PHOENIXVILLE BOROUGH COUNCIL
Tuesday, February 13, 2024
7:00 PM

MINUTES
(Minutes approved by Borough Council on March 12, 2024)

I. Pledge of Allegiance/Moment of Silence

II. Roll Call – Borough Manager

Mr. Ewald, President	Present
Ms. Burckley, Vice President	Present
Mr. Carminito	Present
Ms. Dugan	Present
Mr. Kirkner	Present
Mr. Moore	Present
Mr. Strenfel	Present
Mr. Weiss	Present
Mayor Urscheler	Present
Mr. Krack, Borough Manager	Present
Ms. Getzfread, Asst. Borough Manager	Virtual
Chief Marshall, Police Chief	Present
Mr. Denlinger, Solicitor	Present

III. Presentations

A. Swearing in of Chris Valerio as Firefighter

Chief Brazunas provided a background on Mr. Valerio and his experience as a Firefighter for Phoenix Hose, Hook and Ladder No 1, Norristown Fire Department and the Phoenixville Borough.

Mr. Ewald swore in Chris Valerio as Firefighter of the Phoenixville Fire Department.

B. Swearing in of Ron Schlecht as Firefighter

Chief Brazunas provided a background on Mr. Schlecht and his experience as a Firefighter for Phoenix Hose, Hook and Ladder No 1, Boyertown Area Fire & Rescue, Goshen Fire Company and Phoenixville Borough.

Mr. Ewald swore in Ron Schlecht as Firefighter of the Phoenixville Fire Department.

Chief Brazunas expressed his gratitude to Borough Staff and Borough Council for approving the additional full-time fire fighters.

IV. Public Participation

Susan Meadows, resident and business owner. She stated she is here once again representing the voices of the fifty-five businesses, breweries, restaurants and services located in and around our business district. She stated the operative word, business. Not a park, walking path, dog walking path, skateboarding path, a free for all after hours or whatever else you want to call Bridge Street during the weekly closures from Memorial Day through the first weekend of October. She stated she hopes the Council had an opportunity to read the emails from many of the owners and managers of the businesses downtown. She stated she is here to address the concerns and ask for a compromise on the weekend closures instead of every week to once a month and for special events. She expressed her concerns on the loss of parking and the additional traffic on the adjacent streets in the downtown.

Keely Wrigley, owner of Lulu Boutique and Gifterie. She stated she is certain that someone will address the Council and speak in favor of the street closure. They will state they come every weekend, the closure makes downtown safe for their children, they love it and it's great. She stated that some suffer real negative effects from the closure, the residents, the shop owners and the even some of the restaurants. Our business sacrifice because of the closure while the average attendee sacrifices nothing. They have nothing to lose while the shop owners lose sales and resident lose peace and quiet in their homes. She asked the Council to listen to the business owners and challenged the Council to engage in a robust conversation with the businesses and residents no on board with the street closure every weekend.

Mike Kajak owner of 425 Bridge Street. He expressed his continued opposition to the Right of Way for the continuation of Hall Street. The project known as Steelworks received approval and their plan shows a 30 foot Right of Way on my property. He has concerns that the Belgian block on his property not be destroyed in the creation of the Hall Street Extension. He cited information on the use of eminent domain on property for private use.

Sean Connolly, Upper Providence resident. He spoke about the development in the Borough as well as Upper Providence. He indicated he has gone after Toll Brothers before and he discovered the water intrusion in one of their developments. He expressed his concerns with the use of eminent domain on Hall Street and potential violations of the Sunshine Act Law violations.

Neal Fisher, Hankin Group. He thanked Borough Council for their support. Hankin has two projects in the Borough one being the Foundry and the other is the Senior Housing on Buchanan Street at the former Public Works Building. He stated if it weren't for the foresight of the Council, Hankin may not have gotten involved in restoring the Foundry and constructing affordable housing for seniors.

Warren Brown, resident and owner of Brown's Cow. He stated his opposition to the closure every weekend and asked the Council to consider a compromise of once a month. He expressed his concerns on the loss of parking on the closure weekends and he hope everyone can work together on this to address the concerns of businesses and residents.

Dodi Strunk, property owner. She stated she does not feel that Bridge Street has the infrastructure to support the consistent closures the Borough is proposing. She realizes a pedestrian mall is enjoyable as she herself has a favorite one in Cape May. She stated the businesses here do not have access to parking behind their buildings when the road is closed. She expressed her shock that the Main and Bridge Parking lot is being considered to become a gathering space. She has never heard any one ask for more gathering space but they do ask for more parking. That lot is used by every single business on Main and Bridge and its vital to these small businesses.

Jeff Klein, owner of Maddie's Castle. He stated his in support of the road closure for First Friday only. He feels that an every weekend closure loses its luster and that First Friday only is a better closure for everyone.

Krysta Knaster, resident and manager of Soltane Café on Bridge Street. She stated the café has consistently lost thirty percent of their revenue as a non-profit with the road closure every weekend. Soltane's mission is to help adult with intellectual and physical disabilities. She is asking that the Council consider the closure only on First Friday. The closure is preventing the very people she helps from getting to the café to work and she is asking for help to keep them employed and to be part of the Phoenixville community like the rest of us.

Ana Cephas, resident. She stated she is the co-owner of Forever Changes on Main Street with Shawn Cephas and she shared her experience as a local artist or musician when booking shows it is difficult for people from out of town to find parking and he closure only makes it more difficult. The lack of accessibility to parking she feels will have a negative impact on the arts in Phoenixville and she believes the legacy of Phoenixville is rooted in the arts and music. She would hate to see it go away because people simply can't come to events in town.

Joan Moore, co-owner of Lulu Boutique and Gifterie. She stated month after month and now year after year, business owners have been attending these meetings. To share their hardships and express our concerns about the Inside Out street closure. We've conducted surveys, written emails, and spoken at council meetings to try and have our voices heard. She stated she would say that you are probably tired of hearing from us, but there's no need because it is clear the Council members are not hearing us at all. The dismissal of our input and the lack of communication and consideration for the business community is appalling and downright shameful. She thinks it is something that the council members should take a hard look at before continuing to claim to be in service of this community and not their own agendas.

Henrik Stubbe Teglbjaerg, resident. He stated he is in support of the vision of Phoenixville and he hopes dialogue can begin to work on a parking garage to maintain this vision of the downtown.

Hilary Sell, non-resident. She stated she is here tonight to be the voice of the people she is not hearing from tonight and she wanted to thank the Council and everybody who has been involved in survey and asking for broader opinion. She believes a lot of people have strong opinions on the Phoenixville Inside Out agenda item that can't get here for a 7:00 pm meeting. She stated she loves the road closure and her and her family use it all the time and she frequents the very businesses who are opposing the closure and will continue to do so, but she thinks its important to know there are people who are in support of the closure.

John Cunningham, resident and co-owner of Ravensgate Tattoos, Leather and Fine Art. He stated he lives and works downtown so he spends a lot of time downtown. He stated they are in the second year of operation and one of the reasons he came to Phoenixville was the street closure. For him it has been a positive experience, the atmosphere that's created is more positive on the closure weekends than weekends with heavy traffic downtown. Families with children and their pets frequent the streets and the sounds heard are conversation and laughter not the loud cars, loud motorcycles and the revving of engine while trying to enjoy a meal outside at one of the many restaurants on Bridge Street. He addressed the issue of drinking downtown specifically the window that was broken at his business last year as it was brought to his attention it was mentioned at a previous meeting. He confirmed his window was broken but it was not during the street closure it happened on the weekend of the Dogwood Festival.

