

July 7, 2021

ANNOUNCEMENT

Borough Manager Keller explained the format for this evening's meeting, advising that the meeting is a public in-person and a GoTo Meeting and available on-line as well. Public comments are being accepted through email and chat prior to 7:00 p.m. and will be announced to all. Comments are limited to 300 words to be in compliance with Council's three-minute rule and participants shall be identified accordingly.

CONDITIONAL USE HEARING, Tamika Malachi, 866 East High Street

Solicitor Garner opened the Conditional Use Hearing and entered several Council items into evidence.

Ms. Malachi testified that she and her family propose to operate a shoe store at the property located at 866 High Street and will be leasing the first floor, with no changes to the exterior of the building. She stated that the hours of operation will be 9:00 a. m. or 10:00 a.m. to 6:00 p.m. or 7:00 p.m., Monday through Saturday.

Solicitor Garner reviewed the ordinance guidelines and Ms. Malachi agree to comply with all stated requirements.

The hearing closed at 6:45 p.m.

COMMITTEE OF THE WHOLE MEETING

The July 7, 2021 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, Michael Paules and Joseph Kirkland (virtual). Also present were Borough Manager Justin Keller, Mayor Stephanie Henrick, Solicitor Charles Garner and Borough Secretary Virginia Takach.

INVOCATION

Councilor Paules requested that all keep in mind the Norton family that perished in the recent fire on 5th Street and also Donald Weidner, a long time Pottstown resident.

President Weand requested a moment of silence.

PLEDGE OF ALLEGIANCE

PRESENTATION – Retiree Bobbie Humbert

Manager Keller read the Resolution honoring retiree Bobbie Humber.

July 7, 2021

RESOLUTION NO. 2021-20

RECOGNIZING BOBBIE A. HUMBERT FOR 18 YEARS OF DEDICATED SERVICE TO THE BOROUGH OF POTTSTOWN

WHEREAS, Bobbie A. Humbert has served the Borough of Pottstown as a dedicated employee since 2003; and

WHEREAS, during her career with the Borough she served in several different capacities including Finance Department Accounts Clerk I – Tax Office, and Accounts Clerk II – Cashier’s Office.

WHEREAS, for the past twelve years Bobbie has worked in the position of Finance Department Accounts Clerk I-Tax Office, and during that time she served our residents regarding property and school tax billing concerns, resolved discrepancies, and prepared numerous settlement statements, in order that taxpayers could receive the best level of customer service possible; and

WHEREAS, Bobbie’s presence at Borough Hall will be truly missed by the people that have worked with her. NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Town Council that Bobbie A. Hubert is officially recognized for the outstanding service she has provided the Borough of Pottstown through eighteen years of employment; and further that she is extended best wishes for a happy and well-deserved retirement

Adopted at Pottstown Borough Hall, 100 East High Street, this 7th day of July 2021.

PRESENTATION – Councilor Paules, 6th Ward Resident

Councilor Paules honored young resident, Maxton Bacon, for his initiative to honor first responders by holding a cook-out for the Police and Fire Departments on June 5th in the 6th Ward of the Borough.

PRESENTATION – Chief Michael Markovich, Fireworks

Chief Markovich updated Council on the Fireworks Law. He advised that in 2017 all consumer fireworks were made legal in Pennsylvania, which created problems throughout Montgomery County. He read the conditions of the consumer fireworks and advised that the penalty for violations is a summary offense and a fine not to exceed \$100. Chief Markovich added that the tax revenue generated by the fireworks in Pennsylvania, would not likely lend to reversing the State’s decision.

Chief Markovich noted that he has consulted with the Solicitor to propose changes to the noise ordinance. He noted the recent deaths related to fireworks, including a firefighter.

SUBCOMMITTEE REPORTS

- a. Infrastructure – There was no report.
- b. Economic Development – Ms. Lee-Clark agreed with the frustrations of the fireworks. She updated Council regarding the YWCA buildings on King Street and awaiting contracts for the resolution to the properties. Ms. Lee-Clark also advised that the numerous vacant properties are being inventoried with hopes to encourage sales for rehabilitation.

July 7, 2021

Ms. Lee-Clark provided information on commercial rail, an asset to the Borough. She requested Council's consideration in approval for the Fete en Blanc scheduled for September 10th and is already sold out.

