

## **COUNCIL MEETING MINUTES NOVEMBER 13, 2006**

President Ted Streeter called the meeting to order at 7:30 PM with the following Councilors present: Mr. Bill Monahan, Mr. John Murphy, Mr. Bob Miller, Ms. Caroline Smith, Mr. Dick Peterson, Mr. Marty Qually and Mayor William Troxell. Staff present included manager John Lawver, Borough Secretary Sara Stull, Solicitor Harry Eastman, Chief Joe Dougherty, Director of Planning Walter Powell, Parking Manager Bill Little, Finance Director Mona Overton, Rec Director Beth Corson and Merry Bush, Planning Department.

Representing the press were Scot Pitzer of the *Gettysburg Times*, Melissa Hofmann, photographer with the *Gettysburg Times* and Meg Bernhardt of the *Evening Sun*.

Moved Mr. Monahan, seconded Mr. Miller to approve the agenda as presented. Motion carried unanimously.

Moved Mr. Peterson, seconded Mr. Miller to approve the council minutes of October 9<sup>th</sup> as presented. Motion carried unanimously.

Citizens in attendance:

Holly Cookerly, Coordinator of Community Health Improvement for Gettysburg Hospital along with members of MEDIC 28 was here to present Officer Chris Folster with a plaque and pin for his heroic action. On September 9<sup>th</sup> Officer Folster saved the life of William King using the Automated External Defibrillator (AED). Mr. King was here to personally thank Officer Folster for saving his life.

Nell and Hugh Matthews, Gettysburg Community Pool Committee, was here to update Council and announced the committee was awarded a grant through the Department of Conservation and Natural Resources for \$12,500 to complete a feasibility study for a community swimming pool. Mr. Streeter asked the committee to keep the Public Works Committee informed.

Darlene Brown and Laura Northup, Adams County Interfaith Housing Corporation, Thomas Roue, Tom Rooney, Rob Baughman and Lori Kane representing Medic 28, Katrina Folster, Patty King, Julie Green, PFC Keith Stambaugh, PFC Matthew Harvey, Dawn Harvey and Richard Laino were here to observe the meeting.

Mayor Troxell announced that the annual Christmas Parade will be held on Saturday, November 25<sup>th</sup> at 7:00 PM with festivities beginning at 6:00 PM. He noted the date is different than year's past, as they have normally been held the day after Thanksgiving.

Solicitor Eastman announced Times Square II, LLC has extended the public hearing date until December 15, 2006.

Moved Mr. Monahan, seconded Mr. Miller to adopt an ordinance amending the Regulated Rental Unit Occupancy Ordinance, Chapter 4, Part 3 of the Code of Ordinances. Motion carried unanimously.

Moved Mr. Murphy, seconded Mr. Peterson to approve all bills and payrolls as submitted for the month. Motion carried unanimously.

Mr. Murphy reported the York/Adams County Tax Collection Agency will hold a meeting on Tuesday, November 21<sup>st</sup> to discuss the tax discrepancies.

Mr. Monahan asked if Manager Lawver met with other municipalities regarding the tax discrepancies. Mr. Lawver responded he and the Finance Director met with Cumberland Township and will both be attending the special upcoming meeting.

Mr. Murphy gave a brief update on the proposed 2007 budget. A special council meeting is scheduled for Monday, November 20<sup>th</sup> at 2:30 to approve the proposed budget. It will be available for public review for 30 days after which council will then hold a meeting on December 20<sup>th</sup> to adopt the final budget.

Mr. Monahan thanked Councilman Murphy for sending a letter to Congressman Todd Platts thanking him for his support of the Journey Through Hallowed Ground National Heritage Area Legislation. The community will benefit by promoting tourism and boost the local economy.

Moved Mr. Monahan, seconded Mr. Qually to adopt a resolution authorizing the execution and filing of Articles of Incorporation - Nonprofit in the name of "Gettysburg Economic Development Corporation" in connection with activities involving the economic development, redevelopment, and economic revitalization of the community of the historic Borough of Gettysburg and that Theodore H. Streeter, President of Borough Council, Jamie P. Fleet, Vice President of Borough Council, and John D. Lawver, Jr., Borough Manager, be authorized to execute said Articles of Incorporation. Motion carried unanimously.

Mr. Streeter noted this would not hinder the REDDI group but would benefit the REDDI project.

Ms. Smith had nothing to report for Main Street; they will meet later this week. They are currently working with the Adams County Housing Authority to put up Christmas decorations in the downtown area.

Moved Mr. Miller, seconded Ms. Smith to authorize the solicitor to advertise for enactment an Ordinance Prohibiting the Use of Groundwater as a Water Supply for human consumption or domestic use by the installation or use of water supply wells or by

any other method and mandating the use of public water system for the provision of water for human consumption or domestic use. Motion carried unanimously.

