



# Borough of Gettysburg

September 10, 2018

**Council  
AGENDA**

Council Chambers  
59 East High Street  
Gettysburg, PA 17325

MEMBERS

Theodore Streeter	(Mayor)
Susan Naugle	(President)
Jacob Schindel	(Vice-President)
Wesley Heyser	
John Lawver	
Patti Lawson	
Chris Berger	
Charles Strauss	

STAFF

Charles R. Gable, <i>MPA</i>	(Borough Manager)
Harold Eastman, Jr.	(Solicitor)
Sara Stull	(Borough Secretary)
Sara Stull	(HR Director)
Rebecca LaBarre	(Planning Director)
Rebecca LaBarre	(Zoning Officer)
Nicolette James	(Finance Director)
Rob Harbaugh	(Interim Public Works Director)
Carl Segatti	(Interim Chief of Police)
Scott Weaver	(Code Enforcement)
Chad Clabaugh, <i>PE</i>	(Borough Engineer)
Dave Sanders	(EMS Coordinator)
Richard L. Miller, II	(Parking Manager)
Karen Mesher	(Administrative Assistant)

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Council Business Meeting Agenda  
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- |             |   |                         |
|-------------|---|-------------------------|
| <b>I.</b>   | <b>Council - Call to Order</b>                    | <b>President Naugle</b> |
| <b>II.</b>  | <b>Moment of Silence and Pledge of Allegiance</b> | <b>President Naugle</b> |
| <b>III.</b> | <b>Welcome and Opening Remarks</b>                | <b>President Naugle</b> |
| <b>IV.</b>  | <b>Announcements</b>                              | <b>President Naugle</b> |

An executive session of the Borough Council shall be conducted immediately following the adjournment of this meeting consistent with section 708(a)(1) of the Sunshine Act to discuss matters involving the employment and the evaluation of performance of Borough employees.

**V. Approval of Agenda and Minutes - Council**

A motion to approve the September 10, 2018 agenda as presented.

A motion to approve the Public Hearing and Council Meeting Minutes of August 13, 2018 and the Public Hearing, Special Council Meeting and Council Work Session Meeting Minutes of August 27, 2018.

**VI. Special Presentation**

Mayor Streeter – Eddie Plank Award Presentation to members of the Gettysburg College Women’s National Champion Lacrosse team

Craig Witmer, CPA and Teena Curnow, Smith Elliott Kearns & Company – Present Annual Audited Financial Statements for the year ending December 31, 2017

**VII. Public Comment**

**VIII. Current and Old Business**

**A. Finance Department**

- |    |                                |                 |
|----|--------------------------------|-----------------|
| 1. | Departmental Report            | Nicolette James |
| 2. | Motions Needing Council Action |                 |

A motion to approve all bills and payrolls for the month as presented.

A motion to accept the J. P. Harris Tax Exoneration report for tax years 2005 through 2014 as presented with the exception of Jonathan G. Moody.

**B. Planning Department/Zoning/Code Enforcement/HARB**

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|----|--------------------------------|---------------|
| 1. | Departmental Report            | Becky LaBarre |
| 2. | Motions Needing Council Action |               |

A motion to accept the recommendations of the Gettysburg Borough Historic Architectural Review Board (HARB) following its review on Wednesday August 15, 2018 and grant a Certificate of Appropriateness for the following applications: COA-18-0056: 213 Steinwehr Avenue – Bases Loaded, for a full metal roof overlay as presented in the application

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dated July 12, 2018; and COA-18-0078: 128-130 Chambersburg Street – SPG Capital, LLC, to remove four deteriorated windows and replace in-kind with new wood windows as presented in the application dated August 8, 2018.

A motion to authorize the solicitor's review of an ordinance amending and updating the Gettysburg Borough Subdivision and Land Development Ordinance of 1999.

A motion to authorize the setting of a public hearing of the Borough Council to be held on Monday, November 5, 2018, commencing at 6:30 p.m. and to authorize the provision of public notice of the public hearing consistent with section 505 of the Pennsylvania Municipalities Planning Code concerning proposed amendments to the Gettysburg Borough Subdivision and Land Development Ordinance.

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**MOTIONS RELATIVE TO ZONING TEXT AMENDMENTS**

A motion to retain 45 feet maximum building height in the R-1 Low Density Residential District, R-1A Preservation Residential District, and R-2 Moderate Density Residential District.

A motion to remove Single –family attached dwellings, Single-family semidetached dwellings, and Two-family dwellings from the list of uses permitted by right in Section 27-8A02 of the ordinance.