- c. Transportation – There was no meeting.
- d. Ordinance Review Committee – Councilor Procsal reported that the committee has come to a consensus on the regulations for chickens.
- e. Efficient Methods Committee – Mr. Keller advised that Staff is moving forward on the Six Sigma program, which may take as long as 12 months for the green belt.

BOARDS & COMMITTEE REPORTS

a. Emergency Services Report – Chief Hand provided an update on the recent fire and commended the Police and Fire Departments for their efforts. He noted this was the largest loss of life in at least 50 years in the Borough and has been determined to be an accidental fire. Chief Hand advised that there will be a smoke detector blitz, having smoke detectors in the trucks, adding that the Department provided over 600 smoke detectors last year.

b. Human Relations Commission – Ms. Levengood reported that July is national ice cream month and July 26th is Americans with Disability Day, commemorating the 1990 act.

c. Land Bank – There was no report.

d. Library – Board President Frances Hylton advised that the Library participated in the July 4th parade and events in the Park. She also provided an update on summer reading programs and events and noted that story books will be available throughout the Borough parks.

d. Ricketts Community Center – The report was in the packets.

f. Pottstown School District – Councilor Lindsay provided an update on the June 21st visit to Harrisburg, which she attended with student Julia Smith. She urged all to help address the fair funding issues.

President Weand advised that the Borough is the collection agency for the school district.

MAYOR'S REPORT

Mayor Henrick commended the Go-Fourth committee and volunteers and urged residents to discontinue setting off fireworks. She also attended the recent Pottstown Rumble and requested that more Pottstown businesses participate in the Rumble. She also commented on upcoming events and recommended that new residents receive a welcome basket.

Councilor Paules advised that Ward 6 Precision Polymer was a huge supporter of the Go-Fourth festival.

July 7, 2021

MANAGER'S REPORT

Manager Keller reported that the Citizens' Leadership Academy is expected to resume in the fall. He added that the street sweeping will begin in the Wilson and Jackson Street area. He also provided an update on the Land Bank property acquisition, including properties owned by the Borough, 455 Lincoln Avenue and 707 Hamilton Street. Mr. Keller also announced that Peyton Ridenour, who trained at the Borough's BMX park will be competing in the 2020 Tokyo Olympics and will have an honorary event in the near future at the Park. He also announced the American Rescue Act Funding in the amount of \$1.1 was received and will provide projects for consideration in the near future and when guidance is received.

Mr. Keller advised that the Parks and Recreation Department will hold an informational meeting on July 26th, 6:00 p.m. for any interested attendees. He also reported that he is working with DEP regarding the offensive water odor along the Schuylkill River. Mr. Keller updated Council on the pending agreement with West Pottsgrove Township and discussions are ongoing for the status of West End Fire Company. He advised that the Township has formed a committee. Mr. Keller reported that recently the West End has failed to appear on its fire scenes, brought the wrong equipment or canceled the call once Pottstown arrived on the scene.

Chief Hand added that after a 911 call, Pottstown automatically is notified and responds. He advised that presently, Pottstown agreed to a trial situation and is now awaiting finalization from the Township.

Councilor Paules requested that Pottstown High School Senior Darius Smallwood be acknowledged by Council in the near future.

SLY FOX – REVISED LAND DEVELOPMENT

Solicitor Garner explained the minor revised plan for a cabana bar. He noted that the applicant revised the application to remove the cabana bar and replace with a similar structure. Solicitor Garner noted that the Planning Commission has recommended approval of the revised plan.

SLY FOX – ZONING RELIEF

Solicitor Garner also explained the need for zoning relief in the application. There was additional relief requested due to the size of the structure and for signage for "DASH."

President Weand noted that these issues will be listed for the regular meeting.

HOUSE RESOLUTION 106, HB 1318

Manager Keller explained the proposed legislation to allow remote meetings for Council to continue after the COVID 19 emergency declaration has expired. Presently under the Borough Code, a quorum of members, which is four members, must be physically present to allow any Councilor to join the meeting virtually. The Pennsylvania State Association of Boroughs is requesting support of the legislation. He added that Council has the option of supporting this bill, opposing the bill or take no action.

July 7, 2021

President Weand commented that there should be a physically present quorum.

