

COUNCIL MEETING
September 8, 2003

President Streeter called the meeting to order at 7:30 PM with the following councilors present: Jamie Fleet, John Eline, Holly Giles, John Murphy, Bill Monahan, Caroline Smith, Bob Miller, and Mayor Troxell. Staff present included: Manager Sterner, Parking Manager Little, Historic Preservation Officer Powell, Recreation Director Corson, and Sergeant Grissom.

Citizens in attendance included Ms. Kristina Powell, Ms. Vickey Monrean, Mr. Craig Killmeyer and Ms. Denise Doyle Killmeyer, Mr. Jacob Schindel, Ms. Pauline Peterson, Mr. Dick Peterson, Mr. John Manley and his mother.

Representing the press were Ms. Beth Kanagy of the Gettysburg Times and Mr. Rob Jordan of the Hanover Evening Sun.

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

Moved Mr. Miller, seconded by Mr. Monahan to approve the August 11 Minutes as presented. Motion carried unanimously.

Mr. Streeter welcomed all to the meeting and asked for comments from citizens in attendance.

Mr. Schindel commended on how well received the Gettysburg College "Frosh" walk was from both the students and the residents of Gettysburg. President Streeter agreed with Mr. Schindel and said that many of the councilors and Mayor Troxell who participated in the ceremony found it worthwhile and rewarding.

Hearing no other comments from citizens, President Streeter turned to Sergeant Grissom to present the "Officer of the Month" award. Ms. Grissom said that the "Officer of the Month" award for August will be presented to Patrolman Keith Stambaugh. Officer Stambaugh was not present to accept his award.

President Streeter remarked that Councilor Brian Allen has decided to further his education out of state and will no longer be able to serve as councilman to the residents of the Third Ward. Mr. Allen has provided a letter of resignation.

Mr. Miller made a motion, seconded by Mr. Murphy to accept the resignation of Brian Allen effective August 25, 2003. Motion carried unanimously.

Mr. Streeter explained that the resignation of Mr. Allen creates a vacancy on Council. The citizen chosen by Council tonight will be appointed to serve until January 1, 2004. This seat was already on the November ballot. Mr. Streeter explained that there is much work and responsibility associated with the position. With the toss of a coin, Mr. Peterson was chosen to address council first.

Mr. Peterson said he was a 24 year resident of the Borough and had 20 years experience with local business on Steinwehr Avenue. He thanked council and councils past for making the Borough of Gettysburg a pleasant place to live and he would like to repay the community by serving as Councilman of the Third Ward. He believes Chief Garcia is doing a good job with drug enforcement. He also expressed concern over the vacant Giant Store and the high taxes that residents and homeowners have to pay.

Mr. Streeter asked for questions of the applicant. Ms. Giles asked Mr. Peterson if and when he has expressed interest in local government previously to which he replied that he has run for councilor of the Third Ward against Councilor Miller after the death of Mr. Woodward two years ago. Mr. Murphy asked Mr. Peterson to describe the Third Ward. He did so both geographically and demographically. Mr. Miller inquired as to why he did not run on the ballot for November to which Mr. Peterson replied that he believed Mr. Allen was doing a good job and did not want to run against him. With no other questions, President Streeter asked Mr. Manley to address council.

Mr. Manley said he was a resident of the Borough for 1-1/2 years operating the Colton Motel but has had an interest in the community for over 30 years. He is concerned with the safety, growth and stability of the community. Issues of particular interest include finding a solution to the noise pollution and large amount of traffic that passes through the Borough. He believes the police department is underfunded and with a large workload from residents and visitors alike. He would like to see a greater community spirit more so than just a town flag. He was also concerned with the proposal that Council is considering for the disposition of the Wills House. He would like to see greater communication between council, residents and business owners.

Mr. Streeter asked councilors if they had any questions for Mr. Manley. Ms. Smith asked Mr. Manley if he was a team player. He replied that he was and learned to be a team player during his service in the U. S. Coast Guard. Mr. Fleet asked Mr. Manley how he plans to increase funding to the police department at the same time cutting taxes and what programs he would cut to balance increased funding. Mr. Manley replied that he would like to increase use of alternative funding sources such as grants and loans. Mr. Murphy asked Mr. Manley on his description of the Third Ward to which he replied both geographically and demographically. Hearing no other questions, President Streeter complimented both candidates on their interest in the position and their willingness to serve their community. He then asked for motion to nominate one to the vacant council seat.

Ms. Smith made a motion to adopt a resolution to appoint Mr. Peterson to the vacant Third Ward seat. The motion was seconded by Mr. Murphy and open for discussion. Hearing no further discussion, President Streeter called for a roll call vote. Motion passed 7-1.

Mayor Troxell immediately administered the Oath of Office to Mr. Peterson who then assumed his position on Council.

