

**Red Lion Borough Council  
Meeting Minutes  
Monday, April 8<sup>th</sup>, 2019**

**Members**

Cindy Barley  
Tina Frutiger  
Dennis Klinedinst  
Nevin Horne  
Stephanie Weaver  
Tony Musso

**Visitors**

Pastor Tim Funk  
Melanie Thompson  
Mike Poff  
Curtis Krum

Bob Frutiger  
Laura Kirk  
Felix Milner  
Jeff Amspacher

**Others**

Dianne Price, Borough Manager  
Dan Shaw, Codes/Zoning  
Jeff Shue, Engineer  
Mike Craley, Solicitor  
Brett Patterson, Public Works  
Mayor Walt Hughes  
Stacy Myers, Recording Sec'y

Randy Gray  
Kristin Sweitzer  
Nick Rhoads

1. The meeting was called to order @ 7:00p.m. Pastor Tim Funk offered a prayer, followed by the pledge to the flag.
2. Mrs. Frutiger made a motion to approve the March 4<sup>th</sup>, 2019 Meeting Minutes; Mr. Klinedinst seconded. All were in favor; motion carried.  
Mrs. Frutiger made a motion to approve the March 11<sup>th</sup>, 2019 Meeting Minutes; Mrs. Barley seconded. All were in favor; motion carried.

3. **VISITORS AND PUBLIC COMMENT**—the following addressed Council:

- Jeff Amspacher, a 3-year homeowner of 25 Boundary Avenue was present to discuss several parking citations he has received involving his dually truck. He explained he's never had an issue with parking his truck until February 2019. His first parking citation was because the truck was parked "head-in", but Mr. Amspacher did not see that as part of the Borough's Parking Ordinance. He uses the truck for work on weekends & sometimes it sits in the parking space longer than the allowed 72-hour time limit. That was his second parking citation. He has talked to Jon Persing regarding the citations and Mr. Persing was willing to void the ticket for not parking head-in; Mr. Amspacher then paid the "parked longer than 72 hours" violation.

He received another citation mid-March because the truck was parked longer than the 72-hour limit. When he called the Borough Office that time, Mr. Persing stated someone on Boundary had complained about Mr. Amspacher's truck. Mr. Amspacher wanted to take the issue before the District Justice because he stated nothing was posted on Boundary regarding the 72-hr time limit. District Justice Fishel found him 'not guilty'.

He received another citation after that because of the neighbor's complaint. He is unsure of what to do; the truck is inspected & legal, and he stated he tries to park where no one else typically parks. He said one side of Boundary Avenue has signs for "Resident Parking Only"; however, when the Splash Pad is open, there are always vehicles parked there that do not belong to residents. Mr. Amspacher said some people will move their cars when they're asked, others will not. And when he calls the Borough Office about that, nothing is done.

Mrs. Price said although there are signs stating "Resident Parking Only" there is no Ordinance backing that; it is more of a courtesy for Boundary Avenue residents.

Council agrees with Mr. Amspacher regarding the parking shortage in town. Mrs. Price stated this is the first time she's hearing about this situation and she will speak to Jon Persing and report back.

One of the violations Mr. Amspacher said he has reported to Mr. Persing are campers that are being lived in on Wallick Lane, which is against Borough Ordinance. Dan Shaw reported he knew the camper was connected to public water but when he has stopped by, no one has been inside the camper. Office staff will look into this. As a note, Mr. Amspacher was told (after 72 hrs), he cannot drive his truck around the block & park it again for another 72 hours; it must be moved, then parked in a different parking space.

- Curtis Krum is a tenant at 724 South Main Street who received a citation because of a dog barking complaint, lodged by Mr. Krum's neighbor to the rear of his home. He has lived next to this neighbor for 1 ½ years in Red Lion and before that, 1 ½ years in York city. Mr. Krum stated his dog does not bark often, occasionally when the mailman comes, but that's it. When they lived next to each other in York city, Mr. Krum had the same dog and there were never any complaints lodged. It seems to Mr. Krum something has "triggered" his neighbor to lodge all the complaints against him. When the Krum's have people in their home babysitting their children (or when Ms. Krum is home all day) their dog does not bark. Mr. Krum stated this particular neighbor has a loud motorcycle that he revs up early in the morning & late at night with no consideration for the neighbors. The Ordinance states the dog must bark for 30 seconds or longer, on 3 or more occasions during a 20-minute period and the complainant must prove it before the District Justice. Dates & times must be noted in the complaint. Jon Persing told the Krum's there must be a second complainant to go before the District Justice but in this case, there was no second complainant. Mr. Persing said he was unsure of what to do.

