

Red Lion Borough Council
Meeting Minutes
April 14, 2008

Members

Cynthia Barley
Michael Gebhart
Jeffrey Herrman
Dennis Klinedinst
Kandy Paules-Sowards
Christina Frutiger

Others

Robert Frutiger, Mayor
Stewart Graybill, Borough Manager
Jeffrey Shue, Engineer
D. Michael Craley, Solicitor
Chief Gross, YARPD
Stacy Myers

Guests

Loren McCleary
Lori Badders
Julie Yahnke
Dave Stump
Sandra Graham
Skeets Smith

Tom Austin
Glenn Rexroth
Dave Laucks
Ryan Sanders
Scott Thompson

1. Council President Dave McCabe was absent from the meeting. Councilperson Barley called the meeting to order at 7:00 p.m. Councilperson Swords led everyone in prayer. All present followed with the Pledge of Allegiance.
2. Two corrections were necessary to the March 10, 2008 Council meeting minutes. They were as follows:
 - a. Item 13-A under Parks and Recreation stated "\$618.00 was given to Christina Frutiger for Borough Council." **This should have read "\$618.00 was given to Christina Frutiger for the New Year's Eve Committee."**
 - b. Item 19-C under Communication stated "electronic recycling day will be held at Blackbridge Road plant." **This should have read "electronic recycling day will be held at Vulcan Road."**

A motion was made by Ms. Sowards to approve the minutes with above-mentioned corrections. Mrs. Frutiger seconded the motion. All were in favor; motion carried.
3. A Fire Report was given next by Chief Stump, who reported the following:
 - a. 70 total calls for March; 20 of which were in the Borough
 - b. Total personnel was 233
 - c. Julie Yahnke reported the final heating/air-conditioning inspection was done by Hopewell Heating & Air-Conditioning. The work is now complete. She reported that Hopewell had told them the Borough had charged them \$900+ for a permit to do that work. Stew Graybill explained that money went to the Borough's third-party inspector, Code Administrators, who work under the UCC. Stew suggested that Julie call Code Administrators and ask them to waive that \$900+ fee.
 - d. Mayor Frutiger had told Chief Stump what the consensus was for the fire siren. Chief Stump will forward the paperwork to Mayor Frutiger, Ms. Sowards, and Stew Graybill.
 - e. A motion was made by Mike Gebhart to approve the Fire Report. Mrs. Frutiger seconded the motion. All were in favor; motion carried.

4. VISITORS AND PUBLIC COMMENTS—Andrew Miller, from Miller, Poole, and Lord, Glenn Rexroth, and Tom Alston were first to address Council. Tom Alston is from TRG Engineering. The three were present at the Council work session the previous week seeking access for Mia-Brae Industrial Park. They were seeking a motion from Council authorizing the Borough to be an applicant on an HOP with PennDot, since the Borough owns and maintains this roadway. Tom Alston presented plans for Council to review, stating the key issue was gaining access to the park along Route 74. Originally, the plan was to widen Rt. 74 in order to provide a left-turn lane and to install a traffic signal. Mr. Rexroth and Tom have talked to residents, businesses, PennDot, etc in this area to decide what the preferred access would be. Mr. Rexroth thought access through Patton Veterinary Hospital's road would be possible, but that fell through. Then he thought it may be possible to use some frontage of the Horn Feed Store property, but that fell through also.

To make it work from a traffic standpoint, TRG Engineering had to phase in a development. The concept plans were of "Phase 1", which encompasses 200,000+ square feet of manufacturing area. In reducing the size of the overall development, it eliminated the need for a left turn lane on Rt. 74; the need for the traffic signal will be delayed until later in the development of the area. Tom stated there will be drainage improvements in the intersection of North Boxwood and Rt. 74. He is proposing to construct an exclusive right-turn lane in the front of Mr. Rexroth's property to allow traffic to turn right. It was also discussed to provide pedestrian sidewalks in the area also; Tom and Glenn are willing to provide that if the Borough wishes. TRG's Design Engineer would need to work with Jeff Shue for storm water run-off needs. Mr. Rexroth and Tom believe this is a last attempt for the proposed Industrial Park, and it is consistent with the traffic study that was done. Tom believes this intersection would be improved with these developments. Mr. Rexroth would like Council's approval of the plan; and the next step would be for Tom to prepare a detailed HOP plan to submit to PennDot.

Jeff Shue said he would need to look at the HOP plan, and review the engineering, but this is a conceptual plan for Council's review. Mike Craley suggested Council make a motion agreeing in principal to the concept as presented, but that Council reserve the final approval for the Highway Occupancy Permit until after review by Jeff Shue, and the final submission of plans to Jeff's satisfaction dealing with traffic and storm water. A motion was made by Ms. Sowards taking Mr. Craley's suggestion. Mrs. Frutiger seconded the motion. All were in favor; motion carried.

