

COUNCIL MEETING MINUTES SEPTEMBER 14, 2015

President Michael Birkner called the meeting to order at 7:00 PM with the following Councilors present: Mr. Jacob Schindel, Mr. John Butterfield, Mrs. Susan Naugle, Mr. Graham Weaver, Ms. Rebecca Brown, Mr. Robert Krummerich, Mr. Scot Pitzer, Mr. Leonard Andrews and Mayor William Troxell. Staff present included: Manager Charles Gable; Borough Secretary Sara Stull; Solicitor Harold Eastman; Chief Joseph Dougherty; Finance Director Nicolette James; Planning Director Scott Dellett and Public Works Director Dan Hilliard.

Others present included: Deb Adamik, President, Main Street Gettysburg; Wesley Heyser, 226 North Stratton Street; Charles Strauss, 38 West Middle Street; AmyBeth Hodges, 137 Ridge Avenue; Todd Mickley, Steinwehr BID, 217 Highland Avenue; Jackie White, Steinwehr BID, 89 Steinwehr Avenue; Paul Witt, Steinwehr BID, 380 Steinwehr Avenue, Ron and Marybeth Sprankle, 333 Baltimore Street; Megan Ziegler, 119 East Middle Street; Chuck Teague, 125 East Middle Street; Steve Hemler, 535 York Street; and Gene Golden, 145 Herrs Ridge Road. Representing the press were Jim Hale of the *Gettysburg Times* and Lillian Reed of the *Evening Sun*.

President Birkner announced that an executive session of the Borough Council of the Borough of Gettysburg was conducted immediately prior to the adjournment of the August 10, 2015 Borough Council meeting consistent with section 708(a)(1) of the Sunshine Act. An executive session of the Borough Council shall be conducted immediately prior to the adjournment of this meeting consistent with section 708(a)(1), section 708(a)(3) and section 708(a)(4) of the Sunshine Act for the following purposes: (1) to discuss matters involving the employment, the terms and conditions of employment, the evaluation of performance of Borough employees and to discuss matters of employment as related to the staffing of the Borough Police Department; (2) to discuss matters involving a proposed lease of real property by the Borough; and (3) to consult with the Borough Manager and the solicitor regarding information in connection with matters on which identifiable claims could be made against the Borough and to provide an update relative to the civil suit captioned James and Peggy Poorman vs. Bonita Wentz trading and doing business as Wentz Stained Glass Studio, James Wentz, Shaffer Design Associates, Gettysburg Construction Company and the Borough of Gettysburg filed to docket No. 13-S-491 in the Court of Common Pleas of Adams County.

Moved Mr. Andrews, seconded Mr. Krummerich to approve the agenda as presented. Motion carried unanimously.

Moved Mr. Pitzer, seconded Ms. Brown to approve the August 10, 2015 minutes after making a typographical correction. Motion carried unanimously.

Public Comment:

Amybeth Hodges, 137 Ridge Avenue, asked about the status of the REDDI Project property. President Birkner responded that he has had an email contact with the chair of the County Commissioners, and would be attending a meeting on the subject with the various stakeholders. He expected several Council members to attend this meeting.

Deb Adamik, President, Main Street Gettysburg, read the following prepared report:

I have 3 matters of interest that I would like to make tonight:

- 1) First on behalf of the Baltimore Street Historic Pathway Revitalization Event Committee, I would like to invite:
 - all of you on the Borough Council and staff
 - and the entire community

To a fun Friday evening in downtown Gettysburg on October 2 from 5:00 p.m. to 8:00 p.m. called “Steppin’ Out In Lincoln’s Footsteps.” This event is a part of the “Baltimore Street Historic Pathway Revitalization Project” currently underway to improve the sidewalks, lighting and infrastructure of Baltimore Street.

This community event is in collaboration with GARMA’s First Friday and Gettysburg – Leon’s Salsa on the Square

The purpose of the event is to engage the community in learning more about the historic pathway revitalization program, to encourage both the local community and visitors to discover the merchants, restaurants and businesses along Baltimore Street, and to support the rest of the activities going on that night in downtown.

