

**CAMP HILL BOROUGH COUNCIL
MINUTES OF THE REGULAR MEETING
2145 WALNUT STREET, PROSSER HALL
CAMP HILL, PA 17011
May 9, 2012**

President McLemore called the public meeting to order at 7:00 p.m. Present were:

Donald Edwards, Jr.
Richard Guerin
Burke McLemore
Peter Robelen
Carl Schultz
Aubrey Sledzinski
Richard Woodard

Also present Police Chief Ammons, Mayor Simpson, Solicitor Stephen Feinour, Borough Engineer Mark Malarich and Borough Secretary Anne Shambaugh.

MINUTES

The minutes of the April 11, 2012 regular council meeting were presented.

- Motion made by Mr. Guerin, seconded by Mr. Edwards, to approve the minutes of the regular council meeting of April 11, 2012. Motion passed unanimously.

MAYOR'S REPORT

The Plein Air festival will be held June 5 – June 10, 2012 in Willow Park.

Mr. Bachick stated Wednesday night is the kick-off for the event. There is a new website (www.pleinaircamphill.org) and any donations should be made payable to CHEDG.

Mr. Bachick stated the Streetscape Master Plan submitted by Camp Hill, Lemoyne and Wormleysburg won a national award of recognition.

PUBLIC COMMENT

Mr. McLemore stated due to the length of the regular meeting agenda, the public comment portion of the meeting will be limited to 30 minutes.

He also stated Messrs. Woodard, Guerin and Schultz will be meeting with the business community May 10, 2012 at 7:00 p.m.

- Lou Thieblemont, Lincoln Street, stated he was asked by Mr. McGeary to read a letter in support of the Farmer's Market. He read the letter from Mr. McGeary and also noted the inconvenience to residents who live near the Elementary schools in regards to parking.
- Tom Niper, Lincoln Street, stated he is in favor of the open-air Farmer's Market.
- Dylan Dayton stated the zoning ordinance is in place for a reason which is to protect the neighborhoods and keep them residential. She stated the ordinance is like a paperclip – if you bend the clip it no longer holds paper. She told Council if they change the ordinance to allow the Farmer's Market to be held at the Library they are destroying the ordinance they have to protect the zones.
- Dr. Rakow stated she submitted two (2) separate reports to the Borough regarding the market. Mr. McLemore thanked her for her hard work.
- Marianna, Clarendon Street, stated commercial enterprises should not be mixed with cultural and educational activities. She stated the neighborhood is great and should be protected. She does not support the idea of a Market but does support the Library.
- Cecelia, High Street, stated she feels for the neighbors who live across from the library and is concerned if the market is allowed what will be next? Stated she loves the library but is against the market at the library.
- Pat Cameron, High Street, stated she objected to the library initially being on Walnut Street but admitted she enjoys the library and its many functions. She believes the emphasis of the Library has moved from education to commerce and politics. She stated she supports Ms. Dylan's paperclip theory.
- Bonnie Goble, Director of Library, stated the market would be open May to November. She stated the temporary use permit would not fit Ms. Dylan's "paperclip theory" since the temporary use is already allowed within the Zoning Ordinance. She stated funding of the library is based on usage and the more traffic in the library the higher the funding potential.
- Seppi Garrett, 129 N 19th Street, stated the issue is not about zoning, laws or paperclips. He stated it is about helping the farmers and the many educational components that would go with having a market in town.
- Mike Berney, N 30th Street, requested Council deny the permit because there is nothing in the application to limit the number of vendors. He stated the Market could disrupt the walking school bus. He stated no money is coming back into the Borough. Asked Council how they could successfully vet this idea within three (3) months.
- Tanya Rehn stated she graduated from Camp Hill High School and it saddens her that we are arguing about a farmer's market. She stated children across the river are being shot and we are arguing about a market.
- Randall Carpenter, 120 N 20th Street, stated he grew up on a dairy farm and respects the rights of farmers. He states the real issue is not the farmers but the location of the event. He asked council to reject the idea of the library location.
- Liz Reilly, stated she does not have strong opinions on the Market but asked what entity does more for the community than the Library? She stated she thought the "perception" of Camp Hill was they were open to new things.
- Jane Shinko, corner of N 19th and High Streets, stated it is not about the farmers or the food supply. She stated it is about not wanting the market to be held at the library. She stated she loves the library but does not want the market there. She stated a retail market is a retail use and it does not serve the communities best interest.

