

MANHEIM BOROUGH
COUNCIL MEETING
February 14, 2012

Roll Call: President Chris Simon, Vice President Bonnie Martin, Pro-Tempore Philip Enterline, John Eshelman, Dave Fenicle, Rebekah Bowers and Mayor Eric Phillips

Staff: Robert Behling, Borough Manager, Linda Gerhart, Recording Secretary and Police Chief Joseph Stauffer

President Simon convened the council meeting at 7:00 PM.

Chief Stauffer was present as well as Manheim Borough Officers Groff, Arzamendi, Ludman, Yarnell, Oswald, Martelle and Szulborski. Officer Szulborski was presented with a commendation by Police Chief Stauffer and Mayor Eric Phillips for an incident that happened January 29th.

Approval of the January 31, 2012 Minutes:

- A Motion was moved by Mr. Eshelman to approve the Minutes of the January 31, 2012 Borough Council Meeting. The Motion was seconded by Mr. Enterline and passed unanimously.

Financial Reports:

- A Motion was moved by Mr. Enterline to approve the voucher list in the amount of \$102,111.87. The Motion was seconded by Mr. Eshelman and passed unanimously.

Visitors:

- Barbara Basile, Director of the Manheim Community Library was present to update council on programs being offered by the library and to request use of the Community Room for the Summer Reading Program. After some discussion and questions it was decided to research the maximum capacity for the room and make a decision by the next council meeting.
- Dan Reif, the new Fire Chief for the Manheim Fire Company presented the company's year-end report for 2011. He reviewed the statistics and ongoing projects for the company. He complimented the Manheim Borough Police Department for their ongoing help in emergency situations and the reduction in response times especially in Rapho Township.
- Terry Shaffer, a South Main Street Business Owner expressed his concerns for the way the PennDOT project has been managed and to relay the ongoing complaints about parking he is receiving from his tenants due to the lengthy timeline of this project. He also requested that the yellow curb markings on either side of his parking lot be lengthened to enable better visibility when pulling out of his parking area onto South Main Street.
- Brad Roth of South Ferdinand Street was present to question if there was a flooding situation on the Creek Field and if funds could actually be solicited from FEMA to cover the damage. It was explained that the damage from the pounding rain was considered an eligible expense for reimbursement from FEMA.
- Douglas Snavelly was present to further explain and update council that changes made by the auditor affected the authority revenue and expenses and he did not realize at the last council meeting this had taken place, so the information the authority had received from the borough was actually correct. He explained the increase in the rates for water and sewer and also that some of the bills for January need to be recalculated and new bills issued to the residents in Wards 1 and 2.

- Emily Ditzler of West Ferdinand Street was present to ask for an explanation of how the repayment of the authority's debt will impact residents in the future, especially senior citizens on fixed incomes. She was invited to attend the authority's meeting on February 16th for an answer to her question.

Mayor and Police Chief Report: (see attached News Release and Report)

- Mayor Phillips distributed his report and reviewed it with council. He updated council on the Stiegel Glassworks ribbon cutting on Friday, February 17th and the expansion of the glass house building. He reported the Manheim Downtown Development Group is currently preparing for their assessment with the Pennsylvania Downtown Center and will be hosting a business education coffee grinder on Friday, February 24th at the Railroad Station.
- Chief Stauffer distributed his report and reviewed it with council. He updated council on the grants currently being submitted for a Preliminary Breath Test and the Click it or Ticket Grant, the new defibrillator received from the Heart Association Foundation and the County Wide Roving DUI patrol on January 27th.

Borough Managers Report:

- Mr. Behling distributed his Borough Manager Report and reviewed it with council.
- It was noted that there is still a vacancy on both the Historic Commission and Manheim Borough Authority.
 - A Motion was moved by Mr. Eshelman to appoint Mr. Enterline to the Manheim Borough Authority. The Motion was seconded by Ms. Bowers and passed unanimously, with Mr. Fenicle abstaining.
- The donation requested from the Manheim Historical Society was discussed and will be tabled until the next meeting. Mr. Behling will research the necessary accounting steps and legality of donating tax dollars to the Historical Society.
- Council was updated on the DEP permit renewal process for the Borough's Municipal Separate Storm Sewer System permit.
- Barry Weidman has accepted the position of full-time Public Works Worker.
- The Borough Solicitor is available to present a brief refresher workshop for Council members prior to either the March Council meetings from 5:30 PM to 6:45 PM on Pennsylvania' Right-To-Know statute and recent changes to the law. It was decided to schedule the workshop before the March 13th council meeting.
- Ryan Hershey had expressed an interest in returning to Market Square as a vendor this summer and was requesting modifications to the Street Vendor Ordinance signage requirements and Permit Fee. After discussing the Permit Fee it was decided to keep the fee at \$450.00. Discussion was held concerning the signage requirements and Mr. Hershey's request to use A-Frame signage not currently allowed by the vendor ordinance.
 - A Motion was moved by Mr. Fenicle to allow one A- Frame signs within 8 foot radius of the stand. The Motion was seconded by Ms. Bowers and was not passed by a 2 to 4 vote. Ms. Martin, Mr. Simon, Mr. Eshelman and Mr. Enterline voted nay.

