

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

June 6, 2006

7:15 PM

PUBLIC HEARING

President Whitcomb called the Public Hearing to order at 7:15 PM. Solicitor Schorpp reviewed the proposed map and text change request to the Mechanicsburg Zoning Ordinance. The change was submitted by David's Furniture, for the property on the corner of North York Street and West Main Street. The Solicitor explained that the two parcels on the West Side of North York Street are proposed to be rezoned from R-M, Medium Density Residential to C-G, General Commercial. In addition, the applicant is requesting that parking requirements for furniture or appliances stores be modified to 1 space for each 1,000 sq. ft. of floor area. The Solicitor noted that the Ordinance was properly advertised and the property was posted in accordance with the requirements in the Borough Code. He further noted that Borough Planning Commission reviewed the ordinance for the required forty-five days and recommended approval. The County Planning Commission also reviewed the ordinance, and recommended disapproval of the map change and text amendment. At this time, the Solicitor turned the floor over to Mr. Gilroy, the attorney representing David's Furniture. Mr. Gilroy reviewed the preparation process for the proposed ordinance. Mr. Gilroy then turned the floor over to Michael Martin, the applicant. A concept drawing of the proposed store expansion and incorporation of the two lots proposed for rezoning was reviewed. Councilman Ryder asked the size of the proposed building and the number of parking spaces proposed. The applicant indicated that 17,500 square ft would be the size of the store and 22 parking spaces are to be provided. President Whitcomb asked what the lot adjacent to Main Street, where a house is to be demolished, would be used for. The applicant indicated that lot would be used to provide green space for the project. President Whitcomb asked if the applicant would be requesting access to the property from an entrance on West Main Street. The applicant indicated that he had no plans to do that at this time.

Mr. Jackson, 318 West Main Street, asked what buffers were planned to reduce noise for the adjacent residential properties. The applicant indicated that plantings would be provided along the property line as a buffer.

Mr. & Mrs. Rich Jones, owners of 312 West Main Street, commented that they thought this evening's proceedings were not properly advertised and the adjacent property owners should have been informed. The Solicitor indicated that the hearing was properly advertised and the property was posted. Notification of the adjacent property owners is not required under the Borough Code for this type of hearing.

Sally Holbert, 424 West Main Street, asked what the applicant would be doing on the West Main Street side of the property where the house is proposed for demolition. The applicant indicated that landscaping would be provided. She asked that the sidewalk area be improved as it is part of the route walked by students attending school. She suggested a wall or other barrier at this location to provide screening from the commercial use to the rear of the property.

Chris Knarr, 114 East Simpson Street, indicated that many of the items being brought up this evening would be addressed as part of the land development plan submission and that would be the appropriate time to discuss and address these issues. The issue before Council this evening is just the text and map change, not the approval of any construction at this location.

Mr. Martin distributed a parking survey completed at his store during 2005. The survey indicates that the average total cars per hour at this location would be 6.27 cars, with about 12.5 cars visiting the site during the average work day. Mr. Martin indicated that some days there are more customers than others, but these figures indicate an average throughout the year. Vice President Winchell asked if the traffic count was paid customers, or just shoppers. Mr. Martin indicated that the count was customer's visiting the store, whether they purchased anything or not. Discussion followed on other individuals that use the parking area when the store is not open and the proposed use of the shared driveway adjacent to the West Main Street property where the existing home is slated for demolition.

Mrs. Jones, owner of 312 West Main Street, asked Mr. Martin if he intended to remove the historic home on the corner property and put something else at that location in the future, since he is having it re-zoned. Mr. Martin indicated that the lot coverage percentage allowed in Commercial-General is greater and that is why they are requesting the rezoning. Mr. Martin indicated that the proposed plan would use all the allowable lot coverage, so no future expansions would be possible even with the rezoning.

Chris Knarr, 114 East Simpson Street, noted that the parking study conducted by the Planning Commission as part of the Comprehensive Plan confirms the traffic information compiled by Mr. Martin at this location.