There will be free music, history, food and activities all along Baltimore Street, along with a family fun center at Unity Park.

- 2) The second point I my sincere appreciation to the Baltimore Street community who has been so enthusiastic about this project. Friday I was fortunate to talk to over 50 businesses (I lost count because I ran out of invitations). So many of these businesses, once they heard that this was a community event, were willing to stay open longer and offer fun things to help the event.

This project touches all 3 wards in the town. There are over 30 people who have asked to be on the larger committee including residents, businesses, property owners and others from outside of the neighborhood. There are 15 on the events committee. I truly hope all of you will come and show this neighborhood your support.

- 3) As you know MSG supports several areas in town and this third update will be something that impacts the entire historic downtown. On behalf of Main Street, MSG has a draft “Welcome Packet and Business Guide.” We have been meeting with the businesses in downtown and distributing these kits for them to give us their business perspective.

On October 13, Dave Sites will be sponsoring a Realtor’s Luncheon where we will be sharing these packets, soliciting their input and hosting a dialogue with the realtor’s about the types of businesses that our town would like to attract.

This is Main Street’s beginning steps in building a relationship with the many partners that need to work together to help improve the economy in our town that supports a healthy business environment.

Ron and Mary Beth Sprankle, 333 Baltimore Street, said that they are excited about the Baltimore Street Revitalization Project. Ron pointed out that there is an exceptional group of committee members working on this project, and said that it will be a great benefit for Baltimore Street.

Paul Witt, Steinwehr Avenue BID, commented about the removal of light poles on Steinwehr Avenue. He agrees that it is not an easy decision for Council to make, and said that it has met with some controversy. Paul also wanted to point out that the state approved the application for funding for this project, and that it would be an unbiased decision to consider.

Wesley Heyser, 226 North Stratton Street, said that he was glad to see that the police body cameras are on the agenda for approval tonight. He expressed concern regarding the relocation of utility poles on Steinwehr Avenue, and said that it is a significant amount of money to move these poles. Wesley said that when the Borough applied for the grants, it was thought that there would be no cost to the Borough.

Scott Dellett commented that when the grant application was submitted, the Borough was aware of the matching grant. He said that it was decided through the Borough's consultant that the Borough use the federal funding for the project as the match. Scott pointed out that the Borough was charged with finding a solution to deal with the shortfall that dealt with other elements of the project and not just the poles. Council agreed to pursue this option to finish this project.

Chuck Teague, 125 East Middle Street, said that Gettysburg is a historic and charming town, and appreciates the work that HARB and Main Street provide to help keep it that way. Chuck asked Council and management to review the sign ordinance annually to consider proper enforcement to continue to keep Gettysburg a charming town.

Todd Mickley, Steinwehr Avenue BID, commented that the BID Board agreed to pay for 30 percent of the required local match of what the Borough would pay to have the utility poles relocated. He pointed out that the tax dollars that Steinwehr will add to the Borough would help offset what it would cost the Borough, noting the new buildings currently being built and refurbished along Steinwehr Avenue.

Gene Golden, 145 Herrs Ridge Road, expressed concern regarding the recent flurry of letters to the editors about the County Human Services building relocation, causing conflicting messages to local citizens. Gene said that he was displeased that Councilman Butterfield was not more vocal when he served on the committee that was researching this project. He noted that he was happy to see that President Birkner has spoken with the County Commissioners about the borough as potential option. Gene pointed out that Charles Strauss has taken his own time to speak to Council in order to ask them for their participation in this process, because he feels it is important. He suggested a public meeting be held to discuss this issue before a decision is made.