It was decided to go back to the Manheim Downtown Development Group for suggestions to change the sign definition before amending the Vendor Ordinance. Mr. Behling will contact the MDDG with this request to review the specifications for signs and present a draft of any changes to council for consideration. Mr. Behling will contact Mr. Hershey to let him know they are looking at the current sign definition to make possible changes.

- The District Champion and State championship runner-up Manheim Central High School Girls' Softball Team will be repainting the bleachers and concession building at the Pool Field in Veterans' Memorial Park this spring.

- Council was informed that project consultant LandStudies will be meeting with the Borough Planning Commission February 20th to review the Logan Park Master Plan currently underway as a partnership with the Manheim Soccer Club and Chiques Creek Watershed Alliance.
- Pre-bid meeting for the Traffic Signal Upgrade Project was held on February 14th and the Bid Opening is scheduled for February 21st. Approval of the contractor will be on the agenda for the February 28th council meeting.

Committee Reports:

- Mr. Eshelman reported the Finance Committee had met before the meeting and is happy to report the funds are ahead of last year. They will be giving council an update on the FEMA money as it is received. They looked at their meeting schedule for the year and would like to report that there are funds available for the Manheim Historical Society's request for a donation if council so decides.
- Mr. Enterline reported that the Parks Committee as well as Sam Parks, Alan Shaffer and Mr. Behling had met at the Pool Field to assess what work needs to be done to remedy the current ponding problems.

New Business:

- Discussion was held concerning the heat in the basement.
- Mr. Stehman's comments from the last meeting were discussed and Mr. Enterline updated council on his conversation with Mr. Stehman concerning the issues at the Pool Field.

Old Business:

- Andy Baker requested a further explanation on his question from the last council meeting concerning the work at the Pool Field. Mr. Behling explained that there were two separate projects being completed at the Pool Field and that was the reason two different contractors were engaged to complete the work.

Executive Session:

- A Motion was moved by Mr. Eshelman to adjourn to Executive Session for the discussion of personnel and real estate matters at 8:22 PM. The Motion was seconded by Mr. Enterline and passed unanimously.

Respectfully Submitted

Linda Gerhart

- A Motion was moved by Ms. Martin to adjourn from Executive Session at 9:20 PM. The Motion was seconded by Mr. Fenicle and passed unanimously.

Two residents rejoined the public meeting: Brad Roth and Terry Shaffer.

New Business:

- A Motion was made by Ms. Martin to dismiss the Borough Manager; the Motion was seconded by Mr. Enterline.
- Discussion on the motion – Mr. Eshelman had concerns on not having documents supporting this discussion. Pres. Simon inquired about letting the manager resign instead of termination. Residents voiced their concerns on the borough managers' performance.
 - Roll call vote: Rebecca Bowers – yes, David Fenicle – yes, John Eshelman – abstain, Phil Enterline – yes, Bonnie Martin – yes, Chris Simon – abstain
- Short discussion on the process for the interim manager and to secure a new full time borough manager

Adjournment:

- A Motion was moved by Mr. Enterline to adjourn at 10:35 PM. The Motion was seconded by Mr. Fenicle. Five councilmen were in favor and one councilman opposed.

Respectfully Submitted

Bonnie Martin

MANHEIM BOROUGH
COUNCIL MEETING
February 28, 2012

Roll Call: President Chris Simon, Vice President Bonnie Martin, John Eshelman, Dave Fenicle, Rebekah Bowers and Mayor Eric Phillips

Staff: Steve Gabriel, Interim Borough Manager, Sandra Mitchell, Recording Secretary, Mike Davis, Solicitor and Police Chief Joseph Stauffer

President Simon convened the council meeting at 7:05 PM.

A presentation of commendation by Police Chief Stauffer and Mayor Eric Phillips to Officer Groff for a promotion to sergeant started off the meeting.

A letter was read by Pres. Simon from former Borough Manger Bob Behling thanking the community for the opportunity of serving them.

A letter was read by Pres. Simon saying that he is resigning as President of Council but will remain on Council and work diligently for the community.

Vice Pres. Martin then took over the meeting.

