

ELIZABETHTOWN BOROUGH COUNCIL
REGULAR MEETING
February 19, 2009
Minutes

The regular meeting of the Elizabethtown Borough Council was held on February 19, 2009 at 7:45 PM following a Conditional Use Hearing held at 7:00 PM at the Elizabethtown Borough Office. Present were Meade Bierly, Phil Clark, Dr. Dale Treese, Chuck Mummert, Jeff McCloud, and Tom Shaud. Also present were Mayor Robert Brain, Manager Peter Whipple, and Assistant Manager Roni Ryan.

Borough Council held a Conditional Use Hearing for an application submitted by Kevin and Jane Fantom, property owners of 42-44 N. Market Street, for a ground floor dwelling unit in the Central Business District. The hearing was closed at 7:45 PM.

The minutes of the regular meeting of January 15, 2009, the regional municipal meeting of January 29, 2009, and the work session minutes of February 5, 2009 were approved on a motion by Mummert and a second by McCloud.

Public Comment

- 1) Betty Jane Weaver, 235 E. Plum Street, inquired about the status of her suggestions for improving the South Market Street and South Spruce Street intersection.
- 2) Bill Mummert, 560 E. Willow Street, complained about the art sculpture at the West High Street parking lot and requested it be removed and placed elsewhere.

Reports

1. The financial report was approved on a motion by Clark and a second by Mummert.
2. There was no Fire Company report.
3. Northwest EMS reported a total of 292 calls for the month of January with 83 calls in the Borough.
4. **Manager's Report**
 - a. Whipple provided an update on the street light acquisition proposal and financing.
 - b. Whipple reported that the Borough submitted funding applications for projects in accordance with the Federal stimulus package, in particular a number of transportation projects.
 - c. Whipple reported that the annual audit and financial report is complete and was presented to Borough Council at the work session meeting.
 - d. Whipple provided an update on the pension plan audit.

New Business

1. It was motioned by Clark, seconded by Mummert, to approve the conditional use for 42-44 N. Market Street for a ground floor dwelling unit in the Central Business District with the condition that a variance is granted by the Zoning Hearing Board for the requirement in Section 1510 that the unit be located in the rear of the structure. Also included in the motion is the granting of a waiver of the \$500 Zoning Hearing Board application fee to seek the variance. Discussion followed.

It was then motioned by Treese, seconded by McCloud to amend the original motion to include the condition that the property owner secures by written agreement six (6) off-street parking spaces in a

location within 400 feet of the lot in accordance with Section 912.B of the Zoning Ordinance. Motion to amend the original motion carried unanimously.

It was motioned by Treese, seconded by McCloud to approve the conditional use for 42-44 N. Market Street for a ground floor dwelling unit in the Central Business District with the following conditions and waiver:

Conditions

- 1) The property owner secures six (6) off-street parking spaces in a location within 400 feet of the lot by written agreement in accordance with Section 912.B of the Zoning Ordinance.
- 2) Zoning Hearing Board approval of a variance to the regulations in Section 1510 requiring that the ground floor dwelling unit be located in the rear of the structure only in the Central Business District.

Waiver

- 1) Waiver of the \$500 Zoning Hearing Board application fee to seek a variance to the regulations in Section 1510 for a ground floor dwelling unit in the Central Business District.

Motion carried unanimously.

2. It was motioned by Mummert, seconded by Shaud, to approve Ordinance No. 905 to 1) vacate a section of Pike Alley extending from North Hanover Street to previously vacated and abandoned Lehn Alley and 2) return previously vacated Crestlawn Alley extending from North Market Street to North Cherry Alley to open and public status. Motion carried unanimously by roll call vote.

Bills Payable

It was motioned by Mummert, seconded by McCloud, to pay the bills as presented:

General Fund	\$ 146,058.00
Sewer Fund	\$ 67,098.73
Capital Reserve Fund	\$ 40,641.57
Subdivision Escrow Fund	\$ 301.31

Motion carried unanimously.

Council Remarks

There being no further business, the meeting adjourned at 8:25 PM on a motion by Treese, and a second by Shaud.