

PHOENIXVILLE BOROUGH COUNCIL

Tuesday, March 12, 2024

7:00 PM

MINUTES

(Minutes approved by Borough Council on April 9, 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	Present
Lt. Joseph Nemic, Police Lieutenant	Present
Mr. Denlinger, Solicitor	Present

III. Presentations

IV. Public Participation

Janice Trappy, resident. She expressed her concerns with the lack of parking and not being able to find parking in the permit lots in the downtown. She asked the Council to consider a permit only lot so that residents aren't competing with visitors in town.

Kris Keller, Orion Communities. She read aloud a letter to the Council regarding the increase in fees for the Juneteenth Celebration. She indicated last year the cost for the event was \$460.00 and this year's cost after a reduction is \$1676.00. She asked the Council to consider creating a task force of Borough Staff and event organizers and business owners to review the costs so that event organizers are not discouraged to hold their event in the Borough.

Nancy Thomas, resident. She read aloud a letter from the Chairperson and Co-Chairperson of Juneteenth regarding the increase in the fees for the event this year and have questions on the policies for borough related events. She expressed her own concerns and asked the Council to choose compassion and joy and then Phoenixville will become a community and not just a Borough.

David Lutzker, resident and Green Team President. He stated the Borough has committed to 100 percent renewable energy and he encouraged the Borough to consider joining the recently formed Community Choice Aggregation. Many Borough's have committed to the CCA for PA and a request has been submitted to the PUC for a declaratory ruling to operate a CCA. They are signing a Memorandum of Understanding to get first rights to so and they hope to get a positive ruling for a pilot project for the Boroughs that have signed the MOU. He stated the CCA for PA is hosting a webinar on March 21, 2024 at 10:30 am and he will send the link to everyone if they wish to attend. He stated we are the leaders in the regions and he hopes all of the Council and Borough Staff will attend.

Tom DeLuca, resident. He stated his concerns on an illegal dump at the corner of Vanderslice and Gay Streets just over the Veterans Memorial Gay Street Bridge. He stated the dumping had subsided but the dumping activity has begun again and he hopes that something can be done about the trash and abandoned cars parked there. He thanked Mr. Kirkner and Mr. Moore as well as the Council, but the problem still exists with parents dropping off and picking up their children at Renaissance Academy. The passing of the no stopping or standing on Fillmore Street has led to the parents to move elsewhere to wait. The vehicles are piling up and waiting in Fillmore Village. They enter the community via Utley and they are sometimes in a hurry. They will park on Ashburn in the available spots and wait in Fillmore Village for the line to open up and then go up Fillmore to pick up their children. This action blocks the entrance and exit from the community and he doesn't feel the issue will not get solved without the cooperation of the school. He is asking the Council to step in and try to find a solution with Renaissance that doesn't impact the residents in the area.

Megan Eltringham, resident. She expressed her frustration with the Renaissance Academy pick up line and she thanked the Council for passing the Ordinance for no standing or stopping on Fillmore Street. She stated, like Tom, she has noticed the parents waiting on the roadways in Fillmore Village and preventing the residents of the community from exiting when they need to go to work or to a doctor's appointment. She stated she has been unable to leave to visit a client and she has been unable to find parking in her neighborhood because of the excess cars from the parents. She stated they are zooming through the neighborhood because they are frustrated with getting in line for pick up and drop off. She agrees with Mr. DeLuca that the school must be part of the solution and provide adequate areas for pick up and drop off.

V. Consent Agenda:

A. Approval of the February 13, 2024 Regular Meeting Minutes.

B. Historical and Architectural Review Board

1. Motion to approve/deny the Certificate of Appropriateness for a hanging shingle sign for 116 Bridge Street as recommended 4-0 by the HARB in

their Action Memo of March 5, 2024.

2. Motion to approve/deny the Certificate of Appropriateness for a hanging shingle sign and wall sign for 243 Bridge Street as recommended 4-0 by the HARB in their Action Memo of March 5, 2024.

