



Leo S. Lutz, Mayor
Michael L. Beury, Borough Council President

Robert L. Pfannebecker, Solicitor
Ronald Miller, Interim Borough Manager

FINAL AGENDA
COLUMBIA BOROUGH COUNCIL MEETING
August 10, 2015
7:00P.M.

- I. Opening of Meeting
 1. Call to Order and Roll Call
 2. Invocation/Moment of Silence
 3. Pledge to the Flag
 4. Announcement of Executive Session(s)
 - a. An Executive Session was held on August 10, 2015 at 6:00pm to discuss legal and personnel matters and present information only items.
 5. Citizen Comments (Agenda Items Only)
 6. Minutes for Approval
 - a. Consider approval of the Borough Council Meeting Minutes for 7/27/15.
 7. Mayor Lutz
 - a. Proclamation 15-09: National Recovery Month – September 2015.
- II. Standing Committee Assignments
 8. The Committee on Public Property
 - a. Discussion regarding the Market Trust considering alternative uses for the facility by soliciting interested developers to bid.
 - b. Discussion regarding the Market House Trademark.
 - c. Consider approval of a Facilities Use Request for the Columbia Historic Preservation Society to host a "Caring for Heritage" Fundraiser at River Park on Saturday, August 29, 2015 from 8am-3pm contingent upon receipt of the required Certificate of Insurance.
 - d. Consider approval of a Facilities Use Request for the Columbia Historic Preservation Society to host an Albatwitch Festival in the 200 Block of Locust Street on Saturday, September 26, 2015 from 8am-4pm contingent upon receipt of the required Certificate of Insurance.
 9. The Committee on Public Safety
 - a. Status of 208-210 Locust Street.
 - b. Consider approval of a Facilities Use Request for Mt. Zion AME Church to host a Youth Worship Service and Cookout on South 5th Street from Union Street to 245 South 5th Street (all Church owned properties) on Sunday, August 16, 2015 from 9am-4pm.
 - c. Consider approval of a Facilities Use Request for Mt. Zion AME Church to host a Youth Explosion Celebration on South 5th Street from Union Street to Corn Avenue on October 10, 2015 from 10am-6pm and on October 11, 2015 from 9am-5pm.
 - d. Monthly Fire Chief's Report.
 - e. Monthly Police Chief's Report.
 10. The Committee on Personnel

- a. Consider confirming the termination of Robert Osborne, Code Officer, effective August 10, 2015.
 - b. Consider hiring Charles L. Bink as a part-time Crossing Guard at a rate consistent with the current Non-Uniform Employee contract contingent upon successful completion of all pre and post-employment offer examinations and background investigation.
11. The Committee on Finance
- a. Consider approval of 2015 Budget Change No. 2: Municipal Authority and Borough Capital Fund.
 - b. Consider approval of Borough Consultant's written recommendations to transfer available Borough funds into PA Act 72 compliant financial programs.
12. The Committee on Community Development
13. The Committee on Highway
14. The Committee on Municipal Legislation
- a. Consider approval of Ordinance No. 861: An Ordinance of the Borough Council of the Borough of Columbia, Lancaster County, Pennsylvania amending the code of the Borough of Columbia, Lancaster County, Pennsylvania, Chapter 90-borough property, Section 90-6. Violations and penalties, to provide that violations of regulations posted in accordance with Chapter 90 constitute a violation of Chapter 90; providing for the repeal of inconsistent ordinances; providing for the severability of the ordinance; and providing that the ordinance shall take effect as provided by Pennsylvania Law.
 - b. Consider approval of Ordinance No. 862: An Ordinance of the Borough Council of the Borough of Columbia, Lancaster County, Pennsylvania amending the code of the Borough of Columbia, Lancaster County, Pennsylvania, Chapter 112-Existing Structures, Property Maintenance and Fire Prevention, Article II-Administration and Enforcement, Section 112-6 Powers and Duties of Code Official to require inspections of residential rental units whenever there is a change in tenant; providing for the repeal of inconsistent ordinances; providing for the severability of the ordinance; and providing that the ordinance shall take effect as provided by Pennsylvania Law.
 - c. Consider approval of Ordinance No. 863: An Ordinance of the Borough of Columbia, Lancaster County, Pennsylvania amending Chapter 207 of the Code of the Borough of Columbia, Lancaster County, Pennsylvania, to: Add an additional one-way street on Barber Street, from Washington Street to South 12th Street, to modify the direction of traffic on several one way streets, on Barber Street from Plane Street to South 10th Street and on Sadie Lane from Market Street to South Third Street, to make one stretch of roadway revert to two way traffic from one way traffic on Barber Street between Washington Street and South 10th Street, and to designate both directions of traffic from Ninth Street and Ironville Pike to Lancaster Avenue as a snow emergency route; providing for the repeal of inconsistent ordinances; providing for the severability of the ordinance; and providing that the ordinance shall take effect as provided by Pennsylvania Law.
 - d. Consider approval of Ordinance No. 864: An Ordinance of the Borough Council of the Borough of Columbia, Lancaster County, Pennsylvania amending the code of the Borough of Columbia, Lancaster County, Pennsylvania, Chapter 186- Streets and Sidewalks, Article II-Street

