

SHIPPENSBURG BOROUGH COUNCIL

July 17, 2018

6:15 p.m.

Present at the Council Meeting: Andrea Lage
Sandra Mailey
Keith Swartz
Mitchell Burrows
Kathy Coy, Mayor
Samuel Wiser, Solicitor

PLEDGE OF ALLEGIANCE COUNCIL

THE MAYOR'S MOMENT OF SILENCE

REPORTS

Mayor Coy reported that she did set up the committee for the 200th anniversary and has asked Steve Brenize to be the chair. She reported that they will be meeting next month but they have many ideas and their goal is to partnership with people who are already doing something in that month and to see if they can help to participate in their event to help pull the partnerships together. The Mayor stated that she also attended the school board meeting and encouraged them to continue to partnership with the Shippensburg Community Parks and Recreation Authority to build the perfect stadium for Shippensburg. She stated that they are going to vote on it next month at their second meeting and Tyler is planning on attending the first meeting to give his presentation to them. Mayor Coy stated that she also attended the Polar Express movie with the Cumberland Valley Rails to Trails and the Park & Rec Authority and it was a wonderful evening. She also reported that she was a presenter last evening at the Lions Club meeting and they were very receptive to a lot of the issues that are going on and were discussing the Long Range Planning Committee and Transportation. The Mayor stated that they had lots of questions and offered assistance if they can ever be of assistance to anyone. Mayor Coy went on to report that she consulted with Jerome Kater after a meeting of the Richard Avenue block party and they are going to get together to review what was discussed at the meeting. She also stated that she met with Kevin regarding some Shade Tree issues and this week she will be attending the Pennsylvania Mayor's Association meeting for three days in Lancaster. President Lage stated that in regards to the stadium she would like to propose that they have a discussion regarding the stadium under "other business" this evening because there is a lot of things going on and some things that Council should discuss.

President Lage stated that the Finance/Budget committee needs to meet around the beginning of August and Nicole is working on doing the comparisons of budgets from other places and as soon as

she has it pulled together they will distribute it for Council's analysis. Manager Epley reported that in regards to Personnel they do need to get together very soon to continue their search for a water foreman. President Lage also reported that interviews of the Police Chief candidates will be tomorrow so by the next council meeting they should have something to report based on the outcome of those interviews.

Councilperson Mitchell Burrows reported that Long Range Planning will be making a recommendation and he plans to submit it to the Manager and Council and give them a few weeks to look at what the committee would like to bring to the table. Mitchell stated that some of the big items are the LERTA proposal, and some signage items.

Manager Epley reported that Heather Franzoni could not be here this evening but she did send an email thanking the Mayor for supporting their grant request for \$64,000, which they received. The Mayor stated that they purchased ALS equipment with the grant.

Mayor Coy stated that she has an email from Dave Lindenmuth stating that he wants Council to know they are working with the Corn Festival right now and they have two box cars reserved, one for each end of the Corn Festival for safety issues.

Manager Epley reported that we do have a new employee at the Wastewater Treatment Plant and he seems to be working out very well. The Manager also reported that the other person that we thought we had lined up to start has now decided to withdraw but they do have a second person they were interested in and will talk to him as soon as Kevin gets back from vacation at the end of this week.

PUBLIC COMMENT

Steve Brenize, 211 Ridge Avenue, stated that as many of Council are aware, an important member of our community, Ra Kligge, passed away a while back and one of the many things he did was to serve on the Cumberland County Planning Commission and Steve has decided to applied to be appointed to that. Mr. Brenize went on to state that he believes it is important that Shippensburg continues to have a voice on Cumberland County's Planning Commission. Mr. Brenize stated that he is asking that Council consider sending an email to the County Commissions asking that we have a Shippensburg voice on the commission. Councilperson Burrows stated that he feels it is a wonderful idea. Council members were in agreement. President Lage asked that they formalize their support in the form of a letter.

CITIZEN APPEALS

No appeals submitted.

BUSINESS

CONSIDERATION TO APPROVE THE MINUTES FROM JULY 3, 2018, MEETING

Sandra Mailey moved to approve the minutes of the July 3, 2018, meeting as submitted. Motion seconded by Mitchell Burrows. Motion carried 4-0.

