

ELIZABETHTOWN BOROUGH COUNCIL
WORK SESSION MEETING
September 5, 2019
Minutes

The Work Session Meeting of Elizabethtown Borough Council was held on Thursday, September 5, 2019 at the Borough Office. Present were Council members Bill Troutman, Tom Shaud, Jr., J. Neil Ketchum, J. Marc Hershey, Phil Clark and Jeff McCloud. Also present were Borough Manager Roni Ryan, Assistant Borough Manager Ann Roda, Public Works Director Jeff Kinsey, Planning and Zoning Director Pamela Roberts, Chief Cunningham and Mayor Chuck Mummert.

President Hershey called the meeting to order at 7:00 p.m. and noted that an executive session was held on the morning of September 5, 2019 to handle a police personnel matter.

Public Comment

1. Carol Witmer, 129 N. Maple Street, asked for an update on her request to turn Willow Street from Market Street to Poplar Street one way. She stated that from 2:30 p.m. to 5:30 p.m. it is heavily travelled and should be one way to assist drivers and residents. Chief Cunningham responded that he will look into the request again. When he reviewed it previously the traffic counts and other collected information did not meet the requirements of PennDOT to alter the street. He will place a traffic counter out again and encouraged residents in that area to contact him with questions and concerns.
2. Bill Troutman, 140 Park Street, read a letter he received concerning alley and sidewalk tree clearance. He asked why the ordinance is set at 10-foot clearance over the sidewalk as well as why Gladys Alley is set at 16-foot clearance. If he is to trim his trees he would like to understand where his measurements should be taken from.

Public Works Director Jeff Kinsey responded that the 10-foot clearance for sidewalks is to ensure street signs can be visible. A stop sign must be 7 foot off the ground and then the 3-foot above is to ensure visibility when approaching the sign. He noted that the width of the alley is typically 16 feet in width and that he would need to do some additional research on the establishment of the 16-foot clearance height.

Mr. Troutman also asked why the alleys have the same clearance as the streets and if that height could be changed. Borough Manager Ryan noted that staff enforce the ordinance as adopted and if Borough Council wants to revise the clearances referenced in the ordinance they can do so.

Elizabethtown College Masters Addition Land Development Plan Introduction

Planning and Zoning Director Roberts introduced the Elizabethtown College Masters Addition Land Development Plan and noted that David Madary, with Dereck & Edson, and Caroline Lalvani, with Elizabethtown College, were present. Roberts added that at the August 13, 2019 Planning Commission meeting the land development plan was recommended for approval. Madary then provided an overview of the project, noted that the conditions from the June 20, 2019 Conditional Use Hearing were incorporated and asked if there were any questions.

President Hershey asked how the trees along College Avenue were going to be preserved since the

demolition plan shows that all but one tree is being removed. Madary responded that two of the four trees will be removed, as they are already dying, but will be replaced with the same type. He noted that other ornamental trees will also be added around the building.

President Hershey asked what the sidewalk surface will be to which Madary responded that the sidewalk surface will be concrete and will traverse to the existing sidewalk at the lake. Hershey followed up and asked about mechanical noise damping. Madary responded that the systems being used will be more modest and would not be visible. Madary noted that this design will control the noise and be adequate to meet the conditional approval.

Vice-President Ketchum questioned how parking spaces will be monitored. Madary answered that that the college is prepared to enact, when needed, a limitation for freshman vehicles. He noted that the formalization of the material needed for ongoing monitoring can be a condition of the approval. Ketchum followed up and asked about the stormwater waiver requests. Madary noted that there is one stormwater waiver request sought and the analysis for stormwater control on the property has been included within the RACP material.

President Hershey noted that council would not be acting on the land approval plan but it would be included as an action item for the September 19, 2019 meeting.

Administration

1. Borough Manager Ryan reported that the 2020 Pension Minimum Municipal Obligation for the Borough's pension plans are Police Pension Plan \$402,802 and Non-Uniformed Pension Plan \$92,611. There were no questions on the report.
2. It was motioned by Clark, seconded by Troutman, to reject drafting an ordinance for regulations regarding trapping of nuisance wildlife that exceed the regulations of the Pennsylvania Game Commission. Motion carried unanimously.

Borough Manager Ryan noted that Mrs. Gill spoke during public comment at the February 21, 2019 Council public meeting regarding this issue and staff have spoken with her several times since. Mrs. Gill is requesting an ordinance be drafted and it is before council to consider. Staff researched the issue with the Borough Code of Ordinances and with the Pennsylvania Game Commission. The Pennsylvania Game Commission has regulations for enforcement, and staff understands that the neighbor is in compliance.

Troutman noted that he did not think the Borough needed to be stricter than the Pa Game Commission. President Hershey added the Game Commission has set the rules and unless we have more expertise then the ordinance should be kept in line with the Game Commission regulation. Clark added that the Borough should not supersede the Game Commission and Vice-President Ketchum added that the Borough should defer to the expertise of the Game Commission.

Mayor Mummert asked if all interested parties will be notified of the action. Ryan responded that interested parties would be notified.

3. Proposed Updates to the Borough's Code of Ordinances

Planning and Zoning Director Roberts introduced updates that borough staff have been working on creating a draft amendment to multiple sections of the Borough Code. The amendment is a collection of small revisions which either bring the Code of Ordinances into compliance with other regulations such as UCC and Act 101. The amendments would also be more robust for communication towers and dynamic digital signs. She noted that a draft ordinance is being complied and will be before Council for consideration at a future meeting.

Vice-President Ketchum asked if there is a lumen level or measure of light that could be regulated for the brightness of the light for dynamic signs. He also asked if there was a measure how would it be enforced. Roberts responded that she would research how other municipalities handle dynamic signs for modifications. And, Clark asked about the modification being suggested for space heaters. Roberts noted the modification is to bring the ordinance into compliance with UCC requirements.

Police Department

1. Monthly Reports

Chief Cunningham provided the monthly reports for July and August. He noted that radio calls remain steady and the higher numbers for special details are based on investigating resident complaints and that based on new staff the field training is higher as officers begin to gather additional experience. He also noted that officers responded on two separate occasions in which their timely response assisted with saving the life of the resident.

Mayor Mummert added that he read an article in which the City of Milwaukee has been purchasing Tesla's for their police vehicles and are saving roughly six thousand dollars a year and are finding the speed is better. He noted this for consideration of future vehicle purchases.

President Hershey noted that an executive session would be held following the meeting to discuss a legal matter and a police personnel matter.

After a motion by Clark, seconded by McCloud, the meeting was adjourned at 7:32 p.m.

Respectfully Submitted,

Roni Ryan
Borough Manager