

PHOENIXVILLE BOROUGH COUNCIL

Tuesday, July 10, 2018

7:00 PM

MINUTES

(Minutes approved by Borough Council on August 14, 2018)

I. Moment of Silence/Pledge of Allegiance

II. Roll Call – Borough Manager

Mr. Kovaleski, President	Present
Ms. Burckley	Present
Mr. Dalton	Arrived 7:20 pm
Ms. Doherty	Present
Ms. Dugan	Excused
Mr. Ewald, Vice President	Present
Mr. Kirkner	Present
Mr. Soto	Arrived 7:05 pm
Mr. Krack, Borough Manager	Present
Chief Sjostrom	Present
Solicitor Garner	Present

III. Consider Approval of the June 12, 2018 Regular Meeting Minutes.

Mr. Ewald made a Motion to approve the June 12, 2018 Regular Meeting Minutes.
Seconded by Ms. Burckley.

Motion Approved 4-0-1. Ms. Doherty abstained as she was absent last month.

IV. Presentations

None

V. Public Participation

Dr. David Saneck expressed his concerns with how his comments during public participation were transcribed at the April Council Meeting. He clarified his statements regarding the widening of, the realignment changes, and the study being conducted for Fillmore Street.

VI. Communications/Council Participation

Mr. Kirkner expressed his congratulations to Mr. Krack for his 10 Years of service to the Borough as its manager. He cited a few of the many accomplishments that have occurred under Mr. Krack's leadership including the construction of the new Borough Hall, the property exchange of old Borough Hall for the property adjacent to Friendship Field, the Schuylkill River Trail completion and the new Public Works Building. He asked Council's Policy Committee to look into the idea of a recognition program for employee longevity.

VII. Mayor's Report

Mayor Urscheler congratulated the newly elected official at the Borough's Summer Camp at Barkley Elementary that he swore in this month. He encouraged the public to attend the upcoming fundraisers for the Fire Department at Petrucci's on July 12, 2018 at 6:00 pm and the fundraiser for Shop with a Cop at Stable 12 on July 18, 2018. Cameron Peters Florist will be hosting Christmas in July on the 25th. Residents interested in the Adopt A Wreath project and the Holiday Parade are invited to attend. Finally, he thanked Molly Maguires Pub, Chief Sjostrom, Lieutenant Marshall and Officer Duchnosky for their hard work on the Golf Outing to Support the Police Equipment Fund which raised \$5,489.

VIII. Appointments/Public Resolutions

- A. Call for Residents interested in being appointed to various Boards and Commissions.

Mr. Kovaleski reminded the public there are openings for residents interested in applying for our various boards and commissions. Interested applicants should contact the Borough for more information.

IX. New Business

- A. No Action to Report

X. Resolutions

- A. Consider a Resolution authorizing the signing of all documents required in the Multimodal Transportation Fund Grant Agreement for Highway and Bridge Projects.

Mr. Ewald made a Motion to approve a Resolution authorizing the signing of all documents required in the Multimodal Transportation Fund Grant Agreement for Highway and Bridge Projects. Seconded by Mr. Soto.

On the Question:

Mr. Krack explained the need for the Resolution so that signatures can be authorized on the grant documentation for the Northern Relief Route.

Motion Approved 6-0.

XI. Public Hearings

A. Consider an Ordinance to Repeal and Replace Chapter 25 “Trees.”

Mr. Ewald made a Motion to table so the Policy Committee can correct language discrepancies of the Ordinance. Seconded by Mr. Kirkner.

Motion Approved 6-0.

XII. Reports of Committees, Boards, and Commissions

A. Planning Commission – (Liaison - Ewald)

1. Consider a Resolution approving the 323 Ann Street Subdivision and Land Development Plan.

Mr. Ewald made a Motion to approve a Resolution approving the 323 Ann Street Subdivision and Land Development Plan. Seconded by Mr. Soto.

On the Question:

Mr. Kirkner expressed his concerns with the sidewalk on the property and asked for clarification if it does come up 5ft. short of the property line.

Mr. Ewald stated that it does come up short but there is a reason for the shortage.

Mr. Kovaleski invited the architect Mr. Charles Dobson to the podium to explain.

Mr. Dobson explained the gap in the sidewalk is related to an elevation issue with the adjacent property however, the Developer is willing to tie the sidewalks together once the elevation gap is addressed.

Mr. Kirkner asked about the waiver request for grading on the property and its possible effects on storm water management and for the neighboring parcels. He proposes amending the Motion to approve the Resolution without the waiver.

Mr. Dobson explained that the grading waiver is again related to elevation issues with the adjacent properties but has no effect on storm water management. He understands the concerns and has worked closely with

the Borough Engineer to over engineer the storm water management at the site.