CONSIDERTATION TO ADOPT RESOLUTION 18-006 (AS AMENDED) AUTHORIZING PLACEMENT OF CERTAIN BANNERS AT CERTAIN LOCATIONS IN THE BOROUGH

President Lage reported that this resolution has been amended since they last saw it to reflect the size change. Solicitor Wiser reported that Kevin had clarified that the size that was discussed wasn't the 2' x 6' but rather 30" x 7'. Sandra Mailey moved to adopt Resolution 18-006. Motion seconded by Keith Swartz. Keith stated that he wanted to hear from the Solicitor that the agreement is acceptable and we have an out. Solicitor Wiser stated that we do and that #5 states that Borough Council may require the banners be removed in the event that Borough Council determines that the banners are not appropriately maintained or if they determine they are no longer esthetically compatible with the character of the respective corridors or no longer serves the interest of the community. Mitchell stated that his only concern is that he was under the understanding that they were going to be the same size as the other banners and this right up states they will be larger. Solicitor Wiser stated that he thought they were all under that impression until after the fact. Councilperson Burrows stated that he thought that when they were going to have it come back it was going to be adjusted so that it would say they are going to be the same size. Mayor Coy stated that she has had calls from citizens and businesses relaying they are not happy about the fact that the University signs will be bigger than the downtown signs. Mitchell stated that he is wondering if Kevin may have been mistaken in understanding what they wanted whenever they spoke the last time. Solicitor Wiser stated that it seems that Kevin was pretty clear. Sandra Mailey asked how the signs that are proposed compare to the signs that are already at the University and wondered if they are the same size as what they have proposed? She stated that the ones on campus are not as large as the ones they hung downtown and she wondered if the ones that are at the University compare with the banners that we already have in use and not the one that is at Orrstown Bank. President Lage stated that they can compare it with the other downtown banners and if they don't want it to be different then they amend this as we wish it to be. Council members felt that the banners should blend in with what is existing. President Lage stated that she thought they were very clear at the last meeting that they wanted it to match the size of the existing banners, therefore she would either recommend that they vote to decline the resolution or they can amend the motion to say that we would accept a resolution with the amendment that it must equal the same size as the existing banners. Solicitor Wiser stated that Council has already done that and that it was the approval last month therefore it would not need to come back to council since they have already approved it the way it was to be adopted. Motion denied 0-4. President Lage stated that as presented to Council this resolution is not correct and would like to reiterate that a resolution was passed that if the banners match the existing size of the banners downtown they would be in agreement. Solicitor Wiser stated that after the last Council meeting he spoke to Kevin to confirm that everything was good with the banners and he said the size is not 2'x6' but 30" x 7' which is why they were seeking Council's input.

DISCUSS RECOMMENDATIONS BY THE TRANSPORTATION AD HOC COMMITTEE FOR THE FOLLOWING:

- A. REQUEST TO ELIMINATE ONE (1) STREET PARKING SPACE ALONG EAST ORANGE STREET @ 100 EAST ORANGE STREET
- B. REQUEST TO CREATE STREET PARKING ALONG WEST KING STREET @ 512 WEST KING STREET

President Lage reported that the committee has recommended that we do not remove the parking space at 100 East Orange Street. Manager Epley reported that this was brought to us by Councilperson Alosi and they did review it. The Manager stated that it was Councilperson Swartz, Kevin, Councilperson Burrows and himself and the thought was that while there are cars parked rather close to the driveway there are probably another 100 places similar to it throughout the Borough. The Manager reported that on the north side of Orange Street directly across from this site a request came in last year to have a spot eliminated and it was denied. He went on to explain that based on Kevin's knowledge of parking throughout the borough, the committee did not feel that there was any accident data here and never been any crashes that they are aware of and didn't feel that the parking space should be removed. Council members were in agreement.

