

PHOENIXVILLE BOROUGH COUNCIL

Tuesday, May 14, 2024

7:00 PM

AGENDA

- I. Pledge of Allegiance/Moment of Silence
- II. Roll Call – Borough Manager
- III. Presentations
- IV. Public Participation
- V. Consent Agenda
 - A. Approval of the April 9, 2024 Regular Meeting Minutes.
 - B. Items from Historical and Architectural Review Board:
 - 1. Motion to approve the Certificate of Appropriateness for signage as represented in the application for 101 Bridge Street as recommended 6-0 by the HARB in their Action Memo of May 6, 2024.
 - 2. Motion to approve the Certificate of Appropriateness for signage as represented in the application for 209 Church Street as recommended 6-0 by the HARB in their Action Memo of May 6, 2024.
 - 3. Motion to approve the Certificate of Appropriateness for signage as represented in the application for 252 Bridge Street as recommended 6-0 by the HARB in their Action Memo of May 6, 2024.
 - C. Items from Personnel and Public Safety Committee:
 - 1. Motion to reappoint Randy Morin to the Tree Advisory Commission for the new term expiring June 30, 2029.
 - D. Items from Parks and Recreation Committee:
 - 1. Motion to approve a Temporary Community Event Application for the Kiwanis Patriotic Celebration at Reeves Park on Friday, May 24, 2024 from 9:30 am to 12:00 noon. No parking on the north side Third Avenue between B Street and Main Street from 830 am to 12:00 noon to allow school buses to park.
 - 2. Motion to approve a Temporary Community Event Application for the Phoenixville Car Show on Saturday, July 20, 2024 from 11:00 am to 3:00 pm at Reeves Park. Second Avenue and Third Avenue to be closed between Starr Street and Main Street from 9:00 am to 4:00 pm. Conditioned upon

receipt of all fees and valid Certificate of Insurance naming Borough as Additional Insured.

3. Motion to approve a Temporary Community Event Application for Phoenixville Police Department National Night Out on Tuesday, August 6, 2024 from 6:00 pm to 9:00 pm at the Recreation Center Parking Lot at 501 Franklin Avenue.
4. Motion to approve a Temporary Community Event Application for the 42nd Anniversary Andre Thornton Day at Andre Thornton/C' Jon Saunders Park on Saturday, September 14, 2024 from 11:00 am to 7:00 pm. North Main Street to be closed between Vanderslice Street and High Street from 8:00 am to 8:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.
5. Motion to approve a Temporary Community Event Application for the SHRC – Phoenix Wheel Heritage Award Celebration at the Borough Hall Parking Lot on Friday, October 11, 2024 from 5:30 pm to 8:30 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

E. Items from Finance Committee:

1. Motion to approve the 2024 Pre-Paid dated 3/1/2024 - 3/31/2024 in the amount of \$1,011,357.38.
2. Motion to approve the 2024 Pre-Paid Credit Card Statement dated 3/1/2024 - 3/31/2024 in the amount of \$83,318.44.
3. Motion to approve the 2024 Pre-Paid ACH dated 3/31/2024 in the amount of \$39,594.02
4. Motion to adopt a Resolution authorizing the filing of an application for funding under the Flood Mitigation Program for the Borough of Phoenixville's Third Avenue & Gay Street stormwater flood mitigation project.
5. Motion to adopt a Resolution for the sale and disposition of personal property valued at or above \$2,000.
6. Motion to approve Budget Increase 2024-04 from Waste Water Restricted Fund Balance in the amount of \$117,400 to Waste Water – Sewer Treatment (HTC Professional Services – Arcadis) for professional services to Arcadis for ongoing HTC project.

VI. Communications/Council Participation

VII. Mayor's Report

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.
- IX. New Business
- X. Public Hearings
 - A. Continued hearing on Conditional Use Application from Nutt Road LP – 1000 Schuylkill Road which proposes to add a restaurant with a drive-through to the property, in addition to the existing self-storage facility and the proposed coffee shop and carwash uses.
 - B. Motion to approve/deny the Conditional Use Application from Nutt Road LP – 1000 Schuylkill Road which proposes to add a restaurant with a drive-through to the property, in addition to the existing self-storage facility and the proposed coffee shop and carwash uses.
 - C. Motion to adopt Ordinance amending Chapter 22 “Subdivision and Land Development,” Part 4 “Design Standards,” Section 22-417 “Vehicular Parking.”
 - D. Motion to adopt an Ordinance amending Chapter 27, “Zoning,” “Part 3 “Zoning Districts.”
- XI. Resolutions/Ordinances
 - A. Motion to adopt a Resolution acknowledging Robert House for his two years of service on the Phoenixville Recreation Board.
 - B. Motion to adopt a Resolution acknowledging Christopher Book for his year of service on the Phoenixville Human Relations Commission.
 - C. Motion to adopt a Resolution acknowledging the Day of Community Service from the Students of Valley Forge University.
 - D. Motion to adopt a Resolution regarding submission of a Chester County Community Development Block Grant (CDBG) for the Paradise Street Phase 2 Project.
 - E. Motion to adopt an Ordinance amending Chapter 4, “Buildings,” “Part 4 “Abatable Structures.”
 - F. Motion to adopt an Ordinance amending Chapter 15, “Motor Vehicles and Traffic.”
- 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 Development Plan for St. Mary of the Assumption.
 - C. Phoenixville Regional Planning Committee – Mr Kirkner
 - D. Recreation Board – Ms. Dugan
 - E. Tree Advisory Commission – Mr. Carminito
 - F. Human Relations Commission – Ms. Burckley
- XIII. Council Action referred from:
- A. Personnel and Public Safety Committee- Ms. Burckley
 - B. Parks and Recreation Committee - Mr. Moore
 1. Motion to waive all fees associated with the rental and utilization of Reeves Park for the Kiwanis Patriotic Celebration on May 24, 2024.
 2. Motion to approve a Temporary Community Event Application for the Burn off the Bird 5K starting and ending at the Recreation Center on Saturday, November 30, 2024 from 8:30 am to 11:00 am. Franklin Avenue between Grant Street and Fillmore Street and Fillmore Street between Franklin Avenue and Cromby Road to be closed for approximately five minutes each. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.
 - C. Policy Committee - Carminito
 1. Motion to schedule and advertise an Ordinance amending Chapter 13, “Licenses,” “Part 7 “Peddlers, Transient Retailers, Handbills, Advertising, and Banners.”
 - D. Infrastructure, Technology Transportation & Sustainability Committee - Mr. Weiss
 1. Motion to approve Staff’s recommendation to retain Bowman as the Borough Traffic Engineer.
 2. Motion to authorize Staff to apply to PennDOT for removal of the existing traffic signals at Washington Avenue and Gay Street and replace with all-way stop signs.
 - E. Finance Committee - Ms. Dugan
 1. No action to Report.
- XIV. Public Participation
- XV. Communication/Council Participation

XVI. Staff Reports

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

XVII. Adjournment

Upcoming Meetings:

Recreation Board	May 20 – 6:30 pm
Parks and Recreation Committee	May 21 – 6:00 pm
Infrastructure Committee	May 21 – 7:00 pm
Finance Committee	May 28 – 6:00 pm
Policy Committee	May 28 – 7:00 pm
HARB	June 3 – 5:00 pm
Personnel/Public Safety Committee	June 3 – 6:00 pm
Tree Advisory Commission	June 3 – 7:00 pm
Civil Service Commission	June 3 – 7:00 pm
Borough Council	June 11 – 7:00 pm
Planning Commission	June 13 – 6:00 pm

