

MINUTES
GREENCASTLE BOROUGH COUNCIL MEETING
Aug 3, 2015
7:00 P.M.

MEMBERS PRESENT: Mayor Eberly, Council President Charles Eckstine, Council Members Wade Burkholder, Larry Faight, James Farley, Craig Myers, Matthew Smith, Frank Webster. Also present were Borough Manager Susan Armstrong and Borough Secretary Ericka Faight.

Pastor Hughes gave the invocation.

Public Comment

Larry Pittman, 35 W Madison Street, approached Council concerning a letter sent by the Borough, requiring the removal of a portable toilet that has been at this residence for several years. Mr. Pittman felt he was being singled out and the policy should be changed. President Eckstine asked why the portable toilet was placed in the yard in the first place, and was surprised that it was allowed, stating that he would look into the matter. Mr. Pittman stated that it was intended to be a convenience while working on vehicles in the garage.

Doug Barnhart, 225 S Washington Street, and Paul Runshaw, 231 S Washington Street, approached Council with concerns of unsafe structures and poorly maintained properties in the area. Manager Armstrong responded that Community Resource Officer had brought the issue to her attention and that she and the Zoning Inspector were going to be on site to look at the property.

Duane Kinzer, 463 E Baltimore Street, approached Council representing Century Inc. regarding a curb/sidewalk repair letter that he received in September 2014. Mr. Kinzer asked if anyone else had received the same letter at the same time and if not, why. Mr. Kinzer also stated that he stopped his project because it was unclear if the corner will be handicapped accessible.

CONSENT AGENDA

On a Webster/Smith motion, Council voted unanimously to approve the following Consent Agenda items:

Minutes of previous meetings:

Borough Council Meeting of July 6, 2015.

Report of Disbursement and Payment of Bills

On a Webster/Burkholder motion, Council voted unanimously to approve the July 2015 Disbursement Report in the amount of \$95,542.83.

President's Report

Council President had no report for the month.

Mayor's Report

Mayor reported that Police Chief Phillippy is on vacation.

REGULAR AGENDA

Reports from Committees

A. Community Development:

1. Council heard a request from Bill Hudson concerning the use of Commonwealth Code Inspection Services. Mr. Hudson, expressed frustration that the Borough recently stopped using Commonwealth Code Inspection Service to perform third party inspections and asked that CCIS continue to be used by the Borough. President Eckstine turned the matter over to the Community Development Committee for discussion and asked for a recommendation. Council Member Faight asked CCIS representative Mr. Baer how long he had been with the Borough.
2. On a Webster/Burkholder motion, Council voted unanimously to approve Grant waivers of the Preliminary Plan process and the topographic contours requirement; and furthermore, approve a Preliminary/Final Subdivision of Land Plan submitted by RHS Engineering, Inc. and William A. Brindle to subdivide the property located at 136 East Baltimore Street, Greencastle Pennsylvania [Tax parcel 08-2B29.-006.000000].
3. On a Webster/Myers motion, Council voted unanimously to approve staff to draft a revision to the sidewalk policy to address alleys.

Public Hearing

On a Myers/Burkholder motion, Council voted unanimously to hold a Public Hearing for discussion on a proposed amendment to the sign ordinance and Manager Armstrong began a slideshow presentation giving an overview of the transitions and revisions outlined in the proposed amendment.

Cliff White voiced concern for handicapped persons who cannot get around the sandwich board signs noting that one business places their sign directly in the handicapped ramp.

Jen Robertson, 495 Brookview Drive, voiced concern for non-profit organizations, especially churches. Manager Armstrong noted that civic and religious signs do not require a sign permit, however if signs are not removed after an event, the Borough will remove the sign and charge the organization.

Ruth Mowen, Upscale Consignment, stated she strongly believes for her business to

be successful she needs to be allowed to have off site signage. Ms. Mowen acknowledged that she didn't think about those things when she chose her current location and asked if there was any way to get permission to have off site signage. Manager Armstrong stated that the Solicitor is researching the issue and President Eckstine added that under the current ordinance they are not allowed. Ms. Mowen also stated that she chose Greencastle because she loves Greencastle and the location was perfect, she never thought she wouldn't be able to have signs at other locations. Solicitor Wisner noted that certain off premise signs are allowed in certain locations as outside advertising signs, and suggested Ms. Mowen bring her request to the Borough.

Patty Divelbiss asked what the guidelines were for the size of sandwich signs and suggested that new businesses receive a set of guidelines so they know what is permissible.

Duane Kinzer, questioned the section of the code as it pertained to signs and asked Solicitor Wisner if the Borough can dictate what is done with sidewalks. Mr. Wisner responded that the borough can impose a reasonable time, space, and manner in which the sidewalks may be used. Mr. Kinzer wanted to have sandwich boards located on the right-of-way were clearance is met.

