

COUNCIL MEETING MINUTES
JULY 12, 1993

Mr. Ditzler, Vice President called the meeting to order at 7:30 PM with Mrs. Rice, Ms. Giles, Mrs. Gustafson, Mr. Troxell, Mr. Schmitt, and Mr. DeHaas present. Mrs. Simpson and Mr. Zellner were absent. Also in attendance were Mayor Linn, Don Oyler, Chief Gantz, Mr. Sterner, Mr. Lawver, Mr. Weikert, Mr. Little, Dr. Powell, Tracy Lower representing the Gettysburg Times and Sharon Hare representing the Hanover Evening Sun.

Moved Mr. Schmitt, seconded Mr. Troxell to approve the agenda as presented. Motion carried.

Moved Mr. Schmitt, seconded Mr. Troxell to approve the minutes of June 14 after making a correction on page 2.

Citizens in attendance:

James Cole, 49-51 East Stevens Street, distributed copies of a summary from the Maryland Law Review of the recent United States Supreme Court case of Lucas vs. the South Carolina Coastal Council. Mr. Cole used the Lucas case as a basis for an argument that HARB's refusal to grant permission for installing his replacement windows was a violation of his constitutional property rights.

Dan Crist, 49 East Stevens Street, was also present on behalf of Mr. Cole. He felt that the window work on Mr. Cole's house should not have been stopped and that he should be allowed to complete his windows. He shared Mr. Cole's belief that the HARB recommendation was unconstitutional.

John Kulp, Lake Heritage, submitted a bid for the 34 East Middle Street office.

Former councilman and mayor Willis Weikert, 55 Seminary Avenue, attended to observe the meeting.

Mr. Schmitt reporting for Property Committee noted that the move into the new office is scheduled for August 2nd.

One bid was received for the purchase of 34 East Middle Street, from John Kulp of Lake Heritage; bid was \$88,600.

Moved Mr. DeHaas, seconded Ms. Giles to reject the bid from John Kulp, due to its being well below the appraised amount. Motion carried unanimously.

Mr. Troxell reporting for the Tree & Sidewalk Committee noted that the sidewalks are still being reviewed.

Mrs. Gustafson reporting for the Health Committee noted that traps are now available for people needing to catch ground hogs and other such animals. Also more jiffy Johns are needed during the antique market. There should be three locations with 2 at each location and 2 should be provided for the handicapped persons. Signs should be placed designating where these jiffy Johns are located.

Moved Mrs. Gustafson, seconded Mr. Schmitt to contact the Retail Merchants to provide more jiffy johns during the antique markets. Motion carried unanimously.

Moved Ms. Giles, seconded Mr. DeHaas to reappoint Robert S. Lefever M.D. to the Civil Service Commission. This is a 6 year term which will expire in May 1999. Motion carried unanimously.

Moved Ms. Giles, seconded Mr. DeHaas to reappoint Ronald Heiges to the Board of Code Enforcement Appeals. This is a 5 year term and will expire in April 1998. Motion carried unanimously.

Moved Ms. Giles, seconded Mrs. Gustafson to reappoint Cecil Sandoe to the Gettysburg Area Industrial Development Authority. This is a 5 year term and will expire in July 1998. Motion carried unanimously.

Ms. Giles mentioned the upcoming terms that are expiring. Finding interested persons to fill these positions can be difficult, and she would appreciate help from the other members of council.

Mrs. Gustafson reporting for the Utility Committee said they are still reviewing the Cable TV regulations. The committee also discussed the hot dog vendors but did not come to any decision on this matter.

Moved Mrs. Rice, seconded Mr. Schmitt to approve all bills and payrolls for the month. Motion carried unanimously.

Mr. Troxell reported the Safety Committee discussed the concerns of citizens with loitering on Lincoln Square.

Managers report:

Adams County Economic Development Corporation needs assistance in its dealings with GMA and Straban Twp. to extend the sewer to the proposed business park on Rt. 30. Council is requested to set a meeting on July 16 at 1:30 with GMA and ACEDC.

The County Commissioners are requesting permission to use the new council chambers for a polling place. It is recommended to give approval to the request, but that the County should investigate the issue of the police station being in the same building.

Parking spaces are limited at the new office, so the Parking Committee will need to meet to work out a policy.

August Council meeting will probably be held at our new office if work continues to progress. The project is \$50,000 under budget, but behind schedule. Recommend we refinish the old council furniture, and will need to purchase some additional pieces of equipment including television and VCR, exercise equipment, computers and miscellaneous furniture.