John McPhee, business manager of Diving Cat Studios and property owner. He stated he has submitted letters and emails regarding Inside Out and he hopes the Council will move forward with the Resolution this evening.

Shaina Pratt, host of the Art Festival in Phoenixville. She stated she is in support of the closer and suggested that perhaps the access point for the Main and Bridge Street lot be moved to Main Street. She expressed her support of a parking garage and in making the decision on the PXV Inside Out so that event planers like herself can plan and book artists earlier.

Chris McKay, Mont Clare resident. He wanted to express his support of the closure and he stated it is hard for businesses and events to plan with all the back and forth on this topic. He feels it may be time to decide on its permanence as an annual event.

Jennifer Carlson, Executive Director of the Colonial Theatre. She stated she is very grateful to have a very good relationship with the Borough and a lot of the businesses here tonight. She stated she doesn't not want to be a rabble rouser and even though a lot of the Colonial staff live and work in the Borough do love the street closure the Colonial Theatre is in support of the First Friday weekend closure only. She explained it is because in talking to patrons and former patrons, there are significant issues with people of

various accessibility issues trying to get to the theater. Sundays tend to be a day for families taking grandma to the movie and it's very difficult for people to get to the theater, sometimes getting from some of the lots if they drop them off and get up from the back of the building is very challenging.

Tom Duffy, owner of the House of Jerky. He expressed his support of the closure only occurring on First Friday. He loves and supports the events downtown like LuLu, Blobfest, Pride Fest and the Art Festival. These worked really well and had no negative impact on his business. The closure hinders are business since eighty-tow percent of our business comes from outside of the Phoenixville, the street closure is preventing our customers from coming to town. He asked that the compromise of First Friday weekends be considered every weekend is excessive.

David Saneck, resident. He expressed his confusion with the Ordinance Amendment for Motor Vehicles. He stated he hopes the section that relates to Fillmore and Franklin can be explained more when the Council reaches that section of the agenda.

Donna Metz, resident. She stated she has lived on Church Street for forty-five years and has concerns about the closure and parking on her street. She explained the closure effects the movement on traffic on the 100 Block of Church Street, it prevents residents there from even being able to pull out of a parking spot onto the street. Church Street is getting torn up, since the block is free parking many visitors will park there and then residents can't find parking at their own homes. She is concerned that parking will be lost that can't not be afforded to be lost if Church Street is made a two-way street.

Sage Perisse, resident. She stated she was glad to hear rom the business owners and she agrees it sounds like that have concerns. She does really enjoy going downtown when the streets are closed and she also enjoys going to the park. She suggested trying to have similar plans for areas on the north side, perhaps at the Recreation Center. She stated she would like to see the closure continue but not if it is hurting all of our businesses.

Lee Pohlsander, resident. She stated she is opposed to the street closure occurring every weekend since she works downtown. She feels it is more dangerous for her walking home during the closure, vehicles travel the wrong way on Prospect Street and she has difficulty crossing the street especially at Church Street.

Josh Bentley, resident. He stated he and his wife moved here to Phoenixville in 2022 after living in Blue Bell for twenty years. He expressed his gratitude on the new fire fighters being sworn in tonight and is here to support the weekend closures on Bridge Street. He stated he loves the small town feel festival feel and the pedestrian focused experience each week. He finds it too crowded on First Friday and he doesn't enjoy the closure as much on that weekend. He knows some people avoid the bigger crowds at First Friday and if the weather derails First Friday folks can still look forward to coming back the next weekend. He stated he has gone to many of the businesses downtown but he doesn't do his major shopping down there. He is interested in seeing some data that

supports the loss of business from the closure and not because of product or service. He stated most people don't want to sit out and dine next to smelly cars.

Dustin Richard, resident. He stated he had not intended to attend the meeting tonight and thought the idea of not closing the street every weekend was preposterous until he received the flyer at his home from the downtown businesses. He stated hearing the pain of the business owners resonates with him as he is the son of a small business owner and he is now officially on the fence for the street closure every weekend. He thanked the Borough for taking the time to listen to all of us and the shop owners for coming forward and giving us your stories.

Stephanie Nicolosi, resident. She wanted to express her support of the closure every weekend. She stated the closure makes the businesses downtown more accessible to her as a mother of two children in the Borough. She disagrees with the statement people will come anyway if the street is open. She stated when the street is open she and her family come down less because it doesn't feel safe for her children. She does agree steps need be taken to provide parking for accessible handicapped people and she is sure that the borough with its all its flexibility and adaptability can think of a solution.

Teresa Brewer, resident and owner of TC House of Style. She pleaded with the Council to hear the cries of the businesses owners and to not close the street every weekend. She stated that not many of the people speaking tonight lived here in the eighties when there were no businesses downtown. She stated she is trying to make a living with her business downtown and she is finding out from her customers they no longer come down to shop because of the loss of parking. She has felt the pinch of lost revenue and she is asking the closure only occur once a month so she can continue to make a living and provide for her family.

Anna Woodford, resident. She stated she appreciates everyone's perspective on the closure that has been shared tonight. She was definitely all for having the street closure every weekend but hearing the business perspectives she does appreciate the challenges they are facing. She stated she was previously living in West Chester and after attending the street closure she ended up moving to Phoenixville. She feels the closure really draws people to the town and she has many friends who don't live hear but they talk about how awesome the closure is and how much they enjoy coming here. She agrees the accessibility issue should be addressed so everyone can enjoy the closure and she asked if there is any data on visitor volume on a closure weekend versus a non-closure weekend. The data may be helpful to have to support and understand why some businesses are struggling.

V. Consent Agenda:

A. Approval of the January 9, 2024 Regular Meeting Minutes.

B. Historical and Architectural Review Board

1. Motion to approve/deny the Certificate of Appropriateness for the installation of non-illuminated business signage on the east and west facades for 37 Bridge Street as recommended 5-0 by the HARB in their Action Memo of February 6, 2024.

2. Motion to approve/deny the Certificate of Appropriateness for a hanging shingle sign with logo for 260 Bridge Street as recommended 5-0 by the HARB in their Action Memo of February 6, 2024.

C. Items from Parks and Recreation Committee.

1. Motion to approve a Temporary Community Event Application for Walk a Mile in Her Shoes on Saturday, April 13, 2024 in Reeves Park from 9:30 am to 11:00 am. No Street Closures. Conditioned upon receipt of valid Certificate of Insurance naming the Borough of Phoenixville as Additional Insured.

2. Motion to approve a Temporary Community Event Application for Phoenixville Earth Day 2024 at Reservoir Park on Saturday, April 20, 2024 from 12:00 noon to 4:00 pm. Franklin Street above Fillmore and the Reservoir Parking Lot to be closed from 10:00 am to 6:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming the Borough of Phoenixville as Additional Insured.

3. Motion to approve a Temporary Community Event Application for the Chester County Pride Fest in the 100 and 200 Blocks of Bridge Street on Saturday, June 8, 2024 from 12:00 noon to 5:00 pm. 100 and 200 Blocks of Bridge Street between Gay Street and Starr Street and the Bridge and Main Street Parking Lot to be closed from 8:00 am to 6:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming the Borough of Phoenixville as Additional Insured.

4. Motion to approve a Temporary Community Event Application for Phoenixville Art Street Festival in the 100 and 200 Blocks of Bridge Street on Saturday, June 15, 2024 from 11:00 am to 5:00 pm. Bridge Street between Gay Street and Starr Street and the Bridge and Main Street Parking Lot to be closed from 8:00 am to 6:30 pm. Conditioned upon receipt of valid Certificate of Insurance naming the Borough of Phoenixville as Additional Insured.