**Council should choose one of the four motions below related to dimensional standards in the ROR Zoning District:**

**Motion Option #1:**

A motion to authorize the preparation of an ordinance for the purpose of amending the text of the Gettysburg Borough Zoning Ordinance relative to certain building height dimensional standards throughout the Zoning Ordinance and to provide for an incentive-based, extended height mixed-use building use to be permitted by special exception with a maximum building height not to exceed **eighty-four (84') feet** with an additional twelve (12') feet of building height allocated for mechanical equipment in the Residential Office Redevelopment (ROR) 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, and to allow for additional incentive based building height, up to eighty-four (84') feet, according to the following site improvement schedule:

<u>Site Improvement</u>	<u>Increase in Building Height</u>
<u>Internal Parking</u>	<u>24 feet</u>
<u>Relocation of Transit Services and Public Restrooms</u>	<u>12 feet</u>
<u>Public Green Space</u>	<u>24 feet</u>
<u>Gettysburg Inner Loop</u>	<u>12 feet.</u>

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**Motion Option #2A:**

**A motion to authorize the preparation of an ordinance for the purpose of amending the text of the Gettysburg Borough Zoning Ordinance relative to certain building height dimensional standards throughout the Zoning Ordinance and to provide for an incentive-based, extended height mixed-use building use to be permitted by special exception with a maximum building height not to exceed **seventy two (72') feet** with an additional twelve (12') feet of building height allocated for mechanical equipment in the Residential Office Redevelopment (ROR) 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, and to allow for additional incentive based building height, up to seventy-two (72') feet, according to the following site improvement schedule:**

<b><u>Site Improvement</u></b>	<b><u>Increase in Building Height</u></b>
<u>Internal Parking</u>	<u>24 feet</u>
<u>Relocation of Transit Services and Public Restrooms</u>	<u>12 feet</u>
<u>Public Green Space</u>	<u>24 feet</u>
<u>Gettysburg Inner Loop</u>	<u>12 feet.</u>

**Motion Option #2B:**

**A motion to authorize the preparation of an ordinance for the purpose of amending the text of the Gettysburg Borough Zoning Ordinance relative to certain building height dimensional standards throughout the Zoning Ordinance and to provide for an incentive-based, extended height mixed-use building use to be permitted by special exception with a maximum building height not to exceed **seventy two (72') feet** with an additional twelve (12') feet of building height allocated for mechanical equipment in the Residential Office Redevelopment (ROR) 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, and to allow for additional incentive based building height, up to seventy-two (72') feet, according to the following site improvement schedule:**

<b><u>Site Improvement</u></b>	<b><u>Increase in Building Height</u></b>
<u>Internal Parking</u>	<u>12 feet</u>
<u>Relocation of Transit Services and Public Restrooms</u>	<u>12 feet</u>
<u>Public Green Space</u>	<u>12 feet</u>
<u>Gettysburg Inner Loop</u>	<u>12 feet.</u>

**Motion Option #3:**

**A motion to authorize the preparation of an ordinance for the purpose of amending the text of the Gettysburg Borough Zoning Ordinance relative to certain building height dimensional standards throughout the Zoning Ordinance and to provide for an incentive-based, extended height mixed-use building use to be permitted by special exception with a maximum building height not to exceed **sixty (60') feet** with an additional twelve (12') feet of building height allocated for mechanical equipment in the Residential Office Redevelopment (ROR) 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, and to allow for additional**

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**incentive based building height, up to sixty (60') feet, according to the following site improvement schedule:**

<b><u>Site Improvement</u></b>	<b><u>Increase in Building Height</u></b>
<u>Internal Parking</u>	<u>12 feet</u>
<u>Relocation of Transit Services and Public Restrooms</u>	<u>12 feet</u>
<u>Public Green Space</u>	<u>12 feet</u>
<u>Gettysburg Inner Loop</u>	<u>12 feet.</u>

**A motion to authorize the setting of a public hearing of the Borough Council to be held on Monday, October 22, 2018, commencing at 6:30 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.**

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**Council should choose one of the two motions  
below related to LERTA:**

**Motion Option #1:**

**A motion to authorize the finalization and publication for subsequent enactment at the October 9, 2018 monthly general business meeting of the Borough Council of an ordinance for the general purpose of granting tax exemption relief for certain new construction and improvements to designated deteriorated properties within the Borough pursuant to the Local Economic Revitalization Tax Assistance Act ("LERTA"), and for the specific purposes of setting a maximum tax exemption amount, adopting a tax exemption schedule for a **minimum fifty (50%) percent non-residential** use with construction costs of improvements exceeding one million (\$1,000,000.00) dollars, setting forth a procedure for securing a tax exemption , and providing for a rollback of taxes exempted due to a subsequent change of use and with the following tax exemption schedule:**

<b><u>Year</u></b>	<b><u>Percentage</u></b>
<u>1</u>	<u>100%</u>
<u>2</u>	<u>100%</u>
<u>3</u>	<u>90%</u>
<u>4</u>	<u>90%</u>
<u>5</u>	<u>80%</u>
<u>6</u>	<u>80%</u>
<u>7</u>	<u>70%</u>
<u>8</u>	<u>70%</u>
<u>9</u>	<u>60%</u>
<u>10</u>	<u>60%</u>

**Motion Option #2:**

**A motion to authorize the finalization and publication for subsequent enactment at the October 9, 2018 monthly general business meeting of the Borough Council of an ordinance**