Manager Epley reported that Johnathan Bohannon is the owner of the property at 512 West King Street and they met with him some time ago about possibly adding some parking and the committee did review it. He went on to explain that after doing research it was determined that our ordinance does have "no parking" established in this area, and Kevin went out and they did some measuring and based on the entranceway into the property and giving some space on the other side between the property and Shively Motors they thought if they came in 20 feet from either location that would leave enough room for approximately 5 spaces. Mr. Epley stated that Kevin would prefer to not stripe this area if they are going to make it parking because additional parking exists further down King Street towards North Morris Street on the north side there is parking but it is not striped so he wants to keep it consistent. The Manager went on to state that Kevin did not see any reasons for sight distance issues so the committee thought that this could be an area that could have parking added. President Lage stated that they would have to rescind that part of their ordinance but there would be no change to the street except for removal of the no parking signs. Manager Epley stated that they would add parking signs at the beginning of the area where we would propose parking and at the end so that they could park between the signs. Councilperson Swartz asked what costs would be incurred? Manager Epley stated that they would have to purchase signs. President Lage asked why they would need signs and stated she doesn't like continually placing obstructions in the sidewalks and if they can minimize the number of posts she would prefer that. Manager Epley stated that they do not need to place parking signs because they do not have them anywhere else throughout the borough and Kevin recommended it because it was a new thing. Council members felt it would be better to paint the lines or stripes. Mr. Bohannon explained that the parking spaces will be to facilitate customers of either the News Chronicle and a financial advisor is going to be renting the first floor and will need space for customer parking. Solicitor Wisner stated that they are looking for a motion to approve the installation of 5 parking spaces as explained by the Borough Manager under section 144-4 as an experimental regulation. Mitchell Burrows moved to approve the installation of 5 parking spaces at 512 West King Street. Motion seconded by Sandra Mailey. Mr. Bohannon asked if they have to limit it to 5 parking spaces?

Councilperson Burrows stated that it is parking within 20 ft. of the driveways. Manager Epley stated that legally there is enough space for 5 cars but that is standard cars so if they get three tiny cars they may be able to fit more and it will be from a certain location to a certain location and however many they fit in that space is fine. Councilperson Swartz stated that he would like to ask that the word "five" be removed. President Lage stated that with the understanding that they are voting to approve the allowance of parking in what would be a standard acceptable parking area in front of 512 West King Street. Motion carried 4-0.

DISCUSS A REQUEST BY ROBERT T. HENRY PHARMACY AT 54 EAST KING STREET TO PLACE SIGNS FOR CURBSIDE DELIVERY SERVICE (TWO (2) PARKING SPACES ALONG EAST KING STREET

Manager Epley reported that the reason he put this on the agenda is because there was a representative of Henry's Pharmacy here last month requesting permission to place signs in front of the property and the Solicitor discussed some of the requirements for the sign, and he met with Donna who is the zoning officer. The Manager went on to explain that as far the actual sign and the placement of it along the curb it can certainly meet any requirements we have but the bigger issue that they believe Council needs to take action on and consider is that if these signs are placed they will be removing parking downtown because people will see those signs and not park in those locations because of what they say. The Manager stated that his concern is that this could cause some animosity between other businesses in the area. He stated that he and Donna felt that this was the taking of two parking spaces for the use of one property and they felt that Council should make that decision. Solicitor Wisner reported that in the past for churches they have designated a pastor's parking spot in the street, which is under special purpose parking zones which is section 144-28. President Lage stated that she feels those spaces should be reviewed again and consider changing those spaces to public parking. Solicitor Wisner stated that there are various loading and unloading zones that are intended for businesses but the only specific business is the post office parking spaces. President Lage suggested making the space that is near the driveway a loading and unloading zone that is not specific to the pharmacy but it is one of those that is limited to 15 minute parking for whatever purpose. Councilperson Swartz stated that he has no problem with them putting a sign out but he feels the sign cannot make anyone not park there. Mayor Coy stated that they could put the horizontal stripe in the space for the loading zone then Henry's could put their signs out one against the building and one inside with a flyer explaining their system. President Lage stated she would have less trouble with the sign if it were in front of a permanent 15 minute parking spot. Councilperson Swartz stated that if Orrstown Bank has customers that cannot access their lobby are they going to ask for something. Mayor Coy stated that they have a parking lot. Following a brief discussion, President Lage stated that they could ask them to only put one sign out at a spot and ask them to put it at the spot that is at the end and then see what happens. The President went on to state that her feeling is, is that what they should put on the table is to direct management to tell them that they can try this as one spot with the sign up understanding it is not their spot and that the spot would be the last one right before that driveway and it would not require an ordinance change because it is still an ordained spot but just acknowledging their right to put a sign there. Manager Epley stated for clarification that it will not be the creation of a loading zone? Council stated agreed. Councilperson Swartz asked if this is another obstacle on the sidewalk or is it up against