openings and excavations, section 186-11, backfilling of trenches and Restoration of Roadway Surfaces and Appurtenances to require reimbursement for necessary repairs if defects appear in the restoration of a surface or appurtenance within five years; providing for the repeal of inconsistent ordinances; providing for the severability of the ordinance; and providing that the ordinance shall take effect as provided by Pennsylvania Law.

- 15. The Committee on Wastewater
- III. Reports of Boards, Commissions, Authority, Solicitor, and Secretary/Treasurer
 - 16. Solicitor
 - 17. Secretary/Treasurer
 - 18. Boards/Commissions/Authority
 - 19. Reports from Council Members
 - 20. Citizen Comments (Non-Agenda Items Only)
- IV. Adjournment

**Columbia Borough Regular Council Meeting
August 10, 2015
Paul W. Myers Council Chambers**

Council President Beury called the meeting to order at 7:04 p.m.

Councilpersons present: Barninger, Beury, Ford, Murphy, Smith, Weisser, and Welsh.
Mayor Lutz arrived at 8:41pm.

There was a moment of silence.

Council President Beury led the pledge to the Flag.

Council President Beury announced that an Executive Session was held on August 10, 2015 at 6:00 p.m. to discuss legal, personnel and information items.

MAYOR LUTZ

Borough Council President Beury read Proclamation 15-09: National Recovery Month – September 2015.

CITIZEN COMMENTS - Agenda Items Only

Please see attached

Minutes for Approval

Motion: To approve the Borough Council Meeting Minutes for July 27, 2015.
Motion: Barninger 2nd: Ford Voice Vote: All Favored

Motion: To reorder the agenda as follows: Item No. 9, Safety, will now be Item No. 8, Item No. 10, Personnel, will now be Item No. 9 and Item No. 8, Property will now be No. 10.
Motion: Murphy 2nd: Barninger Voice Vote: All Favored

STANDING COMMITTEE ITEMS

COMMITTEE ON SAFETY:

The Borough's Zoning/Codes/Safety Manager, Jeff Helm gave a status on the building located at 208-210 Locust Street saying that He, Columbia Borough's Interim Borough Manager Miller and Bill Sours, the Borough's Structural Engineer met earlier today. He said that the Structural Engineer maintained his position that the building remains structurally sound and can be repaired. He noted that there are still issues with the façade which can be repaired as well. Jeff noted that there will be a meeting with the owner's engineer and Borough Management tomorrow to determine what the plan is to repair the façade. Ron Miller noted that the Borough has already spent around \$25,000 in abatement costs for this property and that a letter has been sent to the owners to make them aware that these costs will be passed on to them.

