

COUNCIL MEETING MINUTES  
Tuesday October 14, 1997

President Simpson called the meeting to order at 7:30 PM with the following members present: Mr. Troxell, Mrs. Gustafson, Ms. Giles, Mr. Schmitt, Mr. Woodward and Mr. Eline. Mr. Andrews, Mr. Kreisher and Mayor Linn were absent. Staff present included Manager Sterner, Chief Gantz, Parking Manager Little, Rec Director Crouse, Code Enforcement Officer Weikert, Preservation Officer Powell, Main Street Director Trostle and Solicitor Donald Oyler.

Also attending the meeting were Beth Kanagy of the Times, Terry Burger of the Evening Sun, Polly Parone, Dawn Heflin and Joyce Jackson of the Retail Merchants, Stacey Schmeidel of Gettysburg College and Gary Shaffer, HARB chairman. Ivan Bollinger attended to appeal HARB recommendation, Betty Myers attended to express her concerns with the new zoning ordinance, Jon Muller and Randy Inskip were here to observe.

Mrs. Simpson welcomed everyone and wished Mayor Linn, who is in the Hagerstown Hospital a speedy recovery.

Betty Myers, 408 Long Lane, expressed her dissatisfaction that her residential property along Long Lane will be changed from R-2 to HC. She believes that this will put restrictions on her property, that it will be impossible to sell to any one other than the hospital. She asked Council to reconsider the change before adopting the Ordinance.

Ivan Bollinger, 440 S. Washington Street, appealed to Council to allow him to continue with installation of vinyl replacement windows, which HARB had denied.

HARB Chair Gary Shaffer explained to Council that the Code Officers had issued a stop work order on the Bollinger job as he had not obtained the necessary permits or approval. He subsequently brought an application to HARB to replace wooden windows with vinyl. The proposed vinyl windows were not consistent with the Secretary of Interior's Standards, and HARB has consistently denied this type of request. Mr. Shaffer noted that the contractor is familiar with the HARB guidelines and should have better informed the Bollinger's. HARB would approve proper replacement windows if they wish to present new plans.

Joyce Jackson spoke on behalf of the Retail Merchants who oppose the Boyle Group Development Plans in Mt. Joy Township. Her group is strongly opposed to the development, anticipating a negative impact to the Borough business community. The Retail Merchants are requesting that Council voice opposition to Mt. Joy Township.

Mr. Troxell responded that since this development is outside the Borough's jurisdiction there is little it can do.

Ms. Giles agreed with the Retail Merchants and felt that Council has an obligation to stand behind the 70 Retail Stores in the Borough.

Mr. Eline felt Council should not send a letter to Mt. Joy Township telling them what to do, noting that we would not appreciate a similar response from other municipalities.

Mrs. Gustafson said it may not be our business but that the retail merchants could put a full page ad in the newspaper, thereby educating the public on possible negative impacts.



Mr. Eline suggested the retail merchants work with Main Street in developing vacant locations, such as the DMI building, to attract developers such as Boyle, to our business community.

Mr. Oyler noted that in any event, it will be the responsibility of the Mt. Joy Township Planning Commission and Supervisors to ensure that the development meets all township regulations.

In the Mayor's absence, Mrs. Simpson announced that Trick-or-Treat will be held on Friday, October 31 from 6-8 PM. The Halloween Parade will be held on Tuesday, October 28 at 7:30 PM.

Manager Sterner reported that 11 skunks and 22 miscellaneous animals were trapped throughout the Borough over the past four weeks. The trapper has finished his work, and recommends that we continue trapping efforts next spring.

Moved Mrs. Gustafson, seconded Mr. Troxell to authorize the Solicitor to advertise an amendment to the Garbage Hauling License to be adopted at the November Council meeting. Motion carried unanimously.

Council discussed the Zoning Ordinance issue on the Myers property. Mr. Eline stated that Council, after more than three years work, is now ready to finish the zoning ordinance. He asked what Council will do if many more property owners now come forth asking for reconsideration of their zoning. He was sorry that Mrs. Myers had not attended earlier meetings and hearings to voice her concerns, but feels that it is now too late.

Mrs. Myers told Council she feels as if she is being pushed out of her home that has been in the Myers family for 100 years. She feels the hospital wants her to sell her property.