John Butterfield read a prepared statement regarding Judge George Advisory Committee as follows: "The Court Facility Advisory Committee (CFAC) was formed in February 2014 and was tasked with assessing the current state of court facilities with a view toward the best option to further the dual interests of efficient service delivery in a financially responsible manner (from CFAC final report). Seven options were presented that met the financial ceiling of \$8.3 M. With no special interest involved, the committee was to select the option that would best serve the 100,000+ residents of Adams County. After carefully studying the pros and cons of each option proposed by the County, the Committee

unanimously agreed that construction of a Court Facility building on property owned by the County in Straban Township was the best option. The final report was written and submitted to Judge George and the County Commissioners. Some months later, it was determined the Straban option would exceed \$8.3 M. and new locations were explored. Now, 17 months later, the Committee is being criticized--specifically that no one championed one of the 6 options located inside the Borough. There were 2 Gettysburg residents on the Committee, Mr. Stan Clark and I. For either of us to support a less than optimum location just because it was inside the Borough would have been highly unethical. After all, the decision which we were charged with making was to select a location that was best for all residents of Adams County-not just Gettysburg residents. Although it was public knowledge that I was on the Committee, during our deliberations no one ever contacted me regarding their concern about the Court Facility being located outside of Gettysburg. Also no one voiced such concerns to the Committee as a whole. After submitting our recommendation, the Committee was disbanded in March, 2014”.

John Butterfield suggested that anyone interested could still review the final report on the Adams County Website.

Charles Strauss, 38 West Middle Street, commented that his letter to the editor was not in any way against any member of Council. He commended Mr. Butterfield for his service on that committee.

Mayor Troxell announced that the Adams County Boroughs Association meeting will be held on Monday, September 21st at 6:00 PM at the Pike restaurant. Anyone interested should contact Sara Stull to register.

Jacob Schindel

Public Works Committee

Moved Mr. Schindel, seconded Mrs Naugle to approve Change Order #1 to the East Middle Street Reconstruction Contract with Kinsley Construction Inc., which extends the deadline for completion to November 15th. Motion carried unanimously.

Moved Mr. Schindel, seconded Mr. Butterfield to approve Change Order #1 to the 2015 CDBG Curb Ramp Replacement Contract with Kinsley Construction Inc., which extends the deadline for completion to October 5th. Motion carried unanimously.

Scot Pitzer asked what the Race Horse Alley discussion, referred to in the Public Works minutes, regarding traffic counts. Scott Dellett responded that it was to gather data on the use of Race Horse Alley. He said that it showed it to be an extremely heavily used route. President Birkner said that options should be discussed in a public forum regarding the alley. Solicitor Eastman pointed out that a public meeting would need to be held before Council could make any changes to the ordinance.

GARA report

Jacob Schindel announced that the 2015 Red, White & Blue - Color Run will be held on Saturday, September 19th. The event celebrates the idea of WELLNESS lifestyle in the community.

John Butterfield

Finance Committee

Moved Mr. Butterfield, seconded Mr. Krummerich to approve all bills and payrolls for the month as presented. Motion carried unanimously.

Moved Mr. Butterfield, seconded Ms. Brown to approve the Minimum Municipal Obligation (MMO) for the Gettysburg Police and Non-Uniformed Pension Plans for 2016. Motion carried unanimously.

Moved Mr. Butterfield, seconded Mr. Andrews to authorize the solicitor to prepare a resolution for subsequent adoption by the Borough Council for the purpose of establishing a comprehensive fund balance policy. Motion carried unanimously.

Financial Reports

John reported that the July 2015 pillow tax collected was \$23,691.48 and July 2014 pillow tax collected was \$18,590.60. So far for 2015 revenues are 11.9% ahead of 2014.

Steinwehr Avenue Heart of Gettysburg Battlefield (SAHGB)

Moved Mr. Butterfield, seconded Mr. Weaver to direct the Borough to apply for a Public Infrastructure Bank (PIB) loan to finance the relocation of 16 utility poles along Steinwehr Avenue that was part of the Phase 2 Streetscape project. After some discussion a roll call vote was taken. YEA: Mr. Andrews, Ms. Brown, Mr. Butterfield, Mrs. Naugle, Mr. Weaver and Mr. Birkner. NAY: Mr. Krummerich, Mr. Pitzer and Mr. Schindel. The motion passed 6-3.