5. Motion to approve a Temporary Community Event Application for the Juneteenth Celebration in the 200 Block of Bridge Street and the Bridge and Main Street Parking Lot on Sunday, June 16, 2024 from 2:00 pm to 6:00 pm. The 200 Block of Bridge Street between Gay Street and Main Street and Bridge and Main Street Parking Lot to be closed from 10:00 am to 6:00 pm. Conditioned upon receipt of valid Certificate of Insurance

naming the Borough of Phoenixville as Additional Insured.

6. Motion to approve a Temporary Community Event Application for Blobfest 2024 on Friday, July 12 from 5:00 pm to 10:00 pm and Saturday, July 13, 2024 in the 100 and 200 Blocks of Bridge Street and the Bridge and Main Street Parking Lot on Saturday, July 13, 2024 from 8:00 am to 6:00 pm. Bridge Street to be closed on July 12, 2024 from 5:00 pm to 10:00 pm between Gay Street and Main Street. Bridge Street and Bridge and Main Street Parking Lot to be closed on July 13, 2024 from 8:00 am to 6:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming the Borough of Phoenixville as Additional Insured.

D. Items from Finance Committee.

1. Motion to approve the 2023 Pre-Paid dated 11/1/2023 - 11/30/2023 in the amount of $2,548,801.28.

2. Motion to approve the 2023 Pre-Paid dated 12/1/2023 - 12/31/2023 in the amount of $1,724,932.10.

3. Motion to approve the 2023 Pre-Paid Credit Card Statement dated 11/1/2023 - 11/30/2023 in the amount of $99,844.37.

4. Motion to approve the 2023 Pre-Paid Credit Card Statement dated 12/1/2023 - 12/31/2023 in the amount of $130,053.04.

5. Motion to approve the 2023 Pre-Paid ACH dated 11/30/2023 in the amount of $1,636,473.92.

6. Motion to approve the 2023 Pre-Paid ACH dated 12/31/2023 in the amount of $39,015.43.

7. Motion to approve the Staff recommendation authorizing the Finance Director to make the necessary end of year adjustments and to provide a listing of those adjustments to the Finance Committee and the Borough's Auditor.

8. Motion to approve the Staff recommendation for suggested Accounts Receivable write-offs – 2024.

9. Motion to approve/deny the waiving of permit fees as requested by the Historical Society of the Phoenixville Area.

Mr. Moore asked that the Temporary Community Event for the Phoenixville Blues Festival be moved from the Consent Agenda to Parks and Recreation.

Mr. Ewald asked that the Certificate of Appropriateness for 100 Bridge Street be moved from the Consent Agenda to HARB.

Ms. Burckley made a Motion to approve the Consent Agenda and move the Phoenixville Blues Festival and the Certificate of Appropriateness for 100 Bridge Street to their respective sections later in the Agenda. Seconded by Mr. Weiss.

Motion Approved 7-0. Mr. Kirkner out of the room.

VI. Communications/Council Participation

Ms. Burckley reminded the public the Borough will be celebrating its 175th Anniversary and the Fire Department will be celebrating its 150th Anniversary. She stated she and Ms. Dugan along with Staff, the Fire Department, the Phoenixville Jaycees and community members have been planning events and celebrations. She stated announcements will be coming for the celebrations so keep an ear out for them. She reminded everyone Phoenixville is a Borough and it utilizes a Council system, many times it's referred to as township and she wanted to clarify this is a Borough. She stated the Council does want to engage business members and she stated the Council is aware people feel like these meetings are a little bit of a waste of time, but having that dialogue and being able hearing what the Council is planning is really important. Lastly, she reported on her appointment to the Civil Service Commission as liaison and the commission has begun the process to hire additional officers for the Police Department.

Mr. Ewald stated he appreciates all the hard work of the Public Works Department and all of the Borough's departments that teamed up to take on the return of snow.

VII. Mayor's Report

Mayor Urscheler thanked the residents and business for being involved in the various conversations. He reported on the extraordinary Black History Month program at Grimes AME Church, the Phoenixville Community Education Foundation will be hosting their annual Phantom Fundraiser. Finally, he wished the Fire Department a Happy 150th Anniversary on March 3rd and a Happy 175th Anniversary to the Phoenixville Borough, The Borough is looking pretty good at 175.

VIII. Appointments

A. Call for Residents interested in being appointed to various Boards and Commissions. Current vacancies exist on the Civil Service Commission, Human Relations Commission, Tree Advisory Commission, and Zoning Hearing Board.

Mr. Ewald encouraged residents to continue to apply for openings on the various Boards and Commissions and stated openings can be found on the Borough's Website.

IX. New Business

A. Motion to approve an Anchor Grant Substituted Consideration Agreement with Hankin Phoenixville Foundry Partners, LP, and further authorizing Borough Council President to execute documentation associated with it.

Mr. Denlinger explained in 2009 the Pennsylvania Department of Community and Economic Development lovingly known as DCED, provided the Borough with grant funding to lend to owners of buildings with historical significance that needed monetary assistance for refurbishment. These were known as anchor grants, the Borough lent the money, through these grants, to the Colonial Theatre and also the Foundry. The DCED anchor grant program no longer exists and as a result in September of 2022 the Council authorized the acceptance and acknowledgement of an alternative consideration from the Colonial Theatre in lieu of the full monetary repayment of the anchor grant. The agreement before the Council does the same thing for the Foundry in accepting substituted consideration.

Ms. Burckley made a Motion to approve an Anchor Grant Substituted Consideration Agreement with Hankin Phoenixville Foundry Partners, LP, and further authorizing Borough Council President to execute documentation associated with it. Seconded by Mr. Carminito.

On the Question:

Mr. Moore asked if the Downtown Economic Revitalization program still exists and what does it do actively at this point.

Mr. Krack explained the program that that being referred to is the anchor grant program. He stated it was designed as a revolving loan to lend money to the Borough or to any municipality that would apply and in turn the municipality would be able to establish a revolving loan fund. That revolving loan fund then lends money to, in this case to the two entities that were mentioned, the Colonial Theatre and to the Hankin Group for the Foundry for them to do revitalization of their properties. The repayment of the loan can be anything from one to twenty-five years, it could be structured with no interest or to a specific interest rate. Staff negotiated substituted considerations with the Colonial Theatre and tonight before the Council are the substituted considerations for the Hankin project to satisfy the

mortgage on the Foundry building. He stated there are no taxpayers' dollars involved as the monies came for the Commonwealth. Hankin would no longer have to pay back the funds on the twenty-year note, the interest payments made by Hankin would be applied to the downtown revitalization, and the Borough is not required to pay any funds to the Commonwealth since the program has been closed out and audited.

Mr. Moore asked if Hankin is paying the Borough $60,000 dollars.

Mr. Krack explained that is part of the substituted considerations, Staff reviewed all the Hankin Group has done for the Phoenixville Borough and its community over the last sixteen years and how much was involved in acquiring the walking bridge across the French Creek. Further consideration from Hankin they have agreed that the downtown program that the Borough has is important. Hankin would like to take the remaining four years on the existing note and contribute $15,000 each year. With the approval of this and then for the next three years to continue supporting the downtown program.

Mr. Moore asked would the funds then be earmarked for the downtown or are they part of the General Fund and then Council uses them during budget season.

Mr. Krack explained the funds go into the General Fund, however Staff restricts those funds and will add the interest that has been paid into one account for use in the downtown revitalization program.

Mr. Kirkner asked what the balance on the mortgage is currently.

Mr. Krack explained it is a balloon payment due for the $500,000 dollars to satisfy the mortgage.

Mr. Kirkner asked for clarification that the Borough is getting a bridge and $60,000 dollars.

Mr. Krack confirmed the Borough would receive $60,000 dollars and the walking bridge valued at $750,000 dollars.

