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## POTTSTOWN BOROUGH COUNCIL

The regular meeting of the Pottstown Borough Council was called to order on Monday, May 13, 2019 at 7:00 p.m. in the Council Meeting Room, Pottstown Borough Hall, 100 East High Street, Pottstown, Pennsylvania, with President Weand in the Chair.

### CALL TO ORDER

### INVOCATION

President Weand requested a moment of silence.

### PLEDGE OF ALLEGIANCE

### ROLL CALL

Councilors present were Ryan Procsal, Carol Kulp, Donald Lebedynsky, Trenita Lindsay, Dan Weand, Rita Paez and Joseph Kirkland. Also present were Mayor Stephanie Henrick, Manager Justin Keller, Solicitor Charles Garner and Borough Secretary Virginia Takach.

### APPROVAL OF MINUTES

Motion by Councilor Kulp, seconded by Councilor Lindsay to approve the April 8, 2019 Council meeting minutes as presented. Motion carried: 7 ayes.

### COMMENTS FROM CITIZENS PRESENT

a. Jim Derr, 343 Rosedale Drive – expressed his concerns regarding the new parking regulations on High Street. He noted that he didn't know there was such a problem with parking, and it will not make it easier to bring businesses and visitors into Pottstown. He also objected to the pure digital service on High Street and requested further consideration.

b. Johnny Corson, 544 Jefferson Avenue – announced a bus trip to Harrisburg on June 12<sup>th</sup> through the School District to address the Fair Funding issues. He also urged committees to work together for the Ricketts Center as the Center saved his life and where he met his wife.

c. Randy Mims, 435 King Street – requested Council's consideration regarding the property at 435 King Street purchased at a Tax Sale in December 2018. He requested that Council waive the rental inspection and fees in order for him to obtain permits to begin rehabilitating the property.

d. Matt Green, 123 North Hanover Street – spoke about the Olivet Boys and Girls Club management and also as a member of the Advisory Committee. He confirmed that all money raised in Pottstown stays in Pottstown to help Pottstown youth. Mr. Green urged Council to allow the Olivet Boys and Girls Club to continue the management of the Ricketts Center.

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### SUBCOMMITTEE REPORTS

a. Finance & Administration – President Weand reported that as of the end of March, expenses are at 17% and revenues at 23%. He added that the auditors have finalized their field work and will provide a report in the future. President Weand also reported that the assessments have increased by \$19,000 from February to March 2019.

### COMMITTEE REPORTS

- a. COG – Vice President Kulp noted that the minutes were in the packets.
- b. EAC – Mr. Derr advised that there was no formal meeting due to the lack of a quorum. He expects to submit a name for appointment in the near future.
- c. Regional Planning – Councilor Procsal advised that a presentation was made by the Chester county Planning Commission.
- d. Blighted Property Review Committee – There was no meeting and a bus tour is scheduled for May 15<sup>th</sup>.

### UNFINISHED BUSINESS

None.

### NEW BUSINESS

- a. Presentation – Econsult Solutions, Inc., EIP Report

Dan Connelly, Brooke Queenan, Dave Unkovic and Steve Wheeler were present to provide the final report of the Econsult Solutions' review of the Borough's financial position.

Mr. Connelly advised that historic financial conditions were reviewed, including the General Fund, millage rate increase and tax assessments. He also noted the pension and OPEB accounts continue to put pressure on the operating budget. Mr. Connelly commented that Economic Development is a priority throughout the Borough, which is not an Act 47 candidate and not a stressed municipality. He noted that the primary driver is personnel and health care costs. Mr. Connelly also reviewed the water and sewer funds, which are in good standing. He advised that although selling the system is not recommended at this time, it may be prudent to investigate the process.

Mr. Wheeler reviewed the Police Department statistics, noting that the department is not overstaffed and there is no recommendation to reduce the force. Recommendations includes adjusting overtime, training and court time.

Ms. Queenan commented that the Borough focuses on Economic Development and provided

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recommendations to include decreasing red tape for development, working with Pottstown Area Industrial Development and the County to promote the Opportunity Zones and improve activity in the downtown, such as festivals, food trucks and beer gardens.