Employee Service Anniversaries - May

Danielle Wade, Police Receptionist – 26 years
Brian Watson, Public Works Director – 20 years
Dina Donato, Human Resources Director – 18 years
David Haney, Water Treatment Superintendent – 10 years
Matthew Keefe, Streets Superintendent – 5 years
Marilyn Bilson, Customer Service Representative – 5 years
Kalen Kronemeyer, Asst Public Works Director/Water Distribution Superintendent – 2 years
Erin Dougherty, Human Resources Assistant – 1 year

PHOENIXVILLE BOROUGH COUNCIL

Tuesday, April 9, 2024

7:00 PM

MINUTES

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	Excused
Chief Marshall, Police Chief	Present
Mr. Denlinger, Solicitor	Present

III. Presentations

A. Proclamation to Phoenixville VFW in support of the Borough's Electric Bike Project – Mayor Urscheler

Mayor Urscheler read aloud the Certificate of appreciation to the Ettinger Powell Veterans of Foreign Wars Post #1564

Mr. Don Mahoney shared the Mission of the VFW and thanked the Borough and Community for their support of the VFW.

IV. Public Participation

None.

V. Consent Agenda:

A. Approval of the March 12, 2024 Regular Meeting Minutes.

B. Historical and Architectural Review Board

1. Motion to approve the Certificate of Appropriateness for screening of HVAC equipment as represented in the application for 37 Bridge Street as recommended 5-0 by the HARB in their Action Memo of April 2, 2024.
2. Motion to approve the Certificate of Appropriateness for an addition as represented in the application for 100 Bridge Street as recommended 5-0 by the HARB in their Action Memo of April 2, 2024.
3. Motion to approve the Certificate of Appropriateness for exterior renovations only as represented in the application and not the signage as shown for 238 Bridge Street as recommended 5-0 by the HARB in their Action Memo of April 2, 2024.

C. Items from Personnel and Public Safety Committee

1. Motion to appoint Shawn Cephas to the Human Relations Commission for the open vacancy with term expiring March 31, 2026.
2. Motion to appoint Andrew Hungerbuhler to the Recreation Board for the term expiring April 30, 2028.
3. Motion to reappoint Kathy Gill to the Recreation Board for the term expiring April 30, 2028.

D. Items from Parks and Recreation Committee.

1. Motion to approve a Temporary Community Event Application for First Fridays on Friday, May 3, November 1, and December 6, 2024 from 5:30 pm to 8:30 pm on the 100 and 200 Block of Bridge Street and the Bridge and Main Street Parking Lot. Bridge Street to be closed between Gay Street to Main Street and Main Street to Starr Street from 4:00 to 10:00 pm. The Parking Lot to be closed from 12:00 pm to 10:00 pm on each Friday.
2. Motion to approve a Temporary Community Event Application for the Rhythm and Brews in the Main and Bridge Street Parking Lot on Saturday, June 22, 2024, Saturday, July 27, 2024, Saturday, August 24, 2024 and Saturday, September 28, 2024 from 6:00pm to 9:00 pm. Main and Bridge Street Lot to be used consistent with existing street closure. Conditioned upon receipt of all fees and valid Certificate of Insurance naming Borough as Additional Insured.
3. Motion to approve a Temporary Community Event Application for the Blobfest 5K, 10K, and Half Marathon on the Schuylkill River Trail on Sunday, July 14, 2024 from 7:00 am to 11:00 am. Conditioned upon receipt of all fees and valid Certificate of Insurance naming Borough as

Additional Insured.

4. Motion to approve a Temporary Community Event Application for the Phoenixville VegFest in Reeves Park on Saturday, July 27, 2024 from 11:00 am to 5:00 pm. Third Avenue between Main Street and B Street to be closed from 8:00 am to 7:00 pm. Conditioned upon receipt of all fees and valid Certificate of Insurance naming Borough as Additional Insured.
5. Motion to approve a Temporary Community Event Application for the Phoenixville VegFest in Reeves Park on Sunday, July 28, 2024 from 11:00 am to 5:00 pm. Third Avenue between Main Street and B Street to be closed from 8:00 am to 7:00 pm. Conditioned upon receipt of all fees and valid Certificate of Insurance naming Borough as Additional Insured.
6. Motion to approve a Temporary Community Event Application for WuFF Jam 2024 on Saturday, September 14, 2024 from 11:00 am to 5:00 pm in Reeves Park. Third Avenue between Main Street and Starr Street to be closed from 8:00 am to 6:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

E. Items from Finance Committee.

1. Motion to approve the 2024 Pre-Paid dated 2/1/2024 - 2/29/2024 in the amount of \$856,359.37.
2. Motion to approve the 2024 Pre-Paid Credit Card Statement dated 2/1/2024 - 2/29/2024 in the amount of \$35,352.97.
3. Motion to approve the 2024 Pre-Paid ACH dated 2/29/2024 in the amount of \$47,978.90.
4. Motion to approve the waiving of \$9,045.00 in back payments due to the Borough from the Phoenixville Communities That Care.
5. Motion to approve the Phoenixville Borough Zoning Ordinance Update – Additional Work proposal from Gilmore & Associates in the amount of \$7,200 as recommended by the Zoning Task Force.
6. Motion to approve the Bowman proposal for Engineering Design Services for Phase 2 of the Paradise Street Improvement Project in the lump sum amount of \$174,090.

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

Motion Approved 8-0.

VI. Communications/Council Participation

Ms. Burckley reminded the public of the upcoming 175th Birthday Celebration for the Borough on April 20, 2024 at the Recreation Center.

Mr. Kirkner expressed his thanks to Tom DeLuca, Dave Boelker and the Codes Department staff for their quick response to the concerns at the Valley Forge Railways property at 410 Vanderslice Street. He stated after Mr. DeLuca brought the concern to Public Participation on March 12, 2024 the property has been cleaned up, the illegal cars removed and the area fenced in so no more parking is allowed on the property.

VII. Mayor's Report

Mayor Urscheler reported on the recent visit to the area by Congresswoman Chrissy Houlahan. He stated she visited with the non-profits, businesses and the Phoenixville Police Department. He thanked Congresswoman Houlahan for her efforts to bring 11.5 Million Dollars of funding to this region. He reminded the public of the upcoming events in town including Walk a Mile in her Shoes on April 13, 2024, a public meeting of the Schuylkill River Passenger Rail Authority at Borough Hall on April 15, 2024 at 3 pm and the 81st Annual Dogwood Festival will be held on May 14-18, 2024.

VIII. Public Hearings

- A. Continued 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 in 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.

Ms. Burckley made a Motion to recess the public meeting and re-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 in 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. Seconded by Mr. Weiss.

Motion Approved 8-0.

Hearing opened at 7:16 pm.

Mr. Denlinger explained the continuation of the hearing from the March 12, 2024 meeting and the next steps the Council can take this evening. He entered an additional exhibit to the record.

Ms. Burckley made a Motion to close the Public Hearing and resume the Public

Meeting. Seconded by Mr. Weiss.

Motion Approved 8-0.

Hearing closed at 7:18 pm.

Ms. Burckley made a Motion to recess into Executive Session to discuss the conditional use application for 313 Bridge Street. Seconded by Mr. Weiss.

Motion Approved 8-0.

