

**PHOENIXVILLE BOROUGH COUNCIL**  
**Tuesday, September 14, 2010**  
**7:00 PM**

**MEETING MINUTES (Approved by Borough Council September 28, 2010)**

- I. Invocation/Pledge of Allegiance – Chair – Mr. Kirkner called the meeting to order at 7:05 p.m.
- II. Roll Call – Borough Secretary – Those present on roll call were as follows: Buckwalter, Dugan, Gautreau, Handwerk, Kirkner, Reber, and Speck. Also present were: Borough Manager Krack, Solicitor Rau, Lt. Sjostrom and Mayor Scoda. (Mr. Senley was not in attendance).
- III. Minutes of Previous Meetings: August 24, 2010 – Mr. Buckwalter made a motion to approve the minutes, seconded by Mr. Gautreau, and approved by a vote of 6 to 0 to 1 with Mr. Handwerk abstaining from the vote.
- IV. Public Participation
  - a. Virginia Murphy of 222 Church Street said her quality of life has been changed due to the parking on her street. She said it would be her desire for an open process for the Parking Authority to address the concerns of the residents and desires a part in the process. She said she would like a working relationship between the Parking Authority and Council.
  - b. David Saneck of 299 Fillmore Street said when are the streets going to be closed on November 27<sup>th</sup> and for how long. Council responded for about 1.5 hours. He asked if people can get to their houses?
  - c. Michael Hill of 210 East High Street said he is seeing changes but they do not address the concern for the buildings that are ready to collapse. He said he is submitting documentation for grants available to address these issues. Mr. Kirkner said Borough staff is looking into this.
- V. Appointments/Public Resolutions – There were no appointments or public resolutions.
- VI. Presentations – There were no presentations to come before Council this evening.
- VII. Communications: Mr. Kirkner read the resignation from Jeff Senley and asked for a motion to accept the resignation. He said a hard copy should be put in the record.

Mr. Speck made a motion to accept the resignation of Jeff Senley as of September 14, 2010, seconded by Ms. Dugan, and approved by a vote of 7 to 0.

Mr. Kirkner mentioned to the public to submit applications and stated the interview process will be in public. He asked if it could be open that Council elect a new member that evening. He asked for notices to be placed on the website and cable access channel and for Dennis Wright to do a story.

VIII. Council Participation

- a. Mr. Gautreau read an e-mail from Mr. Horenci regarding the parking on Gay Street stating it should be on the west side.
- b. Mr. Speck said Mont Clare celebrated the 100<sup>th</sup> anniversary of the fire department. He said there was a Blues Fest in Reeves Park. He said on Saturday, September 18<sup>th</sup> there will be a memorial service for Medal of Honor recipient Sgt. Dolby at the VFW at noon. He said there is a gold pass for individuals over 65 to get access to all high school sporting events and if anyone is interested see someone at the school district administration office. He expressed concern about the diner on Starr Street and by right the individual is allowed to have that on their property.
- c. Mr. Gautreau said PACS is having its empty bowls event on November 12<sup>th</sup> at the Artisans Cafe. He said you get a bowl made by local artists. He said he has a question about trash on Kenalcon Drive. Mr. Krack said it was being addressed.

- IX. New Business: Consider Approval of a Temporary Community Event Possible Road Closure for the Following Streets: Franklin Avenue, Grant Street, South Street, Fillmore Street, Dayton Street, Township Line Road, Mowere Road, Onward Avenue, and Fairview Street for the 5K Run/1 Mile Fun Run on Saturday, November 27, 2010 – Lieutenant Sjostrom said this is going to be more of a rolling street closure. He said both courses are one lap.

Mr. Reber made a motion to approve the temporary community event for November 27, 2010, seconded by Mr. Speck, and approved by a vote of 6 to 0 to 1 with Mr. Handwerk abstaining from voting because he is a member of the organization.

- X. Resolutions: There were no resolutions to be adopted by Council this evening.

XI. Public Hearings:

- A. Consider Adoption of an Ordinance Amending Chapter 15 “Motor Vehicles and Traffic”, Part 4, “General Parking Regulations”, in the Borough of Phoenixville, Chester County, Pennsylvania – Mr. Rau said this has been advertised with the Mercury. He said it is in a position to be acted upon. He said Mr. Gautreau brought up a change regarding potentially changing a side of the street with no parking. He said if the Gay Street parking is moved from west to east it would have a lesser impact and would not be a substantial change.

Mr. Krack said the distance was discussed at the last meeting on the west side between Nutt Road and Griffen Street. He said he doesn't think it is necessary to re-advertise but it is Council's pleasure.

Mr. Kirkner opened up the public hearing and invited public comment.

Mr. Victor Hurdle of 216 Bridge Street said he would like clarity for where on Gay Street the no parking would be.

Mr. Kirkner replied from the 7-11 south. There were no other members of the public wishing to speak so he closed the hearing and asked Council's desire.

Mr. Reber said he would like some clarification. He asked if we know how many residents are between Griffen and Milligan. He said he would recommend the east side.

Mr. Kirkner said he knows when an ordinance is advertised we can make minor changes but if we jump from the east to the west side of the street is this a minor change. He said we haven't advertised the east side of the street. He said we are talking about extending no parking. He said that seems to be a serious re-write.

Mr. Rau said the no parking on the street has been put out there. He said we could do a quick re-advertisement and have it ready for the next meeting.

Mr. Reber made a motion to amend the ordinance to make the no parking from Nutt to Griffen on the east side, seconded by Mr. Speck, and approved by a vote of 7 to 0.