Motion: To approve of a Facilities Use Request for Mt. Zion AME Church to host a Youth Worship Service and Cookout on South 5th Street from Union Street to

245 South 5th Street (all Church owned properties) on Sunday, August 16, 2015 from 9am-4pm.

Motion: Barninger 2nd: Smith Voice Vote: All Favored

Motion: To approve of a Facilities Use Request for Mt. Zion AME Church to host a Youth Explosion Celebration on South 5th Street from Union Street to Corn Avenue on October 10, 2015 from 10am-6pm and on October 11, 2015 from 9am-5pm.

Motion: Barninger 2nd: Ford Voice Vote: All Favored

Councilwoman Barninger noted that both the Monthly Fire Chief's Report and the Monthly Police Chief's Report are in the Council packets.

Councilwoman Barninger noted that the National Night Out event was very well attended despite the fire on Houston Street. She commended the fire department for tackling the fire quickly which helped to save the attached dwelling.

COMMITTEE ON PERSONNEL:

Councilwoman Barninger turned the floor over to the Ron Miller who read a statement regarding Bob Osborne's behavior while employed by the Borough. He noted that several residents complained that Bob has been rude and had used curse words when speaking to them. He then recommended that Council terminate Bob's employment.

Bob Osborne asked who he had supposedly spoken rudely to and said that he had never cursed at a resident. He noted that a few residents had been confrontational with him.

Motion: To confirm the termination of Bob Osborne, Code Officer, effective August 10, 2015.

Motion: Barninger 2nd: Murphy Voice Vote: All Favored

Motion: To hire Charles L. Bink as a part-time Crossing Guard at a rate consistent with the current Non-Uniform Employee contract contingent upon successful completion of all pre and post-employment offer examinations and background investigation.

Motion: Barninger 2nd: Smith Voice Vote: All Favored

Councilwoman Barninger noted that Chief Brommer is still looking for a few more Crossing Guards and that anyone interested can pick up an application at the Borough Office.

COMMITTEE ON PUBLIC PROPERTY:

Cleon Berntheizel of the Market Trust introduced himself and a few other members of the Trust. He gave a summary of the RFQ that the Trust is considering putting out for bid. He then asked Council to allow them to proceed with the RFQ.

There was discussion regarding the Borough's intents regarding the renewal of the Market House Trust Agreement. Councilmembers noted that they had not yet discussed this issue and that they did not want to give their blessing regarding the RFQ until they decide the

future of the Trust. Councilmembers said that they would be able to give the Trust an answer by the Meeting of the Whole on August 24, 2015.

Councilwoman Barninger noted that most of the complaints regarding the Trust have been that they have not kept the Borough in the loop regarding their activities. She thanked Mr. Berntheizel for coming to Council and for including Council with this decision.

The Borough's Solicitor, Barry Handwerger noted that there are no issues with the proposed RFQ at this point but that there would be some items to work through after proposals are received.

Councilmembers asked Ron Miller to provide the Trust with copies of the grant agreements having to do with the Market House so that they can review them to determine what issues might arise regarding different uses of the Market House Building.

There was discussion regarding the Market House Logo. Mr. Berntheizel noted that the Trust had come up with a different logo that they feel is more modern. He said that the Trust would do whatever Council wishes regarding the logo. Councilwoman Welsh asked Mr. Berntheizel to provide a copy of the Trust designed logo to Council and to explain why they feel this logo would better serve the Market House.

Motion: To approve of a Facilities Use Request for the Columbia Historic Preservation Society to host a "Caring for Heritage" Fundraiser at River Park on Saturday, August 29, 2015 from 8am-3pm contingent upon receipt of the required Certificate of Insurance.

Motion: Weisser 2nd: Smith Voice Vote: All Favored

Motion: To approve of a Facilities Use Request for the Columbia Historic Preservation Society to host an Albatwitch Festival in the 200 Block of Locust Street on Saturday, September 26, 2015 from 8am-4pm contingent upon receipt of the required Certificate of Insurance.

