

**Red Lion Borough Council  
Meeting Minutes  
Monday, September 11, 2017**

**Members**

Cindy Barley  
Tina Frutiger  
Kelly Henshaw  
Chris Minnich  
Nevin Horne  
Dennis Klinedinst  
Tony Musso

**Others**

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

**Visitors**

Robert Frutiger  
Melanie Thompson  
Tim Rutter  
Nathan Elfner  
Lt. Nicole Palmer

Jeff Herrman  
Ben Rodkey  
Neal Metzger  
Pastor David Tietje  
Dave Martineau

Matt Horn  
Laura Kirk  
Dave Dennish  
Kathy Horne

1. The meeting was called to order @ 7:00p.m. Pastor David Tietje from St. John's UCC offered a prayer. He also thanked Council & Borough staff for installing the "No Parking" signs around the church, which adds safety for his parishioners & other motorists. All present participated in the pledge to the flag.
2. Mr. Musso made a motion to approve the August 7<sup>th</sup>, 2017 Meeting Minutes; Mrs. Frutiger seconded. All were in favor; motion carried. One correction was necessary to the August 14<sup>th</sup>, 2017 Meeting Minutes. Under "Communication", it should be added that Mrs. Barley is now Chairperson of the Parks & Recreation Committee. Mr. Musso made a motion to approve the August 14<sup>th</sup> minutes with this correction; Mrs. Frutiger seconded. All were in favor; motion carried.
3. **VISITORS AND PUBLIC COMMENTS**—the following addressed Council:
  - Dave Dennish from Kaltreider-Benfer Library thanked Council for past library contributions & support. He gave an overview of 2017, saying 74% of Borough residents have library cards. Last year, the Borough's contribution to the library was \$6,000, which converts to .94¢ per capita. The library is striving to increase that, a realistic goal over the next few years is 2-3% per capita. Mr. Dennish stated the County Library System will benefit from a capital campaign program and they have promised to give money towards Kaltreider-Benfer's expansion in a few years.
  - Mr. Klinedinst shared a proposal from today's meeting between himself, the Public Works crew, Skip Missimer from the Municipal Authority and Solicitors regarding the library and who owns the underlying land. It was discussed what portion of the land the Municipal Authority wanted to give to the Borough; however, none of it is beneficial to the Borough. Mr. Klinedinst was more interested in the parking area by the Rec building (at the top by the tower). The Municipal Authority agreed to give that parking area to the Borough and the rest to the library via an easement agreement. The agreement will include plowing and parking details. Mr. Klinedinst stated the Borough can continue to plow that area to have access to it; Mrs. Price & Brett Patterson agreed. The parking area for the Splash Pad would not be affected. Jeff Shue said road repair would also be included in the easement agreement for Myers' Lane and the lane beside the basketball court, so that all parties are in agreement, going forward. Jeff recommended all the necessary Variances be outlined first before a

subdivision/land development plan is submitted. Borough Council agreed to waive any fees except those that the Borough has to pay to another vendor.

- Kathy Horne stated and/or questioned:
  - The recent “Boss Baby” movie was very well attended. She hopes there will be more activities like this. She enjoyed serving refreshments with Kelly & Kathy Henshaw.
  - When will pothole on East Broadway (down from square) be fixed? Mrs. Price contacted Kevin Eck last week about it. He talked to PennDOT who has till mid-October to repair it (before paving season is over).
  - ADA markings on the crosswalks around town—she stated the signs are not completed or visible per State law. She wanted to know when this will be done. Mrs. Price & Jeff Shue walked every crosswalk in the Borough to be sure they met State requirements. The signal/crosswalk in the square is controlled by PennDOT. PennDOT has a plan that shows what signage & markings the Borough needs per ADA requirements. Mrs. Horne stated the square is fine, but the crosswalks, especially those on Broadway & Main Street only have signs & not the complete and/or correct markings & other “State Law” signage. Jeff Shue maintains the minimum PennDOT requirements were followed & completed. Mrs. Horne and her husband, Councilman Horne believe the Borough is not in compliance with State requirements; they only did the “minimum”, but not necessarily what is safe for pedestrians.
  - Mrs. Horne asked everyone to be in remembrance of the 9/11 tragedy (16 years ago today)