Mr. Kirkner asked if the bridge was valued at $750,000.

Mr. Krack explained the $750,000 were in 2008 dollars to acquire, install and refurbish the walking bridge.

Mr. Ewald stated the money loaned to the Hankin Group was not from the General Fund and not the Borough's General Fund. He stated the two projects chosen by the Council and Staff in 2009 were excellent and he is unsure if they are better Anchor Grant examples out there state wide.

Motion Approved 8-0.

B. Motion to approve a Settlement Agreement between the Borough and the owners of the structure at 209 High Street relating to the Abatable Structure Decision & Order dated November 14, 2023.

Mr. Denlinger explained on November 14, 2023 Borough Council after holding a hearing and reviewing the testimony that was provided Borough Council issued an Abatable Structure for 209 High Street. Since that time the owners have appealed the decision because it is their desire to repair the structural issues related to the existing building, regardless of the cost. As you may recall the decision found it was economically infeasible to repair the structure. This fact has not deterred the owners and he stated his understanding was the Council simply desires the unsafe condition be remedied. The settlement agreement presented tonight will permit the owners to repair the structure provided they commit to doing do on a strict timeline.

Mr. Kirkner made a Motion to approve a Settlement Agreement between the Borough and the owners of the structure at 209 High Street relating to the Abatable Structure Decision & Order dated November 14, 2023, which was appealed to the Court of Common Pleas, in a form substantially similar to what has presented to Council tonight, subject to reasonable and limited modifications approved by the Borough Solicitor, and further authorizing the Borough Council President, Borough Manager, and Borough Solicitor to execute such Settlement Agreement and prepare, file and execute any further documents necessary to comply with the terms and conditions of such Settlement Agreement. Seconded by Ms. Burckley.

On the Question:

Mr. Denlinger clarified there will be some additional documentation that may be required to be execute and filed related to the appeal, should the owners comply with the timeline in the settlement agreement documents will have to filed with the court to terminate the settlement agreement and discontinue the appeal process.

Motion Approved 8-0.

X. Resolutions/Ordinances

A. Motion to adopt a Resolution acknowledging Theresa Nowrey for her three years of service on the Zoning Hearing Board.

Ms. Burckley made a Motion to adopt a Resolution acknowledging Theresa Nowrey for her three years of service on the Zoning Hearing Board. Seconded by Mr. Weiss.

On the Question:

Mr. Ewald read aloud the Resolution for the record and thanked Ms. Nowrey for her service to the Borough. He reminded the public this resignation will create an opening on the Zoning Hearing Board.

Motion Approved 8-0.

B. Motion to adopt an Ordinance amending Chapter 15, Motor Vehicles.

Ms. Burckley made a Motion to adopt an Ordinance amending Chapter 15, Motor Vehicles. Seconded by Mr. Weiss.

On the Question:

Mr. Krack explained the amendments to the Motor Vehicle Ordinance. He stated section one provides for the one-way road on Buchanan Street between Nutt Road and Breckenridge Street, it is correcting the previous information that said between Morgan and Bridge Streets. He stated that Dean Street was a southbound direction of travel from Church Street to Washington Avenue when in fact it should be northbound between Washington Avenue and the new parking lot apron at 140 Church Street. Section two establishes "left hand turns prohibited at certain intersections", the intersection of Cromby Road and Fillmore Street at the driveway entrance to Renaissance Academy and the intersection of Nutt and Valley Roads, vehicles traveling eastbound can now turn left at the intersection of Nutt Road and Starr Street. Turning left on Valley is no longer permitted. Section three establishes "a parking prohibited at all times in certain locations", this is on both sides of Fillmore Street between Bunning Road and Franklin Avenue. This is to address an issue created by parents dropping off and picking up their students at Renaissance Academy. The only exception to this is the six parking spaces already established on the southside of Fillmore as part of the Fillmore Village development. Section four addresses "parking in certain areas on certain days and hours" for Brower, Buchanan, Buttonwood, and Jones Streets and Oxford Avenue. These areas are prohibited in conjunction with the trash days in those areas, the prohibited parking will allow the trash and recycling trucks to make turns unobstructed. He stated these changes do not affect a property owner from parking in off street parking on your own parcel, this is strictly related to parking on the public roadways.

Mr. Denlinger explained the Ordinance was confirmed to be advertised in the Pottstown Mercury on January 29, 2024.

Mr. Kirkner expressed his gratitude to Staff and the Police Department for working on the traffic situation up at Renaissance Academy. He asked if the wording in the Ordinance can be modified to add the words the existing to the

description of the drive way at Renaissance Academy or would that be a substantive change requiring re-advertisement.

Mr. Denlinger said if the change was to add the parcel number that would be a substantive change and require re-advertising but adding the words the existing to the Ordinance would not be.

Mr. Kirkner made a Motion to adopt an Ordinance amending Chapter 15, Motor Vehicles with the addition of the word existing to section 15-209 1.C. Seconded by Ms. Burckley.

Mr. Denlinger stated there are two Motions on the floor unless Ms. Burckley and Mr. Weiss would like to vacate their motion.

Ms. Burckley and Mr. Weiss agreed to vacate their motion.

Motion Approved 8-0.

C. Motion to adopt a Resolution supporting the Borough of Phoenixville's participation in the Delaware Valley Regional Planning Commission's Transportation & Community Development Initiative (TCDI) grant program.

Mr. Weiss made a Motion to adopt a Resolution supporting the Borough of Phoenixville's participation in the Delaware Valley Regional Planning Commission's Transportation & Community Development Initiative (TCDI) grant program. Seconded by Mr. Moore.

On the Question:

Mr. Kirkner asked Mr. Krack for an explanation of the grant request.

Mr. Krack explained the Schuylkill River Passenger Rail Authority successfully secured their grant from the Federal Railway Administration to move forward with all the details needed to bring Amtrak service back to Phoenixville, Pottstown and Reading. The federal money is used for rails, track beds, moving cars and engines, but is not about building the train stations. This grant application is for the Phoenixville station so the Borough can fully tie in. He stated the grant is a no match required.

Ms. Getzfread confirmed there is not a match.

Motion Approved 8-0.

D. Motion to adopt a Resolution approving an application for Green Light - Go grant funds from the Department of Transportation (PennDOT) for full upgrades of traffic signal installations at two intersections in the commercial center of

Phoenixville, PA, Gay Street at Church Street and Main Street at Church Street.

Mr. Weiss made a Motion to adopt a Resolution approving an application for Green Light - Go grant funds from the Department of Transportation (PennDOT) for full upgrades of traffic signal installations at two intersections in the commercial center of Phoenixville, PA, Gay Street at Church Street and Main Street at Church Street. Seconded by Ms. Burckley.
On the Question:

Mr. Kirkner stated the total cost of updating the signals is $769,000 dollars.

Motion Approved 8-0.

D. Motion to adopt a Resolution for the sale and disposition of personal property valued at or below $2,000.

Ms. Burckley made a Motion to adopt a Resolution for the sale and disposition of personal property valued at or below $2,000. Seconded by Mr. Weiss.

On the Question:

Mr. Denlinger explained the Borough needs to authorize the sale of Borough property above a certain value, however the Borough Code provides Borough Staff with the authority to sell property valued at or below $2,000 without the need for repetitive authorizations from council, provided that council approved such procedures once annually.

Motion Approved 8-0.

F. Motion to adopt a Resolution officially granting an extension of time for the completion of the development known as “Jennie Grace Homes”, previously approved by resolution 2018-09.

