

**BOROUGH OF GETTYSBURG
TROXELL COUNCIL CHAMBERS
59 EAST HIGH STREET, GETTYSBURG, PA 17325
COUNCIL BUSINESS MEETING MINUTES
JUNE 13, 2022**

President Wesley Heyser called the meeting to order at 7:00 PM with the following **Councilors present:** Vice President Matthew Moon, Mr. Christopher Berger, Mrs. Judith Butterfield, Mr. John Lawver, and Mr. Chad Carr. Ms. Patricia Lawson attended via telecommunications. **Staff present included:** Borough Manager Charles Gable; Assistant Borough Manager/Secretary Sara Stull; Borough Solicitor Harold Eastman, Barley Snyder; Police Chief Robert Glenney; Director of Historic & Environmental Preservation Debra English; Planning Director Carly Marshall; Planning Management Assistant Karen Mesher; Code Compliance Officer Peter Griffieon; Parking Manager Rebecca Fissel Public Works Director Robert Harbaugh; and Chad Clabaugh, Borough Engineer, C. S. Davidson, Inc. Mayor Rita Frealing was absent.

Others present included: Jill Sellers, President of Main Street Gettysburg; Scott English, 66-68 West High Street; Susan Cipperly, 314 South Stratton Street; Jean Green, 4 Straban Court; Paul Witt, 380 Steinwehr Avenue; Olivia Segal, Elliot Walker, Laetitia Boussar, Maddy Gaydon, Kennedy Plagman, Kristen and William Bechtel all representing the American Exchange Project. Representing the press was Jim Hale with the *Gettysburg Times*; and filming by *Community Media-ACCTV*.

President Wesley Heyser announced an executive session of the Borough Council of the Borough of Gettysburg was conducted immediately following the adjournment of the May 23, 2022 work session consistent with section 708(a)(2) and section 708(a)(5) of the Sunshine Act.

President Wesley Heyser announced an executive session of the Borough Council will be conducted immediately following the adjournment of this evening's monthly general business meeting consistent with section 708(a)(1), section 708(a)(2) and section 708(a)(5) of the Sunshine Act for the following purposes: (1) to discuss matters involving the employment and the terms and conditions of employment of current Borough employees; (2) to provide informational updates and to discuss strategy related to the negotiations of new collective bargaining agreements with the International Brotherhood of the Teamsters Local No. 776, Gettysburg Borough Police Employees Labor Organization and with the Gettysburg Borough Nonuniformed Employees Labor Organization; and (3) to review and discuss matters of Borough business which, if conducted in public, could lead to the disclosure of information or matters of confidentiality protected by law.

Moved Mr. Moon seconded Mr. Carr to approve the June 13, 2022 agenda as presented. Motion carried unanimously.

Moved Mr. Moon seconded Mr. Lawver to approve minutes of the Council Meeting of May 9, 2022, Council Special Meeting on May 23, 2022, and the Council Work Session on May 23, 2022, as presented. Motion carried unanimously.

Public Comment (Restricted to Items on the Agenda)

Susan Cipperly, 314 South Stratton Street, read a prepared statement regarding changes to the vacation rental ordinance (see attached).

Special Presentation

The American Exchange Program (AEP)

Olivia Segal, Co-Director of Program Development/The American Exchange Project (AEP) gave a brief overview of the program that is in its second year. She explained that they offer high school seniors a free trip for one week to learn about other areas. The program collaborates with local educators for the exchange program.

Kristen Bechtel, a chaperone with (AEP) said that she is a teacher at Gettysburg High School. She noted some of the places that they toured such as the David Wills House, Lincoln Train Station and the National Park Service. She said that Gettysburg has more to offer than the Civil War History and that the group plans to visit Hollabaugh Fruit Market and the Appalachian trail.

Maddy Gaydon and Elliott Walker are both Gettysburg High School Students and are happy to have the opportunity to experience other areas. Maddy said that she will be going to Massachusetts and Elliott will be going to California for a week to live with a host families.

