

Myerstown Borough Council – Regular Meeting
Tuesday, April 12, 2022, 6:30 p.m.

The regular meeting of the Myerstown Borough Council was held on Tuesday, April 12, 2022, at 6:30 p.m. in the Council Room at the Myerstown Community Center, the President being in the chair and the Deputy Secretary being present.

Present were: President Bryan L. Rittle, Vice President Park W. Haverstick, II, President Pro Tem Ronald L. Ream, Councilmembers Stacey A. Hackman, Kathy E. Yang, and Samuel R. Moyer, Mayor Dane W. Bicher, Code Enforcement Officer John C. Neely, Treasurer Jennifer L. Blatt, Solicitor Amy B. Leonard, Deputy Secretary Lisa A. Brubaker, and Assistant Manager Barry A. Ludwig. Absent was Councilmember Dana Reich.

The President opened the meeting at 6:30 p.m. and the Pledge of Allegiance was recited by all.

President Rittle announced an Executive Session was held on Wednesday, March 30, 2022, for personnel matters.

Park W. Haverstick, II motioned, and Ronald L. Ream seconded, to dispense with the reading of and approve the minutes of the previous meeting held on March 8, 2022. Motion unanimously carried.

The President opened the floor for citizens' and visitors' comments.

Charlie Kline was present to discuss the proposed zoning amendment. He did not understand why the amendment was being done. He reviewed the current properties he owns, and the renovations done to those properties. The proposed amendment would affect the property he intends to purchase at 15 W. Carpenter Avenue. He opposes the proposed Amendment.

Councilmember Dana Reich entered the meeting at 6:50 p.m.

Solicitor Leonard reviewed portions of the Borough Zoning Ordinance. There has been discussion if the Borough need more hotels in the town center district and would hotel/motel use be better in another zoning district. The Solicitor clarified the proposal is not to re-zone any parcel of land, the zoning amendment proposes to change the zoning districts where the hotel/motel use is allowed. It is not specific to any one business. It is not specific any one particular person's use or specific to this property or his properties, it is an amendment that is being proposed that limits the hotel/motel use to light industrial and general industrial districts. It would no longer be permitted in the general business and town center districts. The revitalization of the downtown was discussed. Shops, retail, restaurants, and walkability was the vision of the downtown.

Kevin Pinegar – Goodwill Fire Company presented the Official list, roster, financial report, and was here if there were any questions on their road closure request for an event. The request will be added later in the meeting.

Kyle Wenger – 357 W. Carpenter Avenue – he is the current owner of 15 W. Carpenter Avenue. As an owner and seller, it is concerning when he is under agreement with a buyer and Council feels this is not a use they would like to see happen. He would like to see something great happen at this property. He has met with others and tried to make things happen, but he is confused with what he is to do going forward. If it takes a hotel to make an improvement to the property, he is open to that happening.

Public Hearing for Comcast Franchise Agreement, President Rittle opened the public hearing to hear input on the Cable Franchise Agreement. Solicitor Leonard reviewed the procedure for the Cable Franchise Agreement. The Borough Agreement is up for renewal with Comcast. As part of the process, a Public Hearing must be held. The hearing is called pursuant to Section 6.26 Federal Cable Act, which sets forth the process for Franchise renewal. A Public Hearing is an important part of franchise negotiations in which the Borough seeks public comments on Comcast past performance and the community's future cable related needs. A Franchise renewal is the best opportunity for municipalities to assert their right with respect to their cable operator and to obtain important benefits in return for granting the cable operator the right to use the public right-a-way. She reviewed some of the potential benefits available for franchise renewal. The Public Hearing was advertised in the Lebanon Daily News on March 28, 2022. Any comments will be noted and forwarded to Comcast. The floor was opened for public comments. Seeing no comments, the Solicitor closed the Public Hearing. The adoption of the Ordinance to put into effect the new franchise agreement will be at the Council monthly meeting on May 10, 2022.

Stacey A. Hackman motioned, and Dana Reich seconded, to authorize the Solicitor to advertise the Ordinance to adopt the Comcast Cable Franchise Agreement at the May 10, 2022, monthly meeting. Motion unanimously carried.

Park W. Haverstick, II motioned, and Ronald L. Ream seconded, to approve the payment of bills as submitted. Motion unanimously carried.

Park W. Haverstick, II motioned, and Dana Reich seconded, to accept the Treasurer's Report for March 2022 as submitted and have it placed on file for audit. Motion unanimously carried.

The organizational reports were presented to Council for review and discussion.

The officials' reports were presented to Council for review and discussion:
Mayor's Report, Code Enforcement and Zoning Report, Solicitor's Report, and Assistant Manager's Report.

The communications were reviewed.

Council discussed a letter of request for billing relief. A leak was located, but the water did not go into the sewer system. Prior, the annual average has been used to calculate any type of billing relief. The Borough can only grant relief from sewage charges. Park W. Haverstick, II motioned, and Samuel R. Moyer seconded, to approve the sewer billing relief request from the property owner of 304 S. Railroad Street based on the Assistant Manager calculation for four quarters. Motion unanimously carried.

Council discussed the donation request from MVP (Myerstown Vitality Partnership). Dana Reich motioned, and Stacey A. Hackman seconded, to approve the donation request from MVP of two individual pool passes for their Gala & Silent Auction event on May 21, 2022. Motion unanimously carried.