Mr. Denlinger explained this is a Resolution extending the period of time for the construction of the development known as Jenny Grace Homes located at 409 to 417 South Street. The Pennsylvania Municipalities Planning Code provides for a one-year construction period. Typically, if a developer is proceeding diligently in and in good faith, Staff does not enforce this one-year deadline. Jenny Grace has been proceeding diligently. However, the bank that the developer has worked with to post the financial security for this project requires an extension of our deadline in order to keep that financial security in place for the project. For that reason, Staff and the Solicitor are asking the Council to provide a one-year extension and all the terms and conditions of the prior approval Resolution would remain intact beyond this one-year extension.

Mr. Weiss made a Motion to adopt a Resolution officially granting an extension

of time for the completion of the development known as “Jennie Grace Homes”, previously approved by resolution 2018-09. Seconded by Mr. Moore.

Motion Approved 7-1. Mr. Kirkner voting No.

G. Motion to adopt a Resolution authorizing Seasonal PXV Inside Out Weekends.

Mr. Weiss made a Motion to adopt a Resolution authorizing Seasonal PXV Inside Out Weekends. Seconded by Mr. Moore.

On the Question:

Ms. Dugan asked if the Resolution is specific to the weekends of PXV Inside Out and is it for every weekend.

Mr. Krack confirmed the weekends were included for every weekend as it came out of the Parks and Recreation Committee.

Ms. Dugan stated that she voted no for this to be adopted. She expressed her concerns the Council is deliberately risking the livelihood of all of these businesses who have been pleading with us not to do it every weekend and has asked for a compromise that still allows the closure and has less of an impact on their businesses. She expressed concerns on the loss of parking and the additional traffic that is diverted around the closure on the residential streets. She questioned the Resolution in which it recognizes the positive economic impact when business owners have come to these meetings indicating it’s hurting their businesses. She asked the Council to really reconsider about passing this Resolution.

Ms. Burckley stated as a Councilmember for the downtown area, living downtown, working downtown and having owned a business downtown, she respectfully disagrees with Ms. Dugan. She acknowledged she sees Ms. Dugan’s points and stated they have agreed to disagree. She stated she has interacted with businesses and has received email from the residents. There are lot of positives to the closure as well as barriers. Many robust conversations have taken place and Mr. Moore has been very diligent at looking at all sides of this at the Parks and Recreation Committee meetings. So how do we address the barriers and concerns? The Staff memo addresses the drinking downtown by adding a curfew for the open container. The Police have brought the Power Shift back to focus on having police downtown on foot and in vehicles. She stated the hours of the closure have been adjusted to accommodate Friday deliveries and Staff will be opening the road on Monday mornings regardless if it is a holiday. She realizes some things need to still be addressed and improved like handicapped parking and access and calling off the closure for weather, like rain or excessive heat, that can make the experience less than desirable.

Mr. Carminito asked what dates are we talking about for the closure.

Mr. Weiss stated the days of the week were specified but not the date.

Mr. Krack stated the Council has not determined the dates yet.

Mr. Carminito stated the discussion for dates is still on the Council floor.

Ms. Burckley stated that in committee she remembers the discussion that we wanted to leave the date decision up to all of Council if she was remembering it correctly.

Mr. Moore stated that was not how he understood it and was surprised by the fact the dates are not in the Resolution. He stated he believed it was agreed that it would be from Memorial Day weekend, every weekend through September, he could not recall if it was the last weekend of September or the first weekend of October. He asked if the Motion would need to be amended.

Mr. Kirkner called for point of order, he asked what was the Motion.

Mr. Weiss clarified the Motion was made as it appears on the Agenda and he stated he believed the dates would be worked out tonight.

Mr. Kirkner stated there were no dates attached to the Motion.

Mr. Moore indicated he would make a new Motion including the dates.

Mr. Kirkner stated the way to do that is to vacate the Motion and then make a new Motion.

Mr. Weiss asked if discussion could continue under this Motion and then vote on as amended or have an amendment to the Motion.

Mr. Denlinger confirmed discussion could continue.

Mr. Moore stated he is strongly supportive of the full weekend beginning with Memorial Day through the last weekend of September for the following reasons. He stated he believes the 4 pm closure on Friday through Sunday night which includes the proposed changes to the open container guidelines, the adjustments for improved emergency access from Main Street. He stated he considered limiting the weekend closures, his time on Council began when First Friday was on Main Street and in the Bridge and Main Parking lot, and Bridge Street still operated and it was enjoyable but on occasion it would get rained out and it could not be held. The PXV Inside Out program is no longer a special event it's a defining characteristic of the borough. It is how the borough is now seen as conducting business in the spring time and summer time into fall. In all the interactions with constituents and people he just met he stated he has been asking

for their feelings on the closure. He believes the closure creates a new environment for us and one that is incredibly positive for families and businesses. He stated he is aware of businesses who are in support of the closure and he hears the concerns of those attending the meetings. The concerns about parking are always brought up yet we have a parking lot on Smithworks Blvd. that is underutilized and has been since it opened. He doesn't believe the walk from the Smithworks, Ashland Street and Holy Ghost parking lots are any longer than a walk when you park at Target or Costco. He stated that we can look at ways to adjust the barriers to make handicapped access easier. The town is transforming. He doesn't discount the information presented to us but he still believes the closure is still the most beneficial from the last weekend in May through September.

Mr. Ewald stated he wanted to revisit the Temporary Community Events approved earlier tonight in the Consent Agenda. None of these events take place on First Friday and we are looking at many planned closures in the downtown. He feels the Staff and event organizers have done an excellent job bringing in more events, higher value events and that brings a whole myriad of different people to our downtown.

Ms. Burckley stated Mr. Ewald makes a very good point and just because she supports the closure doesn't mean she doesn't understand. She stated she hears the residents, specifically the lady on Church Street. She appreciates her getting up to address the Council and asked to speak with her after tonight to discuss her experience as far as parking and the changing landscape of parking in her area. She stated the Council is looking at parking and an updated parking study.

Mr. Weiss stated he feels Mr. Moore eloquently explained the reason he is still in support of the closure and he wanted to highlight an item that was mentioned but wants to put a fine point on. He said just because councilmembers don't agree with the sentiments that are expressed to them does not mean they are not listening or they don't care. The Council cares deeply and are listening, but he stated in his experience and the feedback he has received it's overwhelming in support for PXV Inside Out. He further explained it is a very small minority of people that are not in favor of this events in terms of the individuals he comes in contact with. He wants everyone to work together to forge ahead and make Phoenixville better tomorrow than it is today.

Mr. Kirkner stated in previous years he had voted in favor of the closure every weekend, however he hears the overwhelming number of businesses saying they are losing revenue because of the weekly closure through the summer. Ms. Brewer spoke about her experiences in Phoenixville before we had our current downtown. He related his and his wife's experience in the town from vacant store fronts and the lack of people willing to walk downtown. His wife lived on Washington Avenue and when she would leave work at 10 pm from the newspaper office she would run down Bridge Street and up Main Street until she

reached Phoenixville Federal because she said it was scary. He expressed his concerns if the borough starts losing businesses in our storefronts no one will be coming to our downtown. He stated the residents of Church and Prospect Streets have issues with the closure, this town was constructed in the 1900's and Bridge Street is a connector road for state routes 113 and 29. Closing the road causes traffic issues. The Council talks about improving accessibility yet nothing has been done to improve it. He stated Bridge Street is not a promenade. It's a business district and while he supported the closure initially, he has concerns on what will happen to the downtown businesses if the Council continues to approve PXV Inside Out.

Mr. Carminito stated he is mostly in support of the closure and he admits he and his family do frequent the downtown more when the streets are closed. He stated Ms. Burckley had spoken about the flexibility that was discussed at the Parks and Recreation Committee meeting specifically on Sundays and during bad weather and that this is an item the Council can discuss a compromise for Sundays and its effect on Staff as well as the slower times in the summer like the hotter days in August.