C. Items from Parks and Recreation Committee.

1. Motion to approve a Temporary Community Event Application for Alianzas 14th Annual Diversity Festival in Reeves Park on Saturday, August 3, 2024 from 1:00 pm to 5:00 pm. No Street closures. Conditioned upon receipt of all fees and valid Certificate of Insurance naming Borough as Additional Insured.
2. Motion to approve a Temporary Community Event Application for the Borough of Phoenixville Birthday Celebration at the Recreation Center and Dayton Street Field on Saturday, April 20, 2024 from 5:00 pm to 9:30 pm. Fillmore Street to be closed from Franklin Avenue to South Street from 6:30 pm to 9:30 pm.

D. Items from Finance Committee.

1. Motion to approve the 2023 Pre-Paid dated 1/1/2024 - 1/31/2024 in the amount of \$186,112.41.
2. Motion to approve the 2024 Pre-Paid dated 1/1/2024 - 1/31/2024 in the amount of \$1,226,185.73.
3. Motion to approve the 2023 Pre-Paid Credit Card Statement dated 1/1/2024 - 1/31/2024 in the amount of \$27,920.27.
4. Motion to approve the 2024 Pre-Paid Credit Card Statement dated 1/1/2024 - 1/31/2024 in the amount of \$24,311.09.
5. Motion to approve the 2024 Pre-Paid ACH dated 1/31/2024 in the amount of \$37,922.83.
6. Motion to adopt a Resolution revising the 2024 Master Schedule of Fees.
7. Motion to approve Staff's recommendation for Ply-Mar Construction's proposal of the Gay Street Streetscapes Project in an amount not to exceed of \$350,000.

Ms. Burckley made a Motion to approve the Consent Agenda. Seconded by Mr. Weiss.

Motion Approved 8-0.

VI. Communications/Council Participation

Ms. Bureckley reported the Borough celebrated its 175th Anniversary on March 6, 2024 and there will be lots of celebrations throughout the year and she encouraged the public to follow the Borough's social media for updates. She stated the Colonial Theatre and Shawn Cephas of Forever Changes are celebrating black history on the Third Thursday of every month. She had the pleasure of attending last month's musical performance and next month will be slam poetry. She encouraged the community to check out the performances. She stated on April 6, 2024 will be the live art auction at Barnstone Art for Kids, on April 27, 2024 Ann's Heart will host their Murder Mystery fund raiser and the Civil Service Commission is actively going through applications to hire two new police officers.

Mr. Kirkner addressed the concerns of the illegal dumping in the parking lot of Vanderslice Street. He stated it is a private lot and he too has noticed the illegal dumping as well as two abandoned cars in the lot.

VII. Mayor's Report

Mayor Urshcler reported on the upcoming events in town including the Irish Wake at the Senior Center on March 21, 2024, the opening of 260 Bridge Café, run by Partners Creating Community for adults with disabilities and her read aloud a Proclamation for the Borough on it's 175th Birthday.

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.

Mr. Ewald stated that Council will need to recess into Executive Session for matters related to personnel employment in the Sanitation Department, appointments to the Civil Service Commission, Zoning Hearing Board and Planning Commission, and attorney client privilege advice on Conditional Use Hearing procedures.

Ms. Bureckley made a Motion to recess into Executive Session. Seconded by Mr. Weiss.

Motion Approved 8-0.

Meeting recessed at 7:36 pm
Council returned at 7:56 pm.

Mr. Weiss made a Motion to resume the public meeting. Seconded by Ms. Burckley.

Motion Approved 8-0.

IX. New Business

A. Motion to take action on Borough personnel early retirement.

Mr. Burckley made a Motion to take action on Mark Albert's early retirement. Seconded by Mr. Weiss.

Motion Approved 8-0.

X. Resolutions/Ordinances

A. Motion to adopt an Ordinance amending Chapter 27, "Zoning," "Skill Games Ordinance."

Ms. Burckley made a Motion to recess the public meeting and open a Public Hearing. Seconded by Mr. Kirkner.

Motion Approved 8-0.

Public Hearing commenced at 7:57 pm.