Meeting recessed at 7:18 pm

Council returned at 7:45 pm.

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

Motion Approved 8-0.

Mr. Denlinger stated the purpose of Executive Session was to discuss exercising Council's quasi-judicial deliberation of Rocket Amusement's conditional use application, discussing a matter of personnel and affecting strategy related to the labor relations related to the potential combining of the Sanitation and Streets Department Superintendent position, and discussing a matter of strategy related to labor relations and negotiation with collective bargaining units regarding retention and recruitment of employees.

- B. Motion to approve/deny the 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 in 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.

Ms. Burckley made a Motion to deny 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 in 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. Seconded by Mr. Strenfel.

Motion Approved 8-0.

Mr. Denlinger stated a copy of the decision would be mailed to the applicant in accordance with the Municipal Planning Code.

- C. Hearing on Conditional Use Application from Nutt Road LP – 1000 Schuylkill Road which proposes to add a restaurant with a drive-through to the property, in addition to the existing self-storage facility and the proposed coffee shop and carwash uses.

Ms. Buckley made a Motion to recess the Public Meeting and open the Conditional Use Hearing for Nutt Road LP – 1000 Schuylkill Road which proposes to add a restaurant with a drive-through to the property, in addition to the existing self-storage facility and the proposed coffee shop and carwash uses. Seconded by Mr. Weiss.

Motion Approved 8-0.

Mr. Denlinger opened the Conditional Use Hearing at 7:46 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 May 14, 2024 at 7 pm, at which time the Council can render their decision.

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

Motion Approved 8-0.

Hearing recessed at 8:42 pm

IX. 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.

X. New Business

- A. Motion to accept Staff's recommendation to award the 2024 Tree and Stump Removal Contract to Davidheiser Construction Services for a total contract value of \$76,400.00 as the lowest responsible bidder.

Mr. Weiss made a Motion to accept Staff's recommendation to award the 2024 Tree and Stump Removal Contract to Davidheiser Construction Services for a

total contract value of \$76,400.00 as the lowest responsible bidder. Seconded by Ms. Burckley

Motion Approved 8-0.

XI. Resolutions/Ordinances

- A. Motion to adopt a Resolution acknowledging Debra Johnston for her ten years of service on the Planning Commission.

Ms. Burckley made a Motion to to adopt a Resolution acknowledging Debra Johnston for her ten years of service on the Planning Commission. Seconded by Mr. Weiss.

Motion Approved 8-0.

Mr. Ewald read aloud the Resolution for the record and thanked Ms. Johnston for her service to the Borough.

- B. Motion to adopt a Resolution acknowledging Kristiaan Wiedegreen for his nine years of service on the Planning Commission.

Ms. Burckley made a Motion to adopt a Resolution acknowledging Kristiaan Wiedegreen for his nine years of service on the Planning Commission. Seconded by Mr. Weiss.

Motion Approved 8-0.

Mr. Ewald read aloud the Resolution for the record and thanked Mr. Wiedegreen for his service to the Borough.

- C. Motion to adopt a Resolution to Appoint Tax Collection Committee (TCC) Delegates to the Chester County Tax Collection Committee.

Ms. Burckley made a Motion to adopt a Resolution to Appoint Tax Collection Committee (TCC) Delegates to the Chester County Tax Collection Committee. Seconded by Mr. Weiss.

Motion Approved 8-0.

- D. Motion to adopt an Ordinance amending Chapter 24 "Taxation, Special," Part 8 "Neighborhood Improvement District"

Ms. Burckley made a Motion to adopt an Ordinance amending Chapter 24 "Taxation, Special," Part 8 "Neighborhood Improvement District" Seconded by Mr. Weiss.

Motion Approved 8-0.

- E. 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. Strenfel.

Motion Approved 8-0.

XII. Reports of Committees, Boards, and Commissions

- A. Historical and Architectural Review Board – Ms. Dugan
- B. Planning Commission - Mr. Moore
- C. Phoenixville Regional Planning Committee – Mr. Kirkner

Mr. Kirkner reported the Commission will hold it’s first in person meeting since the Covid-19 Pandemic began in March 2020 on April 24, 2024 at the Schuylkill Township Building.

- D. Recreation Board – Ms. Dugan

Ms. Dugan stated the 175th Birthday Celebration for the Borough will be held on April 20, 2024 at the Recreation Center from 5:30 pm to 8:00 pm with the Fireworks display to begin at dusk. She reported on the upcoming camps and programs at the Recreation Center including Parents Night Out, Snapology, Yoga for adults and youths, Mental Health Awareness Day, Facetime Theater, Jump Start sports and various Pickleball tournaments. She encouraged the public to view all of the offerings on the Borough’s Website.

- E. Tree Advisory Commission – Mr. Carminito

Mr. Carminito reported planning for the fall planting has begun, the Spring planting is still ongoing and the Commission has discussed potential ideas for Arbor Day.

- F. Human Relations Commission – Ms. Burckley

Ms. Burckley reported the Commission may be losing a member due to relocation out of the Borough and reminded the public the next meeting will be held at the Recreation Center on May 1, 2024.

XIII. Council Action referred from:

A. Personnel and Public Safety Committee – Ms. Burckley

1. Consider request from Jonathon Luff for appointment to the Zoning Hearing Board for the open vacancy with term expiring January 31, 2027, by adoption of a Resolution.

No action taken as Mr. Luff rescinded his application.

2. Consider request from Carolyn Treglia for appointment to the Zoning Hearing Board for the open vacancy with term expiring January 31, 2027, by adoption of a Resolution.

Ms. Burckley made a Motion to appoint Carolyn Treglia to the Zoning Hearing Board for the open vacancy with term expiring January 31, 2027, by adoption of a Resolution. Seconded by Mr. Kirkner.

Motion Approved 8-0.

3. Consider request from Jennifer Chandler for appointment to the Tree Advisory Commission for the open vacancy with term expiring June 30, 2028.

Ms. Burckley stated she has not been able to contact the applicant and would not be making a motion to appoint until she has had the opportunity to speak with Ms. Chandler.

4. Motion to approve the consolidation of the Sanitation Department and Streets Department Superintendent positions and create an administrative assistant position to support the single Superintendent position.

Ms. Burckley made a Motion to approve the consolidation of the Sanitation Department and Streets Department Superintendent positions and create an administrative assistant position to support the single Superintendent position. Seconded by Mr. Strenfel.

Motion Approved 8-0.

5. Motion to approve Borough staff to explore ways to improve the Borough's recruitment and retention of employees, and negotiate on said topic with employment groups as deemed advisable.

Ms. Burckley made a Motion to approve Borough staff to explore ways to improve the Borough's recruitment and retention of employees, and negotiate on said topic with employment groups as deemed advisable. Seconded by Mr. Strenfel.

Motion Approved 8-0.

B. Parks and Recreation Committee – Mr. Moore

1. No Action to report.

C. Policy Committee – Mr. Carminito

1. Motion to schedule and advertise an Ordinance amending Chapter 4, “Buildings,” “Part 4 “Abatable Structures.”

Mr. Carminito made a Motion to schedule and advertise an Ordinance amending Chapter 4, “Buildings,” “Part 4 “Abatable Structures.” Seconded by Mr. Strenfel.

Motion Approved 8-0.

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

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

Motion Approved 8-0.

