

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

July 18, 2006

7:30 PM

CALL TO ORDER:

At 7:30 PM, President Whitcomb called the Council meeting to order.

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, Jr. Councilperson Nauss, Mayor Ritter, Solicitor Schorpp, Lieutenant Myers, Chief Seagrist, Manager Stough and Assistant Secretary Boyer.

Also in attendance: Cress- Sentinel, Harry Baker, Tom Burson, Kirk Corliss, Bob Dietrich, William & Charlotte Griffiths, Nancy Hanlon, Charlie Sheriff and Darrell Westby.

GUESTS:

There were none.

CITIZENS COMMENTS:

Tom Burson, 400 Alison Avenue, addressed Council on the new temporary parking restrictions on Alison Avenue. He suggested a three way stop, instead of the parking restrictions, as it would be better for the residents in that area than restricting parking in front of their homes on a full time basis. He asked that the restriction not be enacted at this time as baseball season is over.

ADDITIONS TO AGENDA:

Manager Stough added discussion and possible adoption of the PSAB Investment Policy Statement and discussion and possible approval of the Monroe Township right-of-way agreement, to allow a driveway to be constructed over their sewer line.

Councilman Ryder asked that a Resolution in memory of Skip Heckard be prepared for the next Council meeting.

APPROVAL OF AGENDA:

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

CORRESPONDENCE:

Manager Stough reported the following correspondence was received:

- ◆ A parade application was received for a 5-K Charity Walk to benefit Forgotten Voices International, an organization that helps fund programs for children orphaned by HIV/AIDS throughout the world. This will be placed on the next agenda.
- ◆ The Mechanicsburg Community Pool will be receiving another \$10,000 grant from the Department of Community and Economic Development to help with the renovation costs.
- ◆ Councilman Humes asked about a letter from a resident that Borough Council received. The Manager indicated that he had not received that correspondence.

APPROVAL OF MINUTES:

Councilman Ryder made a motion to approve the minutes of the June 20, 2006 Public Hearing. Councilman Stoner seconded the motion, which passed with all in favor. Vice President Winchell made a motion to approve the July 6, 2006 Regular Council meeting. Councilman Ryder seconded the motion, which passed with all in favor.

MONTHLY REPORTS:

Councilman McDermott made a motion, seconded by Councilman Ryder, to approve the monthly reports as submitted. The motion carried.

MANAGER'S REPORT:

Manager Stough reported:

- Manager Stough reported that he met with Engineer Barber today regarding several issues including the Traffic Signalization Project, the Compost Site Plan, Comprehensive Plan and the reconstruction project at Mulberry Drive. President Whitcomb asked about the status of the Mulberry Drive paving project. Manager Stough reviewed the status of the project and noted that he will be providing Council with information on the reconstruction and bid specifications for the Mulberry Drive project in the next few weeks.

- The Manager also reported that the closing on the purchase of the Greenway property was held today.

MAYOR'S REPORT:

July 10th – Crime Watch speaker was Cumberland County District Attorney, Dave Freed. Great Information, presented for all to understand.

July 18th – Participated in a ribbon cutting ceremony with the Mechanicsburg Chamber of Commerce at Forbes Family Chiropractic, 115 South Filbert Street. Kevin Forbes was born and raised in Mechanicsburg.

Trivia Question – The Joseph T. Simpson Library building was constructed about 1840 by Thomas B. Bryson to be used as a grain warehouse. Bryson owned a gristmill, where was it?

Answer – On Lambs Gap Road near the Conodoguinet Creek, the mill has been recently torn down.

CHIEF OF POLICE REPORT:

Lieutenant Myers had no report.

SOLICITOR'S REPORT:

Solicitor Schorpp had no report.

ENGINEERS REPORT:

Engineer Barber had no report.

FIRE CHIEF REPORT:

Chief Seagrist had no report.

JR. COUNCILPERSON REPORT:

Jr. Councilperson Nauss has no report.

COUNCIL COMMITTEE REPORTS:

Community Development – Humes – Councilman Humes – Councilman Humes reported that the Olde Tyme Days for August 5th was cancelled due to a lack of vendors. An Art Auction will be held on Friday, July 21st from 7-9 at the Second Floor Gallery to benefit the new gallery opening at 13 East Main Street. Art pieces have been donated by a local artist for this event. Councilman Humes also suggested that everyone check out the Farmers Market on the square in front of PNC Bank on Saturday mornings. Fresh vegetables, cheese, bread and flowers are available.

Environmental/Recycling Committee – Ryder – No report.

Finance/Appropriations/Insurance – Winchell – Vice President Winchell reported that the Finance Committee met on Monday morning with the Police Pension Committee and discussed the PSAB Investment Policy Statement and both committees recommended adoption of that document.

Fire Committee – Ryder – No report.