Mr. Connelly reviewed the financial forecasts and corrective action measures, such as personnel cost savings, limiting millage rate increases to 1%, increasing capital contributions and maintaining the revised fund balance.

#### Presentations – Ricketts Center

Present Weand requested that as a courtesy to both presenters regarding the Ricketts Center, that the other entity remain outside of the room. He also advised that the presentations should be limited to 10 minutes followed by 5 minutes of questions and answers.

Mr. Keller also explained that the Olivet Boys & Girls Club lease is scheduled for renewal with the deadline of June 30, 2019. He added that an extension has been requested to discuss terms and conditions.

Solicitor Garner added that this was for a five-year term with options of 5-year term renewals. He also advised that Olivet Boys and Girls Club has indicated its desire to continue with the lease. No action will be required this evening.

#### b. Presentation – Olivet Boys & Girls Club/Ricketts Center

Gary Redner, Chair of the OBGC Board, provided background and status of the present Board of Directors. He reported that a permanent CEO will be named by next week. He also advised that each year approximately \$80,000 is funneled into all the clubs, including the Ricketts Center.

Angel Helm, Interim CEO of the Olivet Boys & Girls Club, introduced Board members and officials of the OBGC. Present were Nick Phillippides, Director of Ricketts Center, Jillian Woodruff Grant Writer, Les Rinehart, Chairman of Advisor Board, Paul Winterbottom, Training Room, Candice Ninfo, Director of Clubs and Sherri Kreisher, Finance.

Ms. Helm provided an outline of the history, mission, programs and structure of the Ricketts Center, including the partnerships, summer camps and the 2019 Financial Budget of the Ricketts Center. She advised that OBGC has been in existence for 120 years. She also announced that the Center is open Saturday with a volunteer staff. Ms. Helm added that a new van has been purchased and dedicated to the Ricketts Center.

Mr. Phillippides advised that 90% of the members that attend the Center are from Pottstown.

Mr. Winterbottom reported that the fitness program was recently ranked as #1 out of over 500 fitness clubs and added that in 2016 it won the Peoples' Choice Award.

Ms. Helm advised that at a recent meeting with the Borough and STRIVE, OBGC offered to work in collaboration under the standards of the Club.

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Ms. Helm addressed several questions from Council regarding hours, grants and the infrastructure of the building.

Ms. Ninfo outlined the changes made to the building improvement to accommodate the children and adults, addressed code violations and installed new steel doors and landscaping outside of the building.

c. Presentation – STRIVE

Alex Fizz, STRIVE, Board member, provided a brief video and handout regarding the STRIVE initiative. He referred to the process of Wellness and outlined the mission and agenda of the initiative. He also introduced the members present as David Charles, Anthony Lyon, Bill Robertson, Hannah Davis and Edward Murray.

Mr. Charles advised STRIVE actually stands for Strengthening Tomorrow Requires Initiative & Vision Everyday and is a non-profit 501(c) (3) organization. He also reviewed the activities and programs offered at the Middle School.

Mr. Lyon provided a brief history of the Center, including the gift of the building from the Hill School to the Borough in 1940. He advised that it was the mission to serve residents and focus on health, education, spiritual development, adding that it is STRIVE's goal to continue the mission of improving youth and families at the Ricketts Center, as it is a once in five-year opportunity.

Ms. Davis outlined and compared the budgets of STRIVE and the OBGC, which was obtained through the Right to Know process. She also noted that the initiative will include increased hours, from 9:00 a.m. - 9:00 p.m., Monday through Friday and also open on Saturday and Sunday, with the increase in staff. She also advised that 60% of the STRIVE board resides in the Borough.

The members addressed several questions from Council including the mentoring, budgetary and unruly behavior that occurs at the Center.

Ms. Davis commented that these issues have been addressed through the Family Advisory Committee.

