

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

November 1, 2004

7:30 PM

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

PLEDGE OF ALLEGIANCE: President Winchell lead those present in the Pledge of Allegiance to the flag.

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

Also in attendance Cress- Sentinel; Bob Dietrich, Phil Dolson, Nancy Hanlon, Bob Herman, Carole Sheriff, Carole & Ken Spahr, Jay Stoner, Lori & Ronald Trace, Cese Viti and Lorrie Weber.

GUESTS:
None

CITIZENS COMMENTS:
None

ADDITIONS TO AGENDA:

Councilman McDermott asked about addition of the special events application for the New Years Eve event. Manager Stough indicated it was dropped off at 4:30 today and it will be on the next agenda for discussion and possible approval, if required. Chief Spotts will review the application and have a report for Council at the next meeting. Councilman McDermott asked if an article could be put in the Borough newsletter. After reviewing the application, Chief Spotts will prepare something for the newsletter.

APPROVAL OF AGENDA:

Councilman Humes made a motion, second by Councilman McDermott, to approve the agenda as presented. The motion carried with all in favor.

CORRESPONDENCE:

Manager Stough report:

1. An e-mail was received from Layne Lebo, Mechanicsburg Brethren in Christ Church, inviting Council members to their 3rd Annual Community Day Service on Sunday December 5th at the 9 AM and 10:30 AM services.
2. A letter was received from Michael Garraway, a boy scout, relaying his opinions on the upcoming pool project.
3. The Mechanicsburg Area Veterans' Council invites Council members to their annual Veterans Day Services to be held on November 11, 2004 at the Mechanicsburg Cemetery, followed by lunch at the American Legion.
4. The Redevelopment Authority of Cumberland County responded to complaints regarding the Brethren House Apartments. Council received a copy of both letters on the subject in their packets.
5. A letter of resignation from the Shade Tree Commission was received from Nancy Cichocki.
6. The Cumberland County outreach meeting will be held November 16, 2004, 11:30 AM at Upper Allen Township.
7. A letter of interest in appointment to the Recreation Commission was received from Bob Smith of 910 East Coover Street.

APPROVAL OF MINUTES:

Councilman Seagrist made a motion, second by Councilman Ryder to approve the minutes of October 19, 2004 as presented. The motion passed unanimously.

MANAGER'S REPORT:

Manager Stough reported that an update on the Friends of Pool operations statement was provided in Council packets. Pool Bid opening results were provided to Council in Friday's packet.

Resident Survey results were included in Friday Council packets.

MAYOR'S REPORT:

- October 26th – Hosted a “Lunch & Learn” for the Mechanicsburg Museum Association. Wayne Motts from the Adams County Historical Society gave a talk about Colonel Henry Zinn. The monument in the center of the Mechanicsburg Cemetery was dedicated to Zinn.
- October 26th – Visited Chamber of Commerce Mixer at the Little Theatre of Mechanicsburg. Cindy Dlugolecki's Ghosts of Mechanicsburg was presented.
- October 28th – Attended a breakfast and tour of the Mechanicsburg Middle School celebrating the “Month of the Adolescent.”
- October 30th – Supported the Friends of the Library “Bowling for Books,” held at Trindle Bowling. Every lane was filled.
- October 31st – Officiated wedding at the Union Church

Upcoming events:

November 8th – Holly Morgan-Moul from Gaudenzia will be the Crime Watch speaker. Gaudenzia is an outpatient substance abuse service agency located on State Road in Mechanicsburg. The Mayor will be serving hot dogs.

Mayor Ritter thanked the Mechanicsburg Chamber of Commerce for the donation of the Mechanicsburg Flag, which is displayed behind the Council Presidents seat.

Trivia Question: What Mechanicsburg organization has 300 volunteers, shares a national name but is not nationally affiliated, started by Dick Snelbaker and Gladys Bonebreak, and is celebrating their 35th anniversary this year?

Answer: Meals on Wheels, serving 65 people weekly with hot and cold meals. Mechanicsburg used this name before it was used nationally. This information was supplied by Frank Miller, an active community volunteer.

CHIEF OF POLICE REPORT:

Chief Spotts noted that he has received citizen commendations for Officers Curtis and Demmy.

SOLICITOR'S REPORT:

Solicitor Schorpp had no report

FIRE CHIEF REPORT:

Chief Seagrist stated that his monthly report will be available at the next Council meeting.

Chief Seagrist reported that he attended the Mechanicsburg Middle School “Month of the Adolescent” program. He spent the morning with, Drew Quigley, and went to four classes with him and was pleased to see the programs provided at the Middle School.

JR. COUNCILPERSON REPORT:

The Mechanicsburg Debate team took numerous awards at their last debate.

The fall play will be held on November 12, 13 and 14 and will be Tom Jones.