Councilor Vanni disagreed.

RESOLUTION – OUTDOOR DINING

Mr. Keller reviewed the existing resolution regarding the previous outdoor dining regulations to allow outdoor dining in the downtown on sidewalks and street parking spaces without the need for a permit. He added that no action is required at this time.

Solicitor Garner added that during the Pandemic, the LCB waived the permit requirement and allowed alcohol to be served in other than normal areas.

RESOLUTION - FEE SCHEDULE (POLICE)

Manager Keller explained the request of the Police Department to update certain fees, including security at school functions and intoxilyzer and blood alcohol testing.

RESOLUTION - MOU – JAG GRANT

Mr. Keller also explained the annual grant submission request to the Edward Byrne Memorial Justice Assistance Grant. He noted that the specific amount and projects have not yet been determined.

RESOLUTION – DCED MULTIMODEL TRANSPORTATION FUND

Mr. Keller also reviewed the application to DCED for the LED street lighting project in the amount of \$700,000 with a 30% match.

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

MULTISERVICE/RICKETTS CENTER AGREEMENT

President Weand noted that this will be tabled to the August meeting.

GUN VIOLATION GRANT

Mr. Keller explained that this grant would assist in investigating and overtime details relating to gun related crimes.

RESIDENTIAL BUSINESS OVERLAY ORDINANCE

Mr. Keller explained the request regarding an overlay district in the Keim Street area in the TTN District and allow for light manufacturing district.

July 7, 2021

PENNDOT COOPERATIVE AGREEMENT

Mr. Keller advised that this is simply an update due to changes in the administrative detail for the Closed Circuit lighting.

Solicitor Garner added that PennDOT is responsible for installing and maintaining the lighting.

These items will be listed for consideration on the regular agenda.

REHAB TAXIWAY BID AWARD

Mr. Keller advised that this bid opens on July 8th and will provided the bid tabulation prior to Monday's meeting.

KING STREET PEDESTRIAN CROSSING

This bid opens on July 9th.

MEMORIAL PARK PLAY EQUIPMENT RELOCATION

This bid also does not open until July 9th.

SUNDSTROM FIELD – RFQ AWARD RECOMMENDATIONU

Mr. Keller advised that the Borough was awarded a \$125,000 and as this location is in the flood plain area, engineering services will be required. The recommendation is to award the engineering project to Remington Vernick Engineers in the amount of \$25,000.

PROPERTY MAINTENANCE BID

Mr. Keller explained the request to award the property maintenance bids for a one-year extension with the same conditions as 2021 to Green Leaf for the year 2022.

These bids will be listed for consideration and award at regular meeting.

NATIONAL NIGHT OUT

Mr. Keller referred to the application from Victory Christian Life for a street closure during the National Night Out event scheduled for August 3rd. In addition, the Church has requested a waiver of the fees.

President Weand reminded all that the only waivers granted are for the Memorial Day Parade and in-house applications.

July 7, 2021

FETE EN BLANC

Mr. Keller advised that PAID is requesting to close High Street from 4:00 p.m.-10:00 p.m. on September 10th to hold its Fete en Blanc. He added that PAID will coordinate with BB&T bank to allow customers to exit the drive-through until closing.

These events will be listed for approval on the regular agenda.

UPCOMING BOARD VACANCIES

President Weand reviewed the upcoming vacancies and the applications from interested parties.

COMMENTS FROM CITIZENS PRESENT

None.

COUNCILORS' GENERAL DISCUSSION

Councilor Procsal thanked the GoFourth Committee for the successful event.

Councilor Vanni thanked the Manager for the water explanation and praised the GoFourth Committee.

Vice President Lebedynsky suggested another similar event on Labor Day.

Councilor Lindsay advised that the parade was awesome as well and commended the Police Department and clean-up process after the parade.

Councilor Kirkland praised the Borough staff for their efforts during a water main break in his neighborhood.

Mayor Henrick advised that she will be on vacation from July 2nd to July 18th, due to her new position as partner at Obermayer Rebmann Maxwell & Hippel LLP Law firm.

President Weand also praised the events over the Independence Day holiday weekend. He agreed this should be repeated for Labor Day.

ADJOURNMENT

President Weand adjourned the meeting at 8:40 p.m.