Mr. Soto asked if the waiver was discussed at the Planning Commission Meeting.

Mr. Dobson stated that the waiver is not related to and will not affect the storm water management on the site.

Mr. Kirkner withdraws his wish to amend the Motion.

Ms. Doherty asked Mr. Dobson to explain the flow rates for pre-construction versus post construction.

Mr. Dobson explained the rates and that the post construction rates do include water that may enter the systems from the adjacent properties.

Motion Approved 5-1-1. Mr. Kirkner voting No and Mr. Kovaleski abstaining due to conflict of interest.

2. Consider a Resolution approving the Barclay Gardens Subdivision and Land Development Plan.

Mr. Ewald made a Motion to approve a Resolution approving the Barclay Gardens Subdivision and Land Development Plan. Seconded by Mr. Dalton.

On the Motion:

Mr. Kovaleski asked Michael Murray of OWM Law to approach the podium to address questions regarding the project.

Mr. Murray stated he is here to represent the developers of the project at the old Borough Hall site. He presented the scope and background of the project.

Mr. Ewald asked if the project was tax ratable.

Mr. Murray clarified it is.

Mr. Ewald asked about the parking ratio for the site.

Mr. Liam Cleary of Alta Planning and Design explained the ratio is .59 spaces which would equate to 74 parking spaces. The design of this project is providing 157 spaces which is more than twice the requirement.

Ms. Burckley asked how many units the project will have available.

Mr. Cleary stated the design is for 125 units.

Mr. Ewald asked about the use of the additional parking for the community and the neighboring properties.

Ms. Kathryn Evans stated that they will be willing to open up parking to the community for special events and that they could look in to more long term parking options for residents and visitors once they know the parking needs of the project after completion.

Mr. Murray also stated that the parking could be made available during snow emergencies for the surrounding property owners for plowing.

Mr. Ewald asked about the height variations of the building at the project site.

Mr. Bruce Weinstein explained the study showed the eight reference points that allow the project to meet the 80ft Zoning requirement.

Mr. Ewald asked why they are building so high.

Mr. Weinstein stated the developers are looking to maximize the potential of the site since the zoning requirements allow for it.

Mr. Ewald asked about the landscaping at the project.

Mr. Weinstein explained the presence of storm water lines in the green space that would interfere with the planting of trees.

Ms. Doherty asked that the items in the Fire Chief's letter of June 6th be added to the motion for approval.

Ms. Burckley stated her concerns for parking and how construction as well as the building itself will affect the neighbors and she hopes the developers would be good neighbors and look into ways to offer parking to adjacent property owners.

Mr. Ewald stated his concerns for the staging of equipment, materials and parking of the contractors' vehicles.

Mr. Weinstein stated that the planning of the construction staging is being discussed with the possibility of using the lots adjacent to the church across the street or the developer's property at the end of Church Street.

Mr. Ewald stated that he is looking for ways to add more parking to the area for residents and asked about allowing residents to rent spots in the parking garages at Barclay Gardens.

Ms. Evans explained this could be an option available in the future but, she can't commit to anything until she has more information on the needs of the building occupants first.

Mr. Kirkner stated he has concerns about the height of the building and how it will affect the surrounding neighbors as it is a major change to the neighborhoods landscape. He agrees it's a great use of the property but, it just seems too big.

Mr. Soto stated he also has concerns about the building height.

Mr. Ewald asked if it's typical to use multiple points to determine the average height.

Mr. Krack explained how the calculation is made to meet the Zoning requirements.

Mr. Garner stated that the ordinance allows for the height and that the proposed building is zoning compliant. He suggested that the developers prepare a staging plan to be submitted to the Borough as part of the developers' agreement.

Ms. Doherty thanked Mr. Garner for his suggestions and she stated she would like to see the Fire Departments concerns for access addressed as well.

Mr. Weinstein stated he understand the concerns and the staging of material and construction schedule will be provided during the pre-construction meetings with Borough Staff.

Mr. Kirkner stated he reviewed the County's first review and asked if a second review was done of the project.

Mr., Krack explained the Planning Commission reviewed the letter and considered all of the county's suggestions.

Mr. Kirkner stated it seems likely that Ray Ott's review letter would have addressed any concerns.

Mr. Weinstein stated the intention of the opening on Hall Street was done to minimize the impact to those residents.

Ms. Doherty asked about visitor and guest parking for the building.

Ms. Evans indicated that guests and visitors will be granted access to the properties available parking.

Mr. Ewald asked if the property is deed restricted for the age of its eligible residents.

Ms. Evans stated the age restriction is in the contract for the residents.

Mr. Kirkner asked about the services available at the facility.

Ms. Evans stated that 24hr/7day a week support is available with live in staff, visiting nurses and social workers to make sure the residents' needs are met.

