

MANHEIM BOROUGH  
COUNCIL MEETING  
March 8, 2011

**Roll Call:** Vice President Doug Shaub, Pro-Tempore Philip Enterline, Susan Miller, Chris Simon, John Eshelman and Mayor Eric Phillips

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

Vice President Doug Shaub convened the council meeting at 7:00 PM.

**Approval of the February 22<sup>nd</sup> Minutes:**

- A Motion was moved by Mr. Eshelman to approve the Minutes of the February 22, 2011 Borough Council meeting. The Motion was seconded by Mr. Enterline and passed unanimously.

**Financial Reports:**

- A Motion was moved by Mr. Enterline to accept the voucher list in the amount of \$51,278.80. The Motion was seconded by Mr. Eshelman and passed unanimously.

**Visitors:**

- Mr. Brett Hallacher, a member of the Historic Commission and Planning Commission was present to update borough council on his research to date on the light poles and light fixtures being considered as a project by the 250<sup>th</sup> Anniversary Committee. This project is being considered to replace the lights at Market Square, which are in need of repair. Borough Council Members gave their suggestions for consideration for this project.

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

- Officer Ronald Shank was presented a letter of commendation by Mayor Eric Phillips on behalf of the borough for his service during a recent burglary in Penn Township on February 18<sup>th</sup>.
- A request for a handicap parking space at 230 South Magnolia Street was presented for approval.
  - A Motion was moved by Mr. Enterline to approve the request for a handicap parking space at 230 South Magnolia Street. The Motion was seconded by Mr. Eshelman and passed with 2 nay votes.
- Chief Stauffer presented paperwork for to be signed by council to continue the Police Department's membership in the consortium for hiring and testing of police officers. This membership is a budget item.
- Chief Stauffer presented the probationary letter for Officer Vincent Arzamendi and requested the approval to take him off probation.
  - A Motion was moved by Mr. Eshelman to end the probationary period for Office Vincent Arzamendi and add him to the police department as a full time officer. The Motion was seconded by Mr. Enterline and passed unanimously.
- Chief Stauffer distributed his report and explained the statistics and news releases.
- Chief Stauffer requested approval for the disposal of police equipment no longer needed that is being stored in the street shed.

- A Motion was moved by Mr. Eshelman to approve the disposal and liquidation of the police equipment no longer needed that is being stored in the street shed. The Motion was seconded by Ms. Miller and passed unanimously.
- Chief Stauffer explained the notification process that is necessary to inform borough residents that a Sexually Violent Predator has moved into the borough. Chief Stauffer also informed council that there is also an ordinance being drafted to address some of the issues of having Sexually Violent Predators residing in the borough.
- Mayor Phillips informed council that an Elizabethtown work camp group is interested in offering their service to Manheim residents to do repair work and clean up at no cost.

**Borough Managers Report:** (see attached)

- Mr. Behling distributed his Borough Manager Report and reviewed it with council.
- Mr. Behling explained the procedure for code enforcement.
- Council agreed to allow a discounted daily pool rate for groups of 25 or more people regardless of age to be \$4.00 a day.
- The portable toilets for the parks will be provided by Walters.
- The dump/plow truck will need significant repairs.
- Council has been invited to the Planning Commission Meeting on March 21<sup>st</sup> at 7:00 PM to participate in the discussion being held on the zoning changes that are to be implemented to the zoning ordinance due to the approved regional comprehensive plan.
- The street vendor ordinance comments from the solicitor have been received and will be presented for adoption at the next council meeting.

**Committee Reports:**

**Street Committee**

- The Streets/Utilities Committee is recommending replacement of the dump/plow truck purchased several years ago. A recent inspection shows it will need \$3,000 in brake repairs and another \$5,000 to \$6,000 in other repairs to get it through the winter.
  - A Motion was moved by Ms. Miller to find an economical replacement for the dump/plow truck total price not to exceed \$25,000. The Motion was seconded by Mr. Simon and passed unanimously.

It was noted that the sale of the dump truck will help to offset the \$25,000 that is being used as a total not to exceed price. The sale of the dump truck is not to be used as additional funds for the purchase.

- The Streets/Utilities Committee also needs to purchase a vehicle for use in the parks and is recommending a small pick-up truck, so it can be used on the street. They know there are several currently available and are looking for approval to continue the possible purchase of a vehicle.
  - A Motion was moved by Mr. Eshelman to approve the purchase of a pickup truck for use in the parks. The Motion was seconded by Mr. Enterline and passed unanimously.
- Mr. Behling presented the report from the consultant for the pool.

**Police Committee**

- The Police Committee is recommending that Manheim Police Chief prepare a response to Rapho Township for their request for a contract proposal to provide 24 hour police coverage for the entire Township or a designated service area.
  - A Motion was moved by Mr. Eshelman for Police Chief Stauffer to prepare a contract proposal for Rapho Township for 24 hour police coverage for the entire Township or a

designated service area. The Motion was seconded by Ms. Miller and passed unanimously.