Kennedy Plagman is from Sioux Falls, South Dakota and is happy for the experience to visit Gettysburg. He said that this area is so different from South Dakota.

Current and Old Business

Department of Planning /Zoning/Code

Moved Mr. Moon, seconded Mr. Berger authorizing the Borough of Gettysburg to enter into a Cooperation Agreement with the County of Adams for the fiscal year 2020 Community Development Block Grant (“CDBG”) Program Administration. Wesley K. Heyser, President of Borough Council, Charles R. Gable,

MPA, Borough Manager and Sara L. Stull, Assistant Borough Manager/Secretary, are hereby authorized to execute the Cooperation Agreement on behalf of the Borough of Gettysburg. Motion carried unanimously.

Moved Mr. Berger, seconded Mr. Moon to authorize Borough staff and solicitor to draft a Zoning Text Amendment related to the limitation of the number of Vacation Rentals per property, amending the definitions of Bed and Breakfast and Inn uses to clarify the difference between the uses, and to requiring Inn operators to live in Gettysburg or have full-time staff presence. Motion carried unanimously.

Department of Historic & Environmental Preservation

Director of Historic & Environmental Preservation English reported that approximately forty people attended the HARB Preservation Awards Presentation held on May 18th noting that the recipients were pleased with the awards presented to them for the work completed on their homes.

Moved Mr. Carr seconded Ms. Lawson to accept the recommendation of the Borough of Gettysburg Historic Architectural Review Board (HARB) following its review on May 18, 2022 and grant Certificates of Appropriateness for the following applications as presented: COA 22-0049 MAJOR PROJECT: 205 S. Stratton Street – Daniel and Shannon Small to approve the replacement of the three wood windows on the original structure facing east with wood materials, and replace the remaining windows with vinyl and that none of the casings be clad in aluminum that is consistent with both the *Secretary of the Interior Guidelines* and the *Gettysburg Design Guide* as presented to the Board in the application dated April 18, 2022; COA 22-0047 MAJOR PROJECT: 139 Carlisle Street – Annsan Partnership, KPI Technology to approve the replacement of the slope metal roof with standing seam metal and the mansard part of the roof with synthetic slate that is consistent with both the *Secretary of the Interior Guidelines* and the *Gettysburg Design Guide* as presented to the Board in the application dated April 20, 2022; COA 22-0048 MAJOR PROJECT: 143 Carlisle Street – Annsan Partnership, KPI Technology to approve the replacement of the shingled roof on the main roof with architectural three-tab shingles, replace rubber and metal porch roofs with rubber and standing seam metal, remove the wood siding from the rear façade to replace deteriorated siding on the front façade, and to replace the removed rear siding with Hardy Plank wood siding that is consistent with both the *Secretary of the Interior Guidelines* and the *Gettysburg Design Guide* as presented to the Board in the application dated April 20, 2022; COA 22-0053 MAJOR PROJECT: 45 W. High Street – Robert Thaeler, Adams County to approve the replacement of the flat roof that is consistent with both the *Secretary of the Interior Guidelines* and the *Gettysburg Design Guide* as presented to the Board in the application dated April 27, 2022; and COA 22-0055 DEMOLITION/NEW CONSTRUCTION PROJECT: 778 Baltimore Street – Max Felty, Christopher

Urban and Elijah Dolly, to approve the demolition of an existing structure that is tied to new construction that is consistent with both the *Secretary of the Interior Guidelines* and the *Gettysburg Design Guide* as presented to the Board in the application dated May 2, 2022. Motion carried unanimously.

Parking Department

Parking Manager Fissel announced that two new employees were recently hired adding another part-time Parking Enforcement Officer Maccabee Hirsch and a Grounds Maintenance/Laborer Petr Stringer.

Public Works Department

Public Works Director Harbaugh gave the following updates on the South Street Project: contractors have completed the milling, paving, adding pavement markings and installing the street lights. The curb and sidewalk contractor will complete a few punch list items with the project set to be finally completed within the next two weeks.

