

Manheim Borough Council Meeting
June 30, 2020 7:00 PM
Manheim Borough, Manheim, PA

- **Roll Call:** President Carol Phillips, Vice President Brad Roth, Pro Tempore Chad Enck, Noah Martin, Jared Longenecker, Bryan Howett and Mayor Scot Funk.
- **Staff:** Borough Manager/Secretary, James R. Fisher, Police Chief, Joseph Stauffer, Solicitor, Daniel Becker and Recording Secretary, Linda Gerhart

This meeting was held via Zoom. The information for public participation was provided on the Borough's website, and posted on the front door of the Borough building.

These proceedings were recorded for purposes of preparation of meeting minutes.

ANNOUNCEMENTS:

It was noted that any comments or questions during the meeting could be e-mailed to boroughmanager@manheimboro.org.

The Meeting was called to order by President Carol Phillips at 7:05 PM.

HEARING OF VISITORS:

Mr. Corby Burkholder from Manheim BIC was present to request approval to host the December 5th Christmas Tree Lighting Event on Market Square from 4:30 PM to 6:30 PM. Market Square will be closed from 2:00 PM to 8:00 PM that day for set up and clean up. Motion to approve by Mr. Roth, seconded by Mr. Longenecker, passed unanimously. They were thanked for again spearheading the event for this year.

Ms. Donna Hlavacek was present to request approval for the Celebrate Manheim Tour of the Town on Saturday September 4th at 1:00 PM sponsored by the Ruth Mackley Democratic Club. She explained how the float they usually have in the Farm Show Parade will be used throughout the borough that day making stops to celebrate Manheim, have some fun and give the organization more visibility. There will be 7 to 10 predetermined stops for a few minutes celebrating all aspects of Manheim and there would not be any political speeches. There would not be any type of permit needed. It was approved by council.

Ms. Nancy Husser was present to request approval for the Santa Run scheduled for Saturday Morning at 8:30 AM on December 5th in conjunction with Christmas in Manheim Events that weekend. Doing it virtually is also a possibility. It will be the same course as last year. Motion to approve by Mr. Roth, seconded by Mr. Martin, passed unanimously.

ACTION ITEMS:

1. **Approval of 6/9/20 Borough Council Meeting Minutes:** Motion to approve by Mr. Enck, seconded by Mr. Howett, passed unanimously.
2. **Payment of bills (list in packets along with Budget YTD and reserves report): Presented for approval- Ratified General Fund** in the amount of **\$1,367.00**, **Ratified Capital Fund** in the amount of **\$8,015.00**, **General Fund** in the amount of **\$105,759.04** and **Capital Fund** in the amount of **\$28,522.22 (\$28,344.97 + \$187.25 Greenways Grant Fund)**. Motion to approve by Mr. Roth, seconded by Mr. Martin, passed unanimously. Mr. Fisher gave some brief comments on the status of the budget to date and how the revenue figures compare to other years. The EIT payments are behind from last year about 18% for obvious reasons. The future EIT collections will likely be lower than normal, but hopefully will hold closer to budgeted figures by the end of the year. We have had surpluses in the past years. Total year to date revenue figures are close to last year.

3. Ash Tree removal at Logan Park by Hickory Run Logging for \$800.00. Mr. Fisher explained the quote for this work to remove approximately 30 dead or deteriorating Ash Trees, as it is very reasonable for this amount of trees. Motion to approve by Mr. Roth, seconded by Mr. Enck, passed unanimously. Mr. Fisher explained the scope of the work. It was noted that the property at Logan Park borders Lou Bond's property. Mr. Enck has discussed the tree removal with him and he is fine with it as most of the trees are on Borough property, but a few that are on his property will also be removed.

Mayor Funk updated council on the great effort being made by the School District Administration for all they have done with providing school lunches during the COVID 19 situation and starting the Baron Bookmobile visiting neighborhoods in the School District. He noted Will Betancourt, State Wrestling Champion was also named LNP Male Athlete of the Year. He presented and read the Manheim Police Department Statement that was issued for addressing the monitoring of protests and demonstrations in their jurisdiction.