The Diversity Club at Mechanicsburg High School is planning an event to protest the Westboro Baptist Church rally planned for November 15th. Ms. Geiger asked if Council will need to approve this event, and any counter rallies or events. Chief Spotts indicated that he will be meeting with school district tomorrow to discuss this event. Manager Stough indicated that a Special Events Permit may not be required. Solicitor Schorpp indicated the Mayor could approve a Parade Permit, if required. Councilman Seagrist asked Ms. Geiger to consider using any influence she may have to encourage any counter events to take place at a separate time, to avoid providing the protesters with additional publicity, which is what they want to achieve. Some general discussion followed on the subject.

COUNCIL COMMITTEE REPORTS:

Community Development/Downtown – Humes- The Downtown Revitalization group will begin meeting and hope to move the project forward.

Finance/Appropriations/Insurance – Winchell- No report.

Fire Committee – Ryder – Councilman Ryder reported that a meeting is scheduled for Nov 10th.

Health/Recreation – Seagrist – Councilman Seagrist reported the Recreation committee met on October 22nd and will meet on November 8th. Councilman Seagrist reported that last week he visited Memorial Park with Eagle Scout, Kyle Vinansky, who did a nature trail at the Borough Park for his Eagle Project. Since the project was completed, a tree was planted next to the path with a plaque next to the tree. Councilman Seagrist asked Borough Staff, who approved the

placement of this tree, within close proximity to this project, which involved a great deal of work and planning. Nancy Hanlon, indicated that the Shade Tree Commission usually approves planting of new trees. Phil Dolson indicated that the Recreation Commission defers any requests for planting of new trees at the park, to the Shade Tree Commission for approval. Councilman Ryder suggested the Recreation and Shade Tree Committee coordinate spots for future requests to plant trees. Councilman Seagrist, asked who pays for the tree plaques. Manager Stough indicated that if the Shade Tree Commission plants the tree, they pay for the plaque, but other trees and plaques have been paid for by individual donations. Councilman Seagrist asked Borough Staff to consider growth when receiving requests for tree plantings in the park. Much discussion followed, with Councilman Ryder suggesting that Councilman Seagrist bring this up at the next Recreation Commission, so a plan could be put in place to prevent this from occurring in the future. Councilman Seagrist asked Mr. Dolson asked about an elevated area at the park and if it was used for anything at this time, and Mr. Dolson indicated it was not at this time.

Highway/Public Safety – Kautz – Councilman Kautz reported that he attended the Church of God Community Health and Safety Fair last weekend. He reported about 150 people attended including representatives from both Fire Departments were in attendance, with Truck 8. President Winchell asked if Manager Stough had received a response from Norfolk Southern on the holes, which needed to be filed in along their right-of-way. Manager Stough indicated he left a voice mail; however, he has not received a response. Ms. Weber reported that there is another box along the right-of-way, which is filled with batteries and water, which should be closed off or removed. Discussion followed, with Manager Stough indicating he would follow up with Norfolk Southern.

Loan Review Committee- Humes – No report.

Ordinance/Administration/Legislative Action – Whitcomb – No Report.

Property/Buildings – Kautz –No Report.

Public Communications – McDermott – Councilman McDermott reported that the Committee will meet on November 16th at 6 PM. Councilman McDermott asked that the survey results be put on the Web Site.

Recycling Committee – Ryder – Councilman Ryder reported that an interesting article on recycling entitled Save the Earth, provided by Arlene Shulman, will be in the newsletter. The next Recycling meeting will be by November 17th at 7 PM at the Borough Council Chambers.

School Board – Ryder – Councilman Ryder reported that he did not attend the last meeting; however, he reported that the Superintendent is retiring at the end of the year for health reasons. Councilman McDermott asked for a Resolution, honoring the Superintendent for his years of Community service. Councilman Ryder reported on a meeting held regarding youth activities in the community. Councilman Ryder thanked Chief Spotts for attending. The group is looking for people to speak with the young people to see what it is that they would like to have to occupy their time. St. Marks, Grace United Methodist and 1st United Methodist are working to see if a Community Center could be established to serve the needs of the young people, and get them off the street. A discussion followed on the subject, with President Winchell asking if the Joint Recreation Commission members if they have any plans to open a Community Center at the Filbert Street School. Mr. Dolson indicated that they did not know at this time if anything like that is planned.

W.S.C.O.G. - McDermott – Councilman McDermott reported that the next meeting will be November 15th. The Cumberland County Advisory Board will be meeting on November 16th. They are conducting a survey of Fire Companies in the area to learn about their recruitment and retention efforts.

AGENDA ITEMS – November 1, 2004

◆ **Discussion and possible action on award of the Memorial Park Pool restoration bid.**

Manager Stough reviewed the bids with Borough Council. He indicated that he spoke with Wayne Wade and he indicated that the pool could be made ADA compliant, and the bathhouse could be brought into compliance when the work at the bathhouse is done. The heater was discussed, and it is recommended that a propane heater be used, and the installation work would be minimal to add this feature at a later time. Manager Stough indicated he e-mailed Ms. Brown late today about the number of memberships sold outside the Borough. The short fall of \$52,600 to cover the base bid was discussed, with Manager Stough indicating that Council will be responsible for this additional cost, unless additional money is raised.