Mr. Streeter asked for the Mayor's report. Mayor Troxell informed council of the next Association of Borough's meeting on September 15th at 6:30 at the Gettysburg Family Restaurant and invited all interested Councilors to attend.

President Streeter proceeded to the Committee Reports. He explained that the National Park Service has appraised the value of the Wills House at \$550,000. He indicated that this is \$50,000 more than the Borough had paid for the Borough yet is \$10,000 less than total costs including interests and settlement costs. He is convinced that offering the building to the National Park Service will be in the best interest of the residents and visitors to the Borough. Local tax payers will not be burdened with the \$6.5 million expense and the rehabilitation project will be done well thus serving the Borough's interest of keeping the historic building available to visitors preserving its legacy. Mr. Fleet commented that he believes the appraisal is fair and will NPS ownership will forever institutionalize NPS in the downtown. Ms. Giles added that the Borough initiated this concept, not the NPS. She believes the offer is fair and in the best interest of the taxpayers.

Mr. Streeter made a motion to adopt a resolution authorizing the execution of the Corporate Offer to Sell Real Property for the purpose of selling the improved real estate known as the Wills House to the United States of America for a sales price of \$550,000 and to further authorize the President of Borough Council and the Assistant Secretary to execute the offer to sell real property and all other settlement documents necessary to complete the sale of the Wills House to the United States of America. The motion was seconded by Mr. Monahan and passed unanimously.

In regards to the Transportation Task Force, Mr. Streeter he will be testifying to PennDOT on October 17th in regards to the Adams County East West traffic initiative.

Mr. Fleet reported the College Relations Committee did not met this month but he would schedule a meeting the third week in September. The agenda includes an update on the Phi Delta Theta fraternity house, "Frosh" walk review, and an update on the progress of the Majestic Theater.

Mr. Fleet reported that the Gettysburg Municipal Authority Board is working on a revised management agreement.

Mr. Eline remarked briefly on the August 22nd Community Development minutes regarding St. Paul's AME Zion Church. Dr. Powell had recently issued a stop work order at the church (covering soffitt and facia with aluminum) because the church is in the historic district and did not obtain Historic Architectural Ordinance review and approval. The church chose to wrap the windows after the contractor said painting them was no longer an option because the wood had rotted. Dr. Powell has been in contact with the church and a follow-up meeting has set for Wednesday, September 24 at 7:00 PM at the AME Zion Church. Councils will investigate options to assist the church in its repairs.

Mr. Eline continued by reporting that the Regional Economic Development District Initiative (REDDI) Steering Committee met during the Community Development meeting as

well. It was suggested that an official map of the REDDI area be defined as permitted in Article IV of the Municipalities Planning Code to provide some protection from incompatible development until acquisition and/or development plans are underway. An official map requires action from council and will be used as a tool to set limitations and guidelines for potential developers as well as assist the Borough in legal action if necessary.

Dr. Powell asked council to consider filing a joint application with the Adams County Economic Development Corporation in the amount of \$40,000 to the Economic Development Agency (EDA) of the Department of Commerce. Council indicated a preference to obtain additional information prior to making a decision and asked for ACEDC to attend the next Community Development meeting on September 22nd.

As Chairman of Main Street Gettysburg, Mr. Eline apologized to Council because Ms. Alice Estrada, interim director for Main Street Gettysburg, was not able to attend tonight's meeting due to a schedule conflict. He will invite her to October's meeting. Main Street Gettysburg has a new Treasurer, Mr. Larry Defuge, replacing Bill Kough. Mr. Defuge is a CPA and will be a benefit to the organization. Main Street Gettysburg is working on restructuring memberships to a tiered approach and working on budgetary needs.

Mr. Eline informed council that the Sister City Commission will meet on October 6th.

Ms. Giles reported that the Safety Committee will be reviewing the Regional Police Study, news rack regulations and noise pollution at the next meeting on September 15th. They will also review the revised Civil Services regulations, prepared by Attorney Durrant, so that a recommendation can be made to Council in October.

Mr. Streeter informed council that the demonstration crosswalk on Baltimore Street that was installed last year has been damaged and no longer operational. PennDOT and the company that installed the crosswalk are in discussions concerning the repair.

Mr. Murphy made a motion, seconded by Ms. Smith to approve all bills and payroll. Motion passed unanimously.

Mr. Murphy informed council that as budget season approaches, the Borough does not have an estimate for Pillow (Occupancy) Tax revenues since we have received only one installment of \$20,000 in November 2002. Despite a request for information from Manager Sterner, the County has not given the Borough a check or a report on what to expect for revenue.

Mr. Monahan reported that the Legislative Committee will hold a public meeting on Wednesday November 5th at 4:00 PM in Council Chambers to discuss the Sign Ordinance. He will be meeting with Senator Punt to discuss Pillow Tax and other issues.