Mr. Miller reported he met with Manager Lawver, Rec Director Corson, Nell Matthews, Gettysburg Pool Committee and Wayne Wade, Wade Associates, LLC, Swimming Pool and Aquatics who is being considered to do a feasibility study. He asked that the committee review other municipalities who might be interested in a pool. Mr. Miller pointed out he is not sure if the Borough would want a pool and asked for Council input. The pool committee plans to attend the Public Works Committee meeting with an update.

Mr. Miller reported the Gettysburg Alternative Sports Park presented their activities report for the 2006 season. The total registered users for the skate park was 294 with 78 of them Borough residents. He thanked Vickie Corbett for the detailed information and hard work she has put in to this committee.

Moved Mr. Peterson, seconded Mr. Miller to approve HARB consent agenda as presented. Motion carried unanimously.

Moved Mr. Peterson, seconded Mr. Murphy to reappoint Mayor William Troxell to the Gettysburg National Military Park Advisory Commission for another 3 year term to expire on December 24, 2006. Motion carried unanimously.

Moved Mr. Qually, seconded Mr. Peterson to adopt an ordinance amending the Gettysburg Borough Zoning Ordinance, Chapter 27 of the Code of Ordinances to allow residential development on certain subdivided lots without meeting dimensional requirements. Motion carried unanimously.

Moved Mr. Qually, seconded Ms. Smith to adopt an ordinance amending the Gettysburg Borough Subdivision and Land Development Ordinance, Chapter 22 of the Code of Ordinances regarding fees and to allow residential development on certain subdivided lots without meeting dimensional requirements. Motion carried unanimously.

Moved Mr. Qually, seconded Mr. Peterson to adopt an ordinance amending the Gettysburg Borough Zoning Ordinance, Chapter 27, Part 18, Flexible Residential Option of the Code of Ordinances to designate the Gettysburg Borough Planning Commission as the official review and approval agency. Mr. Qually and Mr. Peterson withdrew their motion and it was tabled until further review.

Moved Mr. Qually, seconded Mr. Monahan, to adopt an ordinance amending the Gettysburg Borough Zoning Ordinance, Chapter 27 of the Code of Ordinances by amending the Gettysburg Borough Zoning Map by changing the Zoning District designation for certain land from the R-2 Moderate Density Residential District and the Industrial District to the RO Residential Office District. Motion carried unanimously.

Mr. Monahan expressed his concern that Council didn't have more interaction with the Planning Commission before finalizing these ordinances. Would like to make sure that Council's vision for the future comprehensive plan is what we expect. Ms. Bush noted that the Planning Commission did meet with Tom Comitta of Thomas Comitta Associates to revise/develop plans. Ms. Overton reported that Council's wishes were taken into consideration during these meetings. The next meeting with Tom Comitta is scheduled for November 21<sup>st</sup> and Council is invited to attend.

Mr. Qually also expressed his concern that this may be giving the Planning Commission too much control and less authority for Council. Solicitor Eastman explained that Council would hold a public hearing and make the final approval.

Mr. Streeter asked that the public hearing relative to application of Times Square II, LLC for a proposed planned residential development on East Water Street to be known as Penn Square Townhomes be duly advertised for Tuesday, December 5, 2006 at 3:00 PM.

Mr. Lawver reported the sale of 117 Breckenridge Street has been finalized with the Adams County Housing Authority. Council should plan a photo opportunity with all parties involved.

Moved Mr. Murphy, seconded Mr. Miller to accept the J. P. Harris tax exoneration report for tax years, 1999,2000,2001,2002,2003,2004 and 2005. Motion carried unanimously.

Moved Mr. Peterson, seconded Mr. Miller to approve consistent with the written certification of the Borough's engineers, C.S. Davidson, Inc., dated October 24, 2006, the Borough Council of the Borough of Gettysburg hereby sets the financial security for the completion of required improvements for the development and construction of a new building for Kennie's Markets, Inc. at 217 West Middle Street in Gettysburg Borough in the amount of \$176,950.40 in a form authorized by Section 509 of the Pennsylvania Municipalities Planning Code to be reviewed and approved by the Borough Solicitor. Theodore H. Streeter, President of Borough Council and Sara L. Stull, Borough Secretary, are hereby authorized to execute on behalf of the Borough of Gettysburg a Subdivision and Land Development Improvement Construction Agreement with the developer, Kennie's Markets, Inc. Motion carried unanimously.

Dr. Powell reported the Wills House project is scheduled to begin the end of November.

Ms. Corson completed a 2006 report to date of activities for the Rec Park for Council review.

After a brief executive session, Solicitor Eastman announced the executive session was to discuss a personnel issue.

Moved Mr. Monahan, seconded Mr. Miller to approve imposing a 5 day unpaid suspension on the employee discussed during the executive session, to be served in consecutive work days at the discretion of the department manager, and to authorize the chairman, manager and legal counsel to provide written notice to the employee of the imposition of discipline. Motion carried unanimously.

With no further business, moved Mr. Monahan, seconded Mr. Miller to adjourn the meeting at 9:30 PM.

Respectfully submitted,

Sara L. Stull  
Borough Secretary