Susan Naugle

Community Development Committee

Moved Mrs. Naugle, seconded Ms. Brown to approve and authorize the issuance of Certificates of Appropriateness for Items B (331 South Washington Street) and C (25 Carlisle Street), as set forth in the minutes of the August 19, 2015 meeting of the Historic Architectural Review Board consistent with the findings and recommendations of HARB as set forth therein. Motion carried unanimously.

Moved Mrs. Naugle, seconded Mr. Butterfield to enact an ordinance amending Chapter 19, Part 1 of the Code of Ordinances of the Borough of Gettysburg relative to street banners erected and displayed on a temporary basis for events sponsored by the Borough of Gettysburg or erected and displayed by the Borough for seasonal or for holiday purposes. Motion carried unanimously.

Graham Weaver

Public Safety Committee

Moved Mr. Weaver, seconded Mr. Butterfield to enact an ordinance amending Chapter 15, Part 10 of the Code of Ordinances of the Borough of Gettysburg regulating the Residential Permit Parking System relative to the issuance and display of residential parking permits and such other ordinance administrative and enforcement provisions. Motion carried unanimously.

Moved Mr. Weaver, seconded Ms. Brown to adopt a resolution for the purpose of establishing Terms and Conditions for the issuance of permits and the display of decals pursuant to the Residential Permit Parking System ordinance and to confirm the Borough's fees for the issuance of residential and guest parking permits. Motion carried unanimously.

Moved Mr. Weaver, seconded Ms. Brown to authorize the Gettysburg Borough Police Department to acquire body cameras for the use of its officers using only donated funds. Motion carried unanimously.

USS Gettysburg

Graham Weaver reported that the USS Gettysburg will be out of commission for three years for repairs.

Rebecca Brown

Human Resources Committee

Robert Krummerich

College Community Committee

Bob Krummerich announced that the College Community Committee meeting is scheduled for Thursday, September 17th at 5:00 PM.

Departments:

Chief Dougherty reported that he and the Borough Manager addressed the off-campus college students and explained what is expected of them while they are in Gettysburg.

John Butterfield asked if there are any special events scheduled within the next thirty days. Chief Dougherty said that the antique market is scheduled for September 26th.

Public Comment:

Steve Hemler, 535 York Street, asked Solicitor Eastman how Council can approve a grant with the understanding that it is a non-matching grant, and now are approving a matching grant. He referred to the April 14, 2015 minutes that states no matching grant. Solicitor Eastman replied that this is a public comment period and not an interrogation. Solicitor Eastman stated in response that it is his duty to advise Council against taking any illegal action and that Council's action taken earlier in the meeting to authorize the application for a (PIB) loan in order to borrow the matching funds required for the grant was not illegal.

Gene Golden, 145 Herrs Ridge Road, asked what Mrs. Naugle meant when she said there was no public comment regarding the approval of the sign ordinance amendment tonight. Mrs. Naugle explained that she asked if there was any public comment as a result of advertising this ordinance for the required period of time before Council adopted it.

Chuck Teague, 125 East Middle Street, encouraged Council to be thoughtful to the occasion and appearance of any banners that are put up.

Moved Mr. Butterfield, seconded Mr. Krummerich to adjourn the meeting to an executive session at 8:55 PM.

The meeting reconvened at 10:00 PM and made the following motion:

Moved Ms. Brown, seconded Mr. Krummerich to authorize the filling of the position of entry-level patrol officer with the conditional appointment of the sole individual currently on the eligibility list to be certified by the Civil Service Commission of the Borough of Gettysburg subject to the condition of the final certification of the eligibility of the individual upon the satisfactory completion of the background investigation. Motion carried unanimously.

With no further business to come before Council, moved Mr. Krummerich, seconded Mr. Pitzer to adjourn the meeting at 10:05 PM.

Respectfully submitted,

Sara L. Stull
Borough Secretary