Ryan Sanders, President of Red Lion Area Business Association, was the next visitor to address Council. He wanted to address three items with Council.

A. Annual Street Fair—possibility of marking vendor spaces with a more permanent marking. Previously, temporary chalk markers were used, but these could be washed away with rain, making them difficult to see. Ryan suggested stenciling the curbs with a lion's head logo with a number, so it would look more professional and decorative rather than just lines. Ideas were discussed amongst Council members. Council suggested that Ryan bring an example/drawing of what he has in mind for markings. This way they could get a better idea before they make a decision.

B. Dunk tank—RLABA has asked the police department to sit in a dunk tank during the Street Fair. He asked for permission to have access to fill the dunk tank with the Borough's spigot in the front of Borough building. Mayor Frutiger said he would ask the Municipal Authority, since it's their water.

C. Chili/Beer Garden—RLABA would like to section off the Lion Pharmacy parking lot to set up a Chili Cookoff and beer area during the Street Fair, possibly from 11am-1 or 2pm. All the alcohol would stay in that roped-off area. CASI (Chili Appreciation Society

International), which sponsors many events like this, use these events to raise money for certain charities or organizations. The proceeds on the day of the Red Lion Street Fair would go towards Red Lion Mile. They need to get permission from Lion Pharmacy, as well as RLABA members. Ryan was going to ask American Legion bartenders to man the beer garden area, and ask Dave VanZandt (owner of Cape Horn Beverage) to possibly donate the beer as a donation to Red Lion Mile. York Area Regional Police agreed with the idea. Ryan said the RLABA has insurance policies in place to take responsibility for the event. If Council would approve, Ryan believes it would be a good fundraiser.

5. **PETITIONS**—none
6. **ORDINANCES**—At last month’s meeting, Council indicated their intent to vacate Moul Avenue. Mike Craley prepared the ordinance for Council’s action. If Council takes action on it, written notice must be sent to the adjoining property owners. Those property owners then have 40 days to file a petition with Council asking the Borough not to open Moul Avenue, which is unopened at this time. A motion was made by Ms. Sowards to take action on the ordinance. Mrs. Frutiger seconded the motion. All were in favor; motion carried.
7. **RESOLUTIONS**—Mike Craley presented a resolution to appoint Tammy Lehman as an alternate to the Zoning Hearing Board, for a term effective 4/12/08 and running three years. A motion was made by Dennis Klinedinst to appoint Ms. Lehman. Christina Frutiger seconded the motion. All were in favor; motion carried.
8. **AGREEMENTS**—An agreement for Red Lion Borough to pay their share of a feasibility study was presented to Council for approval. The amount is \$3,050.00 for the MA & PA Greenway feasibility study; this money was already budgeted. A motion was made by Jeff Herrman to sign the agreement. Ms. Sowards seconded the motion. All were in favor; motion carried. Council needed to appoint someone to be the representative for this feasibility study. Mike Gebhart nominated Dennis Klinedinst as the Council rep for this study. Jeff Herrman seconded the motion. All were in favor; motion carried.
9. **BIDS**—none
10. **POLICE REPORT**—Chief Gross was present to report the following for March:
 - A. Part 1 offenses (crimes against persons)—21
 - B. Part 2 offenses (crimes against property)—21
 - C. Miscellaneous calls—151
 - D. Accidents—six; three with injuries; no fatalities
 - E. Traffic citations—42; summary citations—4;
 - F. Juvenile arrests—22; arrests of misdemeanors/felony--5
 - G. Hours of service—663A few burglaries were reported in the Borough; businesses at 30 West Broadway and 214 East Broadway, and a residence at 252 North Franklin Street. Investigations are being done. A motion to accept the Police Report was made by Ms. Sowards. Jeff Herrman seconded the motion. All were in favor; motion carried.
11. **MAYOR FRUTIGER’S REMARKS AND RECOMMENDATIONS**—none
12. **ENGINEER’S REPORT**—Jeff Shue reported on the following two items:
 - A. PennDot—letter was received from PennDot stating their approval of work done in the Square. Jeff will work with Stew Graybill to address new concerns from PennDot.
 - B. CDBG grant—Jeff Shue will prepare grant applications for repairs in the following 3 areas:
 1. Henrietta –curb & sidewalk from South Main to Charles Avenue (year 1)

2. North Charles—from Broadway to First Avenue (year 2)
3. Horace Mann—from South Main to Country Club Road (year 3)

Stew Graybill suggested applying first for grants for the two most-critical areas, so we don't appear greedy. Jeff Herrman suggested Public Works Committee meet to discuss which areas take precedence.

