

SPECIAL MEETING MINUTES
JULY 19, 1993

President Simpson called the meeting to order at 7:00 PM with all of Council present with the exception of Mr. DeHaas. Also in attendance: Mayor Linn, Don Oyler, Chief Gantz, John Lawver, Larry Weikert, Dr. Walter Powell, Sharon Hare representing the Hanover Evening Sun, Gerald Brandon and Mary Patrick.

President Simpson opened the meeting calling for discussion on the adoption of the Resolution for condemnation of the Brandon Trailer Court Property located at 230-232 South Washington Street.

Dr. Powell stated that Adams County Interfaith Housing had made a formal written offer of \$67,500 to Mr. Brandon after the completion of an appraisal and review appraisal, but he rejected the offer.

Mr. Brandon said he is opposed to the acquisition of his property.

Mr. Oyler asked Mr. Brandon if there would be any other way to take care of this matter rather than condemnation.

Mr. Brandon replied that if the price was right he might be willing to sell. He felt that his property was worth more than the \$67,500 that Interfaith had offered. The person that did the appraisal was chosen by Interfaith Housing Corporation.

Mrs. Gustafson asked if he had undertaken his own appraisal? Mr. Brandon replied that he should not have to get the appraisal for if the asking price were what he expected he would be willing to sell. Interfaith didn't accept the first appraisal and got a second. He feels the appraised amount was only on a vacant lot and didn't take into consideration the trailers.

Mrs. Simpson responded that you normally get 2 appraisals on a property. What is Mr. Brandon's asking price?

Mr. Brandon said he was not prepared with a figure tonight but would guess \$120,000 to \$150,000 would be in his price range.

Ms. Giles asked Dr. Powell how the appraisals were handled.

Dr. Powell responded that since Interfaith was proposing to use federal funds to acquire the property, it had to undertake a request for proposal to secure an appraiser, and that appraiser had to be duly qualified based on state guidelines. The first appraiser chosen by low bid did not meet those guidelines, so Interfaith had to choose another. The second appraisal did meet state guidelines, but the appraiser determined that the trailers had no real value so the final appraisal essentially considered just the value of the lots.

On April 27, 1993 the appraisal was completed, and determined a value of \$67,500. No formal written counter offer was offered by Mr. Brandon but in conversation with Ms. Virginia Wilhelm, Director of Adams County Interfaith Housing Corporation, he indicated an asking price of \$88,000 to \$89,000.

Mrs. Gustafson asked why Mr. Brandon didn't solicit someone to do an appraisal when he found out that someone was interested in his property?

Mr. Brandon noted that he is not hard to get along with and again if the price would have been right he would have accepted the offer. Of the 9 trailers there are 4 vacant at this time but they are in nice shape and look new inside. The rental fee is calculated on an income basis with the average rate per trailer at \$250.00. Mr. Brandon doesn't care for the way Interfaith was handling this matter.

Mr. Schmitt noted that the property value is a fair price and that Mr. Brandon could move the trailers elsewhere.

Mr. Troxell said it has been 1 year since the matter of selling this property had been discussed.

Mr. Weikert said this is a pre-existing lot and doesn't meet Borough Code at this time.

Mr. Brandon said he doesn't want to move the trailers, for everything should go together. He would have nowhere to take the trailers.

Mrs. Gustafson said that if they have any value and look new then the owner should be able to sell them.

Ms. Giles responded that Mr. Brandon probably couldn't find anyone to rent these trailers except in the Third Ward.

Mr. Oyler asked Mr. Brandon if anything else could be done to eliminate this problem besides condemnation?

Mr. Brandon said another person had sold his trailer park in Taneytown for \$400,000 and that property was not much different than this one, and if he were offered a fair amount he would be willing to sell. He feels that he should not pay for an appraiser because Interfaith should be able to offer him an agreeable price.

Mrs. Gustafson noted that this property would no longer be zoned commercial if the property was sold. This has since been changed to a residential area from when Mr. Brandon purchased the property.

Dr. Powell read the Resolution before the vote would be cast.

Mrs. Gustafson asked one last time if anything else could be done to solve this problem before condemnation.

Mr. Oyler responded that the property could be purchased directly from Mr. Brandon if a price could be agreed on. Otherwise the Court will decide the price.

Moved Mr. Schmitt, seconded Mr. Troxell to adopt a Resolution of the Borough of Gettysburg determining the Brandon Trailer Court property in the Borough of Gettysburg to be a blighted area, authorizing the filing of a declaration of taking to appropriate such property in fee simple, the undertaking of the redevelopment thereof as of a community development program and the taking of all other actions that may be necessary or desirable to those ends. Motion carried unanimously.

Dr. Powell reported that he will notify the tenants in writing that condemnation is pending. Those tenants would be helped with replacement housing and would be eligible for relocation assistance.