Brian Haines, 433 West Main Street, indicated that he was excited about the adoption of the Historic District Ordinance which will preserve the homes along Main Street. He indicated that he is afraid that the removal of an existing structure will create a “gap-tooth” effect at this location. He expressed concern that the view along Main Street would be altered as you would see the large parking lot as you walk along Main Street. Councilman Humes indicated that the structure in question is not historic and is barely visible from the street since it is screened by landscaping. She added that for years there was no building at this location and that it was part of the Myers property and was used as a yard. Mr. Martin indicated that the HARB would be viewing the land development plan for compliance with the historic district regulations. Mr. Martin indicated that the exterior of the large Victorian house on the corner would be renovated but would remain at its present location.

Councilman Seagrist asked the applicant the status of the acquisition of the property required to complete this project. Mr. Martin indicated that he and Mr. Nailor, the property owner, have an agreement of sale. Councilman Seagrist asked where the tenants at the apartment building on the corner of the property will park. Mr. Martin indicated that they will park in the paved parking area adjacent to that structure.

After some additional discussion on the matter, Solicitor Schorpp noted that this proposed Ordinance and map change is on the agenda for Council to consider this evening. Seeing that there were no additional questions from the public, President Whitcomb adjourned the Public Hearing at 7:40 PM.

June 6, 2006

7:50 PM

CALL TO ORDER:

After a brief break, President Whitcomb called the regular Council meeting to order at 7:50 PM.

PLEDGE OF ALLEGIANCE:

President Whitcomb led those assembled in the Pledge of Allegiance to the flag.

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

Also in attendance: Harry Baker, Leslie Collins, Bob Dietrich, Nancy Hanlon, Sally Holbert, Kevin Jackson, Rich & Josie Jones, Chris Knarr, Michael Martin, Jack Neibert, Maureen Ross and Cese Viti.

GUESTS:

Leslie Collins, Mechanicsburg Area Middle School PTO, addressed Borough Council about Operation Wildcat and distributed information about the program. She also answered questions from Borough Council. She indicated that the first project is collection of back to school items for low income families in the Mechanicsburg School District. Councilman Ryder asked Ms. Collins if she has contacted New Hope Ministries, regarding this program and she indicated that she has not. Councilman Ryder indicated that New Hope provides many of the same services to needy families in the community. Ms. Collins indicated that as part of this project they hope to compile a resources guide to community organizations that can help families in need. After some additional discussion, Ms. Collins thanked Borough Council for allowing her to speak regarding this new program to help young people in our community.

Christopher Knarr, Vice President of the Main Street Mechanicsburg Board of Directors, highlighted the activities of Main Street Mechanicsburg over the past two years. He indicated that in a few months, the group would be applying to DCED for a grant which will match \$250,000 dollars in state funding to \$90,000 in local funds. At this time, each member of the Board of Directors has made a financial commitment to the project. Mr. Knarr indicated that the \$12,000 in local government funding will demonstrate a cooperative effort as this grant application moves forward. He thanked Borough Council for their past support.

CITIZENS COMMENTS:

None

ADDITIONS TO AGENDA:

Chief Spotts added the following:

- ◆ Consideration and possible action on the granting of employee status for a day to Ronald O’Neil, Troy O’Neil, David Bock and Robert C. Herman to assist with Jubilee Day.
- ◆ Consideration and possible action on amending the Tobacco Compliance Check Agreement to extend the time period for the grant to June 30, 2007.

- ◆ Consideration and possible action on approving a Ride-Along Program for the Park Security Officers Internship.
- ◆ Consideration and possible action on directing the Police Civil Service Commission to establish an Eligibility List for Patrol Officer.
- ◆ Consideration and possible action on posting temporary No Parking on both sides of East Simpson Street from Norway Street to Filbert Street from Noon on June 9, 2006 until 2:00 AM on June 10, 2006.
- ◆ Posting for no parking signs on June 18th for the re-enactment of the capture of Mechanicsburg.

Manager Stough added the following:

- ◆ Discussion on proposed Land Development Plan for Ralston Purina.
- ◆ Addition of Executive Session on a matter of potential litigation with possible action.

Councilman Stoner added the following:

- ◆ Consider extending the no parking zone at the intersection of Alison Avenue and Darla Road.

APPROVAL OF AGENDA:

Councilman McDermott made a motion to approve the agenda, with additions. Councilman Stoner seconded the motion, which passed with no dissenting votes.

