

**Red Lion Borough Council
Meeting Minutes
Monday, July 12th, 2021**

Members present

Cindy Barley
Tina Frutiger
Muriel Slenker
Stephanie Weaver
Dennis Klinedinst
Tony Musso

Others present

Dianne Price, Borough Manager
Dan Shaw, Codes/Zoning
Mike Craley, Solicitor
Brett Patterson, Public Works
Stacy Myers, Recording Sec'y

Visitors present

Samantha Craley
Pastor Tim Funk
Bob Frutiger
Felix Milner

John Brownlee
Kim Hogeman
Del Hawbaker

Meredith Yakelis
Glenn Rexroth
Lt. Spingler, PSP

1. The meeting was called to order @ 7:00p.m. Pastor Tim Funk from St. Paul's UMC offered a prayer, followed by the pledge to the flag.
2. **Approval of Meeting Minutes**
 - Mrs. Frutiger made a motion to approve the June 7th, 2021 Work Session Minutes; Mr. Klinedinst seconded. All were in favor; motion carried.
 - Mrs. Frutiger made a motion to approve the June 14th, 2021 Council Meeting Minutes; Mr. Klinedinst seconded. All were in favor; motion carried.
3. **Visitors & Public Comment**
 - **Lt. Spingler, from PA State Police** was present:
 - Gave Council a brief summary of service calls in the Borough from January 1st thru June 30th, 2021. The 1,152 calls for service include (but are not limited to): false alarms (23); incidents of assault/harassment (45); burglaries or attempted burglaries (10); disturbance or noise complaint (35); domestic disturbance (46); mental health calls (11); motor vehicle crashes (51); "see Officer" (non-criminal)-88; traffic stops (302); theft (39); suspicious vehicles or persons (16); DUI (20); welfare checks (38); services of warrants (9). This report will be emailed to Mrs. Price for the Borough's records.
 - PSP is transitioning to a "public dashboard" where members of the public can check their own (or any) municipality covered by PSP. This system will hopefully be live by the end of 2021, but he will keep Council updated.
 - Mr. Musso expressed appreciation for the great job that PSP is doing in Red Lion Borough. Mr. Craley stated, as a Borough business owner, he likes to see Police presence in the alleys. That's something that wasn't done previously.
 - **Kim Hogeman, York County Economic Alliance** was present to discuss the blighted property at 215 E. Lancaster Street. The sale that was set for end of last month did not go through; the buyer backed out. She said the next legal step is to file for eminent domain & condemnation, but details can be discussed in Executive Session. In the meantime, Mr. Craley said the cooperation agreement between the Borough & the Redevelopment Authority of York County can be signed tonight.
Mr. Klinedinst asked if we can continue to fine Mr. Winkler and/or his sister (current owners), but Mr. Craley said fines aren't going to get the property cleaned up, although frustrating. Kim has been in contact with Mr. Winkler (or his sister) since 2017 and has a detailed communication log of all those discussions.

- **Glenn Rexroth** brought his Land Development Plan for Council's signatures. It will go before Red Lion Planning Commission next week, then to Windsor Township for signatures. Dan Shaw said the Municipal Authority made some amendments to the plan. Mrs. Barley made a motion to reapprove Rexroth Equities' plan with the amendments; Mrs. Slenker seconded. All were in favor; motion carried.
4. **Mayor Hughes' Remarks & Recommendations**—was not present tonight; no report.
5. **Public Safety**—Ms. Weaver reported:
- **Ambulance Report & EMA Report**—distributed
 - **Fire Company**—The Financial Report was distributed, but their regular monthly report was not yet. Ms. Weaver will forward, once received. At their recent meeting, they made the following requests:
 - Is it possible to get a set of Borough building keys for each duty vehicle? *Staff & Council prefer that the keys stay at the fire house so they're accessible for all.*
 - Two Borough-owned generators at the Fire Station that personnel say need serviced. *Mrs. Price & Brett Patterson said they do get serviced, when needed.*
 - Fire Company believed the Borough was replacing the sidewalks at the side of the building (Charles Street side), so they asked for financial assistance. *They can request money held in escrow for them, but nothing additional will be given. Columbia Gas was doing work/paving in that area, but the Borough had nothing to do with it & wasn't going to request Alliance to replace their sidewalks. Ms. Weaver will let them know they can access the \$10,000 currently held for them, if they wish.*
 - Ms. Weaver also asked for prayers for young Dakota in his battle against cancer.
6. **Solicitor's Report**—Mr. Craley reported the following:
- **252 N. Franklin Street**—a draft of a Developer's Agreement between Ilyes Holdings, LLC & the Borough has been created. Mrs. Price & Jeff Shue will review before sending to Jordan Ilyes.
 - **Last month, it was reported that notice was received from the District Attorney's office** concerning summary convictions against Melissa Wilson (137 Linden Avenue). Ms. Wilson was not only appealing the 11 overtime parking violations in the Borough, but also 54 violations of the Borough's Nuisance Ordinance (high grass, refuse, vehicles, etc.) From 2017-2021, Ms. Wilson was cited by the Borough's Codes Enforcement for all those violations. She either pled guilty or was found guilty & Judge Fishel imposed fines totaling \$8,759.60. She was on a payment plan which she fell behind on and in March 2021, Judge Fishel found her in contempt & sentenced her to jail for 90 days. Her 30 days to appeal Judge Fishel's determination of jail time had passed. She then filed a petition in York County Common Pleas Court to be permitted to file a late appeal. In that appeal, she listed all the above charges (the 11 + 54 violations) & Judge Cook granted the appeal.
- Mr. Craley was planning to go before Judge Trebilcock on June 28th to justify each of the fines involved above including photos of each case/violation which filled 6 binders. Once in court, Ms. Wilson stated she was not contesting the violations of the fines, but appealing Judge Fishel's decision to send her to jail. She will continue to make payments, but the case was continued until December 2021. Mr. Craley told her he will make a request of Council to try & reduce some of her fines. If not resolved by December, Judge Trebilcock said there will be a trial in January 2022.
- As Mr. Craley stated prior, fines don't take care of the violations & Borough staff & Council just want the violations addressed, i.e., trash cleaned up, grass & weeds mowed, expired vehicles removed, etc. Staff may need to take other action other than