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**for the general purpose of granting tax exemption relief for certain new construction and improvements to designated deteriorated properties within the Borough pursuant to the Local Economic Revitalization Tax Assistance Act ("LERTA"), and for the specific purposes of setting a maximum tax exemption amount, adopting a tax exemption schedule for a minimum fifty (50%) percent non-residential and minimum twentyfive (25%) percent residential use with construction costs of improvements exceeding one million (\$1,000,000.00) dollars, setting forth a procedure for securing a tax exemption , and providing for a rollback of taxes exempted due to a subsequent change of use and with the following tax exemption schedule:**

<u>Year</u>	<u>Percentage</u>
<u>1</u>	<u>100%</u>
<u>2</u>	<u>100%</u>
<u>3</u>	<u>90%</u>
<u>4</u>	<u>90%</u>
<u>5</u>	<u>80%</u>
<u>6</u>	<u>80%</u>
<u>7</u>	<u>70%</u>
<u>8</u>	<u>70%</u>
<u>9</u>	<u>60%</u>
<u>10</u>	<u>60%</u>

**C. Parking Department**

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|----|--------------------------------|----------------|
| 1. | Departmental Report            | Richard Miller |
| 2. | Motions Needing Council Action |                |

**A motion to authorize the Parking Manager and the solicitor to prepare a proposed ordinance for the purpose of amending Chapter 15 of the Code of Ordinances relative to the regulation of the reservation and use of parking spaces in metered zones for monthly usage, special events usage and temporary usage.**

**D. Public Works Department**

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|----|---------------------|--------------|
| 1. | Departmental Report | Rob Harbaugh |
|----|---------------------|--------------|

**E. Borough Engineer**

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|----|--------------------------------|---------------|
| 1. | Engineer Report                | Chad Clabaugh |
| 2. | Motions Needing Council Action |               |

**A motion to authorize the Borough to proceed with the incorporation process for the formation and organization of a municipal authority under the Municipalities Authorities Act for the purposes of the administration and the assessment of related fees for the implementation and operation of the Borough's Municipal Separate Storm Sewer System (MS4) and program.**

**Motion to Approve Change Order No. 1 to the Stratton Street Storm Sewer Improvements Contract for the paving base repairs on Pine, Victor, and Barlow Street.**

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**Motion to Approve Change Order No. 2 to the Stratton Street Storm Sewer Improvements Contract for a 100 day time extension.**

**Motion to Approve Application for Payment No. 1 for the Stratton Street Storm Sewer Improvements Contract in the amount of \$37,206.18.**

**Motion to release the financial security for public improvements for the Foursquare Church Land Development project in the amount of \$264,719.40 leaving a balance of \$0.00.**

**Motion to approve Payment #1 for the 2018 CDBG Curb Ramps Replacements Project submitted by Kinsley Construction.**

**F. Police Department**

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|----|--------------------------------|--------------|
| 1. | Departmental Report            | Carl Segatti |
| 2. | Motions Needing Council Action |              |

**A motion to authorize a COLA increase for retired police pensioner Kevin Wilson, to be paid from the Police Pension Plan effective August 1, 2018.**

**A motion to adopt a resolution to excuse the police from making contributions to the Police Pension Fund for 2018.**

**G. Borough Manager**

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|----|--------------------------------|---------------|
| 1. | Manager's Report               | Charles Gable |
| 2. | Motions Needing Council Action |               |

**A motion to adopt a resolution authorizing the submission of an application for 2018 Community Development Block Grant Funds to the Pennsylvania Department of Community and Economic Development.**

**A motion to approve the Minimum Municipal Obligation (MMO) for the Gettysburg Police and Non-Uniformed Pension Plans for 2019.**

**IX. Reports**

**A. Liaison Reports**

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|----|--|-----------------|
| 1. | MSG  | Deb Adamik      |
| 2. | GARA   | Jacob Schindel  |
| 3. | GMA  | Susan Naugle    |
| 4. | Planning Commission  | Charles Strauss |
| 5. | Steinwehr Avenue Heart of Gettysburg Battlefield<br>(SAHGB)  | Jacob Schindel  |
| 6. | Adams County Boroughs Association (ACBA)                     | Mayor Streeter  |
| 7. | Adams County Council of Governments (COG)                    | John Lawver     |
| 8. | Adams County Transportation Planning Organization<br>(ACTPO) | Susan Naugle    |
| 9. | Adams County Heroin Awareness Task Force                     | Charles Strauss |

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**6. Tail Feasibility Study**

**Christopher Berger**

**B. Other Reports**

- 1. Elm Street**
- 2. Adams County EMS Report**

- X. Elected Official's Comments**
- A. Mayor Theodore Streeter**
  - B. Wesley Heyser**
  - C. Patricia Lawson**
  - D. Charles Strauss**
  - E. Christopher Berger**
  - F. John Lawver**
  - G. Vice President Jacob Schindel**
  - H. President Susan Naugle**

- XI. Public Comment**
- XII. Adjournment**
- XIII. Executive Session**