

**Red Lion Borough Council
Meeting Minutes
Monday, May 14, 2012**

Members

Christina Frutiger
Garby Snell
Kelly Henshaw
Brad Smith
Thomas Shellenberger
Dennis Klinedinst
Walter Hughes

Others

Dianne Price, Borough Mgr.
Nicole Ehrhart, Solicitor
Dan Shaw, Zoning Officer
Brett Patterson, Public Works
Mayor Steven Kopp
Stacy Myers, Recording Sec'y

Visitors

Jane Alwood
Joe Yahnke
Cindy Barley
Roy Hanna
Steve Detter

Rev. Jay McWilliams
Wade Elfner
Kim Moyer
Rick Slaugh
Robert Frutiger

1. The meeting was called to order @ 7:00p.m. Rev. Jay McWilliams from Pleasant View Church of the Brethren opened with a prayer. Everyone present participated in the pledge to the flag.
2. Mr. Klinedinst made a motion to approve the April 9, 2012 meeting minutes; Mrs. Frutiger seconded. All were in favor; motion carried.
3. **VISITORS AND PUBLIC COMMENTS**
 - **Bob Frutiger** addressed Council & Mayor Kopp about apartment inspections, stating “an apartment is a service offered to the public for profit”, not to be confused with a private residence. He stated approx. 1/3 of Red Lion residents live in rental units, and he said that by rejecting the Rental Inspection Ordinance, Council is denying 1/3 of the people that elected them the assurance of a safe & adequate place to live. He stated the Ordinance is not an invasion of privacy.
 - **Rick Slaugh** stated that at Council’s recent work session, the idea of creating a Housing Authority (or Department) was mentioned. He is very much opposed to this idea, stating that, to inspect private residences goes against the freedom in America that we all enjoy. He understands there are blighted areas in Red Lion that need improvement, but he would like to see current Ordinances and regulations strengthened before creating new ones.
 - **Wade Elfner** stated that if 1/3 of Red Lion residents live in rental units, then 2/3 are property owners & taxpayers. The majority of residents (the 2/3) don’t want the Rental Inspection Ordinance.
4. **PUBLIC SAFETY**—Mrs. Frutiger
 - **Fire Report**—Joe Yahnke reported
 - 38 calls for this month; 9 in the borough
 - Fire Department recently purchased a used aerial device for \$53,000; 4-6 months of training will be done on this equipment before putting into service
 - **Ambulance Report**—distributed
 - **Emergency Management**—Scott Kopp reported he will be meeting with York Township Emergency Management this week to plan a drill
5. **POLICE REPORT**—no report. Jane Alwood mentioned a situation that occurred on Election Day where “scam artists” were in the Red Lion area approaching residents trying to get money. Jane reported it to the Police & was hoping she would get a return phone call from them with an update, but to date has

not. Mrs. Price said nothing was mentioned at the recent Police Commissioner's meeting, but she will check into this.

6. **MAYOR KOPP'S REMARKS AND RECOMMENDATIONS**—Mayor Kopp read the following notice to Borough Council members, Borough Manager, Codes Enforcement Officer and the Solicitor: *“Please be advised that I hereby Veto the Rental Inspection and Registration Ordinance that was passed by a 4-3 vote by the Borough Council Monday evening, April 9, 2012. I Veto the ordinance for the following reasons: we are currently in the most serious recession since The Great Depression and to impose new regulations could adversely affect the lives of small business owners, landlords and tenants. It is a proven fact that more jobs are created when there is less government regulations and intervention. I have total confidence in our Codes Enforcement Officer to enforce the existing codes and ordinances. Respectfully Yours, Steven E. Kopp, Mayor, Red Lion.*

7. **ORDINANCES**—in order to qualify for grant money, we must amend the current recycling ordinance to bring it into compliance with what is currently being done. Amendments include yard waste collection will be annually, not monthly & there will be a drop-off collection point for yard waste. The section on fees will also be amended. Mrs. Frutiger made a motion to advertise the amendment of the recycling ordinance; Mrs. Snell seconded. All were in favor; motion carried.