CORRESPONDENCE:

Manager Stough indicated the following items were received:

- An e-mail was received from Mr. Hoffler stating that Jubilee Day weekend was cancelled.
- A letter was received from First United Methodist Church requesting King Alley be made one way from west to east.

APPROVAL OF MINUTES:

Councilman Stoner made a motion to approve the minutes as presented. Councilman Ryder seconded the motion, which passed with all in favor.

MANAGER'S REPORT:

Manager Stough reported the pool pass sales are going well and the pool counter tops will be installed by the weekend.

MAYOR'S REPORT:

May 28th – Officiated a wedding.

May 29th – Mechanicsburg Veterans' Council held Mechanicsburg's Memorial Day Parade with services following at the Cemetery - The American Legion Post 109 hosted lunch.

May 30th – Swore into office Fire Police, Joshua Proudfoot, member of the Washington Fire Company.

May 31st – The Mayor was lunch guest and speaker at the Shepherdstown Methodist Church.

June 3rd – Officiated a wedding.

June 12th – Crime Watch meeting presenter will be Tonya Brown from the Mechanicsburg Area Parks and Recreation Department.

Trivia Question:

What year was the first wading pool added to Soldiers' and Sailors' Memorial Park?

Answer: 1924, Soldiers' and Sailors' Memorial Park was established in 1919.

CHIEF OF POLICE REPORT:

Chief Spotts reported that a Citizen's letter of commendation was received for Lt. Myers for her work in a recent criminal investigation. The Police Department received an official commendation for their participation in the Child Safe Gun Lock Program.

SOLICITOR'S REPORT:

No report.

ENGINEER REPORT:

No report.

FIRE CHIEF REPORT:

Chief Seagrist reported that hose testing is 80% complete. Pump testing will begin next week and the following week the aerial and ladder truck testing will take place.

JR. COUNCILPERSON REPORT:

Manager Stough read the Jr. Councilman’s report in her absence:

- ◆ First, that I am very sorry I am not able to attend the meeting.
- ◆ Thursday is the last day of school for this year.
- ◆ Commencement was last night for the graduating Seniors.
- ◆ Tonight is the 8th grade graduation ceremony at the Middle School.
- ◆ Finals are taking place at the High School this week, in the mornings.

COUNCIL COMMITTEE REPORTS:

Community Development– Humes – Councilman Humes reported on a nice article in the Sentinel regarding the new bridal shop scheduled to open on Simpson Street. Councilman Humes distributed the Mechanicsburg Area Foundation Report to the community and reviewed the highlights of the report.

Environmental & Recycling – Ryder – Councilman Ryder stated that the Recycling Committee and the Environmental Advisory Council met this evening. The Recycling Committee discussed a recent grant for new recycling containers in the downtown and Councilman Ryder stated that he felt the existing cans should be replaced with combination receptacles. Cese Viti reported that the Environmental Advisory Council discussed the planned development on the Hess Farm Tract as it relates to the Cedar Run Watershed and stormwater run-off. The Comprehensive Plan was also discussed and members are being encouraged to attend the informational Planning Commission meetings on the progress. The first meeting will be on June 27th, 6:30 PM.

Finance/Appropriations/Insurance – Winchell – No report.

Fire Committee –Ryder – Councilman Ryder reported that the next meeting will be June 22nd at 7 PM. Manager Stough reviewed the upcoming dates for the NIMS Training and asked Council members if they would like to sign up for either of the two trainings. The IS-700 training will be on July 12th and the IS-100 will be July 26th. The training will be offered at the Borough Office in July. Chief Seagrist explained the training and that IS-700 is required to be completed this year by elected officials.

Health/Recreation –Seagrist – Councilman Seagrist reported that upcoming Recreation Commission meetings are scheduled for June 15th, July 11th and August 8th. Councilman Seagrist also reported that Community Day at the pool is scheduled for August 5th. August 31st at 7:30 PM at Elmwood Elementary is the next Joint Recreation Commission meeting. At the last Joint Recreation Committee meeting Paul Rigney, Upper Allen Township Commissioner, asked about setting a date for volunteer fire fighters in Mechanicsburg and Upper Allen to have a pool party at the Community Pool. Chief Seagrist will ask about interest and possible dates at next Fire Committee meeting.