- Sean Quinlan, 2800 Columbia Avenue, asked what the procedural process is for the market because he did not see it on the agenda. He asked if the residents would see a vote. Mr. McLemore stated at the end of public comment Council will address the issue.
- Sara Capliniac, stated she supports a producer's market somewhere in Camp Hill. She stated what makes the Borough special is you can walk or bike anywhere in town. She reminded everyone the world is changing and people can work and do things anywhere. She stated the lines between rural and city are blurring.
- Noah Capliniac, stated Council should have the market because the school has an end of year festival and there is not a parking issue.
- Sherry Bowman, stated it is a quality of life issue. She commends the library for coming forward and maybe a compromise could be reached. She encouraged both sides to think about it and be creative in a solution.
- Chris Couragen, Mayfred, stated the residents who live near the Farm Bureau have to deal with the traffic and people using the soccer fields throughout the year. He stated the library is not just a place for books but a place for the community to gather. He stated the residents are over-stating their challenges. He also stated sometimes an individual is inconvenienced for the good of others.
- Roxanne Cudahy stated she is thankful for the library but it is a Market so have it on Market Street.

Mr. McLemore stated everyone has had an opportunity to speak about the market. He said Council reviewed the Ordinance and asked whether it should be changed to allow a market within various areas of the Borough. Council decided not to change the Ordinance for one (1) market.

The Solicitor reviewed the ordinance and found language regarding the permit "process" and the allowance for a temporary use permit. The applicant would complete an application for a Temporary Use permit. The determination of the permit falls to the Borough Manager in the absence of a full-time Codes and Zoning Officer.

Mr. McLemore asked for a motion with a preferred location for the Market. Mr. Schultz stated he thought Council would be responding to the application submitted by the Library.

- Motion made by Mr. Schultz, seconded by Mr. Sledzinski, in support of the application pending with the Borough.

Mr. Guerin stated there is not a problem with the market, just the location. He stated he believes the market is better suited at a different location. Mr. Woodard stated he believes the market should be a part of the Borough – and he supports the application submitted by the Library. Mr. Robelen stated he agrees with Mr. Guerin that the location is a concern and why antagonize the neighbors when you can find an alternate location.

Mr. McLemore stated if the application is denied the Library could re-submit an application for the market at the Borough building.

Motion denied 4-3 with Messrs. Guerin, McLemore, Robelen and Edwards voting no.

PUBLIC SAFETY

Mayor Simpson stated the monthly police report was in the packets.

Chief Simpson read the monthly fire report.

Mr. Robelen stated the committee reviewed the no left-turn signs on South 17th Street to see if the times should be modified. The committee is recommending the times be changed from 12-6 pm to 4-6 pm.

- Motion made by Mr. Robelen, seconded by Mr. Edwards, to change the time on the no left-turn signs on South 17th Street to 4-6 pm only. After a few questions, the motion passed unanimously.
- Motion made by Mr. Robelen, seconded by Mr. Edwards, to have the Borough Solicitor review the Borough's ordinance concerning the possession of firearms within the Borough Parks to mirror State law. The current ordinance does not allow firearms within the parks but the State law does. Motion passed 6-1 with Mr. Schultz voting against.
- Motion made by Mr. Robelen, seconded by Mr. Woodard, to approve rank change from Patrol Officer to Officer First Class for Jeff Huff and from Patrol Officer to Officer Second Class for Todd Harrer and Chad Tate. Motion passed unanimously.

MANAGER'S REPORT

Mr. Kline stated the Treasurer's report is in the packet.

HEALTH and SANITATION

Mr. Sledzinski stated the monthly report and Engineer's report were included in the packets.

- Motion made by Mr. Sledzinski, seconded by Mr. Guerin, to authorize the advertisement for construction documents for the Sewer Diversion Project to Hampden Township. Motion passed unanimously.

Mr. Sledzinski presented the final report for Storm water prepared by the Borough Engineer to Council for review.

Mr. Schultz discussed the recommendations made by the Citizen's Advisory Board regarding the stormwater report. Mr. Schultz stated the Board put in numerous hours researching how to address malfunctions of the storm water system on public and private property. Mr. Schultz reminded Council there are practical and legal issues when dealing with storm water on public and private property.

Mr. Sledzinski stated the Board made recommendations for four (4) problem areas. Mr. Guerin noted the cost for the proposed improvement to the 4 areas is \$1.3 million. Mr. Malarich stated

the report focused on the areas impacted by the recent storm events in 2011. Mr. Woodard asked for a timeline for the repairs and Mr. Guerin said this could not be provided until the payment options for the project was determined.

GENERAL GOVERNMENT

Mr. Edwards read the meeting announcements.

Mr. McLemore provided information to Council on recent changes to Act 13 which is being monitored closely by the Borough Solicitor.

Mr. McLemore provided information to Council on the prevailing wage law amendment currently being discussed at the State level. He stated the question is should there be an amendment so the prevailing wage law does not apply to smaller municipalities.

