

**Columbia Borough Council Meeting  
October 9, 2017  
Paul W. Myers Council Chambers**

Council President Murphy called the meeting to order at 7:00pm

**Councilpersons present:** Berntheizel, FitzGerald, Kress Hartman, Murphy, Novak, Wickenheiser, and Williams  
Mayor Lutz was also present.

A prayer was offered by Pastor Patricia S. McAllister of Mt. Zion AME Church.

There was a moment of silence.

Mayor Lutz asked everyone to keep Borough Manager Greg Sahd and his family in their thoughts and prayers due to the loss of Greg's brother last week.

Mayor Lutz lead the Pledge to the Flag.

Council President Murphy announced that Council held an Information Session on October 9, 2017 at 6:00pm to receive information only items from its Borough Manager and Solicitor.

Council President Murphy announced that there was a Personnel Meeting on October 5, 2017 at 6:00pm to discuss personnel issues.

### **PRESENTATIONS**

Ray D'Agostino, a representative from the Lancaster Housing Opportunity Partnership (LHOP) gave an update on the Columbia CHIH Program.

Matthew Sternberg of the Lancaster County Housing and Redevelopment Authority gave an update regarding the 208-210 Locust Street property. He said that an engineer has deemed the property salvageable and that it would cost approximately \$75,000 to sure up the structure and reconstruct the facade. He asked Council to provide the \$75,000 to repair the property prior to the upcoming winter weather. He said he feels that part of the \$75,000 would be recouped at the sale of the property but that he could not promise that all the money would be recouped. Councilmembers discussed options and decided not to make a motion now. Councilmembers asked Mr. Sternberg to come to the October 23, 2017 Finance Meeting at 6:00pm to further discuss this request.

### **PUBLIC HEARING**

Council President Murphy opened a Public Hearing regarding Ordinance No. 885: An ordinance of the Borough of Columbia, Lancaster County, Pennsylvania, amending Chapter 220 of the Code of the Borough of Columbia – Zoning, Section 220-19 – definitions to add definitions for Marijuana Dispensary, Marijuana Grower/Processor and Medical Marijuana , and Section 220, attachment to table of permitted uses to add Marijuana Dispensary and Marijuana Grower/Processor as permitted uses in the light industrial zone; 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.

**Citizen Comments regarding the Public Hearing**

Frank Doutrich of 1001 Ironville Pike, Columbia, PA asked if there is anything currently in the Borough's Zoning regarding Medical Marijuana. Council President Murphy answered no. Frank asked where a Medical Marijuana business would be allowed to operate in the Borough. Councilwoman Mary Wickenheiser answered saying that it would be allowed in light industrial zones. Mary noted that there has been no interest in this type of business in the Borough yet but that the Borough is required by law to provide zoning for any kind of business. She said that the Borough is just being proactive to eliminate any potential issues in the future.

Mike McBride of 219 Perry Street, Columbia, PA asked if more Police would be available to regulate a business like this. Again, Councilwoman reiterated that this is being approved in case someone in the future decides to start a medical marijuana business in the Borough.

Will Torbert of 133 South 4<sup>th</sup> Street, Columbia, PA noted that he understands this doesn't mean there will ever be a medical marijuana business in the Borough and that it's just good planning on Council's part to be prepared if it should happen.

Councilwoman Wickenheiser discussed documents the Borough received from the Lancaster County Planning Commission and discussions that took place at the Columbia Borough Planning Commission.

Council President Murphy closed the Public Hearing.

**Motion:** To direct and authorize the Solicitor to revise and amend Ordinance No. 885-2017 to incorporate the recommendations set forth in the Lancaster County Planning Commission's memorandum of September 26, 2017 to incorporate definitions of Medical Marijuana Organization and Registry, to revise Section 220 to refer to Medical Marijuana Dispensary and Medical Marijuana Grower/Processor and to incorporate the four (4) requirements of Pennsylvania Act 16 set forth in such memorandum. I further move for the Solicitor to re-advertise the Ordinance for adoption at our next regularly scheduled meeting.  
**Motion: Wickenheiser 2<sup>nd</sup>: Berntheizel Voice Vote: All Favored**

**CITIZEN COMMENTS**

Attached.

**MINUTES FOR APPROVAL** – (Agenda items only)

**Motion:** To approve of the Columbia Borough Council Meeting Minutes for September 11, 2017.  
**Motion: Berntheizel 2<sup>nd</sup>: Novak Voice Vote: All Favored**

## **MAYOR LUTZ**

Mayor Lutz noted that the 3<sup>rd</sup> Quarter Marriage Report is in Council's packets.

Mayor Lutz read Proclamation No. 17-14: Domestic Violence Awareness Month.