Mr. Ewald agreed the things mentioned were discussed at the Parks and Recreation meeting and with Staff. Our ability to offer the flexibility is improved as the HR Department has us fully staffed and that was not the case during Covid.

Mr. Carminito asked if the possibility of a compromise is in the month of August the Council could entertain opening the road on Sunday morning.

Mr. Ewald stated he feels this can be addressed at a later date as tonight's intent is to begin the process for the closure and just like the Motor Vehicle Ordinance the Council and Staff can make changes as we get closer and he feels it is important t have a vote approving or denying that will allow all the downtown businesses to begin making decisions related to the closure. Things like Sunday and weather adjustments are easily handled in the next few months.

Mr. Carminito stated he feels it's important for the businesses to know the road may be open every Sunday in August.

Mr. Moore stated it was discussed but no one made the recommendation to reopen the road Saturday Night or Sunday Morning. He still feels the closure works when it is the whole weekend and if the Council wants to dig in deeper to this option he would be opposed to it. He has been downtown on Sunday, it is quieter but it is still lively. He feels the standard needs to be set so people know when the road is closed and they don't come down because they don't know if the road is or is not closed. He asked if it is reasonable to decide tonight and then refine it as he is not opposed to that but he would like a decision to made tonight since so many of these businesses and residents have been discussing the issue for months and they have a right to know what Council's decision will be.

Mr. Ewald clarified there is language in the Resolution allowing for decisions on the closure for weather and Staff has the ability to make those decisions and not stray away from the Resolution that has been presented.

Ms. Burckley stated she is interested in the process for cancelling due to weather and how the businesses are notified, how they could go about signing up for the alerts. She would also like to hear from Staff if the Council was to entertain the idea of Sunday openings what time would they recommend for bringing Staff in to open the road.

Mr. Ewald stated the Borough does have a very good Parking Department and they work diligently to add additional ADA parking in the lots and on Prospect Street. They monitor the use of the spots and can add spots as needed and have the ability to make those decisions.

Mr. Carminito stated he feels the Council should still discuss and address hot weather days especially in August when no one is coming downtown. He stated he doesn't have faith this will happen and it not going to stop people from coming down even if the road is open.

Mr. Ewald stated he feels the Council can't predict the weather in August right now and he stated the Council and Staff can start working out the details and the alert system over the next few weeks and months.

Mr. Carminito stated he feels the businesses came here tonight for a compromise and there are less favorable days in August the Council let them know that and the businesses can make the appropriate plans.

Mr. Weiss stated he thinks the best thing to offer when setting expectations is consistency on the times and weekends the roads are closed. He does respect looking into ways to reach compromises or find ways to help and assist, but he just doesn't know if there is data to support no weekends in August.

Ms. Burckley stated she was not thinking of a specific month but more like a set temperature like is done at schools. She suggested the call be made when the temperature is going to be over 101 degrees Fahrenheit and then provide the information on how to sign up for notifications from Borough Staff.

Mr. Moore stated the Resolution does have language that approximates the weather issue unless someone wants to refine the statement it currently calls for the Council President and Borough Manager to make the decision.

Mr. Kirkner explained the issue of weather occurred last year as he recalled and the Borough Manager and Staff made the decision to not close the road. He believes the manager and staff have the expertise to make the decision without us

establishing any parameters. He stated it is obvious if there is rain in the forecast they are going to make the call. Its why the Council has hired professionals for these jobs.

Mr. Weiss stated he agrees with Mr. Kirkner.

Mr. Carminito stated he too agrees, but he expressed why he arbitrarily selected August as it is tends to be a hot month, the crowd's downtown are less and Mr. Krack isn't required to be the weather man and determine if it's too hot. He wants the Council if they intend to do anything that it be spelled out and that the message to the businesses be specific.

Mr. Ewald stated there is a Motion on the floor that the Council will need to amend to add some dates to and there are several methods to do this. He explained the Motion can be vacated or the current motion can be amended. He asked Mr. Denlinger what the best option.

Mr. Denlinger stated the best course of action is for Mr. Weiss the motion maker and Mr. Moore the second rescind their motion and new motion is made on the floor.

Mr. Weiss and Mr. Moore agreed to rescind the motion on the floor.

Mr. Carminito made a Motion to adopt a Resolution authorizing the PXV Inside Out weekends from Memorial Day to the last weekend of September and the roads opened on Sunday mornings in the month of August. Seconded by Ms. Burckley.

On the Question:

Mr. Krack clarified the weekends of the closure would begin on Friday, May 24, 2024 through Monday, October 7, 2024 and the road would be opened at 9am on Sundays on August 4th, 11th, 18th and 25th. Staff will remove the barriers and the rest of the day is open. The 9 am time was selected to ensure the removal is out of the morning church service window and then is open in time for afternoon services. He reassured the Council that the current budget can support the overtime for this as well as the overtime on Mondays when the road is reopened before working hours.

Mr. Kirkner asked if the employees coming in on Sunday have a mandatory minimum of four hours.

Mr. Krack explained for those departments it is not and the overtime will be scheduled in advance to figure out who is available to work. They would be scheduled and paid the double time rate for coming in.

Ms. Burckley asked if any events have come in that would be affected by this change.

Mr. Ewald confirmed not as of yet.

Mr. Weiss stated he is not sure the Sunday compromise really solves anyone's issues. He thinks it just adds to the confusion and doesn't actually solve a problem or get the compromise that has been asked for by the businesses tonight.

Mr. Carminito and Ms. Burckley withdrew their motion.

Mr. Carminito made a Motion to adopt a Resolution authorizing the PXV Inside Out weekends from May 24, 2024 through October 7, 2024. Seconded by Mr. Weiss.

Motion Approved 6-2. Ms. Dugan and Mr. Kirkner voting No.

XI. Public Hearings

A. Motion to recess the public meeting and open the hearing on the Conditional Use Application from ROCKET AMUSEMENT INC., which proposes to operate a skill game room with Pennsylvania skill machines in the first floor of the existing building on 313 Bridge Street as an Entertainment Hall use, in addition to maintaining the existing apartment residential uses on the upper floors of the existing building.

Mr. Moore made a Motion to recess the Public Meeting and open the Conditional Use Hearing for 313 Bridge Street. Seconded by Mr. Weiss.

Motion Approved 8-0.

Mr. Denlinger opened the Conditional Use Hearing at 9:37pm.

Mr. Denlinger explained the process of the hearing and the location of the project requesting the Conditional Use. Mr. Denlinger explained the applicant has requested a continuance of the hearing and read the request aloud for the record. Mr. Denlinger stated he and Conflict Solicitor Robert Jefferson agreed to the continuance.

Mr. Denlinger explained the hearing will be continued until March 12, 2024 at 7 pm.

Mr. Weiss made a Motion to recess the Conditional Use Hearing. Seconded by Mr. Carminito.

Motion Approved 8-0.

Hearing recessed at 9:42 pm

XII. Reports of Committees, Boards, and Commissions

A. Historical and Architectural Review Board – Ms. Dugan

1. Motion to approve/deny the Certificate of Appropriateness for a revision which includes a primarily one-story addition to the existing distillery and bar as well as an angled element that protrudes above the first floor for 100 Bridge Street as recommended 5-0 by the HARB in their Action Memo of February 6, 2024.

   Ms. Dugan made a Motion to approve the Certificate of Appropriateness for a revision which includes a primarily one-story addition to the existing distillery and bar as well as an angled element that protrudes above the first floor for 100 Bridge Street. Seconded by Ms. Burckley.