Motion: Weisser 2nd: Ford

There was discussion regarding the use of the 200 Block of Locust Street if work on the Building located at 208-210 is still not complete. It was decided that the motion should be amended to include River Park and the Columbia Crossing Building as an alternate location in the event the repairs to 208-210 Locust are not complete.

Motion: To amend the Facilities Use Request for the Columbia Historic Preservation Society to host an Albatwitch Festival in the 200 Block of Locust Street on Saturday, September 26, 2015 from 8am-4pm contingent upon receipt of the required Certificate of Insurance and adding approval to use the River Park and the Columbia Crossing Building in the event that the 200 Block of Locust Street is unavailable due to repairs to the building located at 208-210 Locust.

Motion: Weisser 2nd: Ford Voice Vote: All Favored

Motion: To approve of a Facilities Use Request for the Columbia Historic Preservation Society to host an Albatwitch Festival in the 200 Block of Locust Street on Saturday, September 26, 2015 from 8am-4pm contingent upon receipt of the

required Certificate of Insurance and adding approval to use the River Park and the Columbia Crossing Building in the event that the 200 Block of Locust Street is unavailable due to repairs to the building located at 208-210 Locust.

Motion: Weisser 2nd: Ford Voice Vote: All Favored

THE COMMITTEE ON FINANCE:

Motion: To approve of 2015 Budget Change No. 2: Municipal Authority and Borough Capital Fund.

Motion: Murphy 2nd: Ford Voice Vote: All Favored

Columbia Borough Council Consultant, Norman Meiskey, presented his recommendation regarding investing Borough Funds as follows:

- Transfer \$301,000 from the Pa. Treasurer's INVEST Program Fund and to invest it \$249,000 into a Borough 180 day CD from PLGIT and \$52,000 into an Integrity Bank fully collateralized (Pa. Act 72 compliant Liquid Money Market Account for Columbia Borough.
- Transfer \$1,000,000 from the Borough's General Fund collateralized bank account at Susquehanna Bank to Integrity Bank's collateralized Liquid Money Market Account for Columbia Borough.
- Transfer \$2,000,000 from the Borough's General Fund Balance to Integrity Bank's collateralized CD's for a period of 5 years at an annual interest rate of 1.8%.
- Transfer \$8,500,000 from the Borough's Capital Fund to Wells Fargo Bank for the purchase of FDIC insurance CD's laddered as follows:
 - o 1 year: \$1.0 Million
 - o 1 year: \$1.0 Million
 - o 3 year: \$1.0 Million
 - o 4 year: \$2.0 Million
 - o 5 year: \$3.5 Million

Mayor Leo Lutz arrived at the meeting at 8:41pm.

Motion: To approve of Borough Consultant's written recommendations to transfer available Borough funds to PA Act 72 compliant financial programs.

Motion: Murphy 2nd: Ford Voice Vote: All Favored

THE COMMITTEE ON COMMUNITY DEVELOPMENT:

No Action Items

THE COMMITTEE ON HIGHWAY:

Councilman Smith noted that the street sweeper is back in service and commended Ron Miller and Norm Meiskey for their part in getting it repaired.

Councilman Smith noted that the lights on the Veterans Memorial Bridge are being turned back on this evening.

THE COMMITTEE ON MUNICIPAL LEGISLATION:

Motion: To approve of Ordinance No. 861: An Ordinance of the Borough Council of the Borough of Columbia, Lancaster County, Pennsylvania amending the code of the Borough of Columbia, Lancaster County, Pennsylvania, Chapter 90-borough property, Section 90-6. Violations and penalties, to provide that violations of regulations posted in accordance with Chapter 90 constitute a violation of Chapter 90; providing for the repeal of inconsistent ordinances; providing for the severability of the ordinance; and providing that the ordinance shall take effect as provided by Pennsylvania Law.