Council discussed the request from MVP/ELCO Activity Network for the Holiday Parade. Council would like to discuss the request further at the April 27, 2022 Committee meeting.

Council discussed the request for Fire Police Assistance for Richland Borough. Park W. Haverstick, II motioned, and Stacey A. Hackman seconded, to approve the request from Richland Borough for Fire Police Assistance on Saturday, June 18, 2022 for the 100th Annual Lebanon County Fire Fighters Parade. Motion unanimously carried.

Ronald L. Ream motioned, and Dana Reich seconded, to approve to add two action items for discussion and action of a request from the Goodwill Fire Company and the Keystone Hook & Ladder Fire Company for road closures for an event. Motion unanimously carried.

Council discussed a request from Goodwill Fire Company for permission to close the roadway for an event. Park W. Haverstick, II motioned, and Ronald L. Ream seconded, to approve the request from the Goodwill Fire Company to close W. Washington Avenue from Locust Street to Goodwill Street for an event on Saturday, May 14, 2022 from 5:00 a.m. till 6:00 p.m. Motion unanimously carried.

Council discussed a request from Keystone Hook & Ladder for permission to close the roadway for an event. Park W. Haverstick, II motioned, and Ronald L. Ream seconded, to approve the request from the Keystone Hook & Ladder Fire Company to close Carpenter Street from Railroad Street to College Street for an event on Friday, April 22, 2022 from 5:00 p.m. till 9:00 p.m. Motion unanimously carried.

Council discussed an amendment to the Borough Zoning. The Borough Planning Commission did meet to review the proposed amendment on Monday, March 28, 2022 and voted to recommend in favor of the amendment to Council. Park W. Haverstick, II motioned, and Ronald L. Ream seconded, to approve for the Solicitor to advertise the Public Hearing for the Zoning Amendment for the May 10, 2022 monthly meeting. Motion unanimously carried.

Council discussed the Flood Mitigation Phase I Project. Assistant Manager Ludwig reviewed the project. The partners have reviewed and approved the project. Dana Reich motioned, and Stacey A. Hackman seconded, to

approve to move forward with the Flood Mitigation Phase I Project with a Cost Estimate of \$50,000.00. Motion unanimously carried.

Council discussed a revision to the 2022 Fee Schedule. Park W. Haverstick, II motioned, and Dana Reich seconded, to approve Resolution 2022 -17 – Fee schedule. Motion unanimously carried.

Council discussed the PLGIT Bank Accounts. Dana Reich motioned, and Ronald L. Ream seconded, to approve for minutes to reflect Lisa A. Brubaker is the acting Deputy Secretary and is granted full privileges on any and all PLGIT Accounts on behalf of the Borough. Motion unanimously carried.

Council discussed the quotes for the repairs to the tennis court. Assistant Manager Ludwig reviewed three quotes received. Improvements to the tennis and basketball court was discussed. Ronald L. Ream motioned, and Kathy Yang seconded, to approve the quote from Myerstown Shed & Fencing at \$7,154.40 for the repairs to the tennis court damage by a vehicle accident. Motion unanimously carried.

Ronald L. Ream motioned, and Dana Reich seconded, to approve to add an action item for discussion and action on a proposal for the Borough building HVAC system replacement. Motion unanimously carried.

Council discussed the proposal from G.R. Sponaugle for the Borough building HVAC system replacement. Assistant Manager Ludwig reviewed the proposal. They are a Co-Star vender. Option 6 of the proposal is for the Borough Office area. The American Relief Funds could be used. Park W. Haverstick, II motioned, and Ronald L. Ream seconded, to approve the quote from G.R. Sponaugle for Option 6 – Borough Office HVAC system replacement for \$147,294.00. Motion unanimously carried.

Council recessed the regular meeting and entered Executive Session at 9:07 p.m. to discuss personnel and legal matters.

Council returned from Executive Session at 9:41 p.m. reconvening the regular session.

Council directed staff to send a letter to Friends Lutheran Church.

Stacey A. Hackman motioned, and Dana Reich seconded, to approve to hire Justin Kale to the full-time Wastewater Treatment Facility position with an hourly pay rate of \$19.00 an hour plus benefits. Motion unanimously carried.

Park W. Haverstick, II motioned, and Ronald L. Ream seconded, to approve to give Assistant Manager Barry A. Ludwig, Deputy Secretary Lisa A. Brubaker, and Treasurer Jennifer Blatt an additional eight hours of PTO time. Motion unanimously carried.

Ronald L. Ream motioned, and Stacey A. Hackman seconded, to approve the hiring of the pool staff and authorize the Assistant Manager Barry Ludwig to hire any additional staff for the season. Motion unanimously carried.

Solicitor Leonard provided information on the use of social media. If anyone has questions about social media to reach out to her. She urged everyone to read the information.

Assistant Manager Ludwig provided updated information from Amber Leedom for her approved project for Hometown Heroes Banners.

Mayor Bicher questioned why there are generators at the red lights. Assistant Manager Ludwig stated there was a power outage on the weekend.

The President asked if there were any additional comments for the good of the borough. Seeing none, he asked for a motion to adjourn.

Dana Reich motioned, and Stacey A. Hackman seconded, to adjourn the meeting. Motion unanimously carried.

The meeting was adjourned at 10:20 p.m.

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Respectfully Submitted,

Lisa A. Brubaker,
Deputy Secretary