the building? Manager Epley stated that it is on the sidewalk at curbside. Manager Epley stated that free-standing signs are permitted and they do take it in each evening when they close. President Lage stated that if Transportation Committee wants to look at it that is fine but in the meantime they should either take it down or send a message that in the meantime there is a general consensus until Council takes action that they can have one sign. Keith stated that he is opposed to this because of what it could lead to in the future with other business requests. Mitchell stated that he puts a sign out front that states the special of the day and it is permitted by ordinance and they are putting a sign out front that states they offer a curbside service and we are not doing anything to the stall itself. He further stated that Council could request that they put a sign on their building or next to their building that advertises the curbside service. President Lage stated since they have placed two signs out that are out without Council's permission we either ask them to remove them or we give them an indication of what we are willing to accept. Mitchell Burrows moved to notify the property owner that they will have the Transportation Committee review the request but in the meantime allow them to have one sign out front in the stall that is closest to the driveway. Motion seconded by Sandra Mailey. President Lage stated that this motion is just a directive for management to say that in an interim period they are allowed to put one of those signs out near that last parking stall and once the Transportation Committee meets and makes a recommendation Council will then take formal action. Motion carried 3-1 with Keith Swartz voting no.

CONSIDERATION TO APPROVE THE SHIPPENSBURG CHIEF OF POLICE JOB DESCRIPTION

Manager Epley reported that this job description was worked on by Mayor Coy and the Solicitor looked at it as well as himself and this was the final version unless Council has any changes. Keith Swartz stated that his only concern was the minimum requirements paragraph and he felt it was very gray. Keith stated that he thinks it should be simplified to state 5 years of law enforcement with supervisory experience. Solicitor Wisner asked if there is a need to have an executive session to talk about specific candidates who Council is considering and how this may impact that? President Lage stated that she feels they should have one and come back to this after the exec session.

CONSIDERATION TO AUTHORIZE COUNCILMAN BRUCE HOCKERSMITH TO ATTEND THE 2018 PSAB FALL LEADERSHIP CONFERENCE OCTOBER 12, 2018 TO OCTOBER 14, 2018

President Lage stated that she would like to discuss how they go about the Borough representing themselves at the conferences and how we budget for it. The President went on to state that this is something that they have never formally created a policy on and one of the things she is concerned about is the lack of policy and if we look at this they are looking at a considerable amount of funds with limited resources so they need to figure out as a Council what they support between Council members doing things and the Mayor doing things. President Lage went on to state that having a policy that looks at either designating exactly who we want to be our spokesperson and in this case we have had a history of it being the Mayor and not really had council go to things other than conferences for new council members and possibly undergo a review of whether or not the topics being presented are worthwhile. Keith Swartz stated that he thinks that this is a great discussion to have considering our budget restraints and he would like to see Councilperson Alosi and Hockersmith here for those

discussions. President Lage stated that since this is not time sensitive they could put it up for general discussion when everyone can be here. President Lage stated that Council is requesting that a discussion item be placed on the second meeting of August agenda to discuss the policy on workshops and conferences.

AUTHORIZE BOROUGH MANAGER AND ROAD SUPERINTENDENT TO OBTAIN THREE TELEPHONIC QUOTES AND SELECT THE LOWEST BIDDER FOR RE-PAINTING OF CROSSWALKS AT BOROUGH INTERSECTIONS AND MID-BLOCK CROSSINGS (LIQUID FUELS PROJECT)

Manager Epley stated that this is something that Kevin brought up to him and the workload so far this year and the lack of people has not given Kevin the opportunity to get out and do the line painting that needs to get done so he wants to bid it out and feels that it will be under the threshold required. Mr. Epley stated that Kevin would like council to give their permission to move forward and get the telephonic quotes and then we will pick the lowest bidder out of it which will be paid for through liquid fuels funding. Council members were in agreement with bidding out the line painting.