Robert Wertime, 207 Leitersburg Street, asked if notices would be issued before signs would be removed by the Borough and Manager Armstrong replied that yes, a notice would be sent first.

Council Member Myers asked everyone if the presentation and explanation of the ordinance is clear. President Eckstine addressed the concern for potential liability if someone were to be hurt from tripping over a sandwich board sign noting the Borough is just doing its' job.

On a Webster/Burkholder motion, Council voted unanimously to adjourn the Public Hearing.

4. On a Webster/Faight motion, Council voted unanimously to approve an ordinance amending the Code of the Borough of Greencastle Chapter 205 entitled, "Zoning", Sections 205-27 and 56 related to definitions and amendments to sign regulations.

On a Webster/Myers motion, Council voted unanimously to once again call a Public Hearing for discussion on a proposed amendment to the wall/fence ordinance and Manager Armstrong began a slideshow presentation giving an overview of the transitions and revisions outlined in the proposed amendment.

Leah Harclerode, 506 S Carlisle Street, asked if the Borough issues a permit for a fence could the Home Owners Association still deny permission to the home owner to install the fence. Ms. Harclerode was concerned that with so many homes in her development everyone could end up with a different style fence. Solicitor Wisner responded that her situation is unique to the rest of the Borough and that her HOA could take the situation under consideration and make a determination.

Robert Wertime asked if this ordinance had been advertised and was being voted on that night.

Mr. Barnhart stated that he liked the revision and thought the Borough did a good job and the ordinance should pass.

Mr. Kinzer thanked Ms. Armstrong for the presentations and stated that he is concerned that the wall next to his property does not happen to anyone else and each property owner could put up a different type and size fence.

Ms. Divelbiss asked if front yard fences were already allowed in the Community Commercial District and Ms. Armstrong told her that currently no front yard fences are allowed.

Mr. Wertime asked for the definition of "Grandfathering," Solicitor Wisner defined grandfathering as a use, or structure in use prior to a zoning change.

Council Member Myers asked if there are going to be steps to ensure compliance with fences once a land use permit has been issued. Ms. Armstrong added that a third party inspection agency will be responsible for inspections and Mr. Wisner stated that the Borough will enforce zoning violations.

On a Webster/Myers motion, Council voted unanimously to adjourn the Public Hearing.

5. On a Webster/Smith motion, Council voted unanimously to approve an ordinance amending the Code of the Borough of Greencastle Chapter 205 entitled, "Zoning" Sections 205-10, 21 and 56 to provide for the addition of definitions including "Pawnbroker" and "Retaining Wall"; modify the definition of "Wall" and "Fence"; amend titles and contents for accessory building structures; and, add a new section for pawnbroker.
6. On a Burkholder/Farley motion, Council voted unanimously to authorize the drafting of an ordinance amending the Code of the Borough of Greencastle to provide for the issuance of tickets/citations on a sliding scale for repeat offenses of the Borough of Greencastle's Property Nuisance Code relating to weeds, brush or grass in excess of 10 inches in height, which are not edible or planted for some useful or ornamental purpose. Solicitor Wisner suggested including snow removal as well.

B. Public Safety:

1. On a Webster/Smith motion, Council voted unanimously to approve a revised response listing for the Borough of Greencastle as requested by Rescue Hose Company No. 1 Inc. to include the removal of Washington County Company 25 as first due air refill supply unit understanding that any revision to the same shall be forwarded to Borough Council for action following the conclusion of discussions between Rescue Hose Company and Franklin County Department of Emergency Services.
2. On a Burkholder/Faigh motion, Council voted unanimously to approve a July 27, 2015

request by the Greencastle-Antrim High School to conduct its Annual Homecoming Parade on Friday, October 23, 2015 at 6:00 p.m. on the route outlined in said correspondence and subject to the receipt of a valid Certificate of Liability Insurance Form naming the Borough of Greencastle as an additional insured.

Reports from Council Members

Council Member Smith thanked Ms. Armstrong for the presentations and acknowledged that those in attendance were concerned for the Borough as a whole.

Council Member Farley “to all of staff and Council involved, job well done.”

President Eckstine stated that the Rescue Hose Company carnival was successful, Sidewalk Days was a bit of a challenge with this year’s changes and asked if anyone else had heard any feedback.

Council Member Webster thanked everyone for their efforts in preparation of tonight’s meeting.

Council Member Faight commented that the education was great, and he was glad that the ordinances passed. Mr. Faight also noted that for years it has been suggested that the Borough accept credit cards and now that the system is in place, it’s receiving positive feedback.

Council Member Burkholder thanked everyone.

Solicitor Wisner commended the Community Development Committee on all of their hard work and extra meetings.

President Eckstine thanked Mr. Wisner for all his hard work and guidance.

Council Adjourned at 9:55p.m.

Respectfully submitted,

Ericka Faight
Borough Secretary