

August 4, 2008

EMMAUS BOROUGH COUNCIL

Emmaus Borough Council
Agenda
Monday, August 4, 2008 7:00 PM

1. Call to Order
2. Pledge of Allegiance
3. Personal Appeals, Part I
4. Reading of Minutes

July 21, 2008
5. Decision on Bids
6. Communication
 - a. David Biles, 936 Evergreen St., Emmaus – Posting of Speed Signs, Parking at the Farmers’ Market, and Cost for Trash Pick Up
 - b. Jill Weiss, 16 W. Greenleaf St., Emmaus – Resignation from Parks & Recreation Commission
 - c. Carrie Ward, 915 Turner St., Emmaus – Cardboard Recycling
7. Borough Engineer’s Report
8. Solicitor’s Report
 - a. **Ordinance No. 1042 – An Ordinance Amending Chapter 15, Section 406, and Establishing a 15-Minute Parking Space (Except Holidays and Sundays), on the West Side of Macungie Avenue 120 Feet South of Green Street (1st Reading 8/4/08)**
 - b. Emmaus Youth Association Storage Shed Agreement
9. New Business
10. Unfinished Business
11. Items Not on Agenda, Subject to Rule 6
12. Mayor’s Report
13. Committee Reports

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Public Works/(Highway, Water & Sewer) (Labenberg, Neely, Waddell)

1. Committee
2. Solicitor

Health and Sanitation (Holtzhafer, Labenberg, Brown)

1. Committee
2. Solicitor

Parks and Recreation (Barrett, Labenberg, Holtzhafer)

1. Committee
 - a. Raven Mill Property Swap
 - b. Skate Park
 - c. Park Comp Plan
 - d. Emmaus Youth Association Storage Shed Agreement
 - e. No Smoking at Parks
 - f. Request by Shops at Emmaus to use Triangle Park on 9/21/08
 - g. Request by Fantastic Faces – Painted Faces/Tattoos
 - h. Parks & Rec. Commission Member Needs to be Appointed on the Arts Commission
2. Solicitor

Public Safety (Gilbert, Barrett, Brown)

1. Committee
 - a. Request for Two-Hour Parking Signs on Macungie Ave. on East/West Side between Chestnut and Green Streets – (Tabled 4/7/08)
 - b. **Fifteen Minute Parking on Macungie Avenue (1st Reading – 8/4/08)**
 - c. Request for Permit Parking – 600 Block of Pine Street
 - d. Drug Task Force Contract
2. Solicitor

General Administration (Neely, Gilbert, Barrett)

1. Committee
 - a. Historical Building Ordinance
 - b. Email Correspondence
 - c. **Vacancy on Zoning Hearing Board - Appointing an Alternate Member on 8/3/08**
 - d. **Vacancy on Zoning Hearing Board – Appointing a Permanent**

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Member on 8/3/08

General Administration (continued)

- e. "Community Minutes"
 - f. **Shade Tree Appointment – Appointing Member on 8/3/08**
2. Solicitor

Budget and Finance (Waddell, Gilbert, Holtzhafer)

1. Committee
- a. **Bill List (Resolution – 22)**
2. Solicitor

Community Relations/Development (Brown, Waddell, Neely)

1. Committee
- a. Downtown Master Plan – Final Plan 8/18/08
 - b. Web Page Update
 - c. **Southside Industrial Master Plan**
 - d. **Triangle Park Construction – Choosing Options**
 - e. 2009 Anniversary Celebration
 - f. Jr. Council Members
 - g. Emmaus Arts Commission
 - h. **Public Parking Project – “Jubilee Parking Lot”**
2. Solicitor

Ad Hoc Committees (Holtzhafer, Gilbert, Barrett, Fosselman, Mayor Iobst)

Community/School Relations

14. Personal Appeals, Part II
15. Borough Manager’s Report
- a. Significant Revenue and Expense Items for July 2008
 - b. Information on 2009 Budget
16. President’s Business
17. Adjournment

Next Resolution #23
Next Ordinance #1043

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EMMAUS BOROUGH COUNCIL

The Emmaus Borough Council met in regular session on August 4, 2008 in Borough Council Chambers, 28 S. 4th Street, Emmaus, PA 18049.

CALL TO ORDER

Council President Waddell called the meeting to order at 7:00 p.m.

Michael Waddell, President	Present
Craig Neely, Vice-President	Absent
Brent Labenberg	Present
Lee Ann Gilbert	Present
Wesley Barrett	Present
Nathan Brown	Present
Brian Holtzhafer	Present
Winfield Iobst, Mayor	Absent
Frank Procyk, Solicitor	Present
Bruce Fosselman, Borough Manager	Present

COMMUNITY MINUTE

The 2009 Committee is looking for a Musical Events Coordinator.

PERSONAL APPEALS, PART I – None

READING OF MINUTES

Motion by Council Member Labenberg, seconded by Council Member Barrett to dispense with the formal reading of the July 21, 2008 minutes. There were 6 ayes. Motion carried.

