

April 12, 2022
MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES

The MILLERSVILLE BOROUGH COUNCIL MEETING was held on Tuesday, April 12, 2022, in the Millersville Borough Public Meeting Room located at 100 Municipal Drive, Millersville, Pennsylvania.

The meeting was called to order at 7:00 p.m. followed by the pledge to the flag and a moment of silence was then observed

COUNCIL MEMBERS

Lauren E. Hauck
Lynn M. Miller
Linda L. Bellile
Mary Ann Gerber

David T. Aichele, Mayor
Christopher Hubbs
Darlene Eager

OTHERS PRESENT

Sue McCullough, Millersville Borough Receptionist
Lieutenant Jeff Margevich, Millersville Borough Police Department
David Sykes, 344 Valley Rd, Millersville
Stephanie Hersh, 72 Blue Rock Rd, Millersville
Phil Gerber, 12 Circle Rd, Millersville
Maggie Weidinger, 146 Victoria Rd, Millersville,
Michael Weidinger, 146 Victoria Rd, Millersville, Planning Commission
Dorothy Imel, 1902 Blue Ridge Dr, Lancaster
Geoffrey Beers, 29 Ridgefield Dr, Lancaster, Student Lodging
Robert Sempsey, 604 Warminster Ln, Lititz, Student Lodging
Sam Bigler, 17 Wabank Rd, Millersville
Jere Martin, 149 E. Cottage Ave, Millersville
John Mateyak, Brubaker Connaughton Goss & Lucarelli LLC, Student Lodging

CITIZENS' REQUESTS OR CONCERNS

None

NEW BUSINESS

President Lauren Hauck stated the meeting will move forward with filling the Council vacancy. There are two candidates and we will hear from them in alphabetical order. President Hauck asked Jere Martin to address Council. Mr. Martin said he submitted a letter of interest and feels the letter said everything he wanted to say. He appreciates everything that is done behind the scenes, and he knows this work is taken for granted and he would like to serve and do his part.

President Hauck then asked Maggie Weidinger to address Council. Ms. Weidinger said she sent a letter asking to serve for the vacant term. She stated she served on Council before and has lived in the Borough for thirty-one years. She recently retired from the County of Lancaster, where she worked for 42 years and retired as Chief Information Officer. For many years, she was in charge of budgets. Ms. Weidinger stated she has a lot of things she can bring to the Borough,

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including some technology background, also finance background, and management in general, managing about 50 people.

President Hauck thanked both candidates and opened the floor to nominations. Mrs. Gerber said it was her pleasure to nominate Maggie Weidinger and Ms. Miller seconded the nomination. With no questions or discussion, President Hauck called for a vote to appoint Maggie Weidinger to Borough Council, to complete Brooke Magni's term. With no discussion, the motion passed by a unanimous voice vote with Darlene Eager abstaining. Mayor Dave Aichele then administered the Oath of Office to Maggie Weidinger for Borough Council.

MINUTES

A motion to approve the Council minutes for the meeting of March 22, 2022, was made by Mrs. Gerber and seconded by Mr. Hubbs. President Hauck asked if there were any issues with the minutes. The motion passed by a unanimous voice vote. Ms. Weidinger abstained since she was not on Council for that meeting.

REPORTS OF BOARDS, COMMITTEES, AND COMMISSIONS

PLANNING COMMISSION – STEERING COMMITTEE: Mike Weidinger, Planning Commission Chairman announced they will be holding a public hearing on the new Comprehensive Plan they have been working on. He asked to please let everyone know, that you may talk to, this is an opportunity to let people know the status of the Comprehensive Plan. The meeting will be at Eshleman Elementary School on May 5, 2022, at 7:00pm. He stated it will be advertised and Penn Manor School District has generously agreed to host the meeting, with no cost to the Borough. President Hauck stated this meeting will be an update for the public to know where the Steering Committee is currently at, with the Comprehensive Plan and to get public feedback.

LIMC: President Hack stated the LIMC Meeting is tomorrow, and she will report on that, at the next Council meeting.

BLUE ROCK REGIONAL FIRE COMMISSION

None

CIVIL SERVICE COMMISSION – Promotional Process Request: Mayor Aichele stated back in January, Sergeant Mike Schaeffer retired, and Council approved to go forward to find a candidate to fill the Sergeant position. The Civil Service Commission has met, and the position was posted. Only one officer has applied for that promotion. In the hiring rules and regulations, there are obligations and testing that must be met in hiring for the sergeant position. Civil Service Commission is asking Council for approval to not fulfill all the obligations that would have been required, if multiple people would have applied for the position. Since there is only one qualified candidate, an oral interview would be required, with that officer and the Civil Service Commission. A drug test would also be required. Mayor Aichele said the Civil Service Commission is asking Borough Council to waive certain requirements and move forward with the oral interview process. Mrs. Gerber made the motion, and it was seconded by Ms. Bellile. With no questions or discussion, President Huck stated the motion passed with a unanimous voice vote.