3. Motion to schedule and advertise an Ordinance amending Chapter 27, “Zoning,” “Part 3 “Zoning Districts.”

Mr. Carminito made a Motion to schedule and advertise an Ordinance amending Chapter 27, “Zoning,” “Part 3 “Zoning Districts.” Seconded by Ms. Burckley.

On the Question:

Mr. Denlinger explained the Ordinance allows for the reassignment of Conditional Use Hearings to go before the Zoning Hearing Board rather than before the Borough Council to be approved or denied.

3. Motion to adopt revised Phoenixville Borough Council Procedural Rules and Regulations.

Mr. Carminito made a Motion to adopt revised Phoenixville Borough Council Procedural Rules and Regulations. Seconded by Ms. Burckley.

On the Question:

Mr. Denlinger explained the changes to the policy are to ensure they are in accordance with the applicable laws and includes new policies related to Executive Session.

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 Staff's recommendation to award The Square at Bridge and Main design project to Ground Reconsidered in the amount of \$76,000.

Mr. Carminito made a Motion to approve Staff's recommendation to award The Square at Bridge and Main design project to Ground Reconsidered in the amount of \$76,000. Seconded by Ms. Burckley.

On the Question:

Ms. Dugan expressed her concerns with the loss of parking for the downtown if this lot is converted into a public park. She stated the biggest and most frequent complaint she receives is the lack of parking available in the downtown. She stated she does not think it is a good idea to eliminate parking.

Ms. Burckley stated the concept of the Square at Bridge and Main was discussed at Parks and Recreation as well as with a focus group including members of the downtown business community. She stated she feels there is potential to add more parking to the downtown and the square adds more benefits to the businesses downtown.

Mr. Strenfel stated he feels this is putting the cart before the horse and that he intends to vote No on the proposal.

Mr. Moore shared the timeline for the process for the Square at Bridge and Main and the decision making process and wanted to clarify that what is before the Council tonight is just this design proposal and not a decision to actually convert the lot to a gathering space. He stated he does have concerns with the loss of parking and the ease of access the lot provides to the downtown and its visitors.

Mr. Kirkner stated he agrees with Mr. Moore that the decision tonight is not to vote to convert the parking lot however, he doesn't feel we should be spending \$76,000 dollars to get the answer if the lot should be converted. He stated there are more pressing projects the Borough needs to invest funds in like Mowere Road realignment and the parking issues that exist on Emmett Street (SR 113) between Franklin Avenue and Dayton Street. He stated he will be voting No on this item.

Mr. Weiss stated he feels this is a piece of information the Council needs along with the Parking Study to help make the right decision. The proposal will provide a tangible idea of the potential of the lot and will, in his opinion, provide something a little nicer downtown for the resident and visitors of the Borough.

Mr. Ewald stated he wants the opportunity to see the design concept and see where it can take us. He stated many of the people moving to town are doing so because of the walkability to the downtown and he believes the project is just more added benefit to our residents.

Yes – Ms. Burckley, Mr. Carminito, Mr. Ewald & Mr. Weiss.

No - Ms. Dugan, Mr. Kirkner, Mr. Moore, & Mr. Strenfel.

Mr. Ewald asked Mayor Urscheler for his vote to break the tie.

Mayor Urscheler voted Yes.

Motion Passes 5-4.

2. Motion to adopt a Resolution authorizing the filing of an application for funding under the FY 2023 Staffing for Adequate Fire and Emergency Response (SAFER) grant program.

Ms. Dugan made a Motion to adopt a Resolution authorizing the filing of an application for funding under the FY 2023 Staffing for Adequate Fire and Emergency Response (SAFER) grant program. Seconded by Ms. Burckley.

Motion Approved 8-0.

XIV. Public Participation

Nancy Thomas, resident and Diversity in Action Board member. She stated she is here tonight to address the Council on the increased fees for the Juneteenth Celebration on Sunday June 16, 2024. She read aloud a statement from the Diversity in Action Advisory Board and explained that this is an event put on by a non-profit and the increase of fees

will make it impossible to afford to hold the free public event.

Kris Keller of Orion Communities. She thanked the Council for their service to the community and echoed the concerns presented by Ms. Thomas. She read aloud a message from Theresa Thornton of Black Light Projects regarding the increase in fees for services for the Andre Thornton Day Celebration as well as the requirement for a building permit for the tent at the event that has been set up since 2018 without a permit required. She read aloud a message from Nina Guzmán of Alianzas de Phoenixville regarding the added expense caused by the requirement of additional porta potties when in previous years the bathrooms at Reeves Park have been more than sufficient as well as the parking costs for the roadway to accommodate the three food trucks that come to the event. She asked again for meeting with Borough Staff, the non-profit community and the businesses in town to discuss and come to some solution for these increased fees that may prevent some events from continuing.

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

9:25 pm. Ms. Burckley made a Motion to Adjourn. Seconded by Mr. Weiss.

E. Jean Krack
Borough Manager

Transcribed by: Jennifer Logan
Administrative Assistant
April 2024







RESTAURANT & BOTTLE SHOP
THE BOARDROOM
PHOENIXVILLE

101

OPEN

FAST SIGNS®
Make Your Statement™

Visual Communications Specialist

Jo McBride

149@fastsigns.com

O: 610-296-0400

Account: Phoenix Express Tags

Job # 77028

Material:

Oracal 651 White cast vinyl.

Adhesive on face for second

surface installation.

Store Contact Information

149@fastsigns.com

Tarrytown Plaza

257 Schuylkill Rd.

Phoenixville, PA 19460

O: 610-296-0400

www.fastsigns.com/149

DRAWING IS NOT TO SCALE BUT IS PROPORTIONATE

FIELD VERIFY ALL MEASUREMENTS BEFORE BEGINNING ANY
WORK. INSTALLER TO VERIFY MOUNTING SURFACE PRIOR TO

INSTALLATION.

THIS DRAWING IS THE PROPERTY OF FASTSIGNS INTERNATIONAL,
INC. THE BORMOWER AGREES, IT SHALL NOT BE REPRODUCED,
COPIED OR DISPOSED OF, DIRECTLY OR INDIRECTLY, NOR USED
FOR ANY PURPOSE WITHOUT PERMISSION.

LANDLORD
OR AGENT
SIGNATURE
HERE

X *SSM*

DATE

4/8/24

Please sign & Return drawing/s to FASTSIGNS
Signature below indicates approval of BOTH design & placement of sign/s

PHOENIX
EXPRESS
TAGS
215-896-2183

30" w x 24" h, Qty. 1 single sided contour cut white RTA with
adhesive on face for second surface application.



Example on glass.