Health/Recreation – Seagrist – Councilman Seagrist reported that the Recreation Commission met last Tuesday and the Finance Reports were distributed. Pool attendance information was also distributed. Councilman Seagrist also reported that the August Recreation Commission meeting will be held on the 13th and on August 5th, Community Day will be held at the pool. The next Joint Recreation Commission meeting will be held August 31st at Elmwood Elementary School. The September meeting of the Recreation Commission will be held September 12th.

Highway/Public Safety – Stoner – Councilman Stoner stated that he has been working to find a solution for the Alison Avenue/Darla Road intersection visibility issue. He stated that he met with Craig Yinger to discuss the placement of signage at that location. He also stated that he will be meeting with the Church and residents regarding changes to the direction of traffic on King Alley.

Loan Review Committee – Humes – No report.

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

Property/Buildings – Stoner – No report.

Public Communication – McDermott – Councilman McDermott noted that the deadline for the fall edition of the newsletter is August 18th.

School Board – Ryder – Councilman Ryder – Councilman Ryder reported that he met with the Principal of Shepherdstown Elementary. Students from that school will be at the Filbert Street School at the beginning the school year due to renovations at their building.

W.S.C.O.G. – McDermott – Councilman McDermott reported that the COG met last night and the COG auction will be held tomorrow at Sporting Hill Elementary. The suggested name changes for the COG were distributed to Council in their packets, and a decision on the name change was tabled until the August meeting.

AGENDA ITEMS – JULY 19, 2006

◆ Discussion and Possible Authorization to Advertise the Sinkhole Ordinance.

Manager Stough reviewed the proposed ordinance with Borough Council, noting that there has been some discussion on changes to the perimeter surrounding a sinkhole prone area made by the Planning Commission. Kirk Corliss, Planning Commission Chairman, reviewed the changes proposed by the Planning Commission with Borough Council. After some discussion, Councilman Seagrist made a motion to table action on this matter until Council could be provided with a revised copy of the ordinance with the changes recommended by the Planning Commission. Councilman McDermott seconded the motion, which passed with all in favor.

◆ Consider Authorizing the Mechanicsburg Special Fire Police to be Utilized for Traffic Direction and Control by East Pennsboro Township for the Firefighters Convention Parade Scheduled for September 16, 2006.

Councilman Seagrist made a motion to approve the use of Mechanicsburg Special Fire Police by East Pennsboro Township for their Firefighters Convention Parade on September 16, 2006. Councilman McDermott seconded the motion, which passed with all in favor.

◆ Consider Request of Mechanicsburg Historic Architectural Review Board for Certificates of Appropriateness for Applications as Listed Below.

1. Application of C & J Catering – Signage.

Manager Stough reviewed the particulars of this application with Council, stating that there has not been a zoning permit issued for this sign because it does not conform to the size allowances in the Zoning Ordinance and is not 10 feet over the sidewalk, as prescribed by the Zoning Ordinance. Solicitor Schorpp reviewed the three options available to Borough Council regarding the COA for this property. He stated that the Historic Architectural Review Board took action to recommend this sign, contingent upon the applicant being able to obtain a zoning permit. The Historic District Ordinance stated that Council needs to consider a Certificate of Appropriateness application request within ten days of the HARB review and recommendation. The Manager reviewed the actions Council can consider, which are to table this matter for up to 90 days to allow the applicant to obtain a zoning permit by bringing the sign into compliance, approve the sign contingent upon the applicant obtaining a variance for the sign and removing the electrical components, or, Council could deny the Certificate of Appropriateness due to the unresolved zoning issues. Manager Stough indicated that the business owner made a verbal statement to the Codes Officer today that she would not be applying for a variance to keep this sign. Discussion followed on the sign that was in place for the previous business at this location. Councilman Humes noted that the HARB indicated that the sign should not be backlit; however, it currently is being lit in the evenings. Vice President Winchell made a motion, seconded by Councilman Humes, to table action for 90 days to allow the applicant to address the zoning issues. Councilman Seagrist expressed concern over the advice given the applicant by the property owner who advised them they could use the existing sign frame for their sign face. Councilman Ryder stated that as a point of order, a vote should be taken on the motion to table before additional discussion. The Solicitor concurred with Councilman Ryder and President Whitcomb called for a vote. The motion passed with all in favor. Councilman Ryder asked if there is some grandfathering involved since the sign frame was already at this location and the previous business had a sign of this size. The Solicitor stated that the sign could remain until after the Zoning Hearing Board rendered its decision, but if a variance was not obtained, it would have to be removed. Vice President Winchell asked if the property owner spoke to anyone at the Borough Office regarding the sign, before advising his tenants. The Manager indicated that he did not; he just told them it would be fine to put up the sign. Councilman Humes stated that the property owner was in attendance at the HARB review and when asked if he could assist with the removal and/or replacement costs for the sign, he did not respond.