   On the Question:

   Ms. Dugan explained that she fought very hard against the first rendition of the alterations and it was a step back from what was originally proposed she was inclined to let it go since she had lost on the approval of the original submission.

   Mr. Ewald asked if this change will be presented to the Planning Commission as a revision.

   Mr. Krack explained it has not been presented to Planning as Staff does not have enough information for the engineer so he can make the determination if this is a minor or major revision to the plan. He stated he and Mr. Denlinger will work with the engineer and if need be it will be taken back through the Planning Commission.

   Mr. Ewald stated he wanted to make certain tonight's vote is not the end of the discussion on this revision.

   Mr. Carminito asked if comment can be made on the shape of the building and if it fits in with historical district.

   Mr. Denlinger explained that the HARB process is exactly about that and how the submission fits in the historic district, the regulations and standards contained in the Historic District Ordinance and allows for the comparison of buildings to one another in the vicinity of the applicants building.

Mr. Carminito stated he does not feel the shape of this building fits in the downtown and he doesn't see that shape anywhere in our historic district.

Mr. Weiss stated he wondered if the design pulled inspiration from other building that are not longer in the historic district and that does or doesn't weigh in the Council's decision to approve or deny. He recognizes there may have been some industrial buildings in the Borough's past but they're not present now.

Ms. Dugan asked if Council doesn't approve this will it revert back to one previously approved.

Mr. Ewald stated he didn't believe that was the case as they have no plans to build the previous design.

Mr. Denlinger explained this Certificate of Appropriateness deals with the architectural view of the outside it doesn't deal with their land development project and that is what Mr. Ewald asked Mr. Krack earlier about the engineer determining if this is a minor or major revision to the land development plan.

Ms. Dugan stated then why would the Council approve this now. She feels the steps are out of order again.

Mr. Denlinger explained it is two separate paths sometimes a property owner wants to know that the Council likes the vision before they spend the money on the engineering and other property owners care more about the engineering and they'll figure out look of the outside of the building later. He stated there is no requirement that one path is done before another and oftentimes they occur on parallel paths.

Ms. Dugan asked what will happen if this is not approved tonight. Does it still go back to planning?

Mr. Denlinger reiterated because it's a different path, it's kind of a different question. From an architectural standpoint if the Council doesn't approve it tonight and they are still seeking this design they will have to come back in with an amended HARB application.

Mr. Ewald stated he finds this project more jarring he agrees it is smaller but he prefers the original project.

Mr. Carminito agrees he prefers the original project as well.

Ms. Burckley stated she agrees as well; this angle is not something seen in the historic district.

Mr. Moore stated he can see where they may have tried to look at the building next doors chimney line if you turned the building ninety degrees.

Mr. Weiss stated he thinks a roofline where it comes to a point is different than a ninety-degree angle.

Mr. Moore stated the roof line is not perpendicular to the other roof lines on the block.

Mr. Carminito stated the design looks similar to a bank building in a shopping center.

Mr. Denlinger clarified the plan can't be denied because the Council doesn't like it, however it can be denied if it does not meet the regulations of the HARB district.

Ms. Dugan stated the consultant from Barry Isett that is appointed to the board didn't seem to have any issue with the design.

Mr. Kirkner reminded the Council that the project across the way from this at 99 Bridge Street is being converted into apartments is a modern glass and steel building. He stated he is not defending the weird angle here on this building as he agrees with Mr. Ewald it is a jarring design, but you have to keep in mind the character of the neighborhood.

Ms. Dugan stated this project and 99 Bridge Street are constantly comparing each other to the other project in a way that feels like they are using each other to get approval.

Ms. Burckley stated she too went back to look at the submission for 99 Bridge Street like Mr. Kirkner. She expressed that the angle is very different than what is approved across the street and she doesn't think there is anything downtown like this or that we have any written regulations about it however the angle is what sticks out the most to her.

Motion Fails 0-8.

Mr. Kirkner made a motion to deny the Certificate of Appropriateness for a revision which includes a primarily one-story addition to the existing distillery and bar as well as an angled element that protrudes above the first floor for 100 Bridge Street. Seconded by Mr. Strenfel.

Motion to Deny Approve 8-0.

B. Planning Commission - Mr. Moore

C. Phoenixville Regional Planning Committee – Mr. Kirkner

Mr. Kirkner reported the Regional Planning Committee reviewed the proposed draft Borough Ordinance for skill games and found it consistent with the regional plan. He stated the committee had its reorganization and they elected him Chairperson.

D. Recreation Board – Ms. Dugan

Ms. Dugan reported on the upcoming camps and programs at the Recreation Center including Safe Sitter, Young Rembrandt's, Snapology, Adult and Youth Pickleball, Soccer Shots and various Yoga programs.

E. Tree Advisory Commission – Mr. Carminito

Mr. Carminito reported on the activities of the commission including volunteer tree tenders monthly pruning and new trees scheduled for planting.

F. Human Resources Commission – Ms. Burckley

Ms. Burckley reported the commission meets on the first Wednesday of the month and still has one vacancy to fill.

XIII. Council Action referred from:

A. Personnel and Public Safety Committee – Ms. Burckley

1. No action to report.

B. Parks and Recreation Committee – Mr. Moore

1. Motion to approve a Temporary Community Event Application for the Phoenixville Blues Festival in Reeves Park on Saturday, September 7, 2024 from 12:00 noon to 10:00 pm. Third Avenue closed between Main and Starr Street from 9:00 am to 12:00 midnight. Conditioned upon receipt of valid Certificate of Insurance naming the Borough of Phoenixville as Additional Insured.

   Mr. Moore made a Motion to approve a Temporary Community Event Application for the Phoenixville Blues Festival in Reeves Park on Saturday, September 7, 2024 from 12:00 noon to 10:00 pm. Third Avenue closed between Main and Starr Street from 9:00 am to 12:00 midnight. Conditioned upon receipt of valid Certificate of Insurance naming the Borough of Phoenixville as Additional Insured. Seconded by Mr. Weiss.

On the Question:

Mr. Moore stated the application is very similar event to last year. He stated he and Ms. Burckley had a conversation regarding the event and the request to once again have a beer garden. The applicant indicates they are working with the Jaycees to run the beer garden again. He expressed his concerns on the exact details of the beer garden and he is unsure if there is a policy about when somebody wants to run an event and have somebody else run a beer garden. How can the Council be sure there is an agreement and should the that be wrapped up when they make the application to the Borough.

Mr. Ewald stated his preference is for all aspects of the application and event be tied up in a bow prior to the Council voting on it.

Ms. Burckley agreed and stated if the Jaycees are formally involved in the event she will need to recuse herself from the vote.

Mr. Ewald asked the applicant to address the Council.

Mr. Moore asked Jim DiGuiseppe to confirm the Jaycees are running the beer garden or when you think you will have that confirmed.

Jim DiGuiseppe applicant for the Blues Festival explained they intend to duplicate the festival from last year. He stated the beer garden is intended to be fifty feet by twelve feet and he reached out to the Jaycees to ensure they are available on September 7th and they are holding the date.

Mr. Moore stated he feels this is sufficient information and he asked if Borough Staff need any further documentation the Jaycees are running the beer garden. He stated other events have had beer off premises such as Dogwood and Molly Maguires but he is unsure of how the liquor licensing works.

Mr. Krack explained Molly's has had in the past with their license extending across the street to the Main and Bridge parking lot and he stated what is presented here does not have confirmation from the Jaycees for the beer garden. He indicated that both the Blues Festival and the Jaycees would have to name the borough as additionally insured.

Mr. Kirkner stated there is nothing in the application about a beer garden.