Motion: Ford 2nd: Weisser Voice Vote: All Favored

Motion: To approve of Ordinance No. 862: An Ordinance of the Borough Council of the Borough of Columbia, Lancaster County, Pennsylvania amending the code of the Borough of Columbia, Lancaster County, Pennsylvania, Chapter 112-Existing Structures, Property Maintenance and Fire Prevention, Article II-Administration and Enforcement, Section 112-6 Powers and Duties of Code Official to require inspections of residential rental units whenever there is a change in tenant; providing for the repeal of inconsistent ordinances; providing for the severability of the ordinance; and providing that the ordinance shall take effect as provided by Pennsylvania Law.

Motion: Ford 2nd: Weisser Voice Vote: All Favored

To approve of Ordinance No. 863: An Ordinance of the Borough of Columbia, Lancaster County, Pennsylvania amending Chapter 207 of the Code of the Borough of Columbia, Lancaster County, Pennsylvania, to: Add an additional one-way street on Barber Street, from Washington Street to South 12th Street, to modify the direction of traffic on several one way streets, on Barber Street from Plane Street to South 10th Street and on Sadie Lane from Market Street to South Third Street, to make one stretch of roadway revert to two way traffic from one way traffic on Barber Street between Washington Street and South 10th Street, and to designate both directions of traffic from Ninth Street and Ironville Pike to Lancaster Avenue as a snow emergency route; providing for the repeal of inconsistent ordinances; providing for the severability of the ordinance; and providing that the ordinance shall take effect as provided by Pennsylvania Law.

Motion: Ford 2nd: Weisser

Motion: To amend Ordinance No. 863-2015, by replacing the word, “and” that appears between 9th Street and Ironville Pike in the opening paragraph, with the word “from”, and in section 2 on the third line, inserting a comma, and the words, “Barber Street”, after the words, “Market Street”.

Motion: Ford 2nd: Weisser Voice Vote: All Favored

Motion: To approve of Ordinance No. 863: An Ordinance of the Borough of Columbia, Lancaster County, Pennsylvania amending Chapter 207 of the

Code of the Borough of Columbia, Lancaster County, Pennsylvania, to: Add an additional one-way street on Barber Street, from Washington Street to South 12th Street, to modify the direction of traffic on several one way streets, on Barber Street from Plane Street to South 10th Street and on Sadie Lane from Market Street, Barber Street to South Third Street, to make one stretch of roadway revert to two way traffic from one way traffic on Barber Street between Washington Street and South 10th Street, and to designate both directions of traffic from Ninth Street from Ironville Pike to Lancaster Avenue as a snow emergency route; providing for the repeal of inconsistent ordinances; providing for the severability of the ordinance; and providing that the ordinance shall take effect as provided by Pennsylvania Law.

Motion: Ford 2nd: Weisser Voice Vote: All Favored

Motion: To approve of Ordinance No. 864: An Ordinance of the Borough Council of the Borough of Columbia, Lancaster County, Pennsylvania amending the code of the Borough of Columbia, Lancaster County, Pennsylvania, Chapter 186- Streets and Sidewalks, Article II-Street openings and excavations, section 186-11, backfilling of trenches and Restoration of Roadway Surfaces and Appurtenances to require reimbursement for necessary repairs if defects appear in the restoration of a surface or appurtenance within five years; providing for the repeal of inconsistent ordinances; providing for the severability of the ordinance; and providing that the ordinance shall take effect as provided by Pennsylvania Law.

Motion: Ford 2nd: Weisser Voice Vote: All Favored

COMMITTEE ON WASTEWATER

No Action Items

BOARDS/COMMISSIONS/AUTHORITY

SOLICITOR:

No Action Items

SECRETARY TREASURER

Interim Borough Manager Miller noted that there will be a Grant Presentation in mid-September.

Interim Borough Manager Miller announced that there would be an 8th Street CDBG pre-construction meeting tomorrow at 2pm and that construction should begin this month and that the contractor feels the project can still be completed this year.