ART
on
Bridge

4/12/2024

Borough of Phoenixville
Council, Authorities, Bureaus, Commissions, and Agencies

Planning Commission - 4 Year Term	Appointed	Reappointed	Term Expiration
Josh Gould	March 12, 2024		March 31, 2028
Raffaello DiNapoli	February 14, 2017	April 13, 2021	March 31, 2025
Amanda Irwin	March 12, 2024		March 31, 2028
Catherine Bianco - Vice Chairperson	March 9, 2021		March 31, 2025
Joseph Sikora	March 8, 2022		March 31, 2026
Thomas Carnevale - Chairperson	April 12, 2011	March 8, 2022	March 31, 2026
Kevin Dwyer	January 10, 2023		March 31, 2027
Brian Moore - Council Liaison			N/A

Zoning Hearing Board - 5 Year Term	Appointed	Reappointed	Term Expiration
Jonathan Steitzer	February 14, 2023		January 31, 2028
David Petty	October 10, 2023	January 9, 2024	January 31, 2029
Maureen Ahearn	February 11, 2020		January 31, 2025
Bryan Emmanuel - Chairperson	April 10, 2018	January 12, 2021	January 31, 2026
Carolyn Treglia	April 9, 2024		January 31, 2027

Recreation Board - 4 YR Term	Appointed	Reappointed	Term Expiration
Kathy Gill	May 10, 2016	April 9, 2024	April 30, 2028
Andrew Hungerbuhler	April 9, 2024		April 30, 2028
Ed Lantzy	January 1, 2006	May 11, 2021	April 30, 2025
Frank Markey	May 9, 2023		April 30, 2025
Janet Hunter	January 1, 2008	April 12, 2022	April 30, 2026
Allison Peffle	May 11, 2021	April 12, 2022	April 30, 2026
Dave Gill - Chairperson	May 10, 2010	March 14, 2023	April 30, 2027
Dana Dugan - Council Liaison	April 27, 2010		N/A

HARB - 4 Year Term	Appointed	Reappointed	Term Expiration
Brian Slater - Chairperson - Real Estate	September 11, 2007	August 11, 2020	August 31, 2024
William Felton - Contractor	August 13, 2013	August 11, 2021	August 31, 2025
Jon Ichter	November 14, 2023		August 31, 2025
Joel Bartlett - Architect		August 8, 2023	August 31, 2027
Joseph Sikora - Planning Comm	January 12, 2023		March 31, 2026
Matthew McCloskey - BCO	September 12, 2023		N/A
Dana Dugan - Borough Council			N/A

Borough Council - 4 Year Term	Appointed	Reappointed	Term Expiration
Beth Burckley - Vice President	January 2, 2018	January 3, 2022	January 5, 2026
James Carminito	January 3, 2022		January 5, 2026
Dana Dugan	January 4, 2010	January 3, 2022	January 5, 2026
Jonathan Ewald - President	January 4, 2016	January 2, 2024	January 3, 2028
Richard Kirkner	January 2, 2018	January 3, 2022	January 5, 2026
Brian Moore - Assistant Secretary	January 6, 2020	January 2, 2024	January 3, 2028
David Strenfel	January 2, 2024		January 3, 2028
Brian Weiss	January 6, 2020	January 2, 2024	January 3, 2028
Peter Urscheler - Mayor	January 2, 2018	January 3, 2022	January 3, 2026

Civil Service Commission - 6 YR Term	Appointed	Reappointed	Term Expiration
Mari Wineburg - Chairperson	September 14, 2021	August 8, 2023	January 31, 2028
Amara Thornton-Brown - Vice Chair	July 14, 2020		January 31, 2030
Beth Burckley	December 12, 2023		January 5, 2026
Alternate - J. D. Maloney	March 12, 2024		January 31, 2027
Alternate - Vacant			January 31, 2029

Tree Advisory - 5 Year Term	Appointed	Reappointed	Term Expiration
Jane Dugdale	March 14, 2023		June 30, 2025
Susan Di Cerchio	July 12, 2022		June 30, 2027
Randall Morin	April 27, 2010	June 11, 2019	June 30, 2024
Vacant			June 30, 2028
Mary Foote - Chairperson	July 9, 2019		June 30, 2026
James Carminito - Council Liaison			N/A

Human Relations - 3 Year Term	Appointed	Reappointed	Term Expiration
			March 31, 2026
Shawn Cephas	April 9, 2024		March 31, 2026
Heather Bird	January 12, 2021	March 8, 2022	March 31, 2025
Rev. Lee Paczulla	March 8, 2022		March 31, 2025
Susmita Sukla	January 9, 2024		March 31, 2027
Beth Burckley - Council Liaison			N/A

Other Appointments	Appointed	Reappointed	Term Expires
Emergency Management Coordinator			
Karin Williams	January 1, 2015		N/A
Vacancy Board Chairman			
Leo Scoda	February 9, 2021	January 2, 2024	December 31, 2024

ORDINANCE NO. 2024 -

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

AN ORDINANCE OF THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 22, "SUBDIVISION AND LAND DEVELOPMENT," PART 4 "DESIGN STANDARDS" OF THE CODE OF ORDINANCES OF THE BOROUGH OF PHOENIXVILLE.

The Council of the Borough of Phoenixville, Chester County, Pennsylvania, hereby ORDAINS that:

Section 1:

1. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 22, "Subdivision and Land Development," Part 4 "Design Standards," Section 22-417 "Vehicular Parking" is hereby amended as indicated by the black line and strikeout interlineations below, with strikeout indicating deletions of language and underlined interlineations indicating insertions of language:

2. Design Standards for Parking Lots.

E. Parking Area Dimensions.

- (1) Parallel parking stalls shall have minimum dimensions of seven feet by 22 feet. Parallel parking stalls at each end of a row of parallel parking having no other physical obstruction may be reduced to 18 feet in length.
- (2) Perpendicular parking stalls shall have minimum dimensions of nine feet by 18 feet with a twenty-two-foot aisle. ~~Perpendicular parking stalls designated for compact vehicles may be reduced to eight feet in width.~~ Compact spaces are not permitted.

Section 2: Officer Authorization. The appropriate officers of the Borough are authorized to take whatever actions are necessary and appropriate to carry out the purpose and intent of this Ordinance.

Section 3. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, parts, or sections hereof. It is hereby

declared as the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, part or section thereof not been included herein.

Section 4. Repealer. All ordinances or parts of ordinances conflicting or inconsistent herewith are hereby repealed.

Section 5 Effective Date. This Ordinance shall become effective upon enactment as provided by law.

PASSED by Borough Council this 14th day of May, 2024.

By: _____
Jonathan M. Ewald
President, Borough Council

APPROVED by the Mayor, this 14th day of May, 2024.

By: _____
Peter J. Urscheler
Mayor

ENACTED this 14th day of May, 2024.

By: _____
E. Jean Krack
Borough Manager/Secretary

I HEREBY CERTIFY that the foregoing is a true and correct copy of the said Ordinance duly adopted at a regular meeting of Borough Council held on the 14th day of May, 2024.

By: _____
E. Jean Krack
Borough Manager/Secretary

ORDINANCE NO. 2024 -

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

“SPECIAL EXCEPTION ORDINANCE”

**AN ORDINANCE OF THE BOROUGH OF PHOENIXVILLE,
CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER
27 “ZONING,” PART 2 “DEFINITIONS,” SECTION 27-301
“REGULATIONS AND STANDARDS APPLICABLE TO ALL
ZONING DISTRICTS” OF THE CODE OF ORDINANCES OF
THE BOROUGH OF PHOENIXVILLE IN ORDER TO CHANGE
CERTAIN USES FROM PERMITTED AS CONDITIONAL USES
TO PERMITTED AS SPECIAL EXCEPTIONS.**

The Council of the Borough of Phoenixville, Chester County, Pennsylvania, hereby
ORDAINS that:

Section 1.

1. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 27, “Zoning”, Part 3 “Zoning Districts,” Section 27-301.2.A.(1), is hereby amended as indicated by the black underlined interlineations indicating insertions of language and black strikethrough indicating deletions of language:

Conditional Uses	Zoning District						
	RI	TC	MI	NC	CD	MG	I
Adaptive reuse	X	X	X	X	X	X	X
Adult commercial						X	
Adult entertainment						X	
Agricultural uses	X					X	X
Automobile sales and services					X		
Billboard		X				X	
Community center	X		X			X	
Day-care center		X	X	X	X	X	
Day-care, home	X		X			X	
Electronic message display sign					X	X	
Emergency management services use		X	X	X	X	X	X
Entertainment hall		X	X				X
Funeral home/mortuary	X					X	X
Home/improvement center					X		X
Industrial uses							X

Institutional uses	X			X	X	X	
Life-care housing facility	X	X	X	X	X	X	X
Marquee		X					
Mobile home					X		X
Mobile home park					X		X
Parking lot		X	X	X	X	X	X
Private club	X	X	X	X	X	X	X
Restaurant, drive-through					X		
Skill Games Use					X		
Sports complex/ recreational facility						X	X
Wireless telecommunications facilities	X	X	X	X	X	X	X

Section 2.

1. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 27, "Zoning", Part 3 "Zoning Districts," Section 27-301.2.A.(2) is hereby amended as indicated by the black underlined interlineations indicating insertions of language and black strikethrough indicating deletions of language:

(2) Additional Conditional Use Standards Applicable to Specific Uses.

(a) ~~Wireless Telecommunications Facilities.~~

1) ~~Additional regulations governing wireless telecommunications facilities are set forth in Part 6, Supplemental Regulations.~~

(b) ~~Billboards. Billboards shall be subject to the following provisions when permitted by conditional use:~~

1) ~~Billboards are permitted upon parcels of at least 0.5-acre fronting along Nutt Road northwest of the Norfolk Southern "Devault Line" Railroad, fronting along Bridge Street east of the Norfolk Southern Railroad (former Reading Railroad) tracks, and fronting along the eastern side of North Main Street between the south side of the Norfolk Southern "Devault Line" and the French Creek.~~

2) ~~Billboards shall be no more than 25 feet in height above the ground, including any supporting structure elevating the signage.~~

3) ~~Signage shall not exceed a maximum area of 125 square feet, including border and trim, and may be permitted to have 125~~

~~square feet each on both sides if the signage is two sides back to back.~~

~~4) No more than one billboard may be placed on a lot.~~

~~5) No billboard shall be erected within 200 feet of any other freestanding sign having a height in excess of 10 feet, or within 200 feet of another billboard.~~

~~6) Billboards shall be set back not less than 10 feet from the lot's boundary with the public right of way or street, whichever is closer to the center point of the lot, and not less than 15 feet from any neighboring lot boundary.~~

~~7) If the billboard is to have exterior lighting, a lighting plan must be submitted, reviewed and approved by the Borough Zoning Officer, and the lighting plan shall include glare reduction devices, shielding, luminaire reflectors or other suitable measures, minimizing the intensity of lighting so that no more than 0.5 footcandle of light from signs shall fall upon any residential lot between the hours of 9:00 p.m. and 6:00 a.m., prevailing time.~~

~~(c) Mobile Home Park.~~

~~1) Minimum lot area: 10 acres.~~

~~2) Maximum density: eight units per acre.~~

~~3) Minimum building spaces: 20 feet.~~

~~4) Each mobile home shall be occupied by not more than a single family/household.~~

~~(d) Electronic Message Display Signs. Electronic message display signs shall be permitted by right in all districts for any municipal uses. For other uses, electronic message display signs are permitted by conditional use in the districts designated above and subject to the following provisions:~~

~~1) The duration of each message shall be a minimum of five seconds.~~

~~2) The transition time between messages shall be less than one second.~~

~~3) The sign must be equipped with brightness controls so that the brightness of the sign has the ability to respond to changes in the outside light levels.~~

~~4) Except for traffic control signs, electronic message display signs are prohibited within 100 feet of a traffic control device and shall otherwise conform to all other applicable regulations with regard to freestanding or wall signs.~~

~~5) The sign shall be no more than eight feet in height, and sign area shall be no more than 10 square feet.~~

~~6) No more than one electronic message display sign shall be placed on an individual lot, and no such sign may be erected within 100 feet of any other electronic message display sign on a different lot.~~

~~7) Electronic message display signs shall be set back not more than 35 feet nor less than 10 feet from the lot's boundary with the public right of way or street, whichever is closer to the center point of the lot, and not less than 15 feet from any neighboring lot boundary.~~

~~(e) Private Club.~~

~~1) Minimum lot area: 20,000 square feet.~~

~~2) This use shall not be conducted as a private gainful business.~~

~~3) This use shall be for members and their authorized guests only.~~

~~4) Parking: one off street parking space for each five members of total capacity, or at least one off street parking space for each 50 square feet of total floor area used or intended to be used for service to customers, patrons, clients, guests, or members (whichever requires the greater number of off street parking spaces), plus one additional space for each employee. Parking areas shall be adequately screened when situated within 50 feet of land zoned for or in residential use.~~

~~(f) Restaurant, Drive-Through. Restaurant, Drive-Through, shall be subject to the following provisions when permitted by conditional use:~~

~~1) There shall be no use of amplified sound between the hours of 11:00 p.m. and 6:00 a.m. Vehicles shall drive to the service window for service during these hours.~~

~~(g) Adaptive Reuse.~~

1) Application. Adaptive reuse shall apply to the structures with the following characteristics:

a) Structures having significant character, interest, or importance as part of the development, heritage, or cultural characteristics of the Borough, county, region, state, or nation, or is associated with the life of a person significant in the Borough's past.

b) There exists architecture, archaeology, engineering, or culture in the resource, whether in buildings, objects, structures or sites, which possesses design, setting, materials, workmanship, feeling, or association of historical significance.

c) The resource has yielded, or may be likely to yield, information important in pre-history or history.

d) Any resource which is included on the National Register of Historic Places.

2) Excluded structures and properties. Adaptive reuse shall not be available for structures and/or properties which have been subject to renovations which have irrevocably altered the original character of the original structure.

3) Parking. Off-street parking shall be provided for all adaptive reuses according to the regulations and guidelines of section § 27-405, Parking.

4) Borough Council may incentivize adaptive reuse by providing any one or more of the following incentives:

a) Up to 25% reduction in off-street parking supply.

b) Up to 25% reduction in minimum lot area per residential dwelling unit for multifamily residential use building types for up to 20 units.

c) Allowing a residential building type not otherwise permitted by the chapter.

d) Allowing a 5% increase in impervious coverage beyond the maximum impervious coverage permitted by the underlying zoning district.

