

June 3, 2020

6:30 P.M. Conditional Use Hearing – Kingdom Life Church, 380 Walnut Street

Solicitor Garner opened a Conditional Use Hearing at 6:30 p.m. on the application of the Kingdom Life Church to establish a day-care facility at the property located at 380 Walnut Street. Solicitor Garner entered several items into evidence as Council Exhibits.

Pastor Justin Valentine was represented by Attorney Edwin Stock and testified on behalf of the Church, noting that he is offering services to the community to be in walking distance of the Church and understanding the demographics of the area. Pastor Valentine advised that there are no other day care facilities within 300 feet of the Church. He added that the operations would be from 6:00 a.m. to 5:00 p.m.

There were no public comments and Solicitor Garner closed the hearing at 6:50 p.m., noting that Council has 45 days to render a decision.

COMMITTEE OF THE WHOLE MEETING

The June 3 2020 Committee of the Whole meeting was called to order at 7:00 p.m. by President Weand.

ATTENDANCE

Councilors present were Ryan Procsal, Lisa Vanni, Donald Lebedynsky, Trenita Lindsay, Dan Weand and Michael Paules. Also present were Borough Manager Justin Keller, Assistant Solicitor Matthew Hovey, Mayor Stephanie Henrick, Grants Assistant Kourtney High and Borough Secretary Virginia Takach. Councilor Kirkland was absent.

INVOCATION

President Weand requested a moment of silence for assistance and recovery from the Corona Virus.

PLEDGE OF ALLEGIANCE

SUBCOMMITTEE REPORTS

- a. Infrastructure – There was no meeting.
- b. Economic Development (PAID) – Ms. Lee-Clark reported that the downtown businesses are looking forward to having outside seating.
- c. Transportation – There was no meeting.
- d. Ordinance Review Committee – There was no meeting.
- e. Efficient Methods Committee - There was no meeting.

June 3, 2020

BOARDS & COMMITTEE REPORTS

a. Emergency Services Report – Chief Hand provided the statistics for the month of May, with two significant fires in the Borough. He added that during the COVID-19 pandemic, the Borough has been very proactive in its safety measures. A public testing site is now open at the King Street Health Center. Chief Hand advised that he will be updating the open burning notice on the Borough’s website.

a. Human Relations Commission – There was no report.

b. Ricketts Community Center – The report was no report.

MAYOR’S REPORT

Mayor Henrick announced that Officer Chris Zahorchak was named 2019 Officer of the Year. She also reviewed several events in the Borough, including the peaceful protest that occurred throughout town and announced another peaceful protest scheduled for June 7th. The Mayor also reported that a letter from the Montgomery County Mayors was sent to Commissioner Gale in response to his recent comments and requesting his resignation.

MANAGER’S REPORT

Mr. Keller provided an update on recent grants, included a \$2,500 grant for ice skating from the Health and Wellness Foundation and continues to submit COVID-19 costs to PEMA and FEMA. He added that \$48,000 grant was submitted for Police Department laptops. A new DCEC Blight remediation and prevention program grant was recently introduced and he will provide information as received.

Mr. Keller advised that the Pottstown Rumble was forced to cancel this year’s event due to the crisis. He noted that the Borough will be open for appointments only on June 8th. He also advised that street sweeping will occur in the downtown next week. Mr. Keller requested Council’s recommendation for conducting Monday evening’s meeting.

PRESENTATION – KEIM STREET PLAN, MONTGOMERY COUNTY PLANNING COMMISSION

Mr. Keller announced that the Commission requested to move its presentation to Monday evening.

RESTRUCTURING POLICE DEPARTMENT

Chief Markovich announced that a grant was received in the amount of \$250,000 to assist in hiring new officers and thanked Kourtney High for her assistance with the grant. He referred to his outline for restructuring the Police Department to add two lieutenant positions to replace the currently open captain’s position. This would also result in the opening of two sergeant and one corporal positions. A side letter with the PPOA would also need approval of this restructuring.