**New Business:**

- The reappointment of Mr. Anthony Haldeman to the Planning Commission was presented for approval.
  - A Motion was moved by Mr. Eshelman to appoint Mr. Anthony Haldeman to the Planning Commission for a 4 year term. The Motion was seconded by Mr. Simon and passed unanimously.
- The Sex Offender Residency Restriction Ordinance draft prepared by the Police Chief was reviewed by the borough solicitor. He has researched the ordinance with other municipalities and has suggested some revisions.
  - A Motion was moved by Mr. Eshelman to direct the solicitor to finalize the Sex Offender Residency Restriction Ordinance for advertising and adoption. The Motion was seconded by Mr. Simon and passed unanimously.

**Old Business:**

- Mr. Behling presented a request for a letter of credit release from Penway Construction for the Oaks development in the amount of \$49,474.50. There is approximately \$14,000 worth of work that still needs to be completed in the development. The engineer is recommending either a reduction in the letter of credit or a \$14,270.00 certified check to cover the balance of work still needed and that the work is completed by October 1, 2011.
  - A Motion was moved by Mr. Eshelman to approve the letter of credit reduction in the amount of \$35,204.50 leaving an outstanding balance of \$14,270.00. A second alternative is that Penway present a \$14,270 certified check to cover the balance of work still needed and that the entire amount be released. The work needs to be completed by October 1, 2011. The Motion was seconded by Mr. Enterline and passed unanimously.

**Council Reports:**

- Mr. Simon gave an update to council on the current status of the Minsec situation. The legislative hearing for the introduction of House Bill #111 by Representative Creighton is scheduled for March 17<sup>th</sup> at the Manheim Central Middle School at 3:30 PM.
- It was noted that the patching still needs to be completed on the areas in the borough that were excavated by UGI.
- Code enforcement was requested at a property on East Stiegel Street that has debris, limbs and many items strewn through the property.
- Goal sheets will be handed in by council members at the next council meeting on March 29<sup>th</sup>.

**Executive Session:**

- A Motion was moved by Mr. Eshelman to adjourn to executive session at 8:12 PM. The Motion was seconded by Ms. Miller and passed unanimously.

**Adjournment:**

- A Motion was moved by Mr. Eshelman to adjourn from Executive Session at 8:37 PM. The Motion was seconded by Mr. Simon and passed unanimously.

- A Motion was moved by Mr. Eshelman to adjourn at 8:38 PM. The Motion was seconded by Ms. Miller and passed unanimously.

Respectfully Submitted,

Linda Gerhart

MANHEIM BOROUGH  
COUNCIL MEETING  
March 29, 2011

**Roll Call:** President Bonnie Martin, Vice President Doug Shaub, Pro-Tempore Philip Enterline, Susan Miller, Chris Simon and John Eshelman

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

President Martin convened the council meeting at 7:04 PM.

**Approval of the March 8th Minutes:**

- A Motion was moved by Mr. Eshelman to approve the Minutes of the March 8, 2011 Borough Council meeting. The Motion was seconded by Mr. Simon and passed unanimously.

**Financial Reports:**

- A Motion was moved by Mr. Enterline to accept the voucher list in the amount of \$72,196.41. The Motion was seconded by Mr. Eshelman and passed unanimously.

**Visitors:**

- William King, Commander of the Manheim VFW was presented a commendation by Police Chief Stauffer for the Manheim VFW in recognition of their kind and generous contribution to completely fund the police bike patrol purchases
- Ms. Rebekah Bowers requested that the traffic light at the intersection of West Gramby Street and South Charlotte Street be reviewed by the Police Department for possible visibility improvement and light timing.

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

- Chief Stauffer distributed his report.
- A proposal was presented for the lettering for the new 2011 Crown Victoria Cruiser. This design will also be phased in for the other police cruisers.

**Borough Managers Report:** (see attached)

- Mr. Behling distributed his Borough Manager Report and reviewed it with council.
- The VFW was thanked for ordering the flags that needed to be replaced on Market Square.
- The curb and sidewalk project South Main Street is tentatively scheduled to start July 1<sup>st</sup>.
- A list of municipal liens for unpaid Municipal Service Fees was distributed.
- The mowing contract for the summer is ready to be awarded.
- Interviews have been conducted for the part-time seasonal maintenance worker position.
- Approximately 100 season pool memberships have been purchased to date.
- Repairs for the pool are scheduled to start within the next two weeks.
- There is possibly someone interested in operating the pool concession stand for the summer, but they have not submitted a proposal. It was suggested that the public be made aware of the need for someone to operate the concession stand. Mr. Behling will handle notifying the public.
- The public hearing for the zoning ordinance updates will be held on May 31<sup>st</sup>.

- The signals at the five points intersection are now in full mode.
- The pothole repairs for the borough are scheduled for the week of April 4<sup>th</sup>, weather permitting.
- The VFW was thanked for their continued efforts in recycling magazines for the Ronald McDonald House.
- The possibility of using some of the field areas in and near Memorial Park for parking as a fundraiser during events such as the farm show, soccer games etc. was discussed.