ON THE QUESTION: Mr. Gautreau asked if we are just voting on section two for now and then we'll do another motion for High and Main Streets.

Mr. Kirkner asked the solicitor if we can split out section one and section two.

Mr. Rau said if you are concerned about what is a substantial amendment you should cut the ordinance in half and we'll re-advertise so you can vote on it in two weeks.

Mr. Reber made a motion to re-advertise with a hearing at the meeting on September 28th, seconded by Ms. Dugan, and approved by a vote of 7 to 0.

B. Consider the Boundaries of Those Areas within the Borough to be Designated as Deteriorated Areas Receiving Tax Relief pursuant to the Local Economic Revitalization Tax Assistance Act, Act 76 of 1977 – Mr. Kirkner opened up the public hearing for the map changes. He said these districts as proposed would be French Creek East and West, Paradise Street to the Schuylkill River, and Second Avenue. The solicitor and Mr. Krack gave a brief overview. No one from the public wished to speak so he closed the public hearing.

Mr. Handwerk made a motion to approve the areas for the LERTA, seconded by Mr. Reber, and approved by a vote of 7 to 0.

ON THE QUESTION: Mr. Buckwalter asked what is at the area on Second Avenue now? Mr. Krack said it is next to the wastewater treatment plant.

Mr. Speck made a motion to advertise the ordinance for consideration at the September 28, 2010 meeting, seconded by Mr. Handwerk, and approved by a vote of 7 to 0.

ON THE QUESTION: Mr. Reber asked about having the LERTA tied to taxpayers who are current. Mr. Kirkner said that is in the draft ordinance.

## XII. Reports of Committees, Boards, Commissions and Authorities

### A. Planning Commission

1. NOTE: The Planning Commission Voted by a Vote of 4 to 0 to Advise Council that the Information for the LERTA was Insufficient for the Commission to be Able to Responsibly Provide Informed Comments On

### B. Regional Planning Commission – Mr. Kirkner had nothing to report.

### C. Parking Authority – Mr. Hurdle said there are two vacancies on the Parking Authority. He said our website is out there. He said we are looking at the parking ordinances. Mr. Gautreau asked about email of receipts. Mr. Hurdle responded that all of this is coming. Mr. Buckwalter asked about the 200 block of Church Street parking. Mr. Hurdle addressed some of the parking in the Prospect Street lot. Mr. Buckwalter asked that the Parking Authority re-educate the merchants' employees regarding the parking. Discussion continued, including the time line for the ordinance.

### D. Historical Architectural Review Board

1. Consider Approval of the Application for 252 Bridge Street to Install 24" x 42" Double Sided Carved PVC Protruding sign (HARB Recommended Approval)

Mr. Buckwalter made a motion to approve the application for 252 Bridge Street, seconded by Ms. Dugan, and approved by a vote of 7 to 0.

2. Consider Approval of the Application for 260 Bridge Street to Install 25" x 42" Double Sided Carved PVC Mounted on Black Powder Coated Wrought Iron Bracket; Install 21" x 36" Single Sided Aluminum Panel Wall Mounted over Front Door; Install 12" Etched Glass Vinyl Band around Store Windows (HARB Recommended Approval) – Mr. Buckwalter made a motion to approve the application for 260 Bridge Street, seconded by Ms. Dugan, and approved by a vote of 7 to 0.

3. Consider Approval of the Application for 317 Bridge Street to Install 30" x 192" Single Sided Sign in Existing Sign Cabinet (HARB Recommended Approval)

Mr. Buckwalter made a motion to approve the application for 317 Bridge Street, seconded by Ms. Dugan, and approved by a vote of 7 to 0.

### E. Council Action referred from Council Committees (None)

## XIII. Public Participation (con't)

a. Janice Swarr of 211 Church Street said she came down here to support the parking issues. She said we have a great deal of vandalism near the Forge Theatre and patrons are having their cars keyed.

Mayor Scoda asked if the vandalism had been reported to the police. Ms. Swarr said she would hope so. Mayor Scoda said make sure you notify the police.

## XIV. Executive Session – Mr. Kirkner said we'll skip this for now.

## XV. Staff Reports

1. Manager's Report – Mr. Krack said he is cognizant of Section 108 and the CDBG grants.

2. Code Enforcement Director's Report – Mr. Kirkner said the Codes Department received 114 complaints and resolved 75 of them which is good.

3. Public Works Director's Report – Mr. Speck asked a question about the water shut-offs. Mr. Nease responded that we still have a few shut-offs. Mr. Kirkner asked Mr. Watson about the number of streets paved. Mr. Watson reported 10 streets.

4. Fire Chief's Report

5. Finance Director's Report

6. Mayor's Report – Mayor Scoda said he didn't attend many events due to being out of town. He said we received a printed citation from the guard. He said he has a letter from Calvary Chapel in Chester Springs who used Reeves Park for an outreach program. He said on October 2<sup>nd</sup> Reeves Park will host the Kiwanis Community Day. Mr. Kirkner said you missed the rededication of Andre Thornton Park which was a great day.

#### Other Reports

1. CDC Liaison – There is no CDC liaison at the moment; therefore, no report.

2. Fire Department Liaison – Mr. Gautreau said Mont Clare had their 100<sup>th</sup> anniversary this past weekend. He said we are having our next to last steering committee meeting next Wednesday.

Mr. Speck said we want to look into claiming money when insurance companies pay out for fires which should be on the Policy Committee.

XVI. Old Business – There was no old business to come before Council this evening.

XVII. Adjournment – Mr. Reber made a motion to adjourn. Meeting adjourned at 8:42 p.m. into executive session to discuss labor relations.