CONSIDERATION TO APPROVE THE RECOMMENDATIONS FROM THIS HISTORIC ARCHITECTURAL REVIEW BOARD (HARB) FOR THE FOLLOWING:

APPLICATION OF AMANDA BROZANA-RIOS, 224 EAST ORANGE STREET; INSTALLATION OF WOOD RAILING ON FRONT PORCH

Councilperson Sandra Mailey moved to approve the permit application of Amanda Brozana-Rios for her property located at 224 East Orange Street. Motion seconded by Councilperson Keith Swartz. Motion carried 4-0.

APPLICATION OF BRIAN FRITZ, 29 SOUTH QUEEN STREET; REPLACE WOOD SOFFIT, FASCIA & TRIM WITH PVC PRODUCT, INSTALL HALF ROUND GUTTERS AND DOWNSPOUTS, AND RE-INSTALL ORIGINAL WOOD SHUTTERS

Councilperson Sandra Mailey moved to approve the permit application of Brian Fritz for his property located at 29 South Queen Street. Motion seconded by Councilperson Mitchell Burrows. Motion carried 4-0.

DISCUSS DRAFT PROJECT SUMMARY FOR SUBMISSION OF A MULTIMODAL GRANT SUBMISSION FOR RECREATION, TOURISM & ECONOMIC REVITALIZATION

President Lage reported that she has provided Council members the draft of the project narrative that outlines what was described at the last Council meeting and it is what she proposes to submit before the next Council meeting. The President went on to state that one addition that was not mentioned was the addition of electric vehicle charging stations. She stated that the idea is to facilitate visitors that are in their electric cars with the numbers of those increasing. President Lage stated that she has contacted Tesla to see if they would consider us a station because when they do it they do it for free and the other is a cost based program called Charge Point which would be installing a level 2 charging station which is one post for two different vehicles and a system that would allow for

customers to pay for the electric. She said there are costs involved for the borough which would be for an annual servicing for the networking and also to provide maintenance to it with the rough cost being around \$12,000 which she put into the grant.

EXECUTIVE SESSION

President Lage stated that they do have an executive session to discuss personnel matters and taking action on the Chief of Police job description after coming out and also discussion regarding the stadium.

OTHER BUSINESS

President Lage reported that there have been reports only, of what happened at the school board meeting which was that there was an item on the agenda as part of general improvements, a line item that also included the building of a new stadium. Mayor Coy stated yes there were items A-O which were all individual line items but they were going to package it together and so it was pulled out and voted separately. The Mayor stated that there was discussion on it and three members voted to postpone it and it has been postponed to the first meeting in August. She went on to explain that Tyler will go and do a presentation to the school board. The Mayor stated that Park and Recreation has reached out many times to board members with no response back, so Tyler is going to take it to the meeting with the vote being the second meeting of the month to either continue on their own or partnership with Park and Recreation. Mayor Coy stated that she asked them to really consider continuing the partnership because financially we could get the same results and meet the needs for the town and the school district if we continue to work towards that goal. The Mayor stated that only herself and Tyler spoke and one other citizen came so the residents really need to come and voice their opinions and say what they want to happen. Amanda Brozana-Rios stated that she has lived here for approximately 22 days and one of the things that she learned when they were moving to Shippensburg last month was that she was going to be a 36 year old who had nothing to do. She stated that she moved here from outside of DC and she was really excited because she knows that we have a campus here and there will be cultural events and other cultural things going on. Ms. Brozana-Rios stated that she loves outdoor sports and found out that the only option that she has as an adult is a flag football league that is currently over and was very disappointed but happy to know that the stadium that she is paying taxes for will not be heavily used by the school and available for other programs. She stated that what she loves about the area is that it is small and community minded but is missing out on the team sports for adults which are really good. Ms. Brozana-Rios stated that she would much prefer having the two facilities or at least some accommodations to an adult sect who would like some physical recreational activities available and the facilities to do them. She stated that she would like Council to think about the fact that the school does use the facility and it is a great community based partnership but she also feels that it takes away from her as an adult in this community. Ms. Brozana-Rios went on to state that if they don't want kids coming in for the university and then leaving and taking away their skills, some of the things that they should invest in are things that the young people are going to take part in and one of those should be recreation. President Lage stated that her point is well taken and she applauds her for coming and letting Council know and for working with park and recreation. The