Motion by Council Member Barrett, seconded by Council Member Gilbert to adopt the July 21, 2008 minutes as drafted. There were 6 ayes. Motion carried.

DECISION ON BIDS – None

COMMUNICATIONS

- a. David Biles, 936 Evergreen St., Emmaus – Posting of speed signs, parking at the Farmers' Market, and cost for trash pickup. Referred to Staff.
- b. Jill Weiss, 16 W. Greenleaf St., Emmaus – Resignation from Parks & Recreation Commission.

Motion by Council Member Gilbert, seconded by Council Member Labenberg to accept Jill Weiss's resignation from the Parks & Recreation Commission. There were 6 ayes. Motion carried.

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- c. Carrie Ward, 915 Turner St., Emmaus – Cardboard recycling. Borough Manager Fosselman will respond and explain there is one more year for the waste hauler's contract.
- d. George DeVault – Resignation from Fire Department.

Motion by Council Member Gilbert, seconded by Council Member Barrett to accept George DeVault's resignation from the Emmaus Fire Department. There were 6 ayes. Motion carried.

- e. Christine Wheeler, 122 N. 7th St. – Request for crosswalk at Walnut Street and Macungie Avenue. Referred to Public Safety Committee.
- f. Linda Santo, 552 Fairview St. – Request to serve on the Environmental Advisory Council. Referred to the General Administration Committee.

BOROUGH ENGINEER'S REPORT – None

SOLICITOR'S REPORT

Motion by Council Member Gilbert, seconded by Council Member Labenberg to remove Ordinance No. 1042 from the table. There were 6 ayes. Motion carried.

Motion by Council Member Gilbert, seconded by Council Member Brown to read Ordinance No. 1042 in short title on its 1st Reading. There were 6 ayes. Motion carried.

President Waddell read Ordinance No. 1042 in short title: An Ordinance Amending Chapter 15, Section 406, and Establishing a 15-Minute Parking Space (Except Holidays and Sundays), on the West Side of Macungie Avenue 120 Feet South of Green Street.

Solicitor Procyk explained that this parking space was never covered by an ordinance. Council Member Holtzhafer spoke to the adjoining business owner who supports this.

Motion by Council Member Labenberg, seconded by Council Member Brown to adopt Ordinance No. 1042 on its 1st Reading. Roll Call Vote: Labenberg aye, Holtzhafer aye, Barrett aye, Brown aye, Gilbert aye, Waddell aye. Motion carried.

Progress

NEW BUSINESS – None

UNFINISHED BUSINESS – None

ITEMS NOT ON AGENDA, subject to Rule 6 – None

Motion by Council Member Barrett, seconded by Council Member Gilbert to discuss an item not on the agenda, subject to Rule 6. There were 6 ayes. Motion carried.

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Council Member Labenberg was asked by a resident why the Borough does not except installment plans for taxes, but the County and School does. Borough Manager Fosselman will look into this.

MAYOR'S REPORT – None

COMMITTEE REPORTS

a. Public Works Committee

Next meeting is scheduled for August 13th at 8 a.m.

Council Member Brown asked if LED lights could be put in the yellow blinking lights at Community Park, Moravian Church and the Triangle. To be discussed at the next Committee meeting.

Progress

b. Health and Sanitation Committee – Progress

c. Parks and Recreation Committee

Next meeting is scheduled for August 5th at 3:30 p.m.

Progress

d. Public Safety Committee

Next meeting is scheduled for August 14th at 9 a.m.

Progress

e. General Administration Committee

The Committee interviewed three applicants for the Zoning Hearing Board.

Motion by Council Member Gilbert, seconded by Council Member Barrett to appoint Susan Schmidt to the Zoning Hearing Board with a term expiring January 1, 2009. There were 6 ayes. Motion carried.

Motion by Council Member Gilbert, seconded by Council Member Barrett to appoint Linda Destan to the Shade Tree Commission with a term expiring January 1, 2012.

Council Member Labenberg confirmed that the position was advertised and Ms. Destan was the only applicant.

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There were 6 ayes. Motion carried.

Motion by Council Member Gilbert, seconded by Council Member Labenberg to appoint Ben Fetterman to a permanent position on the Zoning Hearing Board.

Council Member Labenberg confirmed that all positions are filled for the Zoning Hearing Board.

There were 6 ayes. Motion carried.

Progress

f. Budget and Finance Committee

Motion by Council Member Gilbert, seconded by Council Member Holtzhafer to adopt the August 4, 2008 Bill List.

Bill List	\$ 147,727.34
Payroll #	
Payroll Taxes	
Total	\$ 147,727.34

Done this 4th day of August 2008. There were 6 ayes. Motion carried.

Council Member Labenberg pointed out in the July Budget Performance Report that there was \$2,000 budgeted for Ambulance Corps Donations line item and to date \$11,209 has been donated. Borough Manager Fosselman will provide an itemized list of the donations.

