

## COUNCIL MINUTES

AUGUST 9, 2004

President Streeter called the meeting to order at 7:30 PM with the following Councilors present: Ms. Giles, Mr. Monahan, Ms. Smith, Mr. Murphy, Mr. Miller, Mr. Peterson, Mr. Eline, Mr. Fleet and Mayor Troxell. Staff present included Manager Sterner, Chief Garcia, Rec Director Corson, Parking Manager Little, Public Works Director Gammell, Administrative Assistant Bush and Director of Planning, Walter Powell. Absent was Harry Eastman, solicitor.

Representing the press were Matt Majors of the *Gettysburg Times* and Erin Negley of the *Evening Sun*.

Others present: Raymond Kane and Attorney Don Dorr representing 22-24 W. Water Street; Laura Northup, Adams County Housing Authority and Adams County Interfaith Housing Corporation; Frank Leber, Rhoads & Sinon LLP; Adams County Commissioners Lucy Lott and Glenn Snyder.

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

Moved Mr. Monahan, seconded Ms. Smith to approve the July 12, 2004 minutes as presented. Motion carried unanimously.

County Commissioners Glenn Snyder and Lucy Lott attended the meeting to continue a dialogue with the Borough. Mr. Monahan thanked the Commissioners and extended the appreciation and compliments of the Borough Council. Mr. Eline asked the status of proposed greenways and bike paths. Mr. Snyder responded with that the county is encouraging all municipalities particularly the townships to pass ordinances to collect recreation fees that could be used to fund the Green Ribbon Commission's recommendations. The county is recommending regional parks and other joint planning among municipalities.

Mr. Fleet remarked that the Borough will come to the County at some point in the future to insist upon a larger share of the pillow tax. Mr. Murphy suggested that an additional 1% be added onto the pillow tax just for the Borough.

Mr. Peterson commented that the Rec Park serves far more than just Gettysburg residents but Gettysburg foots the bill. Mr. Monahan added that the Rec Park is already a regional park. Straban Township is the largest user outside of the Borough but makes no contribution.

Mr. Streeter recommends greater regional efforts including regional code enforcement, a county transfer station and police regionalization. Workshops could be held to begin discussions on these matters. Mr. Snyder responded that a county-wide building code appeals board is in the developing stages. He also noted that land use issues are a major concern at all municipal meetings the Commissioners have attended.

Officers of the month are Larry Weikert and Matt Harvey, who were not in attendance.

Mr. Frank Leber of Rhoads & Sinon LLP discussed proposed ordinance 1295-04, which would authorize short term borrowing for the purchase of parking meter mechanisms and a street sweeper. A lease purchase agreement had been considered with an interest rate between 3.65 %



and 5%. However an agreement with Adams County National Bank would provide funds for an outright purchase of the equipment. The funds could be borrowed for a five year period with a variable interest rate of 70% of local prime with a cap at 4%. The current rate is 2.79%. There will be no costs or penalties for prepayment.

Mr. Murphy made a motion, seconded by Mr. Peterson, to approve the enactment by Council of Ordinance No. 1295-04, in the form presented to this meeting, authorizing the incurrence of general obligation debt of this Borough to be evidenced by a General Obligation Note, Series of 2004, in the maximum principle amount of \$192,000 to provide funds for and toward a capital project consisting of the acquisition of electronic parking meter mechanisms and a street sweeper and the payment of related costs, fees and expenses. With all council members present, the motion passed unanimously.

Mr. Streeter noted that a Stormwater Management Workshop has been scheduled by the Planning Commission for Monday, August 23, at 7:30 pm in the Council Chamber. All Council members are encouraged to join the commission for this workshop. The Council's fall organization workshop will be held on Wednesday, September 8 at the Gettysburg Hotel beginning at 6:30 pm.

Mr. Fleet reported that the College Relations Committee will hold a meeting on August 19 beginning at 7 pm in Penn Hall, Gettysburg College campus. Ms. Smith may chair the meeting at the request of Mr. Fleet. The merger with GMA continues to move along.

Mr. Eline reporting for the Community Development Committee noted that a Request for Bids for the Train Station has been advertised. The bid opening will take place on September 8. The borough has authorized the removal of hazardous materials but PennDot must review the bids. Council should be able to award a contract for the removal in October. The active work on the Train Station could begin in late October or early November. The Community Development Committee must decide who will run the Train Station after the work is completed.

Main Street's summer assistant has completed a survey of the wayside exhibits with the assistance of Walt Powell and Jerry Bennett to determine which ones need repair. In preparation for the Elm Street Project, Main Street has contracted with a grant writer. Mr. Eline, seconded by Mr. Monahan, motioned to adopt the Cooperative Agreement with Main Street Gettysburg and to authorize the President and the Secretary to execute the document. The motion passed unanimously. Main Street will hold "Vision" workshops with stakeholders in the downtown on September 14 and October 12. Council members are welcome to join in the discussions.

