President Winchell reconvened the public meeting.

Councilman Ryder made a motion to authorize the payment of \$400 per month transportation allowance to the Borough Manager, funded from the 401-330-0 transportation line item. Councilman Humes seconded the motion. Councilman Seagrist questioned Councilman Ryder on his reasons for the proposal. Councilman Ryder responded that the motion was not motivated simply because the money was budgeted and not expended. After discussion, President Winchell called for a vote and the motion passed by a vote of 4 in favor (Humes, Kautz, Ryder, Winchell) and 2 in opposition (McDermott, Seagrist).

With no further business to come before Council, President Winchell adjourned the public meeting at 10 PM.

Executive Session 9:07

ADJOURNMENT:



Jonathan S. Stough
Borough Secretary