Mr. Garner asked for clarification on the age requirement and suggested that a deed restriction be made as a condition.

Mr. Ewald asked for clarification on the type of dwelling units.

Ms. Evans stated they are apartments with an entrance fee.

Mr. Soto asked what the entrance fee and rents would be.

Ms. Evans stated they would be comparable with other facilities and range from \$290,000 to \$340,000 entrance fee and rent between \$500 and \$600 per month.

Mr. Ewald made a Motion to approve a Resolution approving the Barclay Gardens Subdivision and Land Development Plan including the items contained in the Fire Chief's June 6, 2018 letter and the deed restriction to ensure the project remains an over 55 community . Seconded by Mr. Dalton.

Motion Approved 5-1-1. Ms. Doherty voting No and Mr. Kovaleski abstaining due to a conflict of interest.

3. Consider a Resolution approving the Bank of America – Phoenixville Plaza Subdivision and Land Development Plan.

Mr. Ewald made a Motion to approve a Resolution approving the Bank of America – Phoenixville Plaza Subdivision and Land Development Plan. Seconded by Mr. Dalton.

On the Question:

Mr. Kovaleski asked representatives from Bank of America to approach the podium to address questions regarding the project.

Mr. Chirag Thakkar of Arna Engineering provided the background on the project and explained the waivers requested.

Mr. Ewald asked about the projects existing condition as they relate to the waivers.

Mr., Garner explained the differences between the waivers for clarification.

Mr. Thakkar explained why the applicant wants to retain the parking spaces and not install the landscaping as it would create an area where existing landscaping would abut newly installed landscaping.

Mr. Krack explained that the Council packet contains two Resolutions one with the waivers granted at Planning Commission and one that includes the fourth waiver for landscaping that was not recommended by the Planning Commission. He stated he included both so that Council could choose to decide what they wished to grant the applicant.

Mr. Ewald asked about improvements for the SEPTA bus stop at the complex and pedestrian access.

Mr. Anderson explained that while the shopping center appears to be one complete property it is in fact divided and owned by different groups or organizations of investors. The existing stop is on a piece of property not owned by the same individuals as the bank pad site. As they move forward with tenants for the old Sears building they hope to address the aging SEPTA location.

Ms. Doherty asked about the traffic study and pedestrian safety.

Mr. Anderson stated that they did conduct a traffic study and it has been included in the plan to install cross walks and flashing pedestrian signs to alert cars to pedestrians using the shopping center.

Mr. Kirkner made a motion to amend the motion to include approval of all four waivers. Seconded by Mr. Soto.

Motion to Amend Approved 7-0.

Motion Approved 7-0.

B. Historical Architectural Review Board – (Liaison - Dugan)

1. Consider approval of the Sign Request for 131 Bridge Street, Suite 1B.
2. Consider approval of the Alteration Request for 131 Bridge Street, Suite 5.

Mr. Kirkner made a Motion to approve items 1&2. Seconded by Mr. Soto.

Motion Approved 7-0.

C. Regional Planning Committee – (Liaison - Ewald)

Mr. Ewald reminded the public of the next meeting on July 25, 2018 at 7:30 pm at the Schuylkill Township Municipal Building.

D. Recreation Board – (Liaison - Dugan)

No Action to Report.

E. Beautification Advisory Commission – (Liaison - Soto)

Mr. Soto reported on the activities of the Beautification Advisory Commission including plantings in the Taylor Alley Parking Lot and at Flo Straub Way, the Iron Pot Planter sponsorships, Christmas in July.

XIII. Council Action referred from Council Committees

A. Parks and Recreation Committee – (**Soto**, Dugan, and Kovaleski)

1. Consider Temporary Community Event Application for Beat the Blob 5K Run on the Schuylkill River Trail in the Borough on Sunday, July 15, 2018 from 8:00 am to 9:30 am.

Mr. Soto made a Motion to approve a Temporary Community Event Application for Beat the Blob 5K Run on the Schuylkill River Trail in the Borough on Sunday, July 15, 2018 from 8:00 am to 9:30 am. Seconded by Mr. Kirkner.

Motion Approved 7-0.

2. Consider Temporary Community Event Application for National Night Out on Tuesday, August 7, 2018 from 6:00 pm to 8:30 pm on the 200 Block of Church Street. Church Street from Gay Street to Main Street to be closed from 4:30 pm to 9:00 pm.

Mr. Soto made a Motion to approve a Temporary Community Event Application for National Night Out on Tuesday, August 7, 2018 from

6:00 pm to 8:30 pm on the 200 Block of Church Street. Church Street from Gay Street to Main Street to be closed from 4:30 pm to 9:00 pm. Seconded by Mr. Kirkner.

Motion Approved 7-0.