Moved Mr. Eline, seconded Ms. Giles to adopt the Gettysburg Borough Zoning Ordinance with the following changes: 1. Delete sub-section 1525.4D on page 15-23 relating to tires; 2. Delete sub-section 1525.5 on page 15-23 relating to keeping of pets; 3. add the following definition to section 201. Definitions: PAVING or PAVED - to lay or to cover with materials that form a firm surface such as concrete, asphalt or compacted stones. Other materials that are marketed for the purpose of paving shall also be considered paving. All materials shall form a solid area that would not allow materials to be washed away or move from its original location. For the purpose of this definition, asphalt or concrete shall be used in all parking areas and driveways into parking areas with nine (9) or more spaces. Parking areas with eight (8) or less spaces may use alternative materials under this definition. Refer to the Boroughs Technical Provisions (Standards) for construction details; 4. Replace the word "shall" with the word "to" in line 4 under Section 1704 on page 17-4; 5. Replace the word "are" with the word "area" in the first line of section 1804.J.2 on page 18-6; 6. Zoning Map Change- The present R-O District on the East side of Carlisle Street, North of Lincoln Avenue is to be changed to reflect the R-2 District; 7. Add Chapter 19. Adopting a repealer section repealing the existing (OLD) zoning ordinance. Mrs. Gustafson abstained from the vote. YEA: Ms. Giles, Mr. Eline, Mr. Troxell, Mr. Schmitt and Mr. Woodward. Motion carried.



Mr. Eline reported that the Community Development Committee is continuing its efforts to convince Giant Foods to keep the grocery store in town. They are also continuing their talks with Kennie's market.

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

Mr. Troxell requested that we order copies of the Inter-Governmental Cooperation Handbook for other members of Council.

Mrs. Gustafson thanked everyone who attended the 25th HARB anniversary celebration.

Mrs. Gustafson mentioned that she feels badly for the Bollinger's, that they had spent money prior to obtaining HARB approval. They apparently were not properly informed by their contractor, Jay McDannell who also owns property in the Historical District.

Mrs. Bollinger ask what they can do at their property to replace the windows properly.

Dr. Powell gave a brief summary on what the Bollinger's could do to replace their windows. He noted that if they would have come to HARB before starting the work they would have been instructed as to what types of windows are appropriate.

Moved Ms. Giles, seconded Mr. Eline to approve HARB consent agenda. Motion carried unanimously.

Moved Mrs. Gustafson, seconded Mr. Troxell to instruct the Code Enforcement Officer to prepare a check list to be completed with building permit applications and signed by both the applicant and CEO. This will better inform the applicants, as well as our office in ensuring that all regulations have been discussed. Motion carried unanimously.

Moved Ms. Giles, seconded Mrs. Gustafson to authorize the solicitor to advertise for adoption the following ordinances: Garbage and refuse collection ordinance; parking violations required to permit booting; on-street metered parking fines; and, general parking regulations to pay reduced penalties within certain periods. Motion carried unanimously.

Moved Ms. Giles, seconded Mr. Woodward to approve a resolution that would increase the current towing and storage fees as follows: Towing from \$35.00 to \$45.00; First day storage from \$10.00 to \$15.00, and; daily storage from \$2.00 to \$5.00. Motion carried unanimously.

Moved Mrs. Gustafson, seconded Ms. Giles to approve a 3% Cost of Living increase to each of the three current police pensioners: Rodney Ashman, Roosevelt Sistrunk and Russel Potter. Motion carried unanimously.

#### Managers report:

State pension funds were received in the amount of \$91,900 and distributed for uniformed and non-uniformed employees pension funds.

The state firemen's relief funds were received and distributed to the Firemen's Relief Fund.

Dr. Samuels parking lot contract will expire in November. He has requested that the agreement be terminated and that the meters be remove from his parking lot. The Borough will remove the meters October 31.

Council has yet to name a person to fill the vacancy on GMA caused by the death of Allen Larson.

The application to PEMA for HAZMIT funds (\$60,000) was denied on the basis of no study verifying that the work will be worthwhile. We have 60 days to appeal. The Army Corps of Engineers have offered to help with the Borough Study. Borough Engineer Andy Brough will attend the Finance Committee meeting to give his recommendations to Council. The deadline to respond to the Army Corps is October 24.

Moved Mrs. Gustafson, seconded Mr. Woodward to accept the G.H. Harris exoneration report for tax year 1996. Motion carried unanimously.

Mr. Trostle, Main Street Director, gave Council a report on the activities of Main Street. He informed Council that he will be attending the monthly Council meetings.

Mr. Sterner noted that the Finance Committee will hold the annual budget meeting on Tuesday, October 21 at 7:00 PM. It is customary that all of Council attend.

Mr. Weikert reported that members of the fire department were presented with valor awards for the rescues performed during the flood of 1996. He continued with a report on the 1998 State Fire Convention to be held in Gettysburg next September, and that it is dedicated to Eisenhower.

Mr. Little reported that a group from England is planning a tour of the United States. They will be passing through Gettysburg. Approximately 100 vehicles (Rolls & Bentley's) are expected to come through Gettysburg.

With no further business the meeting was adjourned at 10:15 PM.

Respectfully submitted,



Sara L. Stull  
Borough Secretary