

BOROUGH OF GETTYSBURG
59 EAST HIGH STREET, GETTYSBURG, PA 17325
COUNCIL WORK SESSION MINUTES
JANUARY 28, 2019

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

Others present include: Deb Adamik, President, Main Street Gettysburg; Linda Atiyeh, Peggy Rock, Alison Izard and Kathy Shirey representing Gallery 30, 26 York Street; Chad-Alan Carr, 49 York Street; Scott Wallace, Owner of LARK 17 at Lincoln Square and Nerd Herd at 10 York Street; Daniel Konstalid, Gettysburg College; Chuck Moran, Gettysburg Hotel, 1 Lincoln Square; Jeffrey Gabel, Majestic, 25 Carlisle Street; Michael Gilday, Gaslight Inn, 33 East Middle Street; Nancie Gudmasted, Shriver House, 309 Baltimore Street; Kathy Gilbert, President, Gettysburg Area Retail Merchants Association (GARMA); Joan, Brian and AmyBeth Hodges, representing The Brafferton Inn, 44 York Street; Alexandria Escalera, owner of Raphael Inn, 32 East Lincoln Avenue; Mike Malewicki, 2 West Broadway; Mike Gelner, 50 East Broadway; Robert Krummerich, 125 West Broadway; Mike Shestok, 264 Baltimore Street; Judi McGee, 256 Baltimore Street; Marie Davis, 831 Johns Avenue; Donald Marritz, 61 East Broadway; and Becka Fissel, Gettysburg Parking Enforcement Officer. Representing the press was Jim Hale with the *Gettysburg Times*, and Mark Werley representing Community Media-ACCTV.

President Naugle announced that a public hearing is scheduled for Monday, February 11, 2019 at 6:30 PM to hear comments on the County Joint Comprehensive Plan. She said that a copy will be available at the Borough office or on the County Website.

President Naugle announced an executive session of the Borough Council will be conducted immediately following the adjournment of this work session consistent with section 708(a)(3) and section 708(a)(4) of the Sunshine Act for the following purposes: (1) to receive information relative to the possible purchase or lease of real property by the Borough; and (2) to consult with its professional advisors regarding information and strategy in connection with issues on which identifiable claims or complaints are expected to be filed.

Public Comments

Mike Shestok, 264 Baltimore Street expressed his concerns regarding bagged meters and urged Council for consistency and transparency. He said that he doesn't want litigation or the increasing of residents' taxes. Mr. Shestok said that he doesn't want the buyer of the former REDDI Property to think Gettysburg is not business friendly.

Peggy Rock, Manager, Gallery 30, 26 York Street, said that opening the Upper Crust Pizza will create 30-50 jobs and will seat 500 people. These people will need a place to park so the parking garage would get utilized. Ms. Rock said that having 15-minute drop-off and pick-up areas won't work, and that buses stopping to leave people off would create traffic jams.

Alison Izard, Public Relations Representative, Gallery 30, 26 York Street, said that if a major restaurant chain would have expressed an interest in the vacant Moose Lodge site, the Borough would have work tirelessly to make the project happen. She said that Ms. Atiyeh's plans called for drop-off and pick-up spaces at the restaurant. Ms. Izard expressed her concern that Council is not willing to work with Ms. Atiyeh like they have for the Gettysburg College. She said that its discrimination to treat her differently.

Judi McGee, 256 Baltimore Street, urged Council to use common sense in making this hard decision. She told Council to either give everyone parking or eliminate it from everyone.

Chad-Alan Carr, 49 York Street, said that he hasn't had any issues with the reserved parking spaces on York Street. He applauded Ms. Atiyeh for her investment in the Borough, and said that the Upper Crust Pizza will be a unique place to go.

Alexandria Escalera, owner of Raphael Inn, 32 East Lincoln Avenue, pointed out that the Gettysburg Hotel probably seats 500 people and they all find parking. She said that bags are rented for construction and the needs of lodging guest loading and unloading their luggage.

Mike Malewicki, 2 West Broadway, reported that the West Broadway residents voted 80 percent for a Neighborhood Improvement District (NID).

Donald Marritz, 61 East Broadway, reported that the East Broadway residents don't want the islands on their street.

New Business

Garden Club MOU

Manager Gable reported that the Garden Club MOU would be placed on the February Council agenda for approval.

Councilwoman Lawson asked if Destination Gettysburg is willing to donate more funding to the Gettysburg Garden Club for the downtown beautification. She would also like the Borough to review the Pillow Tax money received. Manger Gable responded they can be part of a discussion with Destination Gettysburg.