Approval of the February 14, 2012 Minutes:

- A Motion was moved by Mr. Eshelman to approve the Minutes of the February 14, 2012 Borough Council Meeting. The Motion was seconded by Ms. Bowers and passed unanimously.

Financial Reports:

- A Motion was moved by Mr. Eshelman to approve the voucher list in the amount of \$60,613.34. The Motion was seconded by Ms. Bowers and passed unanimously.

Visitors:

- Jim Koontz from BSSF was here to address any issues or questions Council may have had about what the Authority had said at the last public meeting. He stated he talked with Mr. Fenicle and all information was given to them and they are happy with it. Mr. Fenicle agreed. Mr. Koontz was just out doing field work and said all was going smooth for the Borough and Authority.
- North Group came and provided a quote for helping Council find a new borough manager and answered any questions they would have. Council agreed they would compare to other groups and get back to them.
- Deloris Miller at 154 N Laurel St says she has contacted the Borough several times about all the water she gets in her basement since they built the North Point Development but never hears back. Council agreed that Mr. Gabriel would look into the issue and get back to her.
- Bernard Reiley, Tina Greenwall and other residents attending the meeting asked council why they decided to dismiss the borough manger, if the sunshine law was broken and if he was given probation. They were also concerned of all the turnover and cost to the

borough. A discussion ensued involving Council and meeting attendees related to the dismissal and the questions raised.

Mayor and Police Chief Report: (see attached News Release and Report)

- Chief Stauffer distributed his report and reviewed it with council. He updated Council on the issues with the redistricting the Lancaster County Judicial District and asked Council to send letters to Deputy Court Administrator, Thomas Weaver.

Borough Managers Report:

- S Main street work has begun, UGI is currently working, then Brukholder Paving will do the curb ramps, and finally the paving should be done by April 15.
- 2012 CDBG funding is \$125,000 for West End and Fredrick St milling and overlay; Mr. Gabriel will have a time line schedule for Council at the next meeting. Mr. Gabriel pointed out that the original project scope only called for milling a 5 feet wide section along the curb line on each street. The streets conditions require consideration of full width milling so the project will be bid both ways.
- Smart Growth funding for Market Square and FEMA recovery funding Mr. Gabriel will follow up on and get back to Council on.
- DCED floodplain cost reimbursement paperwork was due on Feb. 29th; Ms. Mitchell filed all the paperwork needed to try to get some reimbursed funds.
- Mr. Gabriel agreed to look at the expenses for the Linear Park and report back.

New Business:

- Resolution No. 2-2012 authorizing an application to the PA Municipal Assistance Program
 - A Motion was moved by Mr. Eshelman authorizing an application to MAP. The Motion was seconded by Ms. Bowers and passed unanimously.
- Traffic signal upgrades project bids.
 - A Motion was moved by Mr. Eshelman to accept the lowest bidder C.M. High, Inc. at \$99,954.00 to do the traffic signal upgrade project. The motion was seconded by Mr. Fenicle and passed unanimously.
- Appointments:
 - A Motion was moved by Mr. Fenicle to appoint as alternate representative to the Lancaster County Tax Collection Bureau Dave Kratzer. The Motion was seconded by Mr. Eshelman and passed unanimously.
 - A Motion was moved by Mr. Eshelman to appoint Sandra Mitchell as the Right to Know Officer. The Motion was seconded by Ms. Bowers and passed unanimously.

Executive Session:

- A Motion was moved by Mr. Fenicle to go to Executive Session for the discussion of personnel and MEM at 8:10 PM. The Motion was seconded by Ms. Bowers and passed unanimously.
- A Motion was moved by Mr. Fenicle to adjourn from Executive Session at 9:00 PM. The Motion was seconded by Ms. Bowers and passed unanimously.

Other Business:

- Re-elect council position
 - A Motion was moved by Mr. Simon to have Mr. Eshelman as Vice-chair but Mr. Eshelman respectfully declined.

- A Motion was moved by Mr. Eshelman to have Mr. Simon as Vice-chair. He accepted. It was seconded by Ms. Bowers and passed unanimously.
- A Motion was moved by Mr. Eshelman to have Ms. Martin as President of Council. It was seconded by Ms. Bowers and passed unanimously.
- A Motion was moved by Mr. Eshelman to ratify the agreement with Rettew as Stephen Gabriel the Interim borough manager. It was seconded by Mr. Fenicle and passed unanimously.

Adjournment:

- A Motion was moved by Mr. Eshelman to adjourn at 9:08 PM. The Motion was seconded by Mr. Simon and passed unanimously.

Respectfully Submitted

Sandra Mitchell