The Krum's other neighbor can vouch for them that the dog's barking is not a problem. The complainant sits on his back porch, waits for the mailman to come, then when the dog barks, lodges a complaint. Borough Council agreed this sounds like a neighbor dispute and the Borough does not get involved in these issues. The issue can be taken before the District Justice, where the complainant must prove when & how long the dog barks. Council suggested Mr. Krum obtain an attorney and/or talk to the landlord, which is the same landlord as the complainant. Mr. Krum said the landlord suggested they come before Council; however, Council members suggested the landlord step in and discuss this with the complainant to try & resolve it. The Krum's also stated this neighbor takes photographs of them and their children when they're outside. Mr. Craley said that is not illegal if he is not trespassing onto their (or private) property.

Mrs. Price did not hear about the dog barking issues previously and she will talk to Jon Persing about it.

4. **MAYOR HUGHES' REMARKS AND RECOMMENDATIONS**—Mayor Hughes reported:

- On March 26<sup>th</sup>, he participated in the Meals on Wheels program
- Today, 4/8, he requested the telephone company set up call forwarding on his office phone, which they did; however, it's not working. He will call them again tomorrow.
- He received a request for more streetlights in the 200 block of West Gay Street. The residents complained of suspicious behavior of juveniles in that area, hence their request for more lighting. He visited the area & saw there are 3 streetlights in that block already. He doesn't believe more streetlights are warranted but wanted Council to be aware.
- He received a complaint from Roy Hanna (West Howard Street) that his neighbors are parking their vehicles right at the edge of his driveway, causing a sight restriction for him when he pulls out. Mayor Hughes told him that where the cars are parked is legal; however, he understands it can be a sight problem & wanted Council to be aware of this situation.
- He received a call/complaint about a renter on South Main Street who stated his landlord has raised his rent & he can no longer afford to live there. This resident was told by someone that the Mayor could find him a new place to live. The Mayor is unable to do that; however, he called several agencies to see if he could get this resident some financial help, etc.

5. **PUBLIC SAFETY**—Mr. Minnich was absent tonight; the following was reported:
  - **Fire Company Report**—
    - Mr. Musso stated in March there were 13 calls with 49 personnel using 18 pieces of apparatus.
    - Mr. Klinedinst reported that he & Mrs. Price attended the most recent Fire Company meeting, where the following was discussed:
      - There are plans to purchase a new ladder truck.
      - They plan to purchase new overhead doors for the station at a cost of \$31,000
      - They have a 1500-gallon tanker truck for sale
      - A meeting is scheduled for Wed, April 17<sup>th</sup> to discuss a merger between Red Lion, Felton & Windsor.
      - They have a position open for a Business Secretary
      - Mr. Klinedinst & Mrs. Price explained to them that washing vehicles (and all Commercial vehicles) is against the Borough Ordinance because of runoff. Discussion was also held on MS-4 requirements.
  - **EMA Report**—Laura Kirk reported a lot of training is scheduled for this month. She is participating in a 2-weekend course that is very informative.
6. **SOLICITOR'S REPORT**—Mr. Craley reported:
  - He prepared & Mrs. Price submitted the paperwork for the tax exemption of the Lutz property purchased for the Red Lion Mile.
  - The Agreement with Red Lion School District has been prepared for Council's action tonight.
  - Easements were given to him for preparation regarding the Horace Mann Project & stormwater runoff. Once complete, he will return them for staff signatures & to be recorded.
  - He will move forward with a draft on Commercial & Industrial Maintenance Code revisions.
7. **ENGINEER'S REPORT**—Jeff Shue reported:
  - The signed contracts for the Horace Mann project are due in a week (from the contractor).
  - April 12<sup>th</sup> @ 8am--walk & discuss the Rt. 74/24 Project with Mrs. Price, Mr. Klinedinst & other Council members, if they wish to join.
  - April 12<sup>th</sup> @ 10am—meeting with Rutter's representatives to discuss traffic studies (regarding Rt. 24/South Main St store)
8. **AGREEMENTS**—Mr. Klinedinst made a motion to approve the Reimbursement Agreement with the Red Lion Area School District for the Horace Mann Project; Mrs. Frutiger seconded. All were in favor; motion carried. The amount of the Reimbursement Agreement is an estimate at \$163,709.30. The actual amount of the Agreement will be based on the quantities used during the project.
9. **PARKS AND RECREATION**—Mrs. Barley & Kristin Sweitzer reported:
  - April 13<sup>th</sup>—Breakfast with the Easter Bunny from 8-10am with the egg hunt @ 10am and the sensory egg hunt @ noon. To date, six children are registered for the sensory egg hunt; pre-registration is required for this event. Volunteers are always welcome. Of note, Anstine's Candies donated candy items for the hunt.
  - May 4<sup>th</sup>—Cleanup Red Lion event will be held from 9-2pm. Flowers will be available to purchase & plant in designated areas. Cleanup efforts will be focused on Fairmount Park.
  - Summer camp counselors are booked & programs are being planned.
  - Softball program is going well with 60-70 girls participating.
  - June 1<sup>st</sup>—Suds 'n' Song event from 1-8pm @ Vulcan Field. Food vendors, beer vendors and bands are booked.
  - Wall at entrance of Fairmount Park by the memorial—Mrs. Price will contact Jim Loyer to inform him that a contractor has been obtained & the wall repair/replacement is moving

forward. The Lions Club requested a plaque be hung commemorating their donation toward the wall.