Mr. Denlinger explained the Commonwealth Court recently ruled that skill games are not covered by the PA Gaming control code and therefore are permitted as a Permitted Use in municipalities. As a result, this Ordinance attempts to define skill games and attempts to place said Permitted Use in the Zoning District most appropriate therefore being the CD "Corridor Development" District. He stated the Ordinance was scheduled and advertised in the Pottstown Mercury on February 26, 2024 and March 4, 2024. Copies of the Ordinance were also provided to the Mercury and the Chester County Law Library for public inspection. The Ordinance was reviewed by the Chester County Planning Commission which found this Ordinance is appropriate and the Phoenixville Regional Planning Committee which found the Ordinance was consistent with the Phoenixville Regional Comprehensive Plan.

Mr. Moore stated he wants to understand that the Council is modifying the Zoning. He stated he was looking at the section for officer authorization and was not sure if the Council will need to take separate action with a Resolution or a

modification to another section of the Borough Ordinances to take the necessary and appropriate actions to carry out the purpose and intent of Ordinance. For instance, the rules around who is allowed to engage in the games, being over the age of eighteen and the hours of operation. He asked for clarification on how the regulations will be enforced.

Mr. Denlinger stated Mr. Moore is correct. This is a Zoning Ordinance Amendment and currently it defines skill games as one of the games of amusement that's covered by an entertainment hall use. The Commonwealth Court decision came out in November of 2023, which is a fairly recent ruling. Following this decision Staff and the Solicitor created a definition of skill games that can be dealt with individually under the Zoning Ordinance. He explained the Ordinance Amendment before the Council tonight makes skill games use a Conditional Use permitted in the CD District. He stated a Conditional Use is a permitted use provided the applicant meets certain and specific elements. In this amendment the specific elements are related to the hours of operation and the minimum age of eighteen years old to engage in that use. Any applicant granted the Conditional Use under the Zoning Ordinance is required to comply with the specific conditions and failure to meet them would be enforced by the Zoning Department.

Mr. Moore asked if the Police Department's officers would be stopping in to confirm the ages of the skill games participants.

Mr. Denlinger explained the Zoning Ordinance does not provide the police with any additional powers for this use or any other use. He stated the police still have their standard powers to patrol the Borough and its businesses.

Ms. Burckley asked if the Zoning Officer or any Codes Inspector seeing the specific conditions being violated would be the way the Conditional Use is enforced.

Mr. Denlinger stated if the Zoning Officer identifies an issue and needed support, they could enlist the help of the police to address the issues. He stated age is a difficult thing to enforce and more than likely it would be investigated if the Zoning Officer received a complaint and followed up.

Mr. Weiss asked if a person under the age of eighteen is engaged in the use of the skill games what if anything would happen.

Mr. Denlinger explained the Zoning Ordinance contains provisions for violations that can result in fines and notice of violation against them as it relates to the conditional use granted to the applicant.

Public Comment – None

Ms. Burckley made a Motion to close the public hearing and resume the public meeting. Seconded by Mr. Weiss.

Motion Approved 8-0.

Public Hearing closed at 8:04 pm.

Mr. Weiss made a Motion to adopt an Ordinance amending Chapter 27, "Zoning," "Skill Games Ordinance." Seconded by Mr. Kirkner.

Motion Approved 8-0.

- B. Motion to adopt Ordinance amending Chapter 22 "Subdivision and Land Development," Part 4 "Design Standards," Section 22-417 "Vehicular Parking."

Mr. Denlinger explained additional procedure items need to be addressed before the ordinance can be adopted and he stated he would entertain a motion to table this item until the Council meeting on May 14, 2024 at 7:00 pm.

Mr. Carminito made a Motion to table the adoption of an Ordinance amending Chapter 22 "Subdivision and Land Development," Part 4 "Design Standards," Section 22-417 "Vehicular Parking." until the May 14, 2024 meeting of Borough Council at 7:00 pm. Seconded by Ms. Burckley.

Motion to table Approved 8-0.