Ms. Giles, reporting for the Safety Committee, motioned, seconded by Mr. Fleet, to instruct the solicitor to amend the towing ordinance (Chapter 15 Part 6) to designate private towing companies, private impoundment of vehicles and to set fees. The motion passed unanimously. The Safety Committee has also requested that the Borough purchase traffic cones. John Lawver will be directed to research and purchase such cones.

Mr. Monahan after looking at the YTD police data complimented the Police Department regarding follow up of cases. The 2004 data shows a significant increase over the number of cases followed up in 2003.



Mr. Murphy, reporting for the Finance Committee, noted that 66% of expected funds have been received. The police department is five percent over budget. Harben Chandler now owns the Elks Parking Lot and will receive 60% of the money collected from this lot.

Ms. Smith moved, seconded by Mr. Peterson, to approve all bills and payroll. The motion passed unanimously.

Mr. Murphy moved, seconded by Mr. Eline, to approve the 2003 Audit Report. The cost of the audit was \$50,000-\$60,000 significantly over the budgeted \$25,000. Mr. Murphy noted that this is not a normal year. 1. There are new accounting standards for governments that require a more rigorous audit. 2. The Borough converted from cash-based accounting to accrual-based. 3. There have been changes in personnel. Next year the Borough will be better prepared for the audit. All this will be taken into account when budgeting for 2005. The motion passed unanimously.

John Murphy, seconded by Bob Miller, moved to approve a \$4,000 appropriation to the Arts Council as a match for the 2005 PA Council on the Arts Grant. The motion passed unanimously.

Mr. Monahan spoke briefly on his discussion with Gettys Realty regarding the Petro Property.

Ms. Smith, Council HARB Liaison, spoke of the recent HARB meeting that lasted three and a half hours. Two major issues HARB dealt with were requests for the wrapping of wood elements with aluminum and the changing streetscape particularly along York Street. Both issues create a difficult challenge for HARB. Ms. Smith moved, seconded by Mr. Fleet, to approve the consent agenda for items A, B, C, D and H. The motion passed unanimously.

Items E, F and G dealt with requests for wrapping of the fascia boards and soffits along with window trim of two buildings on Water Street. Mr. Raymond Kane along with his attorney, Don Dorr, attended the meeting to appeal the decision of HARB in regard to his property at 22-24 W. Water Street. HARB had recommended approval for a portion his application but denied the wrapping of wood elements on the original brick portion of the building. Mr. Kane's contractor installed the aluminum wrapping on the soffit of the brick portion of the building without a building permit and even after a stop work order was issued. Mr. Powell noted that the building had a high level of integrity. Mr. Fleet motioned, seconded by Ms. Giles, that the consent agenda for items E, F and G be approved. The motion carried unanimously.

Ms. Smith moved, seconded by Mr. Eline, to approve the reappointment of Norman Forness and Karin Miller to the Historical Architectural Review Board. The motion passed unanimously.

Ms. Smith noted that the Shade Tree Commission would be meeting on Tuesday, August 10 at 7:00 pm.

Mr. Miller moved, seconded by Ms. Giles, to adopt an ordinance repealing the ordinance establishing the Rec Board. The motion passed unanimously. A tribute will be paid to those who have served on the Rec Board at the next council meeting.

Mr. Peterson noted that the Planning Commission is holding a special session on Monday, August 23, 7:30 pm to review the proposed Stormwater Management Ordinance based up the Monocacy River Watershed Stormwater Management Plan. The topic came up in the discussion of the plans for the Majestic Theatre. All council members are encouraged to attend.



There is a Zoning Hearing Board scheduled for Wednesday, August 25, 7 pm. The Majestic Theatre is on the agenda and council members are encouraged to attend.

Mr. Eline had several questions regarding the Solicitor's Report including the former Zentz apartments and York Waste Disposal—why was research done on this company when the Borough has an exclusive contract with Waste Management. Mr. Eastman, Borough Solicitor, was absent.

Mr. Sterner noted that the revised Employee Handbook was ready for Council's review. Mr. Fleet motioned, seconded by Mr. Miller, to approve the amendments to the Civil Service Rules and Regulations to allow the Civil Service Commission to conduct a sergeant's exam and create an eligibility list after September 27. The motion passed unanimously. There was a consensus on behalf of the Council to endorse the Littlestown pool grant application.

Mr. Fleet motioned, seconded by Mr. Murphy, to approve the J.P. Harris Exoneration List except for except for Sheri Martin, who is living in Texas. The motion passed unanimously.

Mr. Peterson moved, seconded by Mr. Eline, to approve a one-year contract with Middle Department Inspection Agency (MDIA) to provide third party inspections under the Uniform Construction Code (UCC). The applicant will be issued two permits, one from the Borough and one from MDIA. The motion passed unanimously.

Council adjourned to an executive session.

At the conclusion of the executive session, it was announced that the purpose of the executive session was to discuss information relative to negotiations for the purchase of real estate.

With no further business, Mr. Murphy moved, seconded by Ms. Giles, to adjourn the meeting at 9:20 pm. Motion carried.

Respectfully submitted,



Merry V. Bush

Administrative Assistant and Recorder