5) Design Standards. All proposed adaptive reuses shall incorporate the following design standards into the adaptive reuse to the maximum extent possible.

a) Integrity of Setting. The adaptive reuse of a property shall be found to maintain or improve the integrity of the setting and character of the structure and with the surrounding properties and structures, including but not limited to the building facade(s), and further preserve significant site features and immediate yard areas which contribute to the setting and character of the property with the resource.

b) Landscaping. A landscape plan consistent with § 27-406 of the Zoning Ordinance and § 22-428 of the Subdivision and Land Development Ordinance (the "landscape ordinances") shall be provided as a part of the conditional use application for the property on which the adaptive reuse is proposed. Through screening, buffering and selection of plant material, the plan shall protect the integrity of setting and buffer existing adjacent uses from the new adaptive reuse as deemed appropriate by the Borough. Borough Council may approve or require adjustments to the requirements of the landscape ordinances as a condition of any conditional use approval.

c) Lighting. A lighting plan shall be provided as a part of the conditional use application for the adaptive reuse, which plan shall be prepared in accordance with the standards contained in § 27-601. Borough Council may approve or require adjustments to the requirements of § 27-601 as a condition of any conditional use approval, as

recommended by the Borough Land Planner and/or Borough Engineer.

d) Solid waste storage and removal areas shall be screened/buffered as required by § 27-406 of the Zoning Ordinance and § 22-428 of the Subdivision and Land Development Ordinance (the "landscape ordinances"), whether storage is interior or exterior, and shall not interfere with the access to or from the building or site. Borough Council may approve or require adjustments to the requirements of the landscape ordinances as a condition of any conditional use approval.

e) Addition to Building Area.

i. If an adaptive reuse project includes any building addition or any other new buildings proposed on the site, any new construction shall not have a building height more than the existing structure and shall not impact the facade of the existing building facing any of the property's front yard(s).

ii. Any increase to existing structural footprint shall not exceed 25% except outdoor patios, pergolas and covered terraces.

f) Additional standards for Adaptive Reuse. Any proposed rehabilitation, alteration or enlargement of a structure 50 years in age or greater shall be in general compliance with the Secretary of the US Department of the Interior's Standards for Rehabilitation, paying particular attention to the following:

i. The adaptive reuse shall be a compatible use for a property which requires minimal exterior alteration of the building, structure or site and its environment.

ii. The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any distinctive architectural features shall be avoided when possible. Deteriorated architectural features shall be repaired rather than replaced,

wherever possible. In the event that an applicant to a conditional use hearing proves that replacement of certain distinguishing features is necessary, the proposed new material shall match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features shall be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

iii. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be treated with sensitivity and preserved.

iv. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material and such design is demonstrated to be compatible with the size, scale, color, material and character of the property, neighborhood or environment.

v. New additions or alterations to structures shall be designed and constructed in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the original structure would be unimpaired.

(h) Skill Game Use

~~1) When sought as a conditional use, Skill Games Uses are subject to the following additional regulations:~~

~~a) No person who shall conduct or operate a Skill Game Use or shall allow such Skill Game Use to remain open at any time on Sunday; or on any other day or days between the hours of 11:00 p.m. and 7:00 a.m. of the following day (Daylight Saving Time when in effect).~~

b) ~~No person shall knowingly allow or permit any person under the age of 18 years to engage in a Skill Game Use or to be present in an establishment providing a Skill Games Use.~~

Section 3.

1. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 27, "Zoning", Part 3 "Zoning Districts," Section 27-301.2.B.(1) is hereby amended as indicated by the black line and strikeout interlineations below, with strikeout indicating deletions of language and underlined interlineations indicating insertions of language:

	Zoning District						
Special Exception Uses	RI	TC	MI	NC	CD	MG	I
<u>Agricultural uses</u>	<u>X</u>					<u>X</u>	<u>X</u>
<u>Automobile sales and services</u>					<u>X</u>		
<u>Bed-and-Breakfast/guesthouses</u>	X	X	X	X	X	X	
<u>Billboard</u>		<u>X</u>				<u>X</u>	
<u>Cemetery</u>	X	X	X	X	X	X	X
<u>Community center</u>	<u>X</u>		<u>X</u>			<u>X</u>	
<u>Day-care center</u>		<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	
<u>Day-care, home</u>	<u>X</u>		<u>X</u>			<u>X</u>	
<u>Electronic message display sign</u>					<u>X</u>	<u>X</u>	
<u>Emergency management services use</u>		<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Entertainment hall</u>		<u>X</u>	<u>X</u>				<u>X</u>
<u>Funeral home/mortuary</u>	<u>X</u>					<u>X</u>	<u>X</u>
<u>Home business</u>	X	X	X	X	X	X	X
<u>Home/improvement center</u>					<u>X</u>		<u>X</u>
<u>Industrial uses</u>							<u>X</u>
<u>Institutional uses</u>	<u>X</u>			<u>X</u>	<u>X</u>	<u>X</u>	
<u>Life-care housing facility</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Marquee</u>		<u>X</u>					
<u>Mobile home</u>					<u>X</u>		<u>X</u>
<u>Mobile home park</u>					<u>X</u>		<u>X</u>
<u>Parking lot</u>		<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Private club</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Public transportation uses</u>	X	X	X	X	X	X	X
<u>Public Utility use</u>	X	X	X	X	X	X	X
<u>Restaurant, drive-through</u>					<u>X</u>		
<u>Skill Games Use</u>					<u>X</u>		
<u>Sports complex/ recreational facility</u>						<u>X</u>	<u>X</u>

Section 4.

1. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 27, "Zoning", Part 3 "Zoning Districts," Section 27-301.2.B.(2) is hereby amended as indicated by the black line and strikeout interlineations below, with strikeout indicating deletions of language and underlined interlineations indicating insertions of language:

(2) Additional Special Exception Standards Applicable to Specific Uses.

(a) Bed-and-Breakfast/Guesthouse.

1) Such use shall be accessory to and permitted only for a single-family detached residential dwelling.

2) At least one bathroom shall be provided for the first guest room, plus one bathroom for each two additional guest rooms. The living quarters for the residents shall have their own bathroom or bathrooms. Bathrooms shall be equipped with a toilet, washbasin and bath and/or shower.

3) The minimum size of the guest suite shall be no less than 120 square feet for the first two occupants, and 50 square feet shall be provided for each additional occupant. No more than five individuals shall occupy a guest suite.

4) Guests shall not remain in the same bed-and-breakfast inn for more than 14 consecutive days.

5) No external alterations, additions or changes to the exterior structure shall be permitted.

6) The use shall be conducted by members of the family of the occupant. Nonresident employees shall be limited to two in addition to the resident family members.

7) There shall be no separate kitchen or cooking facilities in any guest room. Food served to guests on the premises shall be limited to breakfast and afternoon tea only. All food service shall comply

with federal, state and county regulations for the preparation, handling and serving of food.

8) The applicant shall have a valid County Health Department permit for the use issued within the last five years. The total number of bedrooms (resident and guest) in the bed-and-breakfast facility shall not exceed the number of bedrooms which a sewage system is or was designed to accommodate.

9) A permit issued for a bed-and-breakfast facility, after the Zoning Hearing Board approves the special exception, shall have a life of one year. The permit may be renewed annually without the necessity of a new special exception application, provided that the Zoning Officer has inspected the facility and found it to be in compliance with the provisions of this chapter and any conditions imposed by the Zoning Hearing Board in the grant of the special exception.

10) A bed-and-breakfast facility shall be considered a temporary accessory use granted to the owner. The temporary zoning permit shall expire when the property is transferred, sold or leased or when the property is no longer the primary residence of the owner or if the Zoning Officer does not renew the permit.

11) Any amenities, such as a tennis court or swimming pool, shall be solely for the use of the resident owner and the guests.

12) The resident owner(s) shall maintain a guest register, which shall list the names and addresses of all guests.

13) No bed-and-breakfast facility shall be within 300 feet of another lot used for a bed-and-breakfast facility.

(b) Home Business.

1) No more than one customer/client at a time shall be permitted to visit the home business, and no more than two outside employees may be working at the dwelling at the same time.

2) Maximum floor area devoted to the home business shall not be more than 600 square feet or 25% of the dwelling total floor area, whichever is less.

3) In no way shall the appearance of the residential structure be altered or the occupation within the residence be conducted in a manner which would cause the premises to differ from its residential character by the use of colors, materials, construction, lighting, show windows or advertising visible outside the premises to attract customers or clients, other than those signs permitted by this chapter.