- C. Motion to adopt an Ordinance amending Chapter 1, "Administration and Government," Part 7 "Pensions, Retirement and Social Security."

Mr. Denlinger stated the Ordinance was scheduled and advertised in the Pottstown Mercury on March 4, 2024, copies of the Ordinance were also provided to the Mercury and the Chester County Law Library for public inspection.

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

Motion Approved 8-0.

- D. Motion to adopt an Ordinance accepting dedication of Right-of-Way - portion of UPI Nos. 15-8-12, 15-9-91, 15-8-23, 15-9-92, 15-9-92.1; 15-9-93 and 15-9-97.

Mr. Denlinger stated the Ordinance was scheduled and advertised in the Pottstown Mercury on March 4, 2024, copies of the Ordinance were also provided to the Mercury and the Chester County Law Library for public inspection.

Mr. Carminito made a Motion to adopt an Ordinance accepting dedication of Right-of-Way - portion of UPI Nos. 15-8-12, 15-9-91, 15-8-23, 15-9-92, 15-9-92.1; 15-9-93 and 15-9-97. Seconded by Ms. Burckley.

Motion Approved 8-0.

- E. Motion to adopt an Ordinance accepting dedication of Right-of-Way – 195 & 199 Mowere Road.

Mr. Denlinger stated the Ordinance was scheduled and advertised in the Pottstown Mercury on March 4, 2024, copies of the Ordinance were also provided to the Mercury and the Chester County Law Library for public inspection.

Mr. Carminito made a Motion to adopt an Ordinance accepting dedication of Right-of-Way – 195 & 199 Mowere Road. Seconded by Ms. Burckley.

Motion Approved 8-0.

XI. Public Hearings

- A. Continued 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 the Property as an Entertainment Hall use, in addition to maintaining the existing apartment residential uses on the upper floors of the existing building.

Ms. Burckley made a Motion to recess the Public Meeting and open the Conditional Use Hearing for ROCKET AMUSEMENT INC., which proposes to operate a skill game room with Pennsylvania skill machines in the first floor of the existing building on the Property as an Entertainment Hall use, in addition to maintaining the existing apartment residential uses on the upper floors of the existing building. Seconded by Mr. Weiss

Motion Approved 8-0.

Mr. Denlinger opened the Conditional Use Hearing at 8:09 pm.

Mr. Denlinger explained the process of the hearing and the location of the project requesting the Conditional Use.

Mr. Denlinger explained the hearing will be continued until April 9, 2024 at 7 pm, at which time the Council can render their decision.

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

Motion Approved 8-0.

Hearing recessed at 9:49 pm

XII. Reports of Committees, Boards, and Commissions

A. Historical and Architectural Review Board – Ms. Dugan

B. Planning Commission - Mr. Moore

1. Motion to adopt a Resolution officially conditionally approving/denying the Preliminary/Final Subdivision and Land Development Plan for the development known as Paradise Village.

Mr. Denlinger explained this is the project known as Paradise Village and relates to two parcels of land located at 190 Paradise Street next to the Phoenixville Fire Department and identified as Chester County UPI's 15-8-22 and 15-8-24 consisting of approximately 5.87 acres of land. The developer proposes to develop the site with a five-story building with 12,670 sq. ft. of commercial space on the ground floor and 200 residential units on the second through fifth floors with surface and underbuilding parking comprised of 196 dedicated residential, 42 dedicated commercial, and 45 shared residential and commercial parking spaces, Electric Vehicle parking including 11 residential, 14 shared, 9 commercial and 2 Handicapped Accessible. The installation of concrete sidewalks, a 12ft wide trail, 12,788 sq. ft. of public open space, the extension of Hall Street from Paradise Street, stormwater management facilities and related improvements. He explained the project was reviewed at numerous Planning Commission meetings and was recommended for approval by the Planning Commission.

Mike Murray, attorney for the applicant. He stated Mr. Denlinger did a good job of discussing the project. He explained the project location is at the intersection of Paradise Street and what will be the Hall Street extension. He stated the acquisition of Right of Ways from the abutting property owners will allow the Hall Street extension come to fruition. The applicant will be completing the trail extension along the property line.