Mayor Lutz thanked everyone who was involved in making the Bridge Bust such a success. He said he feels it was the best attended Bridge Bust to date. He especially thanked the Columbia Borough Highway Department Employees and the Columbia Borough Police Department.

Mayor Lutz discussed an Advisory Committee Conference he attended last Friday where MS4 and Local Engagement were discussed. He noted that the next meeting will be in December.

Mayor Lutz discussed issues the Police are dealing with in the Borough. He said that there have been many arrests due to violence recently and that some of the arrests were possible due to the cameras in the Borough. He discussed several organizations that have expressed interest in helping the Borough by setting up programs in the Borough. He urged residents to call the Police when something is happening in their neighborhood rather than wait until later.

## **STANDING COMMITTEE ASSIGNMENTS**

### **COMMITTEE ON FINANCE**

**Motion:** To approve of the August 2017 Financial Reports including Check Register Report, Treasurer's Report, Budget Performance Reports: General Fund, Capital Fund, State Fund (Liquid Fuels), Waste Water Fund and Municipal Authority and Tax Collector Report.

**Motion: Murphy                      2<sup>nd</sup>: Berntheizel                      Voice Vote: All Favored**

**Motion:** To approve of 2017 Budget Change No. 4. (Bond Capital, Capital and General Funds).

**Motion: Murphy                      2<sup>nd</sup>: Novak                      Voice Vote: All Favored**

**Motion:** To approve of the revised 2018 Police Pension Plan calculation of 2018 Minimum Municipal Obligation from \$351,218 to \$358,875.

**Motion: Murphy                      2<sup>nd</sup>: Berntheizel                      Voice Vote: All Favored**

**Motion:** To approve of Resolution No. 17-19: Appointing the certified public accounting firm of Sager, Swisher and Company, LLP as auditors for 2017 per engagement letter dated 9/1/17 with a fee not to exceed \$16,500.00.

**Motion: Murphy                      2<sup>nd</sup>: Wickenheiser                      Voice Vote: All Favored**

**Motion:** To approve to allocate \$6,000 in additional support this year to the Mount Bethel Cemetery Co. for recent storm damage to the cemetery caused by fallen trees.

**Motion: Murphy                      2<sup>nd</sup>: Novak                      Voice Vote: All Favored**

**Motion:** To approve to allocate funds in the amount not to exceed \$20,000 for the construction of a concrete pad under the deck of the Columbia Crossing building by S. D. Logan Excavating, Inc. of Columbia, Pa.

**Motion: Murphy                      2<sup>nd</sup>: Williams                      Voice Vote: All Favored**

Council President Murphy announced that a Special Borough Council Meeting will be held to discuss the 2018 Budget on Wednesday, November 1, 2017 at 6:00pm in the Borough Council Room.

Council President Murphy announced that the next meeting of the Columbia Borough Finance Committee will be on 10/23/17 at 6:00pm.

#### **COMMITTEE ON COMMUNITY DEVELOPMENT**

Councilman Berntheizel mentioned that Hinkle's Pharmacy will be closing on 10/26/17. He asked that the Borough Manager draft and send Mr. and Mrs. Hinkle a letter of appreciation.

**Motion:** To approve a bid process for lease of Borough owned property (Market House and 137 South Front Street).

**Motion: Berntheizel                      2<sup>nd</sup>: FitzGerald**

Councilmembers and the Solicitor discussed the need for a bid packet/bid opening and decided this would take place on 11/9/17 at 5:00pm prior to the Community Development Meeting.

**Motion:** To authorize the Solicitor to work with the Borough's Economic Development Consultant to draft and advertise a bid packet for the lease of Borough owned property (Market House and 137 South Front Street).

**Motion: Berntheizel                      2<sup>nd</sup>: FitzGerald                      Voice Vote: All Favored**

Councilman Berntheizel announced that the next meeting of the Columbia Borough Community Development Committee will be on 10/12/17 immediately following the Market House Advisory Committee which begins at 6:00pm.

#### **COMMITTEE ON PUBLIC PROPERTY**

**Motion:** To approve, given no other forthcoming opportunities, the temporary closure of the Columbia Historic Market House to do basic renovations with closure to begin no later than December 23, 2017.

**Motion: Williams                      2<sup>nd</sup>: Novak                      Voice Vote: All Favored**

Councilwoman Williams announced that the next meeting of the Committee on Public Property will be on 10/17/17 beginning at 6:00pm.

### **COMMITTEE ON PERSONNEL**

**Motion:** To approve to move David Brumbaugh from an alternate member on the Zoning Hearing Board to a full member of the Board as recommended by the Zoning Hearing Board with a term ending 12/31/2018.

**Motion: Murphy 2<sup>nd</sup>: Berntheizel Voice Vote: All Favored**

**Motion:** To approve for the Civil Service Commission to begin the testing process for the hiring of Police Officer(s).