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STUDENT LODGING – TEXT AMENDMENT TO ZONING – Retirement Community:
John Mateyak, Brubaker Connaughton Goss & Lucarelli LLC, on behalf of Student Lodging, addressed Borough Council regarding the proposed amendment, to the retirement community portion, of the zoning ordinance. He stated that Council should have a copy of the proposed changes, in front of them. He also stated, at the last Council meeting, there was some confusion on the ten acres versus three acres for the project. Student Lodging did originally propose this project to be ten acres and Lancaster County Planning and Millersville Borough Planning Commission agreed that it should be kept at three acres, and Student Lodging was fine with this decision. Mr. Mateyak stated, this evening, Student Lodging is asking Council to authorize the advertisement of a public hearing, for the zoning ordinance changes. Ms. Miller asked if the ordinance changes would pertain to this, and all retirement communities built in Millersville Borough and Mr. Mateyak replied yes. Ms. Miller stated she was looking at the proposed ordinance and wanted to know what specific changes were being made. Mr. Mateyak informed Council that anything double underlined and printed in red are the proposed changes. Ms. Miller informed him, that unfortunately, the copy council is looking at, is not red. At that point, Mr. Mateyak reviewed the following proposed changes with Borough Council.

(34) Retirement community.

(a) The use shall meet the definition stated in § 380-21, which includes limits on the ages of residents. A dwelling within a retirement community shall not be occupied by a person less than age-18 years of age or younger for more than 30 days in any calendar year. No portion of a dwelling shall be leased/licensed to any person(s) less than 55 years of age. The foregoing age and occupancy restrictions must be incorporated into a recordable agreement or declaration, in a form acceptable to Borough which shall be binding upon owners within the retirement community and be enforceable by the Borough.

(b) The use shall be served by both public water and public sewage services.

(c) A retirement community shall only include the following uses (but need not include all of the uses):

[1] Assisted-living facility/personal-care center.

[2] Nursing home.

[3] Single-family detached dwellings.

[4] Twin dwellings.

[5] Townhouse dwellings.

[6] Apartments.

[7] Dining, community center and noncommercial recreation/activities uses that are clearly accessory to the residential uses and that are limited to use by the residents and employees of the development and their invited guests.

[8] Retail and personal service uses that are clearly accessory to the residential uses and are intended to primarily serve the needs of residents and employees of the development and their invited guests, and provided that such uses shall not have individual exterior entrances but instead shall be integrated into a principal building, and provided that no establishment shall exceed 3,000 square feet of floor area. These uses include but are not limited to a card shop or barber-/beauty shop.

[9] Only the following other support facilities and services may be provided, each of which shall be primarily intended to serve residents and employees of the retirement community and their invited guests: chapel or similar religious center, exercise center, meeting rooms, library, laundromat, vehicle maintenance shop/garage for retirement community use, child and adult day-care center, medical and therapy services and facilities, and home care services and facilities. Such services and facilities shall be designed and constructed integrally with and managed as part of the retirement community.

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[10] The total area occupied by all nonresidential uses and accompanying parking shall not exceed 10% of the total lot area of the development.

(d) Density and lot requirements.

[1] The minimum total lot area for a retirement community prior to subdivision shall be whichever of the following is greater:

[a] Three acres; or

[b] The total in square feet of the following for each type of unit:

[i] Assisted-living or nursing facility bed: 2,000 square feet.

[ii] Single-family detached dwelling unit: 5,000 square feet.

[iii] Townhouse or twin dwelling unit: 4,000 square feet.

[iv] Apartment dwelling unit: 3,000 square feet.

[v] Commercial establishment: 6,000 square feet.

[2] Areas that will be part of the right-of-way of public streets after development shall not count towards the minimum total lot area. Provided that the overall lot area/density requirement of Subsection A(34)(d)[1] above is met, no minimum lot area shall apply for each individual dwelling unit. Instead, a condominium, rental or similar type of arrangement is encouraged.

[3] Minimum lot width of development: 200 feet.

[4] Yard requirements. All buildings within the retirement community shall be set back a minimum of ~~60-30~~ feet from perimeter lot lines and/or rights-of-way of existing public streets that are boundaries of the property. All principal buildings shall be set back a minimum of 25 feet from any right-of-way of any ~~other public street created within the property~~ or 30 feet from the ~~edge of the travel lane~~ cartway of a street without public right of way or 10 feet from a parking court without a public right-of-way. All principal buildings shall be separated by a minimum of ~~16-12~~ feet if between two side building walls and ~~60-40~~ feet between any other building walls.

[5] Not less than ~~20%~~ 15% of the parcel to be developed as a retirement community shall be preserved as common open space. Common open space shall meet the requirements of and shall be reserved in accordance with this section and the definition of "open space, common-" provided that notwithstanding the provisions of the definition, "open space, common" within the retirement community may include areas that are setback ten (10) feet or more from any residential building. The common open space shall be improved so as to be suitable for use by the residents of the development, including but not limited to benches, ADA-compliant trails and landscaping. Improvements to common open space shall be predominantly ADA-compliant, to the extent reasonably practicable with existing grades and landscaping.