Councilman Carr asked about a tree not being trimmed on Chambersburg Street in front of the Ragged Edge business. Public Works Director Harbaugh said that the Public Works Crew have been trimming trees throughout town and will check to see if this one was missed. He noted that the higher limbs are outsourced to be completed and that may be the reason why it was not done at the same time.

Borough Engineer

Engineer Clabaugh gave the following report: Culp Run Stream Restoration Project is set to commence soon; Steven's Run (Tiber Wall) cost analysis; and the South Street Streetscape Project are finally almost completed as scheduled. He pointed out that this has been a decade-long capital improvement project. The project included widening the street to accommodate two-way traffic, five-foot wide sidewalks, decorative lighting, landscaping, and other amenities. Mr. Clabaugh pointed out that the utility companies covered the bulk of the approximate \$1 million dollar project.

Moved Mr. Moon, seconded Mr. Carr to approve the application for payment #2 in the amount of \$ \$105,906.00 to Mathews Construction Services, LLC in connection with the South Street CDBG Curb and Sidewalk Improvements project. Motion carried unanimously.

Moved Mr. Berger, seconded Mr. Carr to execute and deliver an Operation and Maintenance Agreement with Eric Seidel for the stormwater management facilities associated with the York Street Dental Parking Lot. Motion carried unanimously.

Moved Mr. Moon seconded Mr. Berger to execute and deliver an Operation and Maintenance Agreement with Timothy and Judith McKee for the stormwater management facilities associated with the proposed residential construction at 0 Ridge Avenue. Motion carried 6 YEA with one abstention. Councilman Lawver abstained due to his property being a neighboring property.

Moved Mr. Carr, seconded Mr. Moon to execute and deliver an Operation and Maintenance Agreement with Wesley Heyser for the stormwater management facilities associated with the proposed residential construction at 226 North Stratton Street. Motion carried 6 YEA with one abstention. Councilman Heyser abstained due to his ownership of this property.

Police Department

Chief Glenn gave the following report: another shooting occurred in town and police had the individual in custody within the hour; an incident that occurred at the Gettysburg Hospital causing them to go on lock down for a short period of time was determined uneventful and they were able to reopen.

Councilwoman Butterfield asked if the police department has an internal affairs written policy and if so can Council review it. Chief Glenn responded yes that he could send it to Council and noted that all police policies are now on the Police Website except those that cannot be disclosed.

Office of the Manager/Treasurer/Secretary

Manager Gable reported that the real estate taxes are almost 100% collected. He said that there is 3.1 million dollars available in the General Fund checking account and approximately \$790,000 in reserves segregated by Certificate of Deposits.

Moved Mr. Moon, seconded Ms. Lawson to approve all bills and payrolls for the month as presented. Motion carried unanimously.

Moved Mr. Lawver, seconded Mr. Berger to accept the J. P. Harris Associates Tax Exoneration report for tax years 2008 through 2014 as presented. Motion carried unanimously.

Moved Mr. Moon, seconded Mr. Lawver to adopt a resolution authorizing the disposition of certain identified records of various departments of the Borough of Gettysburg in accordance with the provisions of the Municipal Records Act and the Municipal Records Manual consistent with the Borough's intention to follow the schedules and procedures for the disposition of records as set forth therein pursuant

to Gettysburg Borough Council Resolution No. 021020-4, adopted by the Borough Council on February 10, 2020. Motion carried unanimously.

Moved Mr. Moon, seconded Mrs. Butterfield to adopt a resolution appointing Darren B. Glass as a member of the Gettysburg Borough Zoning Hearing Board in order to fill the vacancy on the Zoning Hearing Board due to the resignation of Larry G. Weikert and to complete the remainder of Mr. Weikert's unexpired five (5) year term of office which will expire in January 2025. Motion carried unanimously.

Moved Mr. Berger, seconded Mr. Lawver to appoint Paul Witt to the Gettysburg Borough Historical Architectural Review Board to fill the vacancy created by the resignation of James McCabe for the remainder of the unexpired term of Mr. McCabe which will expire in August 2024. Motion carried unanimously.