## **Committee Reports:**

### **Property Committee**

- The Property Committee had a meeting before the council meeting and will continue the discussion at the Executive Session at the conclusion of the council meeting.

### **New Business:**

- Street Vendor Ordinance - 620 was presented for approval. After a discussion it was decided to amend the presented ordinance to increase the fee for the annual agreement to \$450.00, change the description of the allowed signage and limit the season to April 1<sup>st</sup> to September 30<sup>th</sup>.
  - A Motion was moved by Mr. Eshelman to approve the Street Vendor Ordinance – 620 with the following amendments of; an increase to the fee for the annual agreement to \$450.00, changing the description of the allowed signage and limiting the season to April 1<sup>st</sup> to September 30<sup>th</sup>. The Motion was seconded by Mr. Simon and passed unanimously.
- A Motion was moved by Mr. Shaub to increase the fee for a vendor permit to \$450.00 per season. The Motion was seconded by Ms. Miller and passed unanimously.
- The Three Strikes Ordinance - 619 was presented for approval. Police Chief Stauffer gave a brief overview of the ordinance, the permit requirements and the enforcement procedures.
  - A Motion was moved by Mr. Shaub to approve the Three Strikes Ordinance - 619. The Motion was seconded by Mr. Enterline and passed unanimously.
- Sex Offender Residency Restriction Ordinance - 621 was presented for approval. Police Chief Stauffer gave a brief overview of the ordinance and the classifications of sex offenders covered under the ordinance. Ms. Donna Quinn owner of the Caribbean Inn was present to ask questions concerning the ordinance.
  - A Motion was moved by Mr. Shaub to approve the Sex Offender Residency Restriction Ordinance - 621. The Motion was seconded by Mr. Simon and passed unanimously.
- The Lease Agreements for the Manheim Soccer Club, Manheim Summer Swim Team and Manheim Athletic Association were presented for approval. Discussion was held on the availability of fields.
  - A Motion was moved by Mr. Enterline to approve the Lease Agreements for the Manheim Soccer Club, Manheim Summer Swim Team and Manheim Athletic Association. The Motion was seconded by Mr. Shaub and passed unanimously.
- The bid results for the mowing contract for 2011 season were presented for approval. The low bid was submitted by J & J Estates and has been recommended by the property committee and staff for approval. Mr. Behling gave a brief overview of the properties that are included in the contract.

- A Motion was moved by Mr. Shaub to accept and award the contract for the 2011 season to J & J Estates. The Motion was seconded by Mr. Simon and passed unanimously.
- A request for a Release of the Letter of Credit for the maintenance escrow at the Clair Brothers property on South Oak Street in the amount of \$28,722.00 was presented for approval.
  - A Motion was moved by Mr. Eshelman to approve the request for a Release of the Letter of Credit for the maintenance escrow at the Clair Brothers property on South Oak Street in the amount of \$28,722.00. The Motion was seconded by Mr. Enterline and passed unanimously.
- The Joint Use Agreement with Penn Township for the Brush Chipper was presented for approval.
  - A Motion was moved by Mr. Eshelman to approve the Joint Use Agreement with Penn Township for the Brush Chipper. The Motion was seconded by Mr. Simon and passed unanimously.
- A quote from ELA Group was presented for approval for engineering work to be completed jointly with Penn Township on the Power Road Bridge in the amount of \$18,200. The estimated cost for the construction work will be \$70,000. The Penn Township Public Works Department will be doing some of the work. The cost for the materials will be presented to council at a later date for approval.
  - A Motion was moved by Mr. Enterline to approve the quote from ELA Group for the engineering work on the joint project with Penn Township for the repairs to the Power Road Bridge project. The Motion was seconded by Mr. Shaub and passed unanimously.

**Old Business:**

- It was noted that the covered bridge roof is in need of repair.
- The agreement for the fields with the Manheim Central School District is currently being negotiated.

**Council Reports:**

- It was requested that borough residents receive advance notice when UGI is going to work in the borough. Mr. Behling will be contacting UGI.
- It was noted that there are car repairs being performed in the street on North Penn Street off of West High Street.

**Executive Session:**

- A Motion was moved by Mr. Eshelman to adjourn to executive session at 9:05 PM. The Motion was seconded by Mr. Simon and passed unanimously.
- A Motion was moved by Mr. Enterline to adjourn from Executive Session at 10:38 PM. The Motion was seconded by Mr. Eshelman and passed unanimously.
- A Motion was moved by Mr. Shaub to make an offer on the property located at 15 South Main Street. The Motion was seconded by Mr. Simon and passed unanimously.
- A Motion was moved by Mr. Shaub for a probationary salary adjustment to Mr. Behling's salary. The Motion was seconded by Mr. Enterline and passed unanimously.

**Adjournment:**

- A Motion was moved by Mr. Eshelman to adjourn at 10:41 PM. The Motion was seconded by Ms. Miller and passed unanimously.

Respectfully Submitted,

Linda Gerhart