Mr. Moore made a Motion to adopt a Resolution officially conditionally approving the Preliminary/Final Subdivision and Land Development Plan for the development known as Paradise Village. Seconded by Mr. Weiss.

On the Question:

Mr. Moore explained there are five waivers requested and all of which were satisfied by the Borough's Engineer. He stated the slope of the

location is such that it is basically just at the bottom of the hill from where the Luxor Building is located. The waivers for Items A, B & C of the Resolution were granted because of the slope and the Hall Street extension nothing would fit in there. He further explained item D is also affected by the slope of the project and they have agreed to preserve nine of the 30 trees on the plan with a DBH of greater than six. He stated he find it interesting that the building will have commercial and residential, he feels it will extend the Trough out further with commercial space.

Mr. Ewald stated the lot is a long skinny lot and he asked Mr. Murray to explain how the lot will be used by the developer.

Mr. Murray explained the development will occupy only 2.5 to 3 acres of the over 5-acre site. The project includes as Mr. Denlinger mentioned 12, 788 sq. ft. of open space and an acre of ground along the trail connection.

Mr. Denlinger stated the developer has agreed to build a trail connection from Luxor to the French Creek Trail to connect both developments to the downtown.

Mr. Weiss asked about the location of the property as he is having trouble visualizing the location.

Mr. Ewald stated it is between the Babe Ruth Field and the fire station.

Mr. Krack brought the map area up to show the location of the property in relation to the field and fire station.

Mr. Carminito asked about the pedestrian improvements and asked Mr. Murray to explain it in more detail.

Mr. Murray explained the request at the Planning Commission was to install the 10 ft. wide sidewalk on the Northside along the front of the building as the slope prevented it from being installed on the Southside.

Mr. Carminito asked if the trail will still be in the rear of the project.

Mr. Murray confirmed the trail will be at the rear of the property along side the fire house with the goal to have it completely connect outside of the Borough Hall building.

Mr. Denlinger further clarified the trail will be behind the property and run in between the development and the fire station and as a part of the Tague Development there is an easement to connect all of the properties with the French Creek Trail. He addressed Mr. Carminito's question on the sidewalk, the Ordinance requires 5 ft. sidewalks on either side of the

roadway, but because of the slope they could not provide it on both sides, therefore it was recommended that all 10 ft. of sidewalk be installed on the Northside.

Mr. Carminito asked about the recording of the plan and the improvements depicted including the landscaping will need to be completed.

Mr. Denlinger stated that is correct.

Mr. Carminito asked for more information on the trail and where it will be on the property and its placement against the building.

Mr. Denlinger explained the placement was purposeful. The detail you are referencing is the driveway behind the Phoenixville Fire Station and it had to be constructed so the fire apparatus can get close enough to the building in case of an emergency event.

Mr. Moore explained on the map, where it appears to be flat, there really is a steep slope.

Mr. Krack explained its approximately a 50 ft. variance between DeSanno Field and the bottom of this property. He walked visually through the area via ChescoViews to help the Council get an understanding. He stated the Borough would build the French Creek Trail from Borough Hall through the easement provided by Tague Lumber.

Mr. Weiss asked about the Traffic Impact Study and if it will interfere with the traffic on Paradise Street and where it marries up with Nutt Road (SR23).

Mr. Krack explained the traffic was taken into consideration and the road improvements were designed to meet those needs exactly in Phase I of the Paradise Street improvements and in Phase II that will finish the Paradise Street improvements including the signalized intersection of Paradise and Nutt Road (SR23).

Mr. Moore stated there is a Traffic Impact Study in the packet.

Mr. Weiss asked if the Nutt Road (SR23) and Paradise Street improvements need to be completed before the Council approves this plan tonight.

Mr. Krack stated their project will have some impact but Staff and Council have been planning this for quite some time. The planning for the intersections has been on going and the steps were taken already to widen Paradise Street to accommodate all of the proposed development. He

stated the installation of the four-way signalized intersection will allow the Chevrolet Dealership and the Holly Court Apartments to exit at the four-way intersection and will eliminate the need for the car trailers to unload the vehicles while parked on Nutt Road.