**Motion: Murphy 2<sup>nd</sup>: Novak Voice Vote: All Favored**

**Motion:** To approve the hiring of Rebecca Denlinger as Community/Economic Development Director/Assistant Borough Manager effective 1/1/2018 at a salary of \$65,000/year, with the intention of moving into the Borough Manager position on 1/1/2019 at a salary of \$95,000/year.

**Motion: Murphy 2<sup>nd</sup>: Wickenheiser**

**Roll Call Vote: Passed unanimously 7-0. All Councilmembers voted YES.**

Citizen Comment: Frank Doutrich of 1001 Ironville Pike asked when Rebecca would become an Employee of the Borough. Council President Murphy said she would become an employee of the Borough on 1/1/18.

### **COMMITTEE ON PUBLIC WORKS**

Councilwoman FitzGerald announced that the Public Works Director and Wastewater Manager Reports are in the Council Packets.

Councilwoman FitzGerald announced that yard waste collection will end on 10/16/17 and leaf collection will begin on 10/23/17 and will follow the street sweeping schedule.

**Motion:** To approve to direct the Solicitor to draft a formal agreement between Columbia Borough and Trinity House with respect to the Shawnee Run Restoration Project.

**Motion: FitzGerald 2<sup>nd</sup>: Wickenheiser Voice Vote: All Favored**

Mayor Lutz discussed MS4 credits and that the Borough and Trinity House will be splitting the costs of the restoration.

**Motion:** To approve to verify and register nutrient credits from Columbia Wastewater Treatment Plant to sell to Material Matters at a cost of \$3.00 per credit.

**Motion: FitzGerald 2<sup>nd</sup>: Berntheizel Voice Vote: All Favored**

Councilwoman FitzGerald announced that the next Public Works Committee Meeting will be held on 10/17/17 following the Property Committee Meeting which begins at 6:00pm.

## **COMMITTEE ON PUBLIC SAFETY**

Councilman Novak announced that the Police/Codes/Fire/SVEMS/QRS reports are in the Council packets.

Councilman Novak announced that the next Public Safety Meeting will be on 10/11/17 following the Legislative Committee Meeting which begins at 6:00pm.

## **COMMITTEE ON MUNICIPAL LEGISLATION**

Councilwoman Wickenheiser announced that the next Municipal Legislation Meeting will be held on 10/11/17 beginning at 6:00pm

## **REPORTS OF BOARDS, COMMISSIONS, AUTHORITY, SOLICITOR AND SECRETARY/TREASURER**

### **SOLICITOR**

**No Action Items**

### **SECRETARY/TREASURER**

The Public Works Director, Ron Miller, announced that the Borough Office will be closed on Tuesday, November 7, 2017 for Election Day.

The Public Works Director, Ron Miller, announced that the Mardi Gras Parade will be held on Thursday, October 26, 2017 beginning at 7pm.

The Public Works Director, Ron Miller, announced that Trick-or-treat will be held on Tuesday, October 31, 2017 from 6pm-8pm.

## **BOARDS/COMMISSIONS/AUTHORITIES**

**No Action Items**

## **REPORTS OF COUNCIL MEMBERS**

**No Reports**

## **CITIZEN COMMENTS (NON-AGENDA ITEMS ONLY)**

**Attached.**

Council President Murphy announced that Council will hold an information session on November 13, 2017 at 6:00pm to receive information from its Borough Manager and Solicitor

**ADJOURNMENT**

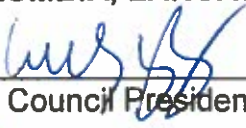
**Motion:** To adjourn the meeting at 10:40pm.

**Motion: Wickenheiser 2<sup>nd</sup>: Berntheizel Voice Vote: All Favored**

**MOTIONED AND APPROVED** this 13<sup>th</sup> day of November 2017, by the Borough Council of the Borough of Columbia, Lancaster County, Pennsylvania, in lawful session duly assembled.