Mr. Charles concluded that the initiative began in the school area with a music base, which fed into the Community Center.

d. Black Lab Rentals, LLC – Motion by Councilor Paez, seconded by Councilor Procsal to grant the Conditional Use request of Patricia Hughes, d/b/a Black Lab Rentals, LLC, to operate a management office at property located at 318 State Street. Motion carried: 7 ayes.

e. Conditional Offers – Motion by Councilor Kirkland, seconded by Councilor Paez to authorize the Chief of Police to extend conditional offers of employment to two (2) eligible candidates from the Civil Service Eligibility List. Motion carried: 7 ayes.

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f. Hanover Square Commercial - Motion by Councilor Kirkland, seconded by Councilor Procsal to grant request of the Hanover Square Commercial Development Plan for changes to the original color schemes of Building B, located at South Hanover Street, as previously approved by Borough Council on February 11, 2019, subject to review and approval of the Solicitor and the Licensing & Inspections Department.

Councilor Lindsay provided the sketch of the recommended plan.

Motion carried: 7 ayes.

g. Traffic Signals King & Manatawny Streets – Motion by Councilor Paez, seconded by Councilor Lindsay to adopt a Resolution authorizing the Borough Manager to submit an application for Traffic Signal Approval to PennDOT as related to the traffic signals at King and Manatawny Streets.

#### RESOLUTION NO. 2019-13

BE IT RESOLVED, by authority of the Pottstown Borough Council of the Borough of Pottstown, Montgomery County, and it is hereby resolved by authority of the same, that the Borough Manager of said Municipality is authorized and directed to submit the attached Application for Traffic Signal Approval to the Pennsylvania Department of Transportation and to sign this Application on behalf of the Municipality.

Motion carried: 7 ayes.

h. Flood Mitigation Program – Motion by Councilor Lindsay, seconded by Councilor Kulp to adopt a Resolution authorizing submission of a Flood Mitigation Program grant to the Pennsylvania Commonwealth Financing Authority, in the amount of \$500,000, with a Borough match of 15%, to be used for Underground Stormwater Arches.

#### RESOLUTION NO. 2019-14

#### APPENDIX II – AUTHORIZED OFFICIAL RESOLUTION

Be it resolved, that the Borough of Pottstown, Montgomery County hereby request a Flood Mitigation Program (FMP) grant of \$500,000.00 from the Commonwealth Financing Authority of the Commonwealth of Pennsylvania to be used for Underground Stormwater Arches.

Be it further resolved, that the Applicant does hereby designate, Justin Keller, Borough Manager and Kourtney High, Grants Administrator, to execute all documents and agreement between the Borough of Pottstown and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

Motion carried: 7 ayes.

i. Noise Ordinance - Motion by Councilor Procsal, second by Councilor Kulp to adopt an Ordinance amending the Noise Ordinance to create an additional exemption for noise generated within the Downtown Zoning District.

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ORDINANCE NO. 2185

AN ORDINANCE OF THE BURGESS AND TOWN COUNCIL OF THE BOROUGH OF POTTSTOWN AMENDING §804, EXEMPTIONS, OF PART 8, NOISE, OF CHAPTER 6, CONDUCT, OF THE CODE OF ORDINANCES OF THE BOROUGH OF POTTSTOWN, AS AMENDED, TO CREATE AN ADDITIONAL EXEMPTION FOR NOISE GENERATED WITHIN THE DOWNTOWN ZONING DISTRICT

Motion carried: 7 ayes.

j. Outdoor Dining Ordinance - Motion by Councilor Lindsay, seconded by Councilor Kulp to authorize the Solicitor to prepare ordinance amendments and advertise a Public Hearing to change provisions of the Outdoor Dining Ordinance. Motion carried: 7 ayes.

k. PLGIT - Motion by Councilor Kirkland, seconded by Councilor Paez to authorize the Solicitor to prepare and advertise an Ordinance to join the Pennsylvania Local Government Investment Trust (PLGIT) for the purpose of purchasing shares of the Trust.

Mr. Keller commented that this is essentially a savings account and requesting to move funds into this account with a higher interest rate.