[6] Maximum height for all buildings shall be 35 feet; provided, however, that the maximum height of a building may be increased to 45 feet if the building shall be set back from the required front, side or rear yard setback at least one additional foot for each ~~two feet~~ one additional foot of building height in excess of 35 feet. In no case shall any building exceed 2.5 stories.

[7] Maximum building coverage of the entire development shall be 35%.

[8] Maximum impervious coverage of the entire development shall be 60%.

[9] Lighting facilities shall be provided and arranged in a manner which shall protect the street and neighboring properties from any direct glare or hazardous interference of any kind. No freestanding outdoor light fixture shall be placed at a height greater than 20 feet.

[10] The applicant shall demonstrate compliance with all requirements of all commonwealth, county and federal agencies having jurisdiction, if applicable.

[11] Signs shall be uniform in design and style throughout the retirement community. Signs that are not readable from the exterior of the retirement community shall not be regulated in size and/or number by this chapter. The size, type and number of all signs which are readable from the exterior of the retirement community shall comply with Article VII. In no case shall more than one freestanding sign be permitted per each abutting street. No sign shall be internally illuminated. All signs shall comply

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with all applicable provisions of Article VII, except as specifically modified by this subsection.

[12] Landscaping. See §§ 380-57 and 380-58. Landscaping shall be an integral part of the retirement community. Landscape plans must be sealed by a registered landscape architect licensed in the Commonwealth of Pennsylvania. Yards and passive recreation and common areas shall be fully landscaped. A variety of trees and shrubs shall be used. The locations and species of trees shall be subject to approval by the Borough. The Zoning Officer shall permit existing healthy trees that will be preserved and protected to be credited towards the number of trees required to be planted.

[13] Safety shall be emphasized in the design of the retirement community. Particular attention shall be given to pedestrian use. Pedestrian sidewalks or pathways shall be provided, which shall be separated from vehicle traffic. Pathways outside of the street right-of-way may be provided in place of sidewalks, provided that they serve the same purposes.

Section 2. All other sections, parts and provisions of the Code of Ordinances of the Borough of Millersville shall remain in full force and effect as previously enacted and amended.

Section 3. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of Borough Council that the remainder of the Ordinance shall be and shall remain in full force and effect.

President Hauck asked if anyone had any other questions. Mr. Mateyak stated the important thing now is the advertising and getting the meeting date set. Student Lodging is asking the Borough Manager to advertise the public hearing, for the first May Council meeting. Mrs. Gerber made a motion to advertise the public hearing for the first May Council meeting and adoption of the ordinance changes. Ms. Bellile seconded the motion. President Hauck asked if the advertisement would be under Borough expense, and Geoff Beers and Mr. Mateyak stated Student Lodging is covering the cost of the advertisement. With no questions or discussion, the motion passed with a unanimous voice vote.

REPORTS OF COUNCIL COMMITTEES

PERSONNEL ADVISORY COMMITTEE: Lynn Miller, Committee Chair, stated the Personnel Advisory Committee will meet tomorrow. She said the Committee had hoped to announce and vote on a candidate for the Finance Officer position, but unfortunately for the second time, the candidate at the last minute, accepted an offer from another company. She informed Council; the Personnel Advisory Committee is back to looking for another candidate.

PUBLIC WELFARE AND PUBLIC WORKS ADVISORY COMMITTEE REPORT

None

FINANCE ADVISORY COMMITTEE REPORT:

None

MAYOR'S REPORT

None

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MILLERSVILLE UNIVERSITY REPORT

None

PENN MANOR REPORT

None

BOROUGH MANAGER REPORT

None

PRESIDENT'S REPORT

President Hauck informed Council the Penn State students, who have been working on the Climate Action Plan for Millersville Borough, will give their final presentation at the April 26th Borough Council Meeting. She informed Council they will receive a written report to review before the next meeting. There will be no action taken on this matter, at the April 26th meeting.

UNFINISHED BUSINESS

None

EXECUTIVE SESSION

At 7:25pm, President Hauck stated Borough Council will move into Executive Session, to discuss the following items.

Code Enforcement/Zoning Officer Vacancy

Finance Officer Position

Upcoming Police Officer Retirement

President Hauck stated no action will be taken at the Executive Session and when Council reconvenes, the meeting will be adjourned. She asked Mayor Aichele to remain for the session. Mayor Aichele asked if Lieutenant Jeff Margevich can be part of the Executive Session, and it was approved by President Hauck.

ADJOURNMENT

Coming out of Executive Session and having no further business to discuss, President Hauck adjourned the meeting at 7:52 pm.

Respectfully submitted,



Mary Ann Gerber
Borough Secretary

MAG/sam