President encouraged Ms. Brozana-Rios to keep her eye out for any opportunities to volunteer on any boards that are of interest or even run for a seat at Council. President Lage went on to state that it is important to think about how that stadium is used and one of the thoughts that some of Council has had is that it can do both and while we have the perception that the school system uses it a lot they do believe there is time in the schedule do other things and not just at the stadium but also at how all of our properties can be used. President Lage stated that regardless of someone's position it is important that it gets out to the community that this is really a very critical time and figuring out the direction that this community is going to take with our recreation resources. Solicitor Wiser stated that it is a financial commitment too. Mayor Coy stated that that was a big discussion as well with some of their board members and there was no outlined plan of how they were going to replenish the fund balance if they take money out of it. President Lage stated that one of the ideas is that if we can partner and try to work a balance of how to use that facility they can have monies going into one facility. She further stated that she knows that there is some hesitation about the school district spending money on a borough property but she thinks that we really need to emphasize that while we have these municipal boundaries we are community and the resources are finite in this community.

Manager Epley stated that Nicole asked ask him to make Council aware that the 2017 non-uniform and uniform financial statements for the pension plans are available for review by Council and also the financial statements audited through December 31, 2017, for the Shippensburg Community Parks and Rec Authority by DCED is also available for review of Council.

Councilperson Swartz stated that a friend of his was pulling out of the Rails to Trails parking lot at the rail station and turned right and an officer pulled him over and told him he made an illegal turn and gave him a warning. Keith asked the Manager if he and Kevin can look into whether we need a one way street sign on Fort Street. Manager Epley stated that that issue is being addressed and what happened is the University removed the fence and the one way signs were attached to the fence so Kevin was to direct his guys to put posts up and put the signs back up.

Mayor Coy reported that she had a citizen call her and state that no matter what they do with the football stadium they would really like to see lighting put in around the school and around Eberly Drive area because currently it is dangerous when the students are walking to the games.

Council members went into executive session at 7:40 p.m. and returned at 8:45 p.m. where they discussed personnel matters from which there is no action. President Lage stated that there is action needed of one agenda item that they postponed and that is discussion of the Chief of Police job description. The President went on to state that in looking at it the general description it is one that she can support but what she would like to do is bring to their attention the minimum qualifications and she feels that it can be refined. She also stated that she has concerns about the second bullet point that looks at the balance of experience and formal education and how it is written and would like to see it clarified so that they identify two different tracks of qualification, one that recognizes long term experience and another which recognizes the value of higher education. President Lage stated that she would like it to identify that to say something along the lines of that it is required that you have a bachelor's degree and 15 years of experience in a police force, 5 of which would be supervisory that

would address the higher education tract. The President went on to state that for those who came through the police force at a time when higher education degrees were not the norm they would ask for a longer period of experience with that tract reading you must have at least 20 years of experience on a police force, 5 of which are supervisory. Solicitor Wiser suggested changing to state that a minimum of 20 years of law enforcement experience, at least 5 of which must include holding an officer rank or equivalent or a bachelor's degree in criminal justice or related field combined with at least 15 years of law enforcement experience at least 5 of which must include holding the officer rank or equivalent. Councilperson Keith Swartz moved to approve the job description for the Chief of Police provided in the packets with the amendment to the minimum qualifications as described and retaining the balance. Motion seconded by Councilperson Mitchell Burrows. Motion carried 4-0. President Lage reported that they need to formally address the residency requirement or lack thereof which is not a part of the job description but they do have it for our officers which is that they must live within 30 miles of Shippensburg and wondered if they would like that same requirement for the Chief. Council members were in agreement to the 30 mile radius for residency. Solicitor Wiser stated that they will need to modify their ordinance to reflect that change.

ADJOURNMENT

There being no further business, Councilperson Mitchell Burrows moved to adjourn the meeting. Meeting adjourned at 8:52 p.m.

Secretary