3. Consider Temporary Community Event Application for Phoenixville Federal Summer Music Festival on Sunday, September 9, 2018 from 6:30 pm to 8:00 pm at the Band Shell in Reeves Park. Rain Date would be Monday, September 10, 2018. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

Mr. Soto made a Motion to approve a Temporary Community Event Application for Phoenixville Federal Summer Music Festival on Sunday, September 9, 2018 from 6:30 pm to 8:00 pm at the Band Shell in Reeves Park. Rain Date would be Monday, September 10, 2018. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured. Seconded by Mr. Kirkner.

Motion Approved 7-0.

4. Consider Temporary Community Event Application for Rhythm at Reeves on Saturday, August 25, 2018 from 4:00 pm to 8:00 pm in Reeves Park.

Mr. Soto made a Motion to approve a Temporary Community Event Application for Rhythm at Reeves on Saturday, August 25, 2018 from 4:00 pm to 8:00 pm in Reeves Park. Seconded by Mr. Kirkner.

Motion Approved 7-0.

B. Policy Committee – (**Dalton**, Doherty, Kirkner, and Soto)

1. No Action to Report.

C. Police and Personnel Committee – (**Burckley**, Doherty, and Ewald)

1. Consider directing the Civil Service Commission to provide an updated Eligibility List for Patrolman.

Ms. Burckley made a motion to direct the Civil Service Commission to provide an updated Eligibility List for Patrolman. Seconded by Mr. Ewald.

Motion Approved 7-0.

D. Infrastructure, Technology and Transportation Committee – (**Ewald**, Burckley, Dalton, and Kovaleski)

1. No Action to Report

E. Finance Committee – (**Dugan**, Doherty, Kirkner, and Kovaleski)

1. Consider approval of the 2018 Pre-Paid dated 5/13/2018 - 6/15/2018 in the amount of \$1,230,357.28.
2. Consider approval of the 2018 Pre-Paid ACH dated 5/31/2018 in the amount of \$228,407.58.
3. Consider approval of the 2018 Pre-Paid Credit Card Statement dated 5/29/2018 in the amount of \$4,157.83.

Mr. Kirkner made a Motion to approve items 1-3. Seconded by Ms. Doherty.

Motion Approved 7-0.

4. Consider Budget Increase 2018-016 in the amount of \$3,200 from Water Fund Balance to Water Distribution (Contracted Services) for the cost of repairs to a resident's service caused by Borough.

Mr. Kirkner made a motion to approve the Budget Increase 2018-016 in the amount of \$3,200 from Water Fund Balance to Water Distribution (Contracted Services) for the cost of repairs to a resident's service caused by Borough. Seconded by Mr. Soto.

Motion Approved 7-0.

5. Consider authorizing the painting of street light poles on Church Street, Main Street and Gay Street at a cost of approximately \$5,500.

Mr. Kirkner made a Motion to authorize the painting of the street light poles on Church Street. Seconded by Mr. Soto.

On the Question:

Mr. Kovaleski stated he suggested the street lights be painted blue, but he has received feedback on the new black traffic signals and wants to make sure Council still wants to move forward with the blue.

Mr. Ewald still supports the blue color as it is a clear indication of the downtown district and its businesses.

Mr. Soto stated he feels the blue color is very eye catching and distinctive to our downtown.

Ms. Doherty agreed the blue is definitively distinctively a Phoenixville color.

Motion Approved 7-0.

6. Consider Approval and Authorizing the Execution of the Affordable Housing Development Agreement between the Borough of Phoenixville and The Hankin Group to develop a 50 unit affordable senior housing complex at 115 Buchanan Street with the Borough providing the land for the project.

Mr. Kirkner made a Motion to Approve and Authorize the execution of the Affordable Housing Development Agreement between the Borough of Phoenixville and The Hankin Group to develop a 50 unit affordable senior housing complex at 115 Buchanan Street with the Borough providing the land for the project. Seconded by Ms. Burckley.

On the question:

Mr. Kovaleski stated his concerns with giving the property to the developer and not selling the asset to help offset costs on the New Community Center. He stated he will be voting No tonight.

Motion Approved 5-2. Mr. Dalton and Mr. Kovaleski voting No.

XIV. Public Participation

None

XV. Staff Reports

A. Manager

Mr. Krack thanked Mr. Kirkner for his kind words and for the support of Council and staff over the last 10 years.

- B. Police
- C. Fire
- D. Planning and Codes
- E. Public Works
- F. Finance
- G. Human Resources

XVI. Executive Session –None

XII. Adjournment - 8:50 pm. Mr. Ewald made a Motion to adjourn.

E. Jean Krack
Borough Manager

Transcribed by: Jennifer Logan
Administrative Assistant
July 2018