Mr. Ewald asked for more background on the construction of Hall Street by the developer.

Mr. Denlinger explained a developer cannot be forced to build their project as the decision to build a project relies on the funding needed by said developer. After discussions with Mr. Murray and the applicant we negotiated a form easement agreement that if this development does not construct Hall Street in a certain amount of time the Borough has an easement over that area to do so. The easement will be agreed to and recorded within 60 (sixty) days of this Resolution. Of course, for the benefit of the community, the hope is the developer will construct the project and build the road. However, if the construction does not happen the Borough will have the rights to build the road.

Mr. Moore asked for clarification on the what the Paradise Village is required to construct on Hall Street. Is it just to their property line or all the way to Bridge Street?

Mr. Denlinger stated the developer is required to build the road to the end of their property line which because of the long tail on the property it gets very close to the Steelworks developments cul-de-sac ends. There is no condition that Paradise Village build the road out to Bridge Street.

Public Participation

David Lutzker, resident. He stated his experience with these types of developments the open space ends up being utilized for a retention basin or overflow water. He stated when looking at the site on Google Maps it is apparently all forest area and he would like to see as much of the ecosystems on the property be protected. He appealed to the developer to retain as many of the mature trees as possible and to limit the amount of manmade open space.

Mr. Ewald asked if the project has a storm water basin or if it is an underground cistern system.

Mr. Denlinger stated he believes all the storm water is underground.

Mr. Murray stated he agrees with Mr. Denlinger and he is unaware of any basins in the proposed open space.

Mr. Denlinger stated there is a level spreader that is directed at the French Creek. However, it does not encumber the open space.

Mr. Murray stated the storm water is under the parking lot and then it uses the level spreader Mr. Denlinger mentioned to send the water toward the French Creek.

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

C. Phoenixville Regional Planning Committee – Mr. Kirkner

Nothing to Report.

D. Recreation Board – Ms. Dugan

Ms. Dugan reported on the upcoming programs and camps including Parent's Night Out, Mental Health Awareness Day, Snapology, Pickleball and Theater Workshops.

E. Tree Advisory Commission – Mr. Carminito

Mr. Carminito reported the spring pruning and plantings are underway. He stated the next meeting will be in April and he encouraged those interested in helping to reach out to the Tree Advisory Commission.

F. Human Relations Commission – Ms. Burckley

Ms. Burckley reported the commission is meeting regularly at the Recreation Center. There is still a vacancy on the commission and they are looking into training for the Commission with the State HRC.

XIII. Council Action referred from:

A. Personnel and Public Safety Committee – Ms. Burckley

1. Consider request from J. D. Maloney for appointment to the Civil Service Commission - Alternate for the term expiring January 31, 2026.

Mr. Maloney introduced himself to the Council and provided his background including his years of service with the Navy as a Master at Arms. Mr. Maloney shared his interest in being appointed to the Civil Service Commission stems from a family background in law enforcement with one Grandfather serving as Sheriff in Bennington Vermont, one as the Chief of Police in Manchester Vermont and his stepfather served as a Vermont State Trooper.

Ms. Burckley made a Motion to appoint J. D. Maloney to the Civil Service Commission - Alternate for the term expiring January 31, 2026. Seconded by Mr. Carminito.

Motion Approved 8-0.

2. Consider request from Carolyn Treglia for appointment to the Zoning Hearing Board for the term expiring January 31, 2027.

Ms. Burckley made a Motion to Table. Seconded by Mr. Weiss.

Motion Approved 8-0.

3. Consider request from Josh Gould for appointment to the Planning Commission for the term expiring March 31, 2028.

Mr. Gould introduced himself and provided his background. He stated he was not looking to take a seat from someone looking for reappointment and when he looked for an area where he felt he would be a use, the Planning Commission was the one he's most interested in. He has lived in the Borough most of his life and wants to be able to serve his community.