Police Chief Stauffer presented and reviewed his report with council. He first questioned if there was an improvement in the amount of Manure Spreader traffic in the borough, and it seems to be better and has improved since they have been notified. The five point intersection issue is also being researched and addressed for the requested additional stop signs. Mr. Fisher discussed this concern with Mr. Craddock. It will be discussed at the next Public Works Committee meeting. Engineering aspects and warrants for these types of situations are currently being reviewed to be presented to the Committee. Chief Stauffer offered additional comments on the Mayor's Comments as the doors of communication have been opened after the demonstration with meetings of all parties involved to better understand the handling of these types of events. He updated council on the use of body cams, the department review of their use of force policy and their use of civilian review boards. He noted that some items questioned by the protestors are actually already implemented by the Police Department. Open Lines of Communication are being continued. The Department does have a Continuous Open Door Policy. The Department strives to protect the rights of the residents and the protestors. Press releases were also included in his report.

Borough Codes:

- a) Ms. Czeiner presented her monthly administrative and code report and reviewed it with council. She updated council on the way she is currently handling notices and citations considering the current situation. The high weed situation on South Penn near F L Smidth was questioned and they are currently being addressed.
- a) Mr. Fisher explained the situation with the historic portion of 1 South Charlotte Street that was torn down, as a demolition permit was never requested. Historic Commission reviewed the information submitted by the owner and felt that it was not necessary to go through the whole demolition process for a historic property due to the small size and safety factors involved. The solicitor was notified of the situation even though this was after the fact and council has nothing to review for this request. Council is being notified of the situation so they are aware that this circumstance did occur even though it is after the fact. Motion was made to waive this formal process by Mr. Martin, seconded by Mr. Longenecker, passed unanimously. It was noted that the owner was informed of the process he should have followed and the demolition permit will be processed.

Borough Engineer:

- a) The Borough Engineer Report will be presented at the next council meeting.

Borough Manager Report:

- a) Mr. Fisher presented his Monthly Manager's Summary to Council. Council was updated on the current status of reopening the building to the public in conjunction with the library. The air quality in the building was tested and came back with some deficiencies representing poor circulation and filtering. Filtering upgrades will be installed to address this problem. Preliminary Cares Act reimbursement requests are being completed.
- b) Information was sent to council concerning the escrows for Street Cut Permits. Mr. Fisher explained street cut escrow versus bonds for these permits as approval by council is required by Ordinance. Motion was made by Mr. Enck to approve escrows for Street Cut Permits through 2020, seconded by Mr.

Longenecker, passed unanimously. The ordinance will be changed by the end of the year to make this permanent for the future.

- c) Yard Waste Tags – Mr. Fisher presented information to council about discontinuing the sale of yard waste tags. After discussion about the cost per household it was decided to table it for now and work to implement it into the trash program for 2021 during the budget season.
- d) Resolution 33-2020 Use of MAEDC Dissolution Funds for Community Economic Development was presented for approval. Mr. Fisher explained the need for the resolution as the dissolution funds from MAEDC are being transferred to the Borough for Economic Development. Motion to approve by Mr. Martin, seconded by Mr. Enck, passed unanimously.

Committee Reports: The committees have not been meeting.

- a) Finance Committee – There was nothing new to report.
- b) Parks /Pool Committee – There was nothing new to report.
- c) Public Works – Recommendation was presented to approve purchasing a V-Plow in the amount of \$5,900. Motion to approve purchase by Mr. Enck, seconded by Mr. Roth, passed unanimously.
- d) Shade Tree Commission – There was nothing new to report.
- e) Land Bank – There was nothing new to report.

Old Business:

- a) There was no old business.

New Business:

- a) Mr. Fisher updated council on the scheduling of future council meetings by Zoom. One factor will be any changes made by the State through the courts involving the Declaration of Disaster. The Farm Show Building and the Train Station have also been researched to see if they would be available for council use to go back to live meetings with safe social distancing. After much discussion it was decided the July 14th council meeting will be held Zoom unless it is no longer allowed and then a live meeting at the Train Station will be attempted to scheduled for July 28th to hopefully go back to regular in-person meetings.

Correspondence: MAWSA, NWEMS Reports

Public Comment:

There was no Public Comment.

It was noted that e-mails to the Danner Home website for the current project they are planning in the borough have gone unanswered. It was noted that they are looking to schedule a public meeting for the community.

It was noted there was an Executive Session held before the Council Meeting at 6:45 PM for a litigation matter.

Executive Session & Adjournment:

Motion by Mr. Enck to adjourn the regular council meeting and go into Executive Session for a litigation matter at 8:24 PM since there will be no action taken after the Executive Session ends, seconded by Mr. Howett, passed unanimously.

Respectfully submitted,

Linda Gerhart
Recording Secretary
June 30, 2020