Ms. Giles offered to help get prices to upholster and refinish the old furniture. She also spoke with Rich LeBlanc on decorating ideas for the new office. This will be discussed further at the Property Committee meeting.

Property Committee will meet on Friday, July 16 at 2:30.

Moved Mrs. Rice, seconded Mr. Schmitt to approve the Non-Uniform Pension document as amended and restated effective January 1, 1993. Motion carried unanimously.

Mr. Little reported that the Retail Merchants are concerned with persons parking over the 2 hour limit at the 2 hour meters. This will be discussed at the Parking Committee meeting.

Mr. Little reported that the deck gate has been broken since Memorial Day and has not had any satisfaction from the servicing department. Mr. Sterner will contact the company on this matter.

Dr. Powell reported that an open house is being planned for the Breckenridge Street and South Washington Street properties. Everyone is welcome to attend on July 23 at 12:00.

Dr. Powell reported that the Frederick Douglass Project is moving forward.

Dr. Powell requested that condemnation proceedings take place on the Brandon Trailer Court property at 230-232 South Washington Street. There are nine trailers on this site with numerous property maintenance violations. Mr. Brandon had been sent several citations concerning these problems but doesn't take care of such violations. Small Communities Funds can be used to relocate the people living in the trailers. Interfaith Housing Authority has tried to negotiate a purchase with Mr. Brandon to no avail.

Moved Ms. Giles, seconded Mr. Schmitt to authorize Don Oyler to prepare a Resolution for condemnation on the Brandon Trailer Park Property. Motion carried unanimously.

Vice President Mr. Ditzler set a date and time for a special meeting on Monday, July 19 at 7:00 PM to adopt the condemnation Resolution.

Chief Gantz reported another drug march is being planned. Anyone interested in attending call Chief Gantz for details.

Moved Mr. Schmitt, seconded Ms. Giles to approve the reports submitted by the Treasurer, Chief of Police, Code Enforcement Officer, and Parking Department. Motion carried.

Moved Mrs. Gustafson, seconded Mr. Schmitt to approve the June 23 meeting of HARB by "consent agenda" including items A thru F and excluding item E. Motion carried unanimously.

Moved Ms. Giles, seconded Mrs. Rice to approve HARB'S recommendation of the design in item E, Mr. Wayne Hill, owner of property. Mrs. Gustafson abstained from this vote. Motion carried unanimously.

Mrs. Gustafson reported that Council had reviewed Jim Cole's property. HARB recommended and approved that Mr. Cole use vinyl siding to complete the down spout, fascia, and soffit as requested. The replacement of windows at 51 East Stevens was approved, but he was denied permission to install windows at 49 East Stevens because that portion of the house had not been previously altered. The HARB did suggest that they would consider alternatives, such as storm windows or replacement windows in kind. This has been a difficult issue but she feels HARB has tried to be as consistent as it can.

Mr. Troxell asked if anything can be done to prevent this in the future. People don't realize where the Historic District is located.

Mr. DeHaas moved, seconded by Mr. Troxell to allow Mr. James Cole to complete his property as he requested. YEA: Mr. DeHaas and Mr. Troxell. NAY: Mrs. Rice, Ms. Giles, and Mrs. Gustafson. Mr. Schmitt abstained. Motion defeated.

Ms. Giles moved, seconded Mrs. Rice to approve HARB'S recommendation on the Cole application. She further noted that the motion is not meant to be a vote against Mr. Cole, but to support HARB in its work of preserving and maintaining the character of our town. YEA: Ms. Giles, Mrs. Rice and Mrs. Gustafson. NAY: Mr. Troxell and Mr. DeHaas. Mr. Schmitt abstained. Motion carried.

Mrs. Rice remarked that she once had been turned down by HARB but had not purchased any of the materials so she didn't have that loss. We should follow HARB decisions and recommendations that must be made.

Mrs. Gustafson noted that Council should consider adding signs to the Historic District. This would help to eliminate the problem of not knowing where the District is located.

Mr. Sterner sought council's direction on the sale of 34 East Middle Street. Mr. Oyler will review the needs of the title insurance companies and report at next months meeting.

Moved Mrs. Gustafson, seconded Ms. Giles to approve authorization to proceed with a written consent from the owner of 135 West Middle Street for consideration of demolition. Motion carried unanimously.

With no further business Mr. Troxell moved, seconded by Mr. Schmitt to adjourn the meeting at 9:50 PM. Motion carried.

Respectfully submitted,

Sara L. Weaver

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Borough Secretary