Highway/Public Safety – Stoner – Councilman Stoner noted that there is an item on the agenda.

Loan Review Committee- Humes – No report.

Ordinance/Administration/Legislative Action – Humes – No report.

Property/Buildings –Stoner – No report.

Public Communications – McDermott - Councilman McDermott reported that the summer newsletter is in the mail. Councilman McDermott asked Manager Stough why the Borough advertises public notices in the Sentinel and not the Patriot News. Manager Stough indicated that it is more cost effective, and many people do not read all the legal notices, so advertising two times seemed to be an undue expense.

School Board- Ryder – No report.

W.S.C.O.G – McDermott – The next meeting is June 19th.

AGENDA ITEMS – June 6, 2006

- ◆ **Consider Action on Ordinance 1080 Changing the Parking Requirements and the Zoning District Change for David’s Furniture Store, North York Street.**
Councilman Ryder made a motion, seconded by Councilman Humes to adopt Ordinance 1080 as advertised. President Whitcomb opened the floor for discussion. Vice President Winchell stated that he would like to see the landscaping remain along West Main Street and Councilman Humes also noted that she would like to see some of the trees saved, if possible. With no additional discussion, a roll call vote was taken and the motion passed by the following vote:

Humes	Yea	Stoner	Yea
McDermott	Yea	Whitcomb	Yea
Ryder	Yea	Winchell	Yea
Seagrist	Yea		

- ◆ **Consider Authorization to Donate \$12,000 in Allocated Funding to Main Street Mechanicsburg for Economic Development.**
Councilman Humes made a motion, seconded by Councilman McDermott, to approve release of the \$12,000 in budgeted funds for Economic Development to Main Street Mechanicsburg. The motion passed with all in favor.

◆ **Consider Appointment to Fill Vacancy on the Civil Service Commission.**

Manager Stough indicated that Charlie Sheriff has agreed to serve on the Civil Service Commission. Vice President Winchell made a motion, seconded by Councilman McDermott, to appoint Charlie Sheriff to the Civil Service Commission to fill the unexpired term of Ray Martin, through December 31, 2006. The motion passed with all in favor.

◆ **Discussion and Possible Action on Policy Change for Political Signs at the Borough Office on Election Day.**

Manager Stough reviewed the request of both political parties to be allowed to erect free standing signs on Election Day at the Borough Office, which is the 4th Ward polling place. Options for locations and types of signs were discussed. Solicitor Schorpp indicated that signs must be at least 10 feet from the outside door of the polling place. Councilman Seagrist indicated that he does not favor allowing signs, as it impedes traffic into the polling place. After some additional discussion on political campaigning on Borough Property, no changes to the sign policy were made. Manager Stough was directed to inform both parties and the County in writing of the Council decision regarding signage.

◆ **Discussion on EMS Tax Refunds as per Correspondence from the West Shore Tax Bureau.**

Manager Stough asked if Council has reviewed the packet of information provided from the West Shore Tax Bureau on the EMS tax refund process. Councilman Humes indicated that she did not receive the information. Manager Stough indicated that the information would be in this week's Council packet. Councilman Humes made a motion, seconded by Councilman Seagrist, to table this until the June 20th meeting. The motion passed with all in favor. Councilman McDermott reported on House Bill 956 which will change some of the EMS tax regulations.

◆ **Consideration and Possible Action on Granting Employee Status for a Day to School Police Officers Ronald O'Neil, Troy O'Neil, David Bock and Robert C. Herman to Assist with Jubilee Day.**

Chief Spotts reviewed this request with Borough Council, informing them that the School District has changed its policy regarding the use of School Police at events not on School District property. Solicitor Schorpp expressed reservations about approving this due to liability issues. Discussion followed on the role they would play at the event. Chief Spotts indicated that they would be a uniformed presence, but would call in a duty officer if a problem occurred. The Solicitor indicated that he was not comfortable with this role, as they do not have authority to deal with crowd control or other such issues. Councilman Humes made a motion, seconded by Councilman Seagrist, to deny the request. The motion passed with all in favor. President Whitcomb asked Chief Spotts what the schedule would be for regular Police Officers. Chief Spotts indicated everyone would be working and overtime would be mandatory for all officers.