Mr. Robelen recommended Council support an amendment and Mr. Woodard asked if the item could be tabled until the next meeting.

FINANCE

Mr. Woodard presented vouchers for payment.

- Motion made by Mr. Woodard, seconded by Mr. Robelen, to pay vouchers in the amount of \$6,769,505.78. Motion passed unanimously.

INFRASTRUCTURE

Mr. Kline stated the 2012 Street Paving Bids were opened April 24, 2012 at 2:00 p.m. with Pennsy Supply being the lowest responsible bidder.

- Motion made by Mr. Guerin, seconded by Mr. Robelen, to award the 2012 Street Paving contract to Pennsy Supply in the amount of \$524,879.26. Motion passed unanimously.

Mr. Kline stated he met with Marc Kurowski of K&W Engineers regarding the feasibility study for Siebert Park stadium, track, park and bleachers. He stated during the 2012 Budget process Council discussed the need for the study and suggested splitting the cost with the School District.

- Motion made by Mr. Woodard, seconded by Mr. Edwards, to authorize \$5,000 for a feasibility study of Siebert Park to be performed by K&W Engineers. Motion passed unanimously.

PERSONNEL, POLICIES and PROCEDURES

There is no report this month.

COMMUNITY AND BUSINESS RELATIONS

Mr. Schultz stated the meeting with the business community will be held May 10 at 7:00 p.m.

Mr. Schultz stated the School District asked the Borough if we had any interest in purchasing the Sheaffer School building. After a brief discussion, Council stated they have no interest in the School building.

- Motion made by Mr. Guerin, seconded by Mr. Schultz, to notify the School District the Borough has no interest in the Shaeffer School building. Motion passed unanimously.

PARKS and RECREATION

Mr. Edwards stated the monthly report was in the packet. He stated the Kite Festival will be held Sunday May 20 between 12 and 4 at Fiala Field and the 93rd Annual Memorial Day Parade will be held May 28, 2012.

- Motion made by Mr. Edwards, seconded by Mr. Woodard to approve all items B through H of the agenda. Motion passed unanimously.

Mr. Edwards stated the Nick Breach Foundation approached the Borough about completing a tree memorial project in Willow Park and Siebert Park. There would be a map of the parks with memorial tree locations on the maps. The proposed stone structures would match the other structures currently in the parks. The estimated cost is \$10,254. The Foundation will pay a portion and the McLemore's have agreed to pay a portion. Mr. Edwards requested the Borough pay the remaining \$3,500 to complete the project.

- Motion made by Mr. Edwards, seconded by Mr. Guerin, to pay up to \$3,500 for the completion of the stone tree memorial project in Willow and Siebert Parks. Motion passed unanimously.

PLANNING & ZONING

Mr. Sledzinski stated the Engineer's report is in your packets.

Mr. Robelen told Council the Borough received its 4th Tree City USA acknowledgement.

Ms. Shambaugh told Council the proposed zoning ordinance changes in conjunction with the Imagine West Shore would be provided at the June 2012 meeting.

PUBLIC WORKS

Mr. Guerin stated the monthly report is in your packets. Mr. Guerin stated the Public Works guys did a great job on the new Gazebo in Willow Park.

Mr. Guerin presented a letter from Dave Reager requesting assistance from the Borough during the Plein Air festival including placement of barricades on the streets, trash receptacles, etc.

- Motion made by Mr. Guerin, seconded by Mr. Robelen, to approve the requests from Dave Reager regarding assistance provided by the Borough for the Plein Air festival. Motion passed unanimously.

PUBLIC COMMENT

- Bruce Bigelow, 20 S 26th Street, requested Council to budget money to clean up the administration building. Mr. McLemore stated the areas that look in disrepair are fiberglass and cannot be painted.
- Sherry asked what the next step is in the process for the market. She stated there are people who are interested in making it happen. She stated it concerns her how the Borough is being represented during this process.

Mr. McLemore stated they are not against a market just not at the library. He stated if an application is submitted for the borough location it would be well-received.

- Motion made by Mr. Woodard, seconded by Mr. Robelen, stating Council supports the use of Borough building and grounds for the farmer’s market. Motion passed unanimously.

EXECUTIVE SESSION

Council recessed to executive session to obtain legal advice from the solicitor and discuss legal matters at 9:23 p.m.

Borough Council returned to public session at 9:57 p.m.

There being no further business to discuss,

- Motion made by Mr. Woodard, seconded by Mr. Schultz, to adjourn. Motion passed unanimously at 9:59 p.m.

Respectfully submitted,

Anne Shambaugh