Mr. Moore asked Mr. Gould's opinion on the growth of the Borough and how were handling planning and if you have any thoughts on what could be done differently as it relates to the Planning Commission.

Mr. Gould stated he has no intention of changing anything and asked Mr. Moore if he speaking about the process or something else.

Mr. Moore stated he asking more about the direction and how we are approaching things. He stated the Council adopted a new Comprehensive Plan two years ago and he is interested in his opinion.

Mr. Gould stated he would like to see the success of Bridge Street extend up to Church Street and the continued expansion of the trail networks in town.

4. Consider request from Amanda Irwin for appointment to the Planning Commission for the term expiring March 31, 2028.

Ms. Irwin introduced herself and provided her background. She stated she has resided on the Northside for 6 years and when she saw there were vacancies she decided she wanted to give back to the community that has given her so much. She stated she feels the Planning Commission is the best fit for her as her employment experience is in the planning and development industry. Specifically, she works with two firms one focused

on development projects and one that works on transportation engineering. She stated she is aware of the Comprehensive Plan update in 2022 and she would utilize the plan to review projects and ensure the plans are in alignment with the goals of the plan.

5. Consider request from Andrew Hungerbuhler for appointment to any open vacancy.

Ms. Burckley made a Motion to Table. Seconded by Mr. Weiss.

Motion Approved 8-0.

6. Consider request from Kristiaan Wiedegreen for reappointment to the Planning Commission for the term expiring March 31, 2028.

No Action Taken.

7. Consider request from Debra Johnston for reappointment to the Planning Commission for the term expiring March 31, 2028. Recommended in Committee 3-0.

Ms. Johnston she provided her background on her 20 years on the Planning Commission and her role with the Phoenixville Regional Planning Commission. She stated she would like to continue to serve on the Planning Commission.

Ms. Burckley made a Motion to appoint Josh Gould to the Planning Commission for the term expiring March 31, 2028. Seconded by Mr. Carminito.

Motion Approved 8-0.

Ms. Burckley made a Motion to appoint Amanda Irwin to the Planning Commission for the term expiring March 31, 2028. Seconded by Mr. Carminito.

Motion Approved 8-0.

B. Parks and Recreation Committee – Mr. Moore

1. Motion to approve a Temporary Community Event Application for the Annual Dogwood Festival from May 15 through May 18, 2024 (6:00 pm to 10:00 pm Wed - Fri) and (1:00 pm to 10:00 pm on Saturday). Streets to be closed are 2nd and 3rd Avenue between Main and Starr Streets throughout the event. For the Dogwood Parade, Paradise Street from Cedar Hollow, Smithworks Boulevard from Paradise Street to Main

Street, Main Street from Smithworks Boulevard to 5th Avenue at 11:00 pm to 2:00 pm on Saturday, May 18, 2024 for the parade. No parking in the Smithworks Parking Lot and on Main Street from Smithworks Boulevard to 5th Avenue. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

Mr. Moore made a Motion to approve a Temporary Community Event Application for the Annual Dogwood Festival from May 15 through May 18, 2024 (6:00 pm to 10:00 pm Wed - Fri) and (1:00 pm to 10:00 pm on Saturday). Streets to be closed are 2nd and 3rd Avenue between Main and Starr Streets throughout the event. For the Dogwood Parade, Paradise Street from Cedar Hollow, Smithworks Boulevard from Paradise Street to Main Street, Main Street from Smithworks Boulevard to 5th Avenue at 11:00 pm to 2:00 pm on Saturday, May 18, 2024 for the parade. No parking in the Smithworks Parking Lot and on Main Street from Smithworks Boulevard to 5th Avenue. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured. Seconded by Mr. Strenfel.

On the Question:

Mr. Ewald stressed that no vehicles should be parking in Reeves Park. The Borough has made extensive improvements in the park and does not want them damaged. He asked if Staff and the applicant had discussed that no parking of heavy vehicles and tractor trailers are to be parked in Reeves Park.

Ms. Getzfread explained the Staff had a walkthrough with the Jaycees and the ride company to address this as well as ride placement and arrival of the rides.