4. **PUBLIC SAFETY**—Mr. Musso:

- **Fire Company Report**—Ben Rodkey reported for the month:
  - 16 calls this month using 22 pieces of apparatus & 60 personnel
  - Fire loss occurred at Martin Street die company fire--\$\$ not known yet
  - 9/23—Crab feed
  - State grant that opened on 9/1/2017—Leo Fire has submitted their application for debt reduction
  - A few new members—one junior firefighter, one Fire Policeman and one firefighter who is a National Guard fireman
  - Leo Fire was never included in the discussions of the possible merger between Dallastown, York Township & Yoe Fire Companies.
- **Ambulance Report**—distributed
- **EMA Report**—Laura Kirk distributed her report. Of note, the Emergency Operations Plan will be renewed soon.
- **State Police**—Lt. Nicole Palmer reported year-to-date numbers:
  - 64 thefts; 14 burglaries (can be prevented by residents securing their property, cars)
  - 107 crashes; 26 DUI’s
  - 31 drug possessions
  - 23 simple assaults; 6 aggressive assaults (not preventable by Police)
  - 13 sexual assaults
  - 2 robberies
  - 4 overdose deaths; 2 overdose saves
  - Mr. Horne stated speeding in the alleys is still a problem and he has heard of car burglaries in the area.
  - Mr. Klinedinst had some stolen merchandise left ON his property & also had some of his property stolen. He asked Lt. Palmer if the troopers can follow-up with these incidents to inform the victim. She will relay this to the troopers.

- Going forward, Lt. Palmer will give Mrs. Price quarterly incident reports that will list **where** incidents take place, so if there are rental properties on the list, landlords can be notified.
5. **MAYOR KOPP'S REMARKS AND RECOMMENDATIONS**—Mayor Kopp will present the Red Lion Service Award at the October meeting, which will be held at the Community Building.
  6. **SOLICITOR'S REPORT**—Mr. Craley reported that today he attended the ArthurLee, LLC zoning appeal (regarding the 80' lot width at North Main Street). He will update Council when there is a decision.
  7. **ENGINEER'S REPORT**—Jeff Shue reported:
    - Security reduction for Village Realty—after identifying items that need addressed on a plan, a developer posts a bond. Village Realty is very near completion of the project on Country Club Road & are asking for a partial reduction of \$108,086. This leaves the Borough holding a bond for remaining improvements in the amount of \$42,652.50. Jeff concurs with & recommends this reduction. Mr. Klinedinst made a motion to reduce the bond for Village Realty by \$108,086, leaving a remainder of \$42,652.50. Mrs. Barley seconded. All were in favor; motion carried.
    - 2017 Road Project—near complete; final payment request should come in October
    - He worked with Mrs. Price in applying for the grant as discussed last month. This will provide the Borough with a good inventory of the stormsewer collection (where they are & the condition of them) when possibly applying for PENNVEST loans. In doing so, money does not need to be taken from the paving project budget.
  8. **ORDINANCES**—Mr. Craley presented the following which have been advertised & are ready for Council's action:
    - **Ordinance 2017-9-4**—Alternative Disposition (Quality of Life)—uses a ticketing program & avoids citation with District Justice for certain violations. Mr. Musso made a motion to approve this Ordinance; Mrs. Frutiger seconded. Mr. Klinedinst & Mr. Horne stated they cannot approve this because they feel all people are not going to be treated equally for the violations. Motion carried with Mr. Horne & Mr. Klinedinst opposing.
    - **Ordinance 2017-9-5**—Intergovernmental Cooperation Agreement for Chesapeake Bay Pollutant—to comply with nitrous & phosphorous reduction. Mrs. Barley made a motion to approve this Ordinance; Mrs. Frutiger seconded. Motion carried, with Mr. Horne adamantly opposing, stating we have no choice in this matter & he does not agree with it. Most Council agreed with Mr. Horne; however, this is the best-case scenario & will probably result in the Borough spending less money than if they were not in the MS-4 Program.
    - **Ordinance 2017-9-6**—Rules & Regulations for Fairmount Park—adding a section to Chapter 16 to prescribe rules & regulations which can then be enforced. Mr. Musso made a motion to approve this Ordinance; Mrs. Frutiger seconded. All were in favor; motion carried.
    - **Advertise Map Amendment**—Mr. Craley reported on the decision to advertise the map amendment for the property at 730 South Main to rezone it from Residential Outlying to Commercial. Draft amendments were sent to York County Planning Commission & Red Lion Planning Commission for review. York County recommended TO adopt it; Red Lion recommended NOT to adopt it. Mr. Craley stated there is a provision in the Municipalities Planning Code that requires a 30-day notice be sent to all property owners in the area proposed for rezoning. This would involve the McCleary estate, or the heirs of the estate and must be done 30 days prior to the hearing. The 30-day notice does not allow enough time before the October Council meeting unless Council wishes to advertise & hold a special meeting. Mrs. Price does not believe a special meeting is necessary, that this can wait until the November 13<sup>th</sup> Council meeting.  
Mrs. Frutiger made a motion to advertise the map amendment for a hearing on November 13<sup>th</sup>, 2017. Mrs. Barley seconded. Discussion was held:

- Mr. Horne adamantly opposes the rezoning because, should Rutter's purchase the piece of land, he feels a larger store will create more traffic & more congestion in an already-busy intersection. A larger expanded store will only benefit Rutter's & will be a nightmare for the residents nearby, adding that Rutter's does nothing to give back to the town. Management is not willing to cut the hours back either, so the nearby residents deal with the issues 24/7.
- Mr. Henshaw opposes the rezoning also; he feels a larger store is not necessary in that area.
- Tim Rutter was present and maintains that the additional parking will eliminate the congestion in front of the store.
- Dave Martineau, Rutter's Counsel, stated more gas pumps will mean less congestion & with the proposed entrance moved away from the intersection, the traffic at the signal light would be safer. Enclosed dumpsters will take care of the trash problem mentioned by residents. He feels Rutter's has addressed a lot of residents' concerns.
- Mr. Craley stated whether or not Rutter's makes charitable contributions to the town has nothing to do with the zoning map amendment before Council for action tonight.
- A vote was taken on the motion; motion carried with Mr. Henshaw & Mr. Horne opposing. The Public Hearing will take place at the beginning of the November 13<sup>th</sup> Council meeting.

9. **PARKS AND RECREATION**—Mrs. Barley reported:

- Borough was approved for the Greenway Grant; total grant amount is \$515,600
- Street Fair went well
- Sept. 20<sup>th</sup>—Homecoming parade—Fire Police are scheduled for that
- Oct. 14<sup>th</sup>—Fall Fest—volunteers needed!!
- Oct. 30<sup>th</sup>—Halloween Parade—(Rain date—11/1)
- Boss Baby movie event went well
- Signage for the Ordinance enforcement will be installed in the park
- Cameras in the park have been installed
- Garden project in the park—things are growing. It was a nice trial project, but it's undetermined if it will come back next year.
- June circus—it was not well-advertised; however, Mrs. Price stated it will not be held again anyway. The company did give the Borough money towards July 4<sup>th</sup> fireworks.
- Rail Trail gates have been paid for & received; they will be painted & installed so vehicles cannot get around them.
- Chapel Church Agreement--\$1,000 deposit (refundable) for use of their basketball courts

10. **MUNICIPAL SERVICES**—Mr. Minnich reported:

- Jeff Herrman from Municipal Authority:
  - 9/13—water shut offs for delinquent bills
  - Water Treatment Plant is running smoothly despite recent thunderstorms causing electrical problems.
  - Information on sourcewater protection, water & sewer regulations, etc. will be added to the Borough website.
  - Basketball courts—Mr. Horne stated he heard complaints about the trash problem. He thought it was the Borough's job to maintain, as they have for years. Mrs. Price said we have been; however, it's not Borough property. She asked it to be posted with "No Trespassing" signs, but no response was received. Smoking & trespassing is a problem after park hours. As soon as the subdivision plan goes through, the Borough can work out an agreement with the library. In the interim, a short-term lease agreement with the Municipal Authority could be created so the Borough's Ordinances can be enforced on the courts.