4) One sign is permitted per home business, provided that it is no larger than two square feet per side and bear only the name, business and office hours of the practitioner. In addition, it shall not be illuminated or placed in a window.

5) There shall be no exterior storage of materials or refuse resulting from the operation of the home business.

(c) Public Utility Use.

1) Business offices, storage yards or storage buildings associated with a public utility use shall not be included in the RI Residential Infill District.

2) A fence, wall or landscaping shall be provided to visually screen the ground-level structures associated with this use.

3) All appropriate measures shall be taken to limit noise and lighting impacting surrounding properties.

(d) Billboards. Billboards shall be subject to the following provisions when permitted by conditional use:

1) Billboards are permitted upon parcels of at least 0.5 acre fronting along Nutt Road northwest of the Norfolk Southern "Devault Line" Railroad, fronting along Bridge Street east of the Norfolk Southern Railroad (former Reading Railroad) tracks, and fronting along the eastern side of North Main Street between the south side of the Norfolk Southern "Devault Line" and the French Creek.

2) Billboards shall be no more than 25 feet in height above the ground, including any supporting structure elevating the signage.

3) Signage shall not exceed a maximum area of 125 square feet, including border and trim, and may be permitted to have 125

square feet each on both sides if the signage is two sides back-to-back.

4) No more than one billboard may be placed on a lot.

5) No billboard shall be erected within 200 feet of any other freestanding sign having a height in excess of 10 feet, or within 200 feet of another billboard.

6) Billboards shall be set back not less than 10 feet from the lot's boundary with the public right-of-way or street, whichever is closer to the center point of the lot, and not less than 15 feet from any neighboring lot boundary.

7) If the billboard is to have exterior lighting, a lighting plan must be submitted, reviewed and approved by the Borough Zoning Officer, and the lighting plan shall include glare-reduction devices, shielding, luminaire reflectors or other suitable measures, minimizing the intensity of lighting so that no more than 0.5 footcandle of light from signs shall fall upon any residential lot between the hours of 9:00 p.m. and 6:00 a.m., prevailing time.

(e) Electronic Message Display Signs. Electronic message display signs shall be permitted by right in all districts for any municipal uses. For other uses, electronic message display signs are permitted by special exception in the districts designated above and subject to the following provisions:

1) The duration of each message shall be a minimum of five seconds.

2) The transition time between messages shall be less than one second.

3) The sign must be equipped with brightness controls so that the brightness of the sign has the ability to respond to changes in the outside light levels.

4) Except for traffic control signs, electronic message display signs are prohibited within 100 feet of a traffic control device and shall otherwise conform to all other applicable regulations with regard to freestanding or wall signs.

5) The sign shall be no more than eight feet in height, and sign area shall be no more than 10 square feet.

6) No more than one electronic message display sign shall be placed on an individual lot, and no such sign may be erected within 100 feet of any other electronic message display sign on a different lot.

7) Electronic message display signs shall be set back not more than 35 feet nor less than 10 feet from the lot's boundary with the public right-of-way or street, whichever is closer to the center point of the lot, and not less than 15 feet from any neighboring lot boundary.

(f) Mobile Home Park.

1) Minimum lot area: 10 acres.

2) Maximum density: eight units per acre.

3) Minimum building spaces: 20 feet.

4) Each mobile home shall be occupied by not more than a single-family/household.

(g) Private Club.

1) Minimum lot area: 20,000 square feet.

2) This use shall not be conducted as a private gainful business.

3) This use shall be for members and their authorized guests only.

4) Parking: one off-street parking space for each five members of total capacity, or at least one off-street parking space for each 50 square feet of total floor area used or intended to be used for service to customers, patrons, clients, guests, or members (whichever requires the greater number of off-street parking spaces), plus one additional space for each employee. Parking areas shall be adequately screened when situated within 50 feet of land zoned for or in residential use.

(h) Restaurant, Drive-Through. Restaurant, Drive-Through, shall be subject to the following provisions when permitted by special exception:

1) There shall be no use of amplified sound between the hours of 11:00 p.m. and 6:00 a.m. Vehicles shall drive to the service window for service during these hours.

(i) Skill Game Use as a principal, co-principal or accessory use:

1) When sought as a special exception, Skill Games Uses are subject to the following additional regulations:

a) No person who shall conduct or operate a Skill Game Use or shall allow such Skill Game Use to remain open at any time on Sunday; or on any other day or days between the hours of 11:00 p.m. and 7:00 a.m. of the following day (Daylight Saving Time when in effect).

b) No person shall knowingly allow or permit any person under the age of 18 years to engage in a Skill Game Use or to be present in an establishment providing a Skill Games Use.

2) Exemption. A Skill Games Use providing for the use thereof by two (2) or less persons at any given time, operated as an accessory use to a permitted principal use, shall be exempt from the requirement to obtain special exception approval reflected by this Section.

(j) Wireless Telecommunications Facilities.

1) Additional regulations governing wireless telecommunications facilities are set forth in Part 6, Supplemental Regulations.

Section 5. Officer Authorization. The appropriate officers of the Borough are authorized to take whatever actions are necessary and appropriate to carry out the purpose and intent of this Ordinance.

Section 6. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, parts, or sections hereof. It is hereby declared as the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, part or section thereof not been included herein.

Section 7. Repealer. All ordinances or parts of ordinances conflicting or inconsistent herewith are hereby repealed.

Section 8. Effective Date. This Ordinance shall become effective upon enactment as provided by law.

[Signature page follows]

PASSED by Borough Council this _____ day of _____, 2024.

By: _____
Jonathan M. Ewald
President, Borough Council

APPROVED by the Mayor, this _____ day of _____, 2024.

By: _____
Peter J. Urscheler
Mayor

ENACTED this _____ day of _____, 2024.

By: _____
E. Jean Krack
Borough Manager/Secretary

I HEREBY CERTIFY that the foregoing is a true and correct copy of the said Ordinance duly adopted at a regular meeting of Borough Council held on the _____ day of _____, 2024.

By: _____
E. Jean Krack
Borough Manager/Secretary

RESOLUTION 2024 -

BOROUGH OF PHOENIXVILLE

A RESOLUTION OF GRATITUDE FOR THE PUBLIC SERVICE OF ROBERT HOUSE AS A MEMBER OF THE RECREATION BOARD FOR THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA.

WHEREAS: Robert House served diligently and honorably as a Member of the Phoenixville Recreation Board since October 11, 2022; and

WHEREAS: Mr. House provided an invaluable service to the Phoenixville Recreation Board during that time; and

WHEREAS: Borough Council wishes to express its thanks and full appreciation to Robert House for all of his efforts and commitment to the Recreation Board while performing his duties.

NOW THEREFORE BE IT RESOLVED: By the Borough Council of the Borough of Phoenixville that Robert House is recognized and publicly acknowledged for his commitment and efforts in performing his duties and further does offer their best wishes in his future endeavors.

PASSED by Borough Council this 14th day of May, 2024.

By: _____
Jonathan M. Ewald
President, Borough Council

ENACTED this 14th day of May, 2024.

By: _____
E. Jean Krack
Borough Manger/Secretary

RESOLUTION 2024 -

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

A RESOLUTION OF GRATITUDE FOR THE PUBLIC SERVICE OF CHRISTOPHER BOOK AS A MEMBER OF THE HUMAN RELATIONS COMMISSION FOR