Progress

g. Community Relations/Development Committee

The Committee discussed a drinking fountain, fencing and kiosk options for Triangle Park. The kiosk will be built by the Rotary Club. They also discussed water fountains and seating wall options. Pictures were provided of the Committee's recommendations. President Waddell suggested an interactive fountain that has shooting water rays, which would cost about \$150,000. An ornamental iron fountain costs about \$70,000 just for the fountain. Dr. Waddell feels that an interactive fountain would draw people to the downtown.

Motion by Council Member Brown, seconded by Council Member Labenberg to choose the pedestal mounted drinking fountain model #3511FR for Triangle Park.

Council Member Labenberg stated that he will support this, but would like to have seen more styles and prices. President Waddell said the committee recommends this drinking fountain because of the style, durability and that it's handicap accessible. Council Member Holtzhafer confirmed that this will not be purchased until grant money is available for Triangle Improvements.

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Motion by Council Member Labenberg, seconded by Council Member Gilbert to table the drinking fountain design and get information on more styles with prices. There were 6 ayes. Motion carried.

Prices and styles will be provided for each element of the Triangle Park Improvement. Regarding the water fountain, the Public Works Director will get more information on regular and interactive fountains. Council Member Labenberg would like to see more options of ornamental fountains; not just cast iron. Council Member Holtzhafer agrees that an interactive fountain would draw people and bring business to downtown. Council Member Brown feels an interactive fountain would give Triangle Park more square footage. Council Member Gilbert pointed out that you don't want to choose a modern style fountain and a Victorian drinking fountain.

The Committee will move forward on the parking signs for the Jubilee Street parking and will contact PennDOT.

Borough Manager Fosselman, President Waddell, Council Member Neely, and the Main Street Program attended a meeting regarding the Southside Industrial Master Plan with Derck & Edson. The next meeting will be next month; industrial representatives will be invited. Dr. Waddell said there are tremendous possibilities.

The next Committee meeting will be August 27th at 4 p.m.

Progress

h. Ad Hoc Committees

Community School Relations

The next meeting is scheduled for August 21st at 10 a.m. at the School District. The Arts Commission will be invited. Council Member Brown confirmed with Council Member Holtzhafer that a resource officer is not in the school's budget for this school year.

Progress

PERSONAL APPEALS, PART II

- A. **Otto Slozer 121 E. Elm St.** feels that the Triangle has been a passive park and an interactive fountain would change that.
- B. **Jim Druckenmiller 48 N. 6th St.** reported the condition of an abandoned property at 42 N. 6th Street. Grass and Weed Enforcement Officer, Jim Woodeshick, stated that the owner was just located in Williamsport and the Borough contractor will maintain the property. Borough Manager Fosselman will follow up with the Zoning Officer.
- C. **Jim Wilson 112 E. Spruce St.** reported a garbage truck parking on Ridge Street by the Library and is concerned that trucks, other than resident's trucks, are parking there. He said that Keystone Street is ruined, between Main and Ridge Streets, from tractor

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trailers. Council Member Gilbert stated that the Public Safety Committee will be looking into this issue again.

- D. Jim Woodeshick 108 Seem St.** stated that he is nor pro or con on the sidewalk ordinance, but said there is a safety issue when children have to walk on Keystone Street to their bus stop because there are no sidewalks. He said that car dealers also have to understand that painting white lines for pedestrians is okay, but then not to park cars in that area. He feels that the Tree and Shrub Ordinance should be looked at regarding growth of a shrub by a street and allowing an area for a person to get off of the street. In areas where sidewalk is not possible, Mr. Woodeshick suggested marking pedestrian lanes on the street. Public Works will look at the Tree and Shrub Ordinance.
- E. Frank Sadrovitz 130 N. 4th St.** witnesses a lot of jaywalking and would like it enforced. Regarding the interactive fountain for the Triangle, Mr. Sadrovitz feels that kids will get hurt. He also reported that another speed bump is needed going into the park on 14th Street because cars drive too fast. Council Member Labenberg said that jaywalking and speeding are police issues; not Council's. Council Member Gilbert will report matters to the Mayor.

BOROUGH MANAGER'S REPORT

The new website will be up and running on August 11th. Borough Manager Fosselman thanked Councilman Barrett, Jeff Shubzda and Jack Lojko for all they've done.

The Summer Park Program ended on August 1st. About 75 children attended the end of summer picnic. President Waddell thanked the Parks and Recreation Committee for the program.

Borough Manager Fosselman presented a preliminary schedule for the 2009 budget process.

Progress

PRESIDENT'S BUSINESS – Progress

ADJOURNMENT

Motion by Council Member Labenberg, seconded by Council Member Gilbert to adjourn. There were 6 ayes. Motion carried.

The meeting of the Emmaus Borough Council adjourned at 8:05 p.m.

Bruce Fosselman
Borough Manager

Transcribed by: Renea Flexer
Administrative Assistant
August 6, 2008