

BOROUGH OF GETTYSBURG
59 EAST HIGH STREET, GETTYSBURG, PA 17325
COUNCIL MEETING MINUTES
JUNE 11, 2018

President Susan Naugle called the meeting to order at 7:00 PM with the following Councilors present: Vice President Jacob Schindel, Mr. Wesley Heyser, Ms. Patricia Lawson, Mr. Christopher Berger, Mr. Charles Strauss and Mr. John Lawver. Staff present included: Mayor Theodore Streeter; Borough Manager Charles Gable; Borough Secretary Sara Stull; Solicitor Harold Eastman; Planning Director Becky LaBarre; Parking Manager Richard Miller; Nickie James, Finance Director; Interim Public Works Director Robert Harbaugh and Chad Clabaugh, Borough Engineer, C. S. Davidson, Inc.

Others present include: Deb Adamik, President, Main Street Gettysburg; Carly Marshall, Comprehensive Planner, Adams County Office of Planning and Development; Zach Bolitho, representing the National Park Service (NPS); Mike Shestok, 264 Baltimore Street; Sue Cipperly, 314 North Stratton Street; Sarah Kipp, 126 Baltimore Street; Dominic Picarelli, 273 West Street; Carol Williams, 284 Victor Street; Pat Verderosa, 265 Victor Street; Darlene Brown, 40 South Street; Joe Dougherty, 113 East Middle Street; Jim Paddock, 1777 Fairfield Road; Lois Starkey, PO Box 26, Orrtanna; Becka Fissel, Borough Parking Enforcement Officer; Karen Mesher, Planning Assistant and Carl Segatti. Representing the press was Jim Hale with the *Gettysburg Times*.

President Susan Naugle announced the electronic device recycling is scheduled for Saturday, June 16th from 10:00 AM till noon. Borough residents must call to preregister.

President Susan Naugle announced that a public hearing is scheduled for June 25th at 6:30 PM. It is regarding the proposed zoning map amendment to reclassify 71 Buford Avenue.

President Susan Naugle announced that a ribbon cutting to celebrate the completion of Segment A of the Gettysburg Inner Loop Bicycle Trail is scheduled for June 10th at 10:00 AM. It will be held at the new bridge site located at 328 West Middle Street.

President Susan Naugle announced an executive session of the Borough Council was conducted immediately following the adjournment of the May 29, 2018 work session consistent with sections 708(a)(1) and 708(a)(5) of the Sunshine Act.

President Susan Naugle announced an executive session of the Borough Council was conducted immediately prior to the commencement of this meeting beginning at 6:30 p.m. consistent with section 708(a)(1) of the Sunshine Act to discuss matters involving the employment, the qualification for employment, the terms and conditions of employment and the appointment of a Borough employee and/or public officer.

Moved Ms. Lawson, seconded Mr. Schindel to approve the June 11, 2018 agenda as presented. Motion carried unanimously.

After making a verbiage change moved Mr. Lawver seconded Mr. Schindel to approve the Council Meeting Minutes of May 11, 2018 and the Council Work Session Meeting Minutes of May 29, 2018. Motion carried unanimously.

Public Comments:

Mike Shestok, 264 Baltimore Street, thank Council members for a good Ward meeting that they recently hosted for the citizens. Mr. Shestok also expressed his concerns again regarding the Adams County Comprehensive Plan and the Gettysburg Municipal Authority "Big Pipe".

Sarah Kipp, 126 Baltimore Street, member of the Planning Commission expressed her concerns and asked that Council be careful with their decision about the height in the proposed Residential Office Redevelopment District. The changes would be lasting and detrimental to the historic character.

Sue Cipperly, 314 North Stratton Street, addressed Council regarding the proposed Residential Office Redevelopment District and asked them to remember the neighborhood in that area where families reside. She said that changes in height could have an unfortunate impact on the neighborhood. Ms. Cipperly suggested Council to consider options such as open space to be included in the development to allow activities indoors year round.

Moved Mr. Schindel seconded Mr. Heyser to approve all bills and payrolls for the month as presented. Motion carried unanimously.

Moved Mr. Heyser seconded Mr. Schindel to authorize the preparation of an ordinance amending the text of the Gettysburg Borough Zoning Ordinance relative to certain dimensional standards throughout the Zoning Ordinance and providing for an incentive-based, extended height mixed-use building use to be permitted by special exception in the ROR Residential Office Redevelopment District and to add related definitions to Part 2 of the Zoning Ordinance and to add additional specific requirements and criteria for the proposed special exception use. A roll call vote was taken. YEA: Mr. Berger, Mr. Heyser, Ms. Lawson, Mr. Lawver, Mr. Schindel and Mrs. Naugle. NAY: Mr. Strauss. The vote passed 6/1.