◆ **Consideration and Possible Action on Amending the Tobacco Compliance Check Agreement to Extend the Time Period for the Grant to June 30, 2007.**

Chief Spotts indicated that he is asking Council to authorize an extension of the Tobacco Compliance Check Agreement through June 30, 2007. Vice President Winchell made a motion, seconded by Councilman Ryder, to approve the extension through June 30, 2007. The motion passed with all in favor.

◆ **Consideration and Possible Action on Approving a Ride-Along Program for the Park Security Officers Internship.**

Chief Spotts asked Borough Council to approve a ride-along program for two of the Park Security Officers that are working on a College Internship this summer. Trent Johnson and Mark Strum both need additional hours to fulfill their requirements. After discussion, Councilman Seagrist made a motion, seconded by Councilman Humes, to approve the ride-along, subject to submission of the properly executed release forms by the participants. The motion passed with all in favor.

◆ **Consideration and Possible Action on Directing the Police Civil Service Commission to Establish an Eligibility List for Patrol Officer.**

Chief Spotts noted that the current Eligibility List expired several months ago. Councilman Stoner made a motion, seconded by Councilman Ryder, to direct the Police Civil Service Commission to establish an Eligibility List for Patrol Officers. The motion passed with all in favor.

◆ **Consider Temporary No Parking Restriction for East Simpson Street from Norway to Filbert Street on June 9th for the Hootie and the Blowfish Concert.**

Chief Spotts reviewed the traffic and parking concerns for the Borough. Discussion followed on the event and the parking and traffic issues. After much discussion, Councilman Ryder made a motion, seconded by Councilman Humes to approve the temporary no parking zone on both sides of East Simpson Street from Norway Street to Filbert Street from noon on June 9th through 2 AM on June 10, 2006. The motion passed with all in favor.

◆ **Temporary No Parking on East Main Street from Market to Arch June 18th from 9 AM to 3 PM for the Civil War Re-enactment.**

Councilman Ryder made a motion, seconded by Vice President Winchell, to approve the temporary no parking on East Main Street, June 18th for the Civil War Re-enactment. The motion passed with all in favor.

◆ **Discussion on Parking along Darla Road and Alison Avenue.**

Councilman Stoner reviewed his findings on the intersection of Darla Road and Alison Avenue. He provided Council with photographs and a map of the proposed parking changes to improve visibility at this location. Councilman Stoner indicated that in his opinion that it was necessary to extend the no parking zone on the south side of Alison Avenue 88 feet from the existing zone to the Borough line west of Darla Road and to extend it 75 feet from the existing no parking zone east of Darla Road. Manager Stough indicated that Council could do this as an experimental parking regulation and then take action to change the ordinance, if it corrected the visibility issue. There was much discussion on the road width and the location of the mature tree near the intersection. After review, Councilman Ryder made a motion, seconded by Vice President Winchell, to adopt experimental, no parking zones on Alison Avenue, adjacent to the intersection of Darla Road, as pictured in the diagram provided by Councilman Stoner. The motion passed with all in favor. Manger Stough will have Craig Yinger install the proper signage.

◆ **Ralston Purina's Request to have the Requirement for Submission of a Land Development Plan Waived.**

Manager Stough indicated that he received a call requesting the Borough waive a plan review of the proposed expansion of the Ralston Purina building along Brandy Lane, as all the construction will be occurring on the portion of the parcel located in Hampden Township. After discussion, Manager Stough was directed to ask that Council be provided with a plan, before they made a decision on waiving the requirement for a review.

CITIZEN COMMENTS:

None

ANY OTHER BUSINESS:

Mayor Ritter noted that there will be a Flag Retirement Ceremony on Saturday at 10 AM on the square.


EXECUTIVE SESSION:

At 9 PM Council recessed to Executive Session on a matter of real estate and potential litigation, with possible action. At 9:37 PM Council reconvened the public meeting.

Councilman Ryder made a motion, seconded by Vice President Winchell, to authorize the Manager to send a letter to ARIS, regarding the pension plans. The motion passed with all in favor.

ADJOURNMENT:

At 9:45 PM, Councilman Humes made a motion, seconded by Councilman Ryder to adjourn the meeting.



Jonathan S. Stough
Borough Secretary