Manager Stough indicated that he was just informed by the Solicitor that Council will need to do a tax rate adjustment to bring the increase, due to the County re-assessment, down to a margin of not more than 5% over the 2004 duplicate amount. Manager Stough wanted to point out that the anticipated revenue on the proposed 2005 budget sheet will need to be adjusted.

Manager Stough explained that all items needed for potential add-ons will be in place, so they can be added at a later date without extensive renovations. After some additional discussion, Vice President Whitcomb made a motion to award the base bid to Stoneridge, Inc., of Feasterville, PA in the amount of \$468,800. Councilman Humes seconded the motion. Phil Dolson asked why the donation from Upper Allen is not shown. Manager Stough indicated that it has not been received at this point in time. Councilman Seagrist asked Manager Stough if Wayne Wade has provided the estimate of cost for forming a pool authority. Manager Stough indicated they did not discuss it. After general discussion, President Winchell called for a vote and the motion passed, with all in favor.

◆ **Discussion and possible action on Ordinance 1063 adopting the Property Maintenance Code.**

Manager Stough indicated that this Ordinance has been properly advertised and is available this evening for action of Borough Council. Solicitor Schorpp indicated that the appeals will be heard by the COG Joint Appeals Board, as directed by Council. Councilman Seagrist made a motion, second by Vice President Whitcomb, to adopt Ordinance 1063 as presented. The motion passed by a roll call vote, as follows:

Humes	Yea	Seagrist	Yea
Kautz	Yea	Whitcomb	Yea
McDermott	Yea	Winchell	Yea
Ryder	Yea		

◆ **Discussion and possible action on Resolution 22-2004 setting fee for Stormwater permits.**

Manager Stough indicated that this Resolution was drafted today to go along with the Stormwater Ordinance, which Council adopted in January that requires a Stormwater permit for land disturbance. Manager Stough reviewed briefly, what constitutes a land disturbance. After discussion, Vice President Whitcomb made a motion, second by Councilman Kautz, to adopt Resolution 22-2004 establishing fees for stormwater permit reviews. The motion passed with all in favor.

◆ **Discussion on Emergency Advisory Services Board.**

Manager Stough noted that there was nothing new on this matter, at this time.

◆ **Discussion and possible action on post retirement insurance deductible policy.**

Manager Stough indicated that he discussed this matter with labor counsel and no action was required, as this is covered in both collective bargaining agreements. Vice President Whitcomb made a motion, second by Councilman McDermott, to remove this matter from the agenda. The motion passed unanimously.

◆ **Discussion on wireless microphone policy.**

Manager Stough reviewed the meeting policy with Council. The quality of the recording of the meeting without the use of the microphone was discussed. Councilman Kautz asked that a podium be constructed to provide a place for documents to be placed, during a speech. Councilman Kautz asked that the time limit per person be extended from three minutes to ten minutes. Discussion followed on the length of time people should be allowed to speak, with Councilman McDermott and Councilman Seagrist both stating that they feel citizen's time to address Council should not be limited in any way. Solicitor Schorpp advised Borough Council that they can limit the amount of time each individual can speak; however, they cannot limit the total public comment time allowed for the meeting. Much discussion followed on the subject, with little resolution.

Solicitor Schorpp will provide sample copies from Cumberland and Carlisle for Council to review. After some additional discussion, Vice President Whitcomb made a motion, second by Councilman McDermott to table the matter so Council can review additional sample policies. The motion passed with all in favor.

◆ **Discussion and possible action on Recreation Department Assistant Position.**

Councilman Ryder made a motion, second by Vice President Whitcomb to authorize the Recreation Commission to add this position and include it in their operation budget. The motion passed with all in favor.

◆ **Discussion on Engineer Design work and contract authorization for Traffic Signalization Project.**

Manager Stough clarified that the total project cost would be \$228,942, but that amount will be billed monthly, as the work is completed. Councilman Humes asked if a traffic light at Walnut and Allen was included in the study. Chief Spotts indicated that PennDOT warrants cannot be met and PennDOT has rejected request from the Borough to consider a light at that location. Discussion followed on a recent accident involving the traffic light at Simpson and S. Market. After some additional discussion on traffic-calming devices, Councilman Ryder made a motion, seconded by Vice President Whitcomb to authorized execution of the contract with Pennoni for the traffic signalization project. The motion passed with all in favor.

◆ **Discussion on proposed Historic District Ordinance.**

Councilman Kautz made a motion, seconded by Vice President Whitcomb to table discussion on the historic district ordinance. The motion passed with all in favor.

CITIZEN COMMENTS

Phil Dolson, Recreation Commission, asked about the history of the cannon at the park. Manager Stough suggested he talk to Bill Sunday and President Winchell suggested possibility checking with Jim Smick, owner of Civil War and More on South Market Street.

ANY OTHER BUSINESS

Councilman Kautz asked if a response was received from the uniform and non-uniform collective bargaining units regarding consideration of other pension plans. Manager Stough indicated that the letters have not been sent.

ADJOURNMENT:

At 9:15 PM President Winchell adjourned the meeting to an executive session on a personnel matter and potential matter of litigation, with no action to be taken.



Jonathan S. Stough
Borough Secretary