Councilman Strauss noted that the ROR is about redevelopment and that making changes to the height is appropriate, but not too high. He said that he is in support of a maximum of 60 feet plus an additional 12 feet for the mechanicals. Mr. Strauss pointed out that once something is built there would be no making any changes.

Councilwoman Naugle shares Councilman Strauss's concerns about the height increase, but said that it's important to conduct a public hearing to get the public input. She said that she voted yes to keep this moving forward and encouraged citizens to attend meetings or to contact council members with their comments.

Moved Mr. Berger, seconded Ms. Lawson to authorize the setting of a public hearing of the Borough Council to be held on Monday, August 13, 2018, commencing at 6:00 p.m. and to authorize the provision of public notice of the public hearing consistent with section 609 of the Pennsylvania Municipalities Planning Code concerning proposed amendments to the text of the Gettysburg Borough Zoning Ordinance to include the addition of an incentive-based, extended height mixed-use building use to be permitted in the ROR Residential Office Redevelopment District. Motion carried unanimously.

Moved Mr. Heyser, seconded Mr. Schindel to accept the recommendations of the Historic Architectural Review Board (HARB) following its review on May 16, 2018 and grant Certificates of Appropriateness to Ian & Ashley Miller for the following work at 105 E. Middle Street: COA-18-0045, repairs/renovations to garage, and COA-18-0046, alterations to main dwelling, as presented in the applications submitted April 27, 2018. Motion carried unanimously.

Parking Manager Miller reported that the "Smart Meters" were recently installed. He noted that he will include in his monthly reports information regarding the charging stations.

Public Works Director Harbaugh reported that the agility work was moved back a week due to the rain. He announced that we are in need of a flower waterer for the downtown hanging baskets.

Moved Mr. Lawver, seconded Mr. Schindel to award a contract to PWI, Inc. as the lowest qualified responsible and responsive bidder for the removal of old and installation of a new fuel facilities system in the amount of \$30,301.32 and to authorize Borough Manager Charles Gable to execute the same. Motion carried unanimously.

Moved Mr. Strauss, seconded Mr. Heyser to authorize the Borough Engineer to advertise the updated Pollution Reduction Plan associated with the MS4 Permit. Motion carried unanimously.

Moved Mr. Schindel, seconded Ms. Lawson to postpone the Stormwater Management Maintenance and Monitoring Agreement for the Gettysburg College Masters Hall Utility Access Drive. Motion carried unanimously.

Moved Mr. Berger, seconded Ms. Lawson to appoint Kevin McDonald, an eligible applicant from the list of candidates for entry level patrol officer certified to the Borough Council by the Civil Service Commission of the Borough of Gettysburg,

to the position of entry level patrol officer of the Gettysburg Borough Police Department. Motion carried unanimously.

Manager Gable reported that he met with someone that is interested in serving as the committee coordinator for the 2019 PML Conference to be held in Gettysburg. The PML would pay the coordinator and there would be no costs to the Borough for this service.

Manager Gable read a prepared statement regarding Short-Term Rentals, known as vacation homes and the enforcement as regulated by the State's Uniform Construction Code. (See attached)

Moved Ms. Lawson, seconded Mr. Schindel to authorize the Borough Manager to contract with Carl Segatti to serve as interim Chief of Police pending the Borough's employment search and ultimate appointment for the filling of a vacancy in the office of Chief of Police pursuant to the provisions of the Borough Code. Motion carried unanimously.

Liaison Reports:

Main Street Gettysburg

Deb Adamik attended the Pennsylvania Downtown Annual Meeting in West Chester PA. West Chester was recognized as the top 3 Main Streets in America. The conference was very informative and shared a lot of statistics focused on PA and the statistics for planning for the future. Overall the population is getting older, but there are fewer children and more single homeowners and renters. The mixed-used approach for developing downtowns continues to be stressed to help downtowns become more successful.

On June 14 – MSG is holding their Corporate Breakfast at 9:00 at the Seminary Ridge Refectory. All councilmembers are invited. The Deputy Secretary of Community Affairs from the PA Community and Economic Development Department will be attending the breakfast and also taking a customized tour. The Deputy Secretary requested the tour after Deb chatted with him at the Pennsylvania Downtown Center Main Street conference. This is an important opportunity to showcase the unity of the community, especially for the Baltimore Street project. We want to illustrate the importance of the Baltimore Street project to the community and visitors, alike.

On June 15 – The Baltimore Street Executive Committee and MSG are hosting a public event to celebrate and recognize the donors and folks who completed the Baltimore Street Master Plan. The event is from 4:00 p.m. to 6:00 p.m. at Unity Park.

Gettysburg Area Recreation Authority

Councilman Schindel announced that GARA scheduled a Casino Night at the Rec Park on September 15th from 6:30 PM to 9:00 PM. Tickets are available for \$30.00.

Councilman Schindel reported that GARA met recently with the National Park Service (NPS) to discuss the portion of the Biser Fitness Trail that was impeding on their property. It is near completion and the NPS would like to work out an agreement with GARA to mow the buffer area where grass was planted.

Gettysburg Municipal Authority

Council President Naugle reported that GMA received the annual audit. She said that the Utilities Manager met with the Gettysburg National Park Service to discuss any concerns regarding the new water storage structure.

Planning Commission

Councilman Strauss reported that they are currently reviewing the Sub Division and Land Development Ordinance. He also said that they are reviewing making amendments to the Regulated Rental Unit Ordinance in regards to property owners living within a certain mile radius.

Adams County Council of Governments

Councilman Lawver announced that the next meeting is scheduled for Thursday, June 28th at 8:00 AM. He said that he will be out of town if another member is available to attend. Mr. Lawver said that they continue to talk about the Radar Bill.

Adams County Transportation Planning Organization

Council President Naugle reported that ACTPO is currently taking public comment on the 2019-2022 draft Transportation Improvement Program (TIP). She announced that the next meeting is scheduled for June 27th, and asked if anyone is available to go since she will be out of town.

Elected Official's Comments:

Councilman Lawver said that he received nice comments on how well Councilman Heyser conducted and well prepared he was for the recent Town Hall meeting.

Public Comments:

Carol Williams, 284 Victor Street expressed her concern on the proposed Residential Office Redevelopment District in regards to the height, and also that the owner may be living out of state.

With no further business to come before Council, moved Mr. Schindel, seconded Mr. Heyser to adjourn the meeting at 8:35 PM. Motion carried unanimously.

Respectfully submitted,

Sara L. Stull
Borough Secretary

Statement on Short-Term Rentals (06.11.2018)

Charles R. Gable, MPA

Borough Manager

Late last year, Gettysburg Borough, through its Department of Planning and Historic Preservation, announced that the Borough would soon begin enforcing the State's Universal Construction Code regulations on the Borough's numerous and growing number of short-term rentals – more commonly known as vacation homes. In an effort to communicate facts related to this enforcement initiative, the Borough feels the need to set the record straight regarding any fees that may be collected during the administration of the Universal Construction Code. This is in response to a quote in the June 7, 2018 Gettysburg Times news story titled 'Hamiltonban Mulls Short Term Rental Rules' where the article quoted a person saying "Gettysburg Borough Council...also is thinking of going this way because it's a way of generating more revenue". While it is true that the Borough is currently working with its short-term rental community to bring uncertified properties into voluntary compliance, this is not an initiative about generating revenue. Rather, it is an effort to help the Borough's robust and valued business owners understand and comply with applicable local, state, and federal legislations related to their chosen business model. The end goal is not putting money in the municipal coffers, but to ensure all lodging offerings within the Borough's boundaries are appropriately certified for use and occupancy as required by the Department of Labor and Industry. In so doing, the Borough's financial goal is simply to recoup, in the form of fees, staff's administrative costs associated with enforcing local, state and federal standards.

With the utmost consideration for our local vacation rental owners, their guests, and our colleagues in Hamiltonban Township, and other municipalities around Adams County, it is the Borough staff's professional, legal, and ethical duty to manage in accordance to applicable laws, Gettysburg's environs and rental landscape. The cost of establishing and maintaining a successful regulated vacation rental program will far outweigh the fiscal benefits as it will cost the Borough time and money – It is an incredible investment of resources, both for the municipality administering the codes and for the rental operators. But it is necessary. It is the law.

For the short-term rental operators in Gettysburg Borough who are not yet certified, the Borough's professional staff is here to work with you. Don't be afraid. Borough staff had an excellent meeting with four short-term rental operators this past week. Borough staff was very encouraged at the spirit of cooperation and teamwork that is developing, despite an environment where scary words like 'crackdown' and 'miscreants' are being thrown around in newsprint, doing nothing but inciting fear and mistrust of a very plain process. I invite both operators and municipal officials alike who would like more information about how Gettysburg Borough is approaching this relevant and timely issue to contact the Borough's Department of Planning and Historic Preservation at (717) 334-1160 ext. 224.