8. **PETITIONS**—none

9. **RESOLUTIONS**—Resolution 2012-6 updates the Ordinance for the fee schedule for street openings. Mrs. Frutiger made a motion to adopt the Resolution; Mr. Smith seconded. All were in favor; motion carried.

10. **AGREEMENTS**—none

11. **BIDS**—Two bids were received for Henrietta Street repair; low bidder was Fitz & Smith with a bid of \$102,708.40. Mr. Smith made a motion to award the bid to Fitz & Smith; Mr. Klinedinst seconded. All were in favor; motion carried.

12. **ENGINEER'S REPORT**—no report

13. **SOLICITOR'S REPORT**—no report

14. **PARKS AND RECREATION**—Mr. Klinedinst reported:

- Fairmount Fun Day will be June 9th, from 10-2p.m.
- Chicken Bar-B-Q will be May 25th, 2012 (at Cape Horn Road (Bingo) church) to benefit July 4th fireworks
- Appoint Recreation Director for 2012—Mr. Klinedinst made a motion to appoint Mike Zelger; Mr. Smith seconded. All were in favor; motion carried.
- Appoint Special Events Coordinator for 2012—Mr. Klinedinst made a motion to appoint Yvonne Miller; Mr. Shellenberger seconded. All were in favor; motion carried.

15. **MUNICIPAL SERVICES**—Mr. Hughes & Mrs. Price stated that we are eligible for a 90/10 matching grant for leaf collecting equipment. More details to follow.

16. **PUBLIC WORKS**—Mr. Smith reported:

- Handicap parking space for 115 South Main Street—Mr. Smith made a motion to approve this, stating it meets all requirements; Mrs. Frutiger seconded. All were in favor; motion carried.
- Wall at the old Kaltreider-Benfer Library—discussion will be held @ June work session with the Engineer & property owner Kim Moyer.
- No grant money available at this time; Exelon has been contacted to see if they will donate funds to replace the mast arms in the square.
- York County Planning Commission conducted a traffic study in the square after someone had requested a left-turn arrow be installed for motorists turning North on North Main Street from West Broadway. Intersections are graded “A through F”; this intersection is currently operating as a “C”. Dedicating a left turn lane from Broadway to North Main would lower it to a “D”, and PennDot would not approve it because it would make traffic congestion worse in this area. In addition, there were no reportable traffic accidents in the area to support making the change.
- Street sweeper is still in repair

17. **PLANNING, ZONING & REDEVELOPMENT**—Mrs. Snell reported:

- A landlord meeting will be held on Monday, May 21st @ 10am at the Municipal office
- Planning Commission recommended adoption of the Comprehensive Plan. A joint meeting will be held with adjoining municipalities for discussion & then the Comp Plan will be voted on.
- No Planning Commission meeting is scheduled for May
- Zoning Hearing is scheduled for Tuesday, May 15th @ 6:30p.m. at the Municipal office
- Per Borough Code, when the Mayor vetoes an Ordinance, Council can reconsider the Ordinance with a “YAY-NAY” vote. It must pass by a majority + one vote. Council took a roll call vote on the proposed Rental Inspection Ordinance:

Brad Smith—NO

Dennis Klinedinst—NO

Walt Hughes—YAY

Christina Frutiger—YAY

Garby Snell—YAY

Tom Shellenberger—NO

Kelly Henshaw—YAY

The Mayor’s Veto stands on the Ordinance. There is a Resolution to discuss if Council wants to appoint a Housing Department, so Mr. Smith stated this matter is not over yet.

18. **ADMINISTRATION**—no report

19. **COMMUNICATION**—Dan Shaw reported York Adams Tax Bureau had tax consortium from capital fund set up for those municipalities that invested in the building. The excess monies are to be refunded to those municipalities by percentage.

20. **Manager’s Report**—Mrs. Price distributed report

21. **Other correspondence**—none

22. **Bills & Statements**—Mrs. Snell made a motion to approve the bills & statements; Mrs. Frutiger seconded. All were in favor; motion carried, with Mr. Shellenberger abstaining.

23. Mr. Smith made a motion to adjourn the meeting @ 7:35p.m.; Mr. Klinedinst seconded. All in favor; meeting adjourned.

Respectfully submitted by:

Stacy Myers
Recording Secretary