Interim Borough Manager Miller noted that he received a phone call from DEP and that they will be performing an audit on the Borough's MS4 compliance beginning the end of August.

Interim Borough Manager Miller announced that there will be \$18,000,000 or more in repairs to the Route 462 Bridge. He noted that the Borough will need to find another location to keep their road supplies. He discussed possibly building sheds to keep these supplies in.

Interim Borough Manager Miller noted that John Bender sent out about 25 letters to corporations regarding the possible sale of the Waste Water Treatment Facility and that he had two responses so far, one of which was from LASA who would like to purchase the facility.

REPORTS FROM BOARDS/COMMISSIONS/AUTHORITY

Council President Beury announced that the Civil Service Meeting is cancelled for tomorrow.

REPORTS FROM COUNCIL MEMBERS

There was no report.

CITIZEN COMMENTS (Non-agenda items)

Please see attached.

ADJOURNMENT

Motion: To adjourn the meeting at 9:36pm
Motion: Barninger **2nd:** Ford **Voice Vote:** All Favored

MOTIONED AND APPROVED this 24th day of August, 2015, by the Borough Council of the Borough of Columbia, Lancaster County, Pennsylvania, in lawful session duly assembled.

BOROUGH OF COLUMBIA, LANCASTER COUNTY, PENNSYLVANIA.

By: Michael J. Beury
Michael Beury, Council President

ATTEST: Ronald L. Miller
Ronald L. Miller, Interim Borough Secretary/Treasurer



BOROUGH COUNCIL MEETING

CITIZEN COMMENTS

August 10, 2015

AGENDA ITEMS ONLY	
Mary Wickenheiser 620 Chestnut Street, Columbia	<p>Asked what Ordinance 861 was.</p> <p>Said Change in Ordinance 863 is self serving.</p> <p>Asked about the Finance Committee's recommendation for investments.</p> <p>Solicitor said this is the Property Ordinance.</p> <p>Ron Miller said this would be discussed in a few minutes</p>
NON-AGENDA ITEMS ONLY	
Venessa Weaver 1039 Spruce Street, Columbia	<p>Discussed curbing put behind her garage during the Ironville Pike Project. She asked the Borough to remove the curbing so she can park beside her garage. She does not have an automatic garage door opener and needs that space to park until she closes the garage door.</p> <p>Ron Miller said that there was time to request this prior to project construction and that he has no paperwork showing any request. He said the cost do change it now would be approximately \$10,000. Councilmembers asked Ron to provide the drawings from the resident pre-construction meeting to make sure that there are no notes. Council will look into this matter and get back to Ms. Weaver.</p>
Mary Wickenheiser 620 Chestnut Street, Columbia	<p>Noted that the storage building cost has been in the budget for years and no one did anything about it. (relating to the road supplies stored under the Rt. 462 bridge currently)</p> <p>Asked Council to take the MS4 Audit seriously as there could be significant fines. Asked if anyone ever cleaned the storm sewer outlets under the railroads.</p> <p>Commented about the street sweeper continuously breaking down over the years.</p>

	<p>Asked if the two approved Facilities Use Requests for River Park included any parking restrictions. She said when her family came off the river last week there were no-parking sign that were not there when they went out on the river. Asked Council to make sure more notice is given when the parking and/or boat launch will be closed.</p>	<p>Council and the Mayor said that there was a sign on the bulletin board at River Park for at least two weeks prior to the closing of the boat launch and regarding parking at River Park.</p>
	<p>Asked if the letter authorized by Council a few weeks ago had ever been sent to the Old Public Grounds?</p>	<p>Norm Meiskey noted that the letter has not yet been sent as there are still discussions regarding the content.</p>
	<p>Noted that the owner of 208-210 Locust Street has another property at 1280 Franklin Street and asked if the Borough is monitoring activity at that location. She said that there is equipment there that has been running.</p>	<p>Council Members and the Mayor said that they have been monitoring the activity at this location and will continue to monitor it.</p>