As liaison to the Historic Architectural Review Board, Ms. Smith commented briefly on the consent agenda for August 20th and noted that the Board recommended denial of the window wrapping by St. Paul's AME Zion Church but that the Community Development Committee is working with the Church to find a solution. Ms. Giles asked if the church was also seeking

funding from sister congregations and their parent church to which Dr. Powell replied that they had not done so to his knowledge. He added that the gutter and downspout problem is an immediate problem and until they are fixed, the church will continue to have water damage to the structure. There is a meeting scheduled with the Church and Borough staff on Wednesday, September 24 at 7:00 PM.

Ms. Smith made a motion, seconded by Ms. Giles to approve the Historic Architectural Review Board (HARB) consent agenda. Motion passed unanimously.

Ms. Smith informed the committee that a workshop will be held on September 16th on Latinos rights and responsibilities in Adams County. She will attend, as will Chief Garcia and Mr. Eline and invited others to attend.

Mr. Miller reported that the Public Works committee met in August but no agenda items. With the assistance of Borough Engineers, CS Davidson, the skate park is proposed to open in the spring.

Mr. Peterson thanked council for giving him the opportunity to serve his constituents.

Ms. Giles asked Solicitor Eastman regarding the zoning of the Epley Building at 100 Chambersburg Street. The property is zoned as "Old Town" and a proposal to convert it to a drug rehab center would not meet current zoning. The owner can ask for a variance but must prove unnecessary hardship and that the building can not be used for any other permissible use under the "Old Town" Zoning. He noted that drug rehab centers are permitted by right in other areas of town.

President Streeter and councilman Eline have both discussed the Giant problem with the Federal Trade Commission. In addition, he, Mr. Eastman and Mr. Sterner met with the Pennsylvania Attorney Generals office. They were following up on our initial request to look into the matter.

Mr. Miller made a motion, seconded by Ms. Giles to accept the resignation of Assistant Secretary Kristina Powell. Motion passed unanimously.

Mr. Miller moved, seconded by Mr. Eline to adopt a resolution to appoint Charles W. Sterner as Assistant Secretary. Motion passed unanimously.

Mr. Fleet moved, seconded by Mr. Miller to appoint Ms. Ramona Overton as Finance Director and to make her an authorized signatory for purposes of endorsing and signing checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit with Adams County National Bank. Motion passed unanimously.

Mr. Murphy moved, seconded by Ms. Giles to approve a 2.11 percent Cost of Living Allowance (COLA) for retired police officers Ashman, Wright, and Gantz. Motion passed unanimously.

Dr. Powell provided background on 117 Breckinridge Street and explained that he has arranged for South Central Community Action Programs (SCCAP) to undertake rehabilitation of the duplex. SCCAP agreed to project and will leverage with their HOME grant of \$20,000. The County has provided both grant funds and low interest loan for the work. The property was vacant and the site of drug related activity as well as loitering. Upon settlement, Chief Garcia arranged for a drug "sniffing" dog to inspect the house. They had numerous "hits" and found illegal drugs. After the rehab, SCCDAP will locate a qualified family to purchase the house. Some may recall that the east side of this duplex, occupied by a single mother, was rehabilitated with grant funds several years ago.

Mr. Murphy made a motion, seconded by Mr. Miller, to adopt a resolution to ratify the purchase of certain real estate known as 117 Breckenridge Street, Gettysburg, Adams County, Pennsylvania and to further ratify the execution of all necessary settlement documents by Charles W. Sterner, Borough Manager and/or Kristina E. Powell, Assistant Borough Secretary, said documents to include, but not limited to, all loan documents to the County of Adams for purposes of borrowing \$50,000 for the purchase and rehabilitation of said property. Motion passed unanimously.

Mr. Monahan made a motion, seconded by Ms. Giles, to adopt a resolution authorizing the entry into a loan agreement and commitment with the County of Adams for the purpose of borrowing an amount up to \$10,000 for use in the rehabilitation of 117 Breckinridge Street and to further authorize the Borough Council President and the Secretary or Assistant Secretary to execute the loan agreement and commitment and all other loan documents to include but not limited to a note and mortgage necessary to consummate the loan transaction. Motion passed unanimously.

Dr. Powell informed council that there will be a meeting of the Train Station Project Team, Gallagher and Associates, and John Milner and Associates at 10:00 AM on Friday September 12th. All are invited to attend and provide input.

A council workshop will be held tomorrow night, September 9 at 6:00 PM at the Gettysburg Hotel.

With no further business, moved Mr. Monahan, seconded by Ms. Giles to adjourn the meeting at 9:15 PM.

Respectively submitted,



Charles W. Sterner
Assistant Borough Secretary