weekly/daily fines to remedy Ordinance violations. Other actions such as filing a civil suit or getting a court order may get the situation resolved faster.

Of note, Mr. Craley said Borough staff (Codes Enforcement) did a great job of keeping records, photos, etc., of each violation.

There are other properties such as this, where fines are continually levied. Payment plans are put into effect at \$10, \$15 or \$20 per month but it doesn't get the violations resolved, which frustrates neighbors. Public nuisance suits may be the only way to obtain a court order to go cleanup the properties then place a lien for all involved costs.

Staff will compile a list of such properties for discussion next month.

Mr. Musso mentioned a Gay Street property where rats have been seen coming & going. Rats will find a food source & Mr. Musso said the Ordinance for trash/container storage should state that any outside container must have a lid & remain closed. No open trash bags or containers should be allowed because it will draw pests, vermin, etc.

Dan Shaw said the language in the Solid Waste Ordinance allows for a "sturdy plastic bag", but the Housing Maintenance Ordinance requires a can that is "spill-proof, windproof, & rain-proof". Staff will make the language consistent to match the Housing Maintenance Ordinance. Dan will review & make changes, where necessary. This reminder of outdoor trash containers will also be in the Fall newsletter.

Of note, the dumpster across the street from the Municipal Office is along the sidewalk & should be behind the building. It may be there temporary, but Mrs. Price will research this.

7. **Engineer's Report**—Jeff Shue was not present tonight but sent his report for Council's review.
8. **Parks & Recreation Report**—Meredith Yakelis reported:
 - Food Truck Friday in June went well; next one will be held July 16th & music will also be enjoyed.
 - Summer Camp is going well with 24 kids attending & 3 counselors.
 - Softball is going well.
 - July 3rd Fireworks—a lot of positive feedback was received other than residue found on Horace Mann. Meredith said the vendor was great to work with. Mrs. Barley mentioned the option of fireworks without "booms"; Meredith will research that for the future.
 - July 4th Car Show—largest crowd & most successful in 5 years.
 - August 22nd—Concert in the Park @ 6pm. Meredith & Mrs. Price are researching the possibility of holding more concerts in the future because they're very popular.
 - Field hockey clinics are finished & everything went well.
 - Greenway mural at the Charles Street bridge looks awesome!
 - Splash Pad hours are now extended, 9am-8pm. Pavilion is booked thru September.
 - Suds 'n' Song event—Mrs. Price should have the cost/revenue breakdown by the September meeting (possibly August).
9. **Planning, Zoning & Economic Development**—Mrs. Slenker & Dan Shaw reported:
 - Final subdivision for Pleasant View Church—Del Hawbaker was present tonight, representing the Susquehanna Conference of the Brethren In-Christ Church. He stated the plan separates the house from the church & the 3-acre lot containing the parking area. Mr. Craley said the only comments from Jeff Shue were technical issues with no waiver requests.