Motion carried: 7 ayes.

l. Branton Strategies – Motion by Councilor Kirkland, seconded by Councilor Procsal to approve the proposal of Branton Strategies for Consulting Services for the Pottstown Land Bank at an hourly rate of \$150, subject to review and approval of the Solicitor and Borough Manager. Motion carried: 7 ayes.

m. Fire Chief/Fire Marshal - Motion by Councilor Lindsay, seconded by Councilor Paez to appoint Francis P. Hand as the Fire Chief/Fire Marshal for the Borough of Pottstown, effective April 15, 2019. Motion carried: 7 ayes.

n. Delta Airport Consultant Agreement – Motion by Councilor Paez, seconded by Councilor Procsal to approve a one-year extension of the Delta Airport Consultant Agreement, to expire June 15, 2020, subject to review and approval of the Solicitor. Motion carried: 7 ayes.

o. Airport Open House – Motion by Councilor Paez, seconded by Councilor Kulp to grant request of James Rouiller, Fixed Base Operator for the Pottstown Municipal Airport, 1149 Glasgow Street, to hold an Open House event on August 24 and August 25, 2019, 10:00 a.m. -3:00 p.m. Motion carried: 7 ayes.

p. Memorial Park Phase III – Motion by Councilor Procsal, seconded by Councilor Kulp to award the Memorial Park Phase III Rebid project to Land Tech Enterprises, Inc., Warrington, PA, in the amount of \$158,980 as per the bid tabulation of May 3, 2019, subject to review and approval of the Solicitor. Motion carried: 7 ayes.

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q. 2019 Paving - Motion by Councilor Kirkland, seconded by Councilor Paez to award the Overlay Street Paving 2019 project to Joseph Sucher and Sons, Inc., Eddystone, PA in the amount of \$772,300, subject to review and approval of the Solicitor. Motion carried: 7 ayes.

r. Soap Box Derby – Motion by Councilor Lindsay, seconded by Councilor Kulp to grant request of Pottstown AMBUCS to hold the Annual Soap Box Derby scheduled for June 15, 2019 (rain date – June 16), resulting in the closing of Wilson Street on June 14 & 15, from 7:00 a.m. to 6:00 p.m., subject to approval of the Police and Fire Departments. Motion carried: 7 ayes.

s. Pottstown Rumble – Motion by Councilor Kirkland, seconded by Councilor Procsal to grant the request of the Pottstown Rumble to include a beer garden and tasting event for the June 21, 22 & 23, 2019, Volleyball Tournament, from 12:00 p.m. to 12:00 a.m., to be held in Memorial Park, subject to approval of the Police and Fire Departments and compliance with the Liquor Control Board regulations. Motion carried: 7 ayes.

t. HARB - Motion by Councilor Procsal, seconded by Councilor Lindsay to approve Certificates of Appropriateness for the following properties as recommended by HARB:

- i. 64King Street
- ii. 964-966 High Street

Motion carried: 7 ayes.

u. HARB - Motion by Councilor Kirkland, seconded by Councilor Lindsay to ratify action of the Building Permit Officer approving a Certificate of Appropriateness for the property located at 886 High Street. Motion carried: 7 ayes.

v. Fixed Base Operator – Motion by Councilor Kirkland, seconded by Councilor Paez to approve and authorize the execution of the lease agreement with the Fixed Base Operator for the Pottstown Municipal Airport, for a five-year term.

President Weand opened a public hearing at 9:05 p.m. as this was not listed on the agenda. Hearing no comments, the hearing closed at 9:06 p.m.

Motion carried: 7 ayes

REPORT OF BILLS – Motion by Councilor Kulp, seconded by Councilor Lindsay to pay the bills in the amount of \$2,149,574.77. Motion carried: 7 ayes.

### ANNOUNCEMENTS

Councilor Kulp noted that she attended the Schuylkill River trail painting event, which was quite successful.

Councilor Lindsay announced that she will be attending the June 12<sup>th</sup> POWER event in Harrisburg for fair funding in schools.

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Mayor Henrick noted that she will be unavailable for a short time and will be addressing emails and phone calls.

ADJOURNMENT

President Weand adjourned the meeting at 9:10 p.m.

Submitted by,

Justin M. Keller  
Borough Manager