Main Street Gettysburg

President Sellers gave the following report: **From the Ground UP:** she joined the crew on May 9th for their Monday morning rounds and then met as a group to discuss their needs and new ideas. They are considering adding clean-up rounds on Friday or Saturday evenings. We have received \$500 for this program. New equipment and safety vests have been purchased, and the surplus of \$130 will be held in reserve for future needs. Thanks to Gettysburg Connection, Quality Inn, Best Western, and Patti Robinson, and Mark Gettys for their generous support. **Gettysburg Welcome Center:** Main Street Gettysburg completed a Congressional Appropriations Request through both Representative Joyce's and Senator Casey's offices for the full project. If awarded, the funds will be available in FY2023 and must be spent in that year; and **Open Container:** consideration of the open container pilot program was handled appropriately. The process allowed for discussion regarding the changing demographics and preferences of visitors, and was a good foundation for other potential changes downtown such as major infrastructure projects involving Lincoln Square and the Gettysburg Welcome Center. **American Exchange Program:** she is pleased to help coordinate activities for the AEP group. Manager Charles Gable and Jill will be hosting the students on a tour of Gettysburg and invited them to attend the Borough Council meeting. **Keller Williams Reality:** On May 12th eight volunteers from Keller Williams started their cleanup efforts on Steinwehr Avenue from the Dobbin House to the corner of Steinwehr and Baltimore Streets. They weeded under benches and cleaned out tree wells. They also swept the brick sidewalks. Afterwards, they moved to Lincoln Square and did the same chores there. **America250PA:** On June 2nd the America250PA Commission held a reception at the Museum and Visitors Center. Governor Wolfe and Senator Casey were in attendance. **David Wills House:** The volunteer program in support of the David Wills House continues to grow but is still looking for volunteers for this unique opportunity. T-shirts and parking passes are available for volunteers (June 2nd to August 14th Thursday-Sunday, 11:00 AM to 6:00 PM and August 19th to November 19th Friday-Sunday, 1:00 PM to 5:00 PM). **GETTYSBURG**

WELCOME CENTER: On May 31st Senator Casey's Office contacted Main Street Gettysburg to announce that the Gettysburg Welcome Center Project has been forwarded to the Senate Appropriations Committee. See details at: [fy23 letter to the transportation housing and urban development and related agencies subcommittee1.pdf](#)

Gettysburg Area Recreation Authority

Councilman Carr reported that the July 4th events begin at 3:00 PM and fireworks will be held at 9:20 PM. Music, numerous food trucks and many activities are planned for the day. He recognized the GARA staff noting that there are three part-time maintenance staff to keep the park looking nice.

Gettysburg Municipal Authority

Councilman Berger gave the following report: Heritage Water Tank located at Natural Springs Road has been completed and is now in service; work continues on the Herr's Ridge Tank in Cumberland Township; and the High Street Water Main Replacement Project has been completed.

Steinwehr Avenue Heart of Gettysburg Battlefield (SAHGB)

Councilwoman Butterfield reported on the following: continue to plan events for the upcoming Gettysburg Christmas Festival to be held in December; issue with certain trash receptacles in the "sweet food" areas along Steinwehr Avenue that are always over loaded and attracting bees; and the BID will sponsor the Bike Week Parade and will donate to the cause as in the past years.

Adams County Transportation Planning Association

Councilwoman Butterfield reported that the draft 2023-2026 Adams County Transportation Improvement Program (TIP) is available for public review and comment through June 16, 2022.

Adams County Council of Governments (COG)

Councilwoman Butterfield reported that they formed a new committee about sharing technology with municipalities and that she was asked to serve on this committee.

Overdose Awareness Task Force

Councilman Moon gave the following report: NARCAN distribution to the public continues and anyone with questions can contact him. Task Force will not convene again until August.

Healthy Adams Bicycle Pedestrian Inc. (HABPI)

Councilwoman Lawson reported that the October 1st bike ride is planned again this year noting that last year the event drew people from all over. HABPI Board wrote a letter to the Board of Directors of the Adams County Historical Society requesting them to be proactive in trying to extend the sidewalk or paved area along Carlisle Street for walking and bike riders to have access their location just north of the Borough.