Mr. Oyler responded that it is still possible to negotiate if an agreement can be reached.

With no further business Mr. Schmitt moved, seconded by Mr. Troxell to adjourn the meeting at 7:30 PM. Motion carried.

Respectfully submitted,

Sara L. Weaver

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Borough of Gettysburg

**A RESOLUTION OF THE BOROUGH OF GETTYSBURG
DETERMINING THE BRANDON TRAILER COURT PROPERTY
IN THE BOROUGH OF GETTYSBURG TO BE A BLIGHTED
AREA, AUTHORIZING THE FILING OF A DECLARATION OF TAKING
TO APPROPRIATE SUCH PROPERTY IN FEE SIMPLE, THE
UNDERTAKING OF THE REDEVELOPMENT THEREOF AS
OF A COMMUNITY DEVELOPMENT PROGRAM AND THE
TAKING OF ALL OTHER ACTIONS THAT MAY BE NECESSARY
OR DESIRABLE TO THOSE ENDS**

WHEREAS, the Borough of Gettysburg has determined that the Brandon Trailer Park property situated on the East side of the third block of South Washington Street in the Borough of Gettysburg and more particularly described on Exhibit "A" attached hereto, has become blighted due to the unsafe, unsanitary and inadequate condition of the mobile home dwellings located thereon; and

WHEREAS, the Borough has also determined that such blighted area requires acquisition, clearance and redevelopment in order to promote the public health, safety, and welfare; and

WHEREAS, the Borough of Gettysburg has the authority to enter upon and appropriate private lands for purposes authorized by the Borough Code; and

WHEREAS, this Borough is authorized by the Borough Code to undertake community development programs including, but not limited to, neighborhood development projects; and

WHEREAS, the Borough intends the redevelopment of such property as part of its continuing program to improve the inadequate condition of much of the housing in certain neighborhoods of its third ward.

NOW THEREFORE BE IT RESOLVED, that this Borough hereby formally makes the determinations set forth in the above premises;

FURTHER RESOLVED, that this Borough undertake a community development program to redevelop the housing on such property and, to that end, exercise its power to enter upon an appropriate such property in fee simple;

FURTHER RESOLVED, that the officers of this Borough be, and hereby are, authorized and directed to execute and file a Declaration of Taking as well as all other instruments and documents, and to do any and all other things that may be necessary and useful in order to carry out these resolutions and consummate such community development project;

FURTHER RESOLVED, that just compensation for the taking of such property is estimated to be \$ 67,500.

I do hereby certify that I am the duly qualified and acting Secretary of Borough of Gettysburg; that the foregoing Resolutions were adopted at a special meeting of the Borough Council of that Borough duly held on July 19, 1993, after Notice duly given, at which meeting a quorum was present and voting; and that such Resolutions have not been amended nor rescinded and remain in full force and effect on the date hereof.

Date: July 19, 1993

July 19, 1993

Sara L. Weaver
Secretary

Grant Simpson Pres.

Exhibit "A"

ALL those certain two lots of ground situate in the Borough of Gettysburg, Adams County, Pennsylvania, more particularly bounded and described as follows:

Tract No. 1: BEGINNING at a point at the edge of the sidewalk on the East side of South Washington Street, at corner of land now or formerly of Edna E. Eicholtz, et al.; thence along the East side of South Washington Street, North 5 degrees East, 60 feet to a point at corner of land of Roy M. Mundorff, about to be conveyed to Ellis Smith; thence along land of the same South 85 degrees East, 150 feet to a point at a twelve (12) foot wide alley; thence along the said twelve (12) foot wide public alley, South 5 degrees West, 60 feet to an iron pin at corner of land now or formerly of Edna E. Eicholtz, et al.; thence along land of the same North 85 degrees West, 150 feet to a point at the edge of the sidewalk on the East side of South Washington Street, the place of BEGINNING.

Tract No. 2: BEGINNING at an iron pin at the edge of the sidewalk on the East side of South Washington Street, at corner of a twelve (12) foot wide public alley; thence along the said twelve (12) foot wide public alley, South 85 degrees East, 150 feet to an iron pin at corner of another twelve (12) foot wide public alley; thence along the last mentioned twelve (12) foot wide alley, South 5 degrees West, 30 feet to a point; thence along land of Jacob Mundorff, deceased, about to be conveyed to Ellis Smith, North 85 degrees West, 150 feet to a point at the edge of the sidewalk on the East side of South Washington Street; thence along the East side of South Washington Street, North 5 degrees East, 30 feet to an iron pin at the edge of the aforesaid sidewalk, the place of BEGINNING.

BEING the same which Roy E. Thomas and Julia M. Thomas, his wife, by their deed dated September 22, 1976, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Deed Book 326 at Page 1106, sold and conveyed unto Gerald Brandon and Frances Yvonne O. Brandon.