President Weand advised this would be listed for approval as described by the Chief.

June 3, 2020

DERR FAMILY PROPERTIES

Solicitor Garner explained the minor land development plan of the Derr Family Properties, also known as the Lords and Ladies Salon, 58-64 King Street. There is no new construction planned, simply construction over the last 10 years. He added that there will be a note on the plan regarding a private alley and a blanket easement across the property for purposes of access to parking and a payment in lieu of trees.

PUBLIC HEARING, MONTGOMERY ELKS, CLUB LIQUOR LICENSE

Solicitor Garner opened a public hearing regarding the request of Montgomery Lodge, 605 Walnut Street for the transfer of a Club Liquor License from Bridgeport, PA.

Sal Gambone, Norristown, PA, was present and testified on behalf of the Montgomery Lodge and provided a brief background on the facility. He advised that the Club has been in existence for approximately 40 years. He noted that there is new administration and officers and there is no mortgage on the property. The only debt is the taxes owed and having a liquor license would assist with future income. Mr. Gambone also reviewed the requirements of having a club liquor license on the premises, wherein only members could be served. He also confirmed that the members have complied with all the requests recommended by Council since the Club's last request in 2019.

Vincent Artis, 604 North Charlotte Street – also noted that the Club complied with all Council's recommendations and outlined the charity events held during the year to benefit the neighborhood.

Gary Clifford, 560 Walnut Street – commented on the events and educational programs held at the Club and noted that the Montgomery Elks is a charitable organization.

Deborah Myers, 311 South Franklin Street, Lancaster – stated that she has been a Montgomery Elks Club member for over 40 years and urged Council's support for this non-profit organization.

Jonny Corson, President NAACP – advised that there has been a verbal agreement between the Ricketts Center and the Montgomery Elks and discussed establishing basketball teams, neighborhood events and working with the Police Department. Mr. Corson urged Council to give the Club a liquor license and a chance to prove themselves.

Raymond Smith, 321 Grant Street – spoke as a former member of the Montgomery Elks Club and expressed support for the Club's request for a liquor license.

Councilors Kirkland and Lindsay expressed their support for the Club's request for a liquor license as they have done what Council has asked them to do and should be given a chance.

Solicitor Garner explained that Council can adopt a resolution to approve the transfer of the license from Bridgeport, deny the request or choose to do nothing and the state deems that as an approval. The Liquor Control Board will make final decision.

Solicitor Garner closed the public hearing.

June 3, 2020

HILL SCHOOL PARKING LOT

Solicitor Garner reviewed the Minor Land Development Plan of The Hill school Parking Lot located at 860 Beech Street. He added that the Planning Commission is recommending approval of the plan and also to grant the waivers as requested.

WALMART GROCERY PICK UP

Solicitor Garner also outlined the request of Walmart for a minor land development to establish a grocery pick up located at 322 Shoemaker Road. He noted that the Planning Commission is recommending approval and also to grant the waivers as requested.

President Weand advised that these plans will be listed on the agenda.

UPPER POTTS GROVE TOWNSHIP – SALE OF SEWER SYSTEM

Mr. Keller noted that as Solicitor Garner also represents Upper Pottsgrove Township, he is recommending the Authority's Solicitor, Vincent Pompo of Lamb McErlane, to represent the Borough in the matter of the Township's sale of its sewer system.

RESOLUTION – TAX COLLECTOR VACANCY

Mr. Keller advised that no candidates have expressed an interest in the tax collector position and noted that Council has until June 20th to make the appointment, which may require a special meeting. He suggested that Council appoint a Deputy Tax Collector at the next Council meeting.

Solicitor Garner explained that Council is the Vacancy Board, along with the appointed chairperson, Jim Derr.

RESOLUTION – DUI GRANT

Mr. Keller recommended approval of the DUI enforcement assistance grant in the amount of \$218,170.77, which encompasses eleven surrounding jurisdictions.