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

- Mrs. Barley received a call from the Red Lion Elks because several parking spots were taken from them (because of the sight restriction/safety issues at Franklin Street). The Elks asked if they could have a handicapped parking space in front of their building. Council agreed with this; however, it will not be an exclusive handicapped space just for the Elks' use.
- Road repair—gather ideas for 2018 budget (of note, Railroad Lane is on the list)
- Pine Street—cars have been parked in the “No Parking” zone. Mrs. Price said Dave McCoy is off right now, but she will have John Persing look into it.
- Signs on the new municipal lot should be installed to stop thru traffic and/or make it a one-way drive. How much money has been collected from this lot? Council would like a breakdown; Mrs. Price will get this.
- Charles & Gay Street sidewalks—Barnes & Barnes will be on site this week to repair/replace three sidewalks. The Borough will then place liens on those properties. East Avenue residence will replace their sidewalk; they just needed more time to raise the money. Chestnut Street residence poured concrete & did not repair to specifications.
- South Main Street—two vendors on the empty lot; can anything be done? They have their transient license, so the Ordinance would need to be changed to get them to leave.
- Trees on West Broadway that are hanging onto cars—Shade Tree Committee was decommissioned. Mr. Craley said Section 25:106(1A) of the Ordinance puts the responsibility on the homeowner. The Borough can give a notice first, then issue a fine or cut it down. Public Works crew can also trim the trees as a winter project. The Code Book regulates 9' on the curb/sidewalk and 14' on the street, so they will be cut to this or close enough to allow for snowplowing equipment to pass.
- All streetlights will eventually be changed to LED bulbs
- Authorization to put excess equipment (old truck bed, dump bed, 1998 Chevy Blazer, 2004 leaf vac, line painter) on MuniBid—Mr. Klinedinst made a motion to do this; Mrs. Barley seconded. All were in favor; motion carried.

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

- No Planning Commission meeting this month.
- Redevelopment Committee did more walk-throughs of Borough streets to see where repairs are needed, parking possibilities, etc. Melanie talked to residents to get feedback—they like the Splash Pad, farmers market, Food Truck Fridays. They also expressed interest in a dog park in the Borough, but there are pros & cons to this. Anyone can join in on the walks.
- Mr. Horne would like to contact the owners of The Mill to attend a Work Session in hopes of remedying truck traffic & parking problems on Taylor Avenue. Mrs. Price to contact them.
- Mr. Henshaw reported Ben Garner is interested in buying the old auto parts store and would be interested in changing the façade of the building. He asked if Borough could offer a low or no-interest loan for the project. Mrs. Price said although the façade grant program has expired, some type of loan could be done. Council agreed & Redevelopment can work with Mr. Garner.

13. **ADMINISTRATION**—Mrs. Frutiger reported:

- MMO for Police Pension is \$0
- Catherine Meyer Award—nominee is Muriel Slenker
- November 2<sup>nd</sup>—Borough Banquet at Community Building—Catherine Meyer Award to be given that night.
- Committee for union contract talks will be Mr. Musso, Mrs. Frutiger & Mr. Horne
- Budget meeting will be held October 11st @ 6p.m.

- October 9<sup>th</sup> Council meeting to be held at Community Building—Mayor Kopp will award the Red Lion Service Award.
14. **COMMUNICATION**—Mrs. Price distributed her report; nothing additional.
  15. **Approval of bills**—Mr. Musso made a motion to approve the bills; Mrs. Barley seconded. Motion carried with Mrs. Barley abstaining.
  16. **Adjournment**—Mrs. Barley made a motion to adjourn the meeting @ 8:50p.m. Motion carried; meeting adjourned.

Respectfully submitted by:

Stacy Myers, Recording Secretary