13. **SOLICITOR'S REPORT**—Mike Craley reported on the following four items:

A. **Boxwood Lane townhouses**—Council agreed upon a text amendment to Zoning Ordinance to permit townhouses in the R-O zone. Red Lion Planning Commission was in agreement with this also. Mike put together a text amendment to the Zoning Ordinance (Section 2:15:6 and 2:15:9) to permit the required changes. Mike also added the following changes; the definition of a minor utility structure because of the issue of right-of-way, items dealing with swimming pools to bring the Ordinance in conformity with UCC requirements, and requirements stating an eating establishment could not be within 500 feet of another eating establishment; this last, being deleted.

Mike reported the next step is to send the text amendment to the York County Planning Commission for their recommendations. A motion was made by Ms. Sowards to authorize Mike to send this to York County Planning. Mrs. Frutiger seconded the motion. All were in favor; motion carried.

B. **Inter-municipal agreement**—revisions were sent to Dallastown Borough for their review regarding the Inter-municipal Comprehensive Plan.

C. **Refuse bills**—Commercial trash billing/accounts are being reviewed by Stew Graybill and Mike Craley to verify whether they're appropriate to the contract or not

D. **Charlie Rausch**—Council members received letters from Attorney Rausch regarding issues raised by the Redevelopment Commission. Attorney Rausch suggests scheduling a meeting with two Council members, two Redevelopment members, Mike, and himself to discuss these issues. Dennis Klinedinst and Christina Frutiger would be available during the day to meet with Mr. Rausch and Mr. Craley. A motion was made by Ms. Sowards to approve the Solicitor's Report. Mike Gebhart seconded the motion. All were in favor; motion carried.

14. **PARKS AND RECREATION**—Dennis Klinedinst reported on the following:

A. 42 ball teams have been formed; including 11 flag football teams

B. Dugouts have new roofs

C. Movies at Nitchkey Field will begin in June; date is TBA

D. June 2nd—Dallastown/Red Lion night at Sovereign Stadium for a Revolution game; Donations have been received from residents/organizations for tickets; all we have to do is sell the tickets

E. Red Lion High School—no longer using Community Building to prepare lunches

15. **PUBLIC SAFETY**—Ms. Sowards reported that an ambulance report was distributed to Council members

16. **MUNICIPAL SERVICES**—none

17. **PUBLIC WORKS**—Jeff Herrman reported that he received a request for a handicapped parking space at 149 West Gay Street. Dan and Brett said it meets the requirements; Mike Craley suggested it be approved on the contingency that Borough receives a physician's statement. A motion was made by Jeff Herrman to approve the request based on that contingency. Mrs. Frutiger seconded the motion. All were in favor; motion carried.

Resident at 26 Henrietta Street is now deceased; they had a handicapped parking space. Stew thought another resident on that street was going to request the space; Council

will wait for further notice.

18. **PLANNING, ZONING AND REDEVELOPMENT**—Cindy Barley reported on the **façade loan application from the owners of Central Pizza**. Redevelopment Commission requested that Council approve the application for \$10,000 and then revisit the façade loan program to possibly increase the loan amount to \$20,000. Mike Craley suggested that if Council feels it's appropriate, they can authorize it subject to final review of the documentation; he reported there are no ordinance constraints. Building codes are going to have to meet the requirements of UCC. Dennis stated Council give Central Pizza the \$20,000 with the stipulation that the improvements are by Council's wishes, such as, moving the front steps off of the sidewalk and making a side entrance.

Mike Craley suggested Council approve the concept of \$10,000 with tentative approval of an additional \$10,000 after Solicitor's further review. A motion was made by Mrs. Frutiger taking Mike Craley's suggestion. Mike Gebhart seconded the motion. All were in favor; motion carried. Stew Graybill will send a letter to Central Pizza about the loan approval. Cindy reported the **Red Lion map** will be decided on at Redevelopment Commission meeting.

19. **ADMINISTRATION**—none
20. **COMMUNICATION**—none
21. **Manager's Comments**—none
22. **Other Correspondence**—none
23. **Approval of bills**—A motion was made by Christina Frutiger to approve payment of bills and statements. Mike Gebhart seconded the motion. All were in favor; motion carried.
24. **Approval of statements**—included in Item #23 motion
25. **Adjournment**--@ 8:30 p.m.

Respectfully submitted by:

Stacy Myers
Recording Secretary