Mr. Moore asked for clarification on the parade. He stated as he understands it the parade is also part of the celebrations for the Borough's 175th Anniversary and the Phoenixville Fire Departments 150th Anniversary.

Ms. Getzfread confirmed Mr. Moore's understanding and stated Borough Staff are working together to make this celebration and parade as elongated as it can be to celebrate with the community.

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

2. Motion to approve a Temporary Community Event Application for the Borough of Phoenixville Fireworks display at Dayton Street Field on Friday, July 5, 2024 from 6:00 pm to 10:30 pm. Fillmore Street to be

closed from Franklin Avenue to South Street from 6:00 pm to 10:00 pm.

Mr. Moore made a Motion to approve a Temporary Community Event Application for the Borough of Phoenixville Fireworks display at Dayton Street Field on Friday, July 5, 2024 from 6:00 pm to 10:30 pm. Fillmore Street to be closed from Franklin Avenue to South Street from 6:00 pm to 10:00 pm. Seconded by Mr. Weiss.

On the Question:

Mr. Kirkner stated he has received questions from residents about the location of the fireworks being at the end of South Street.

Mr. Krack stated the fireworks will be staged near the pavilion area in Reservoir Park.

Mr. Kirkner asked if people will be coming up South Street to sit in the field to watch them.

Mr. Krack stated that is not the intention. However, people may find their way up there the day of the event.

Mr. Kirkner stated he has received concerns about the cemetery near there and he hopes they close the gate that evening.

Mr. Krack stated the Staff will notify the surrounding property owners.

Mr. Kirkner commented there are some concerns of people walking through unfenced yards to get to the fireworks.

Mr. Krack stated there will be fireworks on April 20, 2024 as part of the Birthday Celebration. This will be a trial run and the Staff will be able to make adjustments for the July 5, 2024 fireworks display.

Mr. Moore stated there was a brief discussion of a drone show and it is still cost prohibitive.

Mr. Ewald stated he is tired of fireworks and he believes the time has passed, so he will be voting no on this event.

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

C. Policy Committee – Mr. Carminito

1. Motion to schedule and advertise an Ordinance amending Chapter 24 “Taxation, Special,” Part 8 “Neighborhood Improvement District”

Mr. Carminito made a Motion to schedule and advertise an Ordinance amending Chapter 24 “Taxation, Special,” Part 8 “Neighborhood Improvement District” Seconded by Mr. Weiss.

Motion Approved 8-0.

2. Motion to schedule and advertise an Ordinance amending Chapter 15, “Motor Vehicles.”

Mr. Carminito made a Motion to schedule and advertise an Ordinance amending Chapter 15, “Motor Vehicles.” Seconded by Ms. Burckley.

Motion Approved 8-0.

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

1. No Action to Report.

E. Finance Committee – Ms. Dugan

1. No Additional action to Report.

XIV. Public Participation

David Lutzker, resident. He stated the Green Team is hosting a Green Drink community gathering to discuss and learn information from environmentally minded people at Lock 29 on March 18, 2024 and he invited the Council members to join the Green Team.

XV. Communications/Council Participation

None

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 discussing the litigation for the property at 100 School Lane.

10:43 pm. Ms. Burckley made a Motion to Adjourn. Seconded by Mr. Weiss.

E. Jean Krack
Borough Manager

Transcribed by: Jennifer Logan
Administrative Assistant
March 2024

Upcoming Meetings

Planning Commission	March 14 – 6:00 pm
Recreation Board	March 18 – 6:30 pm
Parks and Recreation Committee	March 19 – 6:00 pm
Infrastructure Committee	March 19 – 7:00 pm
Finance Committee	March 26 – 6:00 pm
Policy Committee	March 26 – 7:00 pm
HARB	April 1 – 5:00 pm
Personnel/Public Safety Committee	April 1 – 6:00 pm
Tree Advisory Commission	April 1 – 7:00 pm
Civil Service Commission	April 1 – 7:00 pm
Borough Council	April 9 – 7:00 pm