Mr. Krack confirmed it is not in the application but in the map associated with the layout for the festival.

Mr. Kirkner stated the applications stated no alcohol in the borough parks.

Mr. Krack stated this is why the beer garden is in the street.

Mr. Ewald expressed his concerns on not approving the event having a negative impact on the booking of acts for the festival and that perhaps the Council vote on the event and revisit the beer garden aspect later.

Mr. Denlinger suggested the Motion makers rescind the motion and a new motion be put forth approving without the beer garden and the event be additionally approved for the beer garden upon receipt of confirmation the Jaycees are participating and the provide insurance naming the borough additionally insured or provide the same for any other like organization who may be providing the beer garden for the Blues Festival.

Mr. Moore asked Ms. Getzfread how it was done last year.

Ms. Getzfread explained this is the same plan as last years event, they had an agreement with the Jaycees but she didn't know if that agreement has been established for this year's event. She pointed out thesis not the only event that has used a non-profits liquor license for an event and that staff will notify the local office of the LCB that a license is being used for an event and where the event is taking place. She stated the requirements for any beer garden would be across the board for all events and requested by Staff for any application wishing to have a beer garden. She explained the LCB has particular regulations for this type of alcohol sales.

Mr. Moore and Mr. Weiss rescinded their motion.

Mr. Moore made a Motion to approve a Temporary Community Event Application for the Phoenixville Blues Festival without the beer garden, the event will be additionally approved with the beer garden subject to the written confirmation that the Jaycees or another like organization has agreed to be involved and has named the Borough of Phoenixville as additionally insured, in Reeves Park on Saturday, September 7, 2024 from 12:00 noon to 10:00 pm. Third Avenue closed between Main and Starr Street from 9:00 am to 12:00 midnight. Conditioned upon receipt of valid Certificate of Insurance naming the Borough of Phoenixville as Additional Insured.

Motion Approved 7-0-1. Ms. Burckley abstained due to conflict of interest.

C. Policy Committee – Mr. Carminito

1. Motion to schedule and advertise an Ordinance amending Chapter 27, "Zoning," "Skill Games Ordinance."

Mr. Carminito made a Motion to schedule and advertise an Ordinance amending Chapter 27, "Zoning," "Skill Games Ordinance." Seconded by Mr. Weiss.

Motion Approved 8-0.

2. Motion to schedule and advertise an Ordinance amending Chapter 22 "Subdivision and Land Development," Part 4 "Design Standards," Section 22-417 "Vehicular Parking."

   Mr. Carminito made a Motion to schedule and advertise an Ordinance amending Chapter 22 "Subdivision and Land Development," Part 4 "Design Standards," Section 22-417 "Vehicular Parking." Seconded by Mr. Strenfel.

   Motion Approved 8-0.

3. Motion to adopt Amendment #3 to the Borough of Phoenixville Police Pension Plan.

   Mr. Carminito made a Seconded by M

   Motion Approved

4. Motion to schedule and advertise an Ordinance amending Chapter 1, "Administration and Government," Part 7 "Pensions, Retirement and Social Security."

   Mr. Carminito made a Motion to schedule and advertise an Ordinance amending Chapter 1, "Administration and Government," Part 7 "Pensions, Retirement and Social Security." Seconded by Ms. Burckley.

   Motion Approved 8-0.

5. Motion to schedule and advertise an Ordinance accepting dedication of Right-of-Way - Tague.

   Mr. Carminito made a Motion to schedule and advertise an Ordinance accepting dedication of Right-of-Way - Tague. Seconded by Ms. Burckley.

   Motion Approved 8-0.

6. Motion to schedule and advertise an Ordinance accepting dedication of Right-of-Way – 195 & 199 Mowere Road.

Mr. Carminito made a Motion to schedule and advertise an Ordinance accepting dedication of Right-of-Way – 195 & 199 Mowere Road. Seconded by Mr. Strenfel.

Motion Approved 8-0.

D. Infrastructure/Technology/Transportation/Sustainability Committee – Mr. Weiss

1. No Action to Report.

E. Finance Committee – Ms. Dugan

1. Motion to approve the Parking Study Update Proposal as recommended 4-0 from the ITTS Committee using Parking Enterprise Funds.

Ms. Burckley made a Motion to approve the Parking Study Update Proposal. Seconded by Mr. Carminito.

On the Question:

Ms. Dugan expressed her concerns about the expense for the Parking Study update since parking is already negatively impacted by the closing of Bridge Street in the summer and the proposal to change an existing parking lot into a park downtown.

Mr. Weiss explained why the ITTS committee recommended the funding of the study including the potential train station, changes to the travel on Church Street potentially to two ways and the proposal for the Main and Bridge Street lot. He feels it will show us where the pain points are that can help direct the decisions and conversations in the future.

Motion Approved 7-1. Ms. Dugan voting No.

2. Motion to authorize Staff and the Solicitor to take the necessary steps to obtain easement agreements from the property owners and steps to take dedication of the unnamed alleys behind Callowhill Street, Woodlawn Avenue, and Oxford Avenue.

Ms. Dugan made a Motion to authorize Staff and the Solicitor to take the necessary steps to obtain easement agreements from the property owners and steps to take dedication of the unnamed alleys behind Callowhill Street, Woodlawn Avenue, and Oxford Avenue. Seconded by Ms. Burckley.

On the Question:

Ms. Dugan explained the issue with trash collection in this area of the Borough especially after bad weather and the trucks can't get down the alleys to collect.

Motion Approved 8-0.

XIV. Public Participation

John McPhee, Diving Cat Studios Business Manager. He provided the background on the design of the building at 99 Bridge Street and stated the windows and look of the building were to evoke the feel of building six of the former steel site property as there was no existing commercial building on Bridge Street.

Irene Hilly, resident. She expressed her concerns with the adopted Ordinance for Chapter 15 "Motor Vehicles. She does not believe it is correct and that it will prevent her from accessing her driveway on Fillmore Street and asked the Council to rescind or review the Ordinance.

Patrick Merriman, resident and owner of the Boardroom Restaurant on Bridge Street. He thanked the Council for all they have done to navigate he downtown closure and he admire the way it has been handled and that everyone will be able to figure out howit can be beneficial for everyone.

XV. Communications/Council Participation

XVI. Staff Reports are in the packets.

A. Manager
B. Police
C. Fire
D. Planning and Codes
E. Public Works
F. Finance
G. Human Resources
H. Recreation

XVII. Adjournment

Mr. Ewald announced the Council will Adjourn the meeting into executive session for the purpose of:

a. Holding an attorney-client privileged discussion related to the proper purposes and announcements for executive sessions;
b. For the purpose of discussing the condition of the 500 block of Bridge Street, for which identifiable adjudication and/or litigation may result; and
c. For the purpose of discussing a matter of personnel related to our public works sanitation department.

10.36 pm. Ms. Burckley made a Motion to Adjourn. Seconded by Mr. Weiss.

E. Jean Krack
Borough Manager

Transcribed by: Jennifer Logan
Administrative Assistant
February 2024

Upcoming Meetings

Parks and Recreation Committee	February 20 – 6:00 pm
Infrastructure Committee	February 20 – 7:00 pm
Recreation Board	February 26 – 6:30 pm
Finance Committee	February 27 – 6:00 pm
Policy Committee	February 27 – 7:00 pm
HARB	March 4 – 5:00 pm
Personnel/Public Safety Committee	March 4 – 6:00 pm
Tree Advisory Commission	March 4 – 7:00 pm
Civil Service Commission	March 4 – 7:00 pm
Borough Council	March 12 – 7:00 pm
Planning Commission	March 14 – 6:00 pm