RESOLUTION – GUIDELINES OUTDOOR DINING

Mr. Keller provided an outline for outdoor dining and outdoor retail sales during the coronavirus pandemic. He suggested adopting a resolution and establish policies for a 90-day period in order to assist local establishments during the yellow phase. Mr. Keller will provide the draft resolution prior to the next meeting.

President Weand advised that these resolutions will be listed for consideration on Monday's agenda.

PRESENTATION – POTTSTOWN PLATING WORKS, 215 SOUTH WASHINGTON STREET

Peggy Lee-Clark advised that two years ago, Council provided monetary relief to the South Washington Street entity. She introduced John Jones as the main principal of the project at this

June 3, 2020

time. Ms. Lee-Clark advised that the property was the former Plating Works facility and is vacant and in a state of disrepair. She outlined the outstanding debt owed on the property. She added that PAID and the Redevelopment Authority have been working since 2015 to rehabilitate the property and explained the environmental studies on the property. She requested relief of the outstanding taxes on the property, which is in the Qualified Opportunity Zone. Ms. Lee-Clark explained that taxes and delinquencies were granted in 2018. She added that an agreement of sale has been executed as of May 20, 2020. She also reviewed the projects that Mr. Jones has rehabilitated in the Borough, including the Terminal, the Alley, Nipple Works and the 1200 High Street former hospital facility.

Mr. Jones advised that it may take \$500,000 to remediate and the intent is a manufacturing facility.

Solicitor Garner noted that Council would address only the amounts due to the Borough and the Authority and the School District would address separately.

Mr. Weand requested that the Finance Department provide the amount in question prior to the Council meeting.

ACMS CROSSING GUARD SERVICES

Mr. Keller requested approval of an annual renewal of the 2016 contract for the process of the crossing guards.

TELLISVISION CONTRACT

Mr. Keller also requested a 60-day extension of the current contract with Tellisvision in order to allow provisions for PAID and the TriCounty Chamber of Commerce.

President Weand noted that the contracts would be listed for consideration on the regular agenda.

PATRIOTIC 5K - SEPTEMBER 6, 2020

Mr. Keller explained that the Patriotic 5K, directed by the Parks & Recreation Department, is requesting a beer garden and street closure for the rescheduled date from July 4th to September 6, 2020.

COMMENTS FROM CITIZENS PRESENT

Raymond Smith, 321 Grant Street – expressed concerns regarding the conditions of the properties located 327 and 329 Grant Street, in various stages of disrepair for several years. He added that he received a notice for not obtaining a permit to install a shed. Mr. Smith also questioned why he cannot pay his Borough taxes in Borough Hall when clerks are working in the Finance office. He also questioned when the lines will be repainted at Beech and High Street.

Mr. Keller agreed to review these concerns and reply to Mr. Smith.

June 3, 2020

COUNCILORS' GENERAL DISCUSSION

It was the consensus of Council to hold a virtual meeting on Monday, June 10th.

President Weand commended all involved with the peaceful protest and announced the next protest scheduled for Sunday, June 9th. He also read a letter to be sent to the Montgomery County Commissioners in opposition of the recent comments of Commissioner Gale and requesting his resignation.

President Weand and the six Councilors signed the letter dated June 3, 2020 and requested it be forwarded to the Commissioners' office.

Solicitor Garner suggested that this action be listed for ratification on the regular agenda.

Councilors Procsal, Vanni and Kirkland commented on the peaceful protest and commended all involved.

Councilor Kirkland also provided his encounters with police in 2002 wherein he was a subject of racial discrimination. He added that there is a need for leadership in the White House.

Councilor Lindsay also explained how she had to teach her son to act in encounters with police as a black male. She commended the Pottstown Police for the unity and participation in the recent protests.

EXECUTIVE SESSION

President Weand recessed the meeting at 9:20 p.m. to executive session for litigation and personnel matters with no action to follow.

ADJOURNMENT

President Weand adjourned the meeting at 9:45 p.m.