10. **MUNICIPAL SERVICES**—Ms. Weaver reported:

- 5.91” of rainfall was received since February’s RLMA meeting.
- Two new connections since February’s RLMA meeting
- April 17<sup>th</sup>, 2019—water shutoffs for delinquent bills
- The weekend of March 22<sup>nd</sup> had the highest raw water turbidity since the WTP opened & the plant handled it with no problems.
- April 8<sup>th</sup>-26<sup>th</sup>—flushing of the system is tentatively scheduled.
- Source Water Protection Meeting originally planned for April 17<sup>th</sup> has been rescheduled to May 15<sup>th</sup> @ 6:30p.m. at the Windsor Township offices.
- RLMA hired a new employee to fill a vacant position in the water & sewer maintenance department. The position was advertised & interviews were conducted with 6-7 applications received for the job. The new employee has received his pre-employment physical & has passed his Drug & Alcohol testing. He was to begin the new job today, April 8<sup>th</sup>.

11. **PUBLIC WORKS**—Mr. Klinedinst reported:

- Handicap parking space request was received for 306 N. Charles Street. With no other designated handicap spaces in that block, Mr. Klinedinst made a motion to approve the request; Mrs. Barley seconded. All were in favor; motion carried.
- Handicap parking space request was received for 745 W. Broadway. There are 3 other designated spaces in that block, so Mr. Klinedinst recommends tabling this request till later.
- The John Deere 544H Loader received a bid of \$70,700 on MunicBid. Mr. Klinedinst made a motion to accept this bid & move forward with the sale; Ms. Weaver seconded. All were in favor; motion carried.
- Looking to purchase a new Case 721G Loader from Groff’s Tractor at a cost of \$177,929.92, but we want to confirm the sale of the John Deere before moving forward. Mrs. Price will look into the financing for this equipment.
- Proposal for revisions of sidewalk & street openings—Council can review the language & report back.
- Street sweeping, ground & equipment maintenance are ongoing in the Public Works Department.
- The two solar speed limit signs have arrived & will be installed shortly.
- The light next to the American Legion will be repaired once the electrician disconnects the crosswalk indicator. The cost of the repair (from the driver who hit it) has been received from the insurance company.

12. **PLANNING, ZONING & REDEVELOPMENT**—Mr. Horne reported:

- Tuesday, April 9<sup>th</sup> @ 6p.m.—Zoning Hearing
- No Planning Commission meeting will be held this month.
- Christmas banners will be offered to businesses interested in changing their street banners for the holidays.
- Zoning Hearing Board has a vacancy for an alternate
- Holiday decorating contest will be held offering prizes in 3 decorating categories—traditional, Griswold & modern (LED) and a grand prize (“Best in Show”) offered overall between the three, as well as a “Best Business” prize. Judging will be December 15<sup>th</sup> @ 6p.m.
- Pleasant View Church has a group of people offering home repairs for those in need; i.e. elderly, low-income, etc. Mrs. Price submitted a list of owner-occupied homes who may be appreciative of the help (painting, weeding, window pane replacement, etc.)

- Two bids are being reviewed for a projector for the meeting room (shared cost between RLMA & Redevelopment).
  - Lion Mini-Mart plans to move into the old Lion Pharmacy space (most recently All About Pets)
13. **ADMINISTRATION**—Mrs. Frutiger reported:
    - The 2018 Audit is complete & Council will receive copies, when available
    - Wednesday, April 10<sup>th</sup> is Mike Lutz' last day of employment. A luncheon is planned that day @ 11:30a.m.
    - PSAB Conference—anyone interested in attending should let Mrs. Price know.
  14. **COMMUNICATION**—nothing further
  15. **Approval of bills**—Mrs. Frutiger made a motion to approve the bills; Mrs. Barley seconded. All were in favor; motion carried.
  16. **Council recessed to Executive Session** @ 7:54p.m. to discuss matters related to the Thompson lawsuits (both West Broadway & Hess Lane).
  17. **Council reconvened** @ 8:30p.m. No action taken.
  18. **Adjournment**—Council adjourned @ 8:30p.m.

Respectfully submitted by:

Stacy Myers, Recording Secretary