Mrs. Barley made a motion to approve the final subdivision for Pleasant View Church; Mrs. Slenker seconded. All were in favor; motion carried.
 - July 19th—Planning Commission meeting @ 7pm to review a Variance for a deck extension @ 118 Keener Avenue.
 - July 13th--Zoning Hearing @ 6pm.

- Rutter's (N. Main Street) seems to be expanding further than they originally told Council. Dan Shaw will visit to check the footprint of the store expansion & to also verify their store hours, per Council's request.
- There are two plans for Council members to sign tonight.

Economic Development

- Saturday, November 25th @ 6pm—Lighted Tractor Parade (ends at Fairmount Park with the tree lighting)
- Hometown Hero banners—people can sponsor a street banner to be hung on the utility poles in town from May thru November (Memorial Day until Veterans Day).
- Holiday decorating contest will take place for the 2021 season.
- Spring 2022—a Garden Tour is being planned.

10. **Municipal Services**—Mr. Minnich was not present tonight; Mrs. Price reported:

- July 14th—water shutoffs for delinquent bills.
- July 28th—Joint meeting between Dallastown-Yoe Water Authority & Red Lion Municipal Authority to begin @ 6:30p.m. Red Lion's regular meeting will begin @ 7pm

11. **Public Works**—Mr. Klinedinst reported:

- Handicapped parking space request was received for 647 W. Broadway. With no other handicapped spaces in that block, Mr. Klinedinst made a motion to approve the request; Mrs. Barley seconded. All were in favor; motion carried.
- Henrietta Street sidewalk where the tree was removed 2 years ago, is still not repaired. The owner has been notified & has another week to bring into compliance.
- Rock Lane—potholes between Henrietta & Lancaster Streets—Brett will look at the area to make temporary repairs.
- Resolution 2021-5—to apply for funding for the Lancaster Street extension. This is a 70% matching grant through DCED that must be used for a connection of some type. Mr. Klinedinst made a motion to adopt Resolution 2021-5; Mrs. Barley seconded. All were in favor; motion carried.
- Ivy Drive—Columbia Gas (and Stewart & Tate) were doing work there & missed a rolled blacktop curb. Mrs. Price said a permit was never obtained for that work, so staff will research who to contact regarding that.
- Met-Ed progress on getting the sidewalks back to original state (when replacing poles)—Mrs. Price said the chunks of concrete have been removed, so progress is being made.
- Restuccia Excavating payment request has been received in the amount of \$86,768.25. Mr. Klinedinst did not want to approve the payment until staff walks the area, which will happen tomorrow, 7/13 at 8am. Jeff Shue has not made a recommendation on the payment request yet, but staff has verified the quantities used by the contractor. Council can either 1) hold the payment until next month or 2) authorize payment provided that any issues are satisfactorily resolved with approval of Jeff Shue, Mr. Klinedinst & Mrs. Price.
Mr. Klinedinst made a motion that the payment of \$86,768.25 be held until next month; Ms. Weaver seconded. Discussion was held. A vote was taken; motion carried 4-2 (Barley & Frutiger opposed).

12. **Administration**—Mrs. Frutiger reported:

- Mr. Musso & Council expressed their condolences to Mrs. Frutiger & Mr. Minnich for the loss of her sister/his mother.
- American Rescue Act grant funds were received, approx. \$331,000.
- Contract negotiations will begin soon for union employees.
- Received the recycling grant in the amount of \$53,335 which will purchase the new chipper.

- August 9th—settlement for the Borough’s purchase of Pleasant View Church. Mr. Klinedinst gave Mrs. Price a furniture book that may be useful for the new Borough Offices.
 - Catherine Meyer Award nominations are now being gathered & are due by the September meeting. Mrs. Frutiger gave Committee members a copy of the rules & regulations for the award & asked them to review in the hopes of modernizing them. The award will be presented at the Borough’s Appreciation dinner in November.
 - Car Show revenue--\$2,103 (\$106 of which was from the June Food Truck Friday)
13. **Communication**—nothing further
14. **Approval of bills**—Mrs. Barley made a motion to approve the bills; Mrs. Frutiger seconded. All were in favor; motion carried.
15. **Executive Session**—Council recessed to Executive Session @ 8:26p.m. to discuss potential property acquisition. Council reconvened @ 8:55p.m.
Mrs. Barley made a motion authorizing the Borough Manager to obtain an appraisal not to exceed \$7,500 & to do a title search on the 215 E. Lancaster Street property. Mrs. Frutiger seconded. All were in favor; motion carried.
16. **Adjournment**—Council meeting adjourned @ 9:00p.m.

Respectfully submitted by:

Stacy Myers, Recording Secretary