Other Reports

Recycling

Councilwoman Butterfield reported that the Document Shredding Event held on May 20th went very well noting that the event was free to Borough residents and included a small fee for those living outside of the Borough. She pointed out that an anonymous donor paid the remaining balance of the invoice so there was no charge to the Borough for this event.

Elected Officials' Comments

Councilman Carr announced that on Sunday, June 19th the Juneteenth Jamboree will be held at the Gettysburg Area Recreation Authority from 12:00 PM to 7:00 PM. Many events are planned for that day to include live music, dunk tank, games and several food trucks.

Councilman Carr reported that he received complaints regarding the food trucks parked within the first block of Lincoln Square. Councilman Heyser responded that the ordinance allows for a three-hour parking period, and if businesses or residents see the trucks parked longer than that timeframe, then they should contact the Borough Parking Department to ticket the food trucks.

Councilwoman Butterfield acknowledged Susan Cipperly who has been helping Forever Love Rescue with the Trap, Neuter, Return (TNR) Program for cats. Ms. Cipperly thanked Council for supporting the TNR Program and budgeting for this cause.

Councilman Moon thanked Councilman Carr for spearheading the Gettysburg Pride Fest held on June 3 to 5 which was a successful event, and for coordinating with the public works department in getting the garbage cleaned up during and after the event.

Councilman Carr thanked everyone for making this a successful event and noted that there were attendees from six different states. People in attendance said that the Gettysburg event is more of a community involved event than other Pride Events that they attend.

Councilman Heyser met informally with Chief Wheeler the new Executive Director of Adams Regional Emergency Medical Services about EMS funding and plan to have further discussions. Capital purchases such as ambulances are difficult and said that the Fire Service Tax the Borough pays could be increased, but pointed out that it would be easier for the residents to accept if adjacent municipalities would be included.

Councilman Heyser stressed the importance of people cleaning up after their pets when they defecate on public property and noted that the Code Compliance Officer will be citing these people.

Public Comment

There were no public comments.

Moved Mr. Lawver, seconded Mr. Moon to adjourn the meeting at 8:25 PM to an executive session. Motion carried unanimously.

Respectfully submitted,

Sara L. Stull
Borough Secretary

Public Comment – Borough Council meeting 6/13/2022 – Susan Cipperly

Vacation rental ordinance.

I have supported efforts to regulate this use and to keep it out of residential districts.

Last October 12 when this was adopted, I had some questions about it, but figured it would need some tweaking based on experience. So here we are.

Carly Marshall has ideas about trying to limit the proliferation of these units, based on inquiries she has received. I look forward to those.

The ordinance adopted at the October 2021 meeting did not allow vacation rentals in the Elm Street Overlay, the R-1 Residential, and the R-2 Residential zones. This use was also specifically prohibited in the Elm Street Overlay and R-1 zones, but not in the R-2 zone. Why was R-2 left out?

The answer given by Ms. Marshall was that making it prohibited in those two zones would reinforce that this is not a place that we want that use. We're specifically trying to protect the housing stock. These were the 2 districts where we wanted to make sure that residential uses are protected, and if at some time in the future someone applied for a variance, it would be clear what was meant when the ordinance was adopted.

Since the R-2 zoning district purpose is residential, it seems reasonable to make a commercial use that competes with housing prohibited. I hope you will consider making vacation rentals prohibited in the R-2, as well.

§ 27-501 Purpose.

[Ord. 1352-08, 5/5/2008]

The purpose of this Part is to provide for the development of certain areas of the Borough into residential neighborhoods permitting a variety of housing types

Housekeeping matter:

Borough ordinance example of "principal use", used throughout the ordinance but missing from Definitions.

27-201 - Definitions

ACCESSORY USE A use customarily incidental and subordinate to the principal use of the lot or building and located on the same lot with such principal use of the lot or building.

Adams Co. zoning ordinance Section 201 Definitions

Principal Use – The main or primary use of land or structures, as distinguished from an accessory use, as herein defined