**BOROUGH OF COLUMBIA, LANCASTER COUNTY, PENNSYLVANIA**

**By:**

  
\_\_\_\_\_  
Kelly Murphy, Council President

**ATTEST:**

  
\_\_\_\_\_  
Gregory Sahd, Secretary/Treasurer





**BOROUGH COUNCIL MEETING  
CITIZEN COMMENTS  
September 11, 2017**

AGENDA ITEMS		
Rick Fisher 109 South 2nd Street, Columbia, PA	Discussed issues with violence in the Borough. Discussed a meeting he held in the Locust Street Park last month in an effort to try to resolve some of the issues.	Mayor Lutz said that the victim of the attack was asked numerous times to come to the Police Station but refused due to fear of retaliation. Mayor Lutz noted that the cameras have been helpful
	Said he met with Chief Brommer and Mayor Lutz recently to discuss the violence in the Borough and what can be done about it. Asked if the cameras have been helpful in catching the offenders. Said he feels nothing is being done regarding an attack on a 61 year old man.	on numerous occasions in leading to arrests. He gave some figures regarding recent arrests in acts of violence. He discussed that the media picks and chooses what will be printed regarding Police activity and said that the information that should be communicated is not. Mayor Lutz mentioned the drug task force and recent arrests by them.
	Mr. Fisher noted that he has started a Facebook Page to encourage people to call the police immediately regarding acts of violence.	Council President Murphy said that the Borough has been trying several remedy's such as adding an SRO Officer at the Schools, adding more and better cameras and hiring additional officers.
		Councilman Berntheizel noted that the Codes Department and the Police are in the same situation in that the eyes of the community are very helpful in finding and charging offenders.
Frank Douthich 1001 Ironville Pike, Columbia, PA	Discussed Item 12f. Asked why a pad needs to be put under the Columbia Crossing Building.	Councilmembers said that it would make the area more attractive to potential vendors. (hoping to eventually have food and/or bait vendors)
	Asked how long the Market House will be closed.	Councilmembers said they do not know.
	Asked why Council acted to change the status from alternate to full member for David Brumbaugh but did not fill the other	Councilmembers said that this recommendation came from the Zoning Hearing Board and that they are not ready to fill the other

	open positions on the Zoning Hearing Board	positions at this time.
	Asked how many Police Officers would be hired. (item 15b)	Councilmembers said that only one officer would be hired for 2018
	Asked why Council is waiting until 2019 to appoint Rebecca Murphy to Borough Manager	Council President Murphy said because Greg Sand is not planning to retire until the end of 2018.

NON-AGENDA ITEMS		
Sharon Lintner	Said that the 61 year old man who was assaulted is a relative	
500 Chestnut Street, Columbia, PA	and that he has permanent damage to his eye. She also said he told her that he feared for his safety prior to the assault.	
	Asked how many arrests were made regarding the issue at Rotary Park	Mayor Lutz said 14 arrests were made.
	Asked questions regarding fencing at Heritage Drive	Ron Miller said that no fence will be put on the RR side but that a fence will be put on the property owner side.
	Asked about a rumor she heard that a portion of Union Street will be donated to the Cottage Association.	Ron Miller said that this is not true. He said that the Borough will soon begin paving of that portion of Union Street and that there are rights-of-way there as well so it doesn't make sense to donate.
	Asked Rebecca Deninger if she would still be working with other Municipalities while employed by the Borough.	Rebecca said that she is giving up her business and that any work she does for other municipalities would be pro-bono.
Shirley McBride	Asked Mayor Lutz if any arrests were made regarding a crime on Perry Street with hot grease.	Mayor Lutz said that two arrests have been made
219 Perry Street, Columbia, PA		
	Said that she doesn't feel safe on Perry Street anymore.	
	She discussed issues with specific neighbors and asked the Borough to get them out of the neighborhood.	
Kirklin Hammill	Gave a testimony as to what the Market House means to him now and in the past. Asked Council not to close it.	Councilmembers commended Kirklin for having passion and drive for what is important to him in his community. They also said that it was not an easy decision to close the Market House
210 Perry Street, Columbia, PA		

		but that it needs to be done in order to make repairs. Councilman
		Novak said that the future of the Market House has not been
		predetermined and that it could still remain a Market House.
		Rebecca Denlinger suggested that the current stand holders look
		for another store front in Columbia and that the Borough would
		be happy to help them get it set up.
Walter W. Kalamenis, IV 230 Perry Street, Columbia, PA	Gave a testimony as to what the Market House means to him now and in the past. Asked Council to consider keeping it open.	
Frank Douthch 1001 Ironville Pike, Columbia, PA	Noted that the Columbia Connection shows open positions on the Zoning Hearing Board	
	Asked how many bids were received for the cement pad under the Columbia Crossing Building	Ron Miller said he received 4 quotes.
	Discussed that contractors left the street at 5th and Cherry a mess when they were finished and that the Borough has to go back and pay to fix it up.	
	Said that the Codes Department needs to do a better job communicating to residents.	Codes Manager, Steve Kaufhold said that there has already been one meeting and that another 2 meetings are being planned. One for November and one for December. He said that all landlords are invited.
	Discussed the fluorescent strips now being placed on street signs which help make them more visible.	

	Asked if AIM Advisors attended another public meeting since the last Council Meeting.	
	Asked what is the status of the 1020 Cloverton Drive issue.	Councilmembers said that Frank should speak with the owners.
	Discussed the construction in front of the Wells Fargo Bank	
	Mentioned that street signs are leaning all over town.	
	Asked that the Police Chief be present at Borough Council Meetings	