2. Application of Darrell Westby – Signage.

Councilman McDermott made a motion to approve the Certificate of Appropriateness for the proposed Westby signage at 40 West Main Street. Vice President Winchell seconded the motion, which passed with all in favor. Vice President Winchell welcomed Mr. Westby back to the Mechanicsburg business community.

3. Application of Patricia Erskine – Window Replacement.

Councilman Seagrist moved to approve a Certificate of Appropriateness for the proposed replacement windows at 28 West Simpson Street for Patricia Erskine. Councilman Ryder seconded the motion which was approved unanimously.

4. Application of Jeffrey & Donna Gates – Roof Replacement.

Councilman Ryder made a motion, seconded by Councilman McDermott to recommend approval of the Certificate of Appropriateness for Jeffery and Donna Gates, to replace the roof at 205 South Market Street with 30-year architectural shingles. The motion passed with all in favor.

5. Application of Warren & Reese Dentistry – Addition.

Vice President Winchell made a motion to recommend approval of the Certificate of Appropriateness for the proposed addition to Warren and Reese Dentistry at 324 East Main Street. Councilman Stoner seconded the motion, which passed with all in favor.

Accept Resignation of Patrol Officer Matthew Hlavac, Effective August 6, 2006.

Councilman Ryder made a motion to accept the resignation of Patrol Officer Matthew Hlavac from the Mechanicsburg Police Department, effective August 6, 2006. Councilman Stoner seconded the motion passed with all in favor.

Discussion on Handicapped Parking Space Criteria.

Manager Stough stated that as requested, Council was provided a list of all the handicapped parking spaces currently in the Borough, the driver's license status of each applicant, and if the applicant had a placard or a handicapped license plate. The list also includes if the applicant uses a cane, a walker, was on oxygen and the reasons listed for requesting the space on the application. The status of off street parking at each location is also on the list. Discussion followed on what should constitute the need for a designated handicapped parking space. After brief discussion, President Whitcomb suggested that the Public Safety Committee meet with the Chief to discuss this matter further. Councilman Seagrist made a motion, seconded by Councilman Ryder to ask the Public Safety Committee to review this matter further. The motion passed with all in favor.

Consider Adoption of the PSAB Investment Policies for the Pension Funds.

Councilman Humes made a motion, seconded by Vice President Winchell to adopt the PSAB Investment Policies as presented. The motion passed with all in favor.

Acceptance of the Deed of Right-of-Way Agreement with the Monroe Township Municipal Authority.

Manager Stough explained that Monroe Township has a sewer line which runs under the proposed site of the access drive for the Compost facility, which is why this agreement is required. Councilman Ryder made a motion, seconded by Council McDermott, to accept the Right-of-Way Agreement as prepared, and record it with Cumberland County. The motion passed with all in favor.

APPROVAL OF EXPENDITURES PAID:

Councilman Stoner made a motion, Councilman Ryder seconded, to approve the expenditures from June 1, 2006 through June 30, 2006 in the following amounts:

General Fund: \$322,049.44 Highway Aid Fund: \$275.14 Capital Improvement Fund: \$28,766.24

The motion passed with all in favor.

CITIZEN COMMENTS:

There were none.

ANY OTHER BUSINESS TO COME BEFORE COUNCIL:

Vice President Winchell reported that Treasurer Gsell would be unavailable for the November 15th West Shore Tax Bureau meeting and he also has a commitment for that evening. He asked that Council appoint an alternate to attend. Manager Stough will add that to the next agenda and Council members were asked to check on their availability for that date.

EXECUTIVE SESSION:

At 8:26 PM President Whitcomb recessed the meeting into Executive Session on a Real Estate Matter with possible action. At 8:48 PM, President Whitcomb reconvened the public meeting, stating that there would be no action on the matter at this time.

CITIZENS COMMENTS

William Griffith, 108 S Market Street, addressed Borough Council on his dissatisfaction with the new billing system for sewer and refuse. He stated that since this is a consumption based billing system, the Borough should not charge him for service when he goes to Florida each winter. He stated that he felt it was unlawful for the Borough to charge for services not received. The Borough Solicitor explained that unlike a private company, the municipality must generate enough revenue to cover the operating costs and if it gives allowances for periods of vacancy, it would need to recoup that revenue by charging higher rates.

President Whitcomb asked Lieutenant Myers about the circumstances that led to the change in the interview procedures for Police applicants. Lieutenant Myers briefly reviewed the application and interview procedures being used. Manager Stough indicated that Council voted to change the procedures for the interview process in 2001. After discussion on the matter, Manager Stough stated that he would provide Council members with the current Civil Service Regulations for their review.

ADJOURNMENT:

With no further business to discuss, President Whitcomb adjourned the meeting at 9:27 PM.



Jonathan S. Stough
Borough Secretary