FEMA Flood Plain Appeal Notification (Appeal Period)

Chad Clabaugh reported that the Federal Emergency Management Agency (FEMA) published notices in the *Gettysburg Times* on December 13th and 20th regarding the Proposed Flood Hazard Determinations for Adams County. He noted that there is a 90-day period provided for appeals,

and that Borough residents can appeal to the municipality directly or FEMA's Website (www.fema.gov/plan/prevent/fhm/bfe). He pointed out that this could affect approximately 100 properties along the floodplain (Culps and Stevens Run). Mr. Clabaugh asked Council if they feel the legal notices are sufficient for notification or if they would like letters sent to the affected property owners. Borough Council agreed that Mr. Clabaugh should proceed with letters to all affected property owners. Councilwoman Lawson suggested to include a frequently asked question (FAQ) paper with the letters.

HABPI Right-of-Way Agreement with Spectrakote

Chad Clabaugh gave a brief explanation of the Right-of-Way Agreement for the Spectrakote Gettysburg Inner Loop extension. Councilwoman Naugle noted there is no cost to the Borough, that HABPI is covering any expenses.

GBSWA/Borough Services Rendered Agreement

Manager Gable reported the agreement between the Borough and the Gettysburg Storm Water Authority was created for the MS4 requirements. It will be placed on the February Council agenda for approval.

Old Business

PBS 2018-4 – Chapter 15 Parking Revisions

Parking Manager Miller thanked the citizens for their comments. He said that Borough staff and Solicitor Eastman have reviewed and drafted revisions to Part 7 of the Parking Ordinance for Borough Council.

President Naugle noted that Part 4 of the Parking Ordinance is to add a handicapped space on East High Street near the Trinity United Church of Christ.

Solicitor Eastman told Borough Council that they have "very broad powers under state law to set parking rules, but rules must be reasonable and not arbitrary. There is nothing illegal or wrong" with changing ordinances as conditions change stating "that's part of your job." He went on to say he's "terribly uncomfortable" with the allegation that a rule would be "based on a single business" because that's improper. Solicitor Eastman said that Council must make a clear "legislative intent" behind any rules, and that "we're going to spell that out." He pointed out that the parking ordinance hasn't been amended since 1985, and that times have changed. Borough Council should review, update and amend ordinances periodically.

Council members agreed that ordinances should be reviewed and amended more often. A lengthy discussion took place regarding changes to the ordinance. The decision to allow temporary reservations of parking spaces is based on the health, safety and welfare of the public and Borough. They discussed removing the word temporary in the heading and defining the specific purposes for reserving public parking spaces. Most members agreed with President Naugle to support the hotels

and B & B's because businesses benefit when people stay in town. Council approved to proceed and authorized the staff and solicitor to make the revisions and place them on the February 11th Council meeting agenda.

Broadway Islands and Reconstruction Decisions

Chad Clabaugh said that he met with residents of West Broadway to review options for the Broadway Islands. He said that the residents have agreed to form a Neighborhood Improvement District (NID). Residents Mike Malewicki and Bob Krummerich said that they are ready to partner with the Borough to form a NID. They are currently working on the details and petition to present to Council.

Solicitor Eastman explained that the residents will need to present a formal petition to Council which must be 40 percent or more of the property owners. Borough Council will then conduct a public hearing.

PBS 2019-4 – Loading and Unloading Zones

Parking Manager Miller said that it is his recommendation that Borough Council consider instituting a pilot program for placing short term carry out/pick up designated parking meters. The objective would be to strategically place parking meters in locations that need parking for food carryout or quick pick-up/drop off. The initial plan would be to place the meters on opposite sides of the streets. The Parking Department will conduct surveys on streets to get solid information. Manager Miller recommends that the pilot program last 6 months and then be evaluated to end the program, extend the pilot, or permanently institute the designated meters. Council agreed to proceed with this recommendation.

PBS 2019-1 – LPP (Local Privilege Permits) Policies

Parking Manager Miller explained that the Local Privilege Parking Permit (LPP) would allow residents and people the opportunity to park in close proximity to their place of business and/or work. The proposed rate for the permit is \$35 a month, and they would need to show proof of residency or that they work in the Borough.

There was no public comment at this time.

The meeting was adjourned to an executive session at 10:30 PM. Council President Naugle dismissed the meeting at 11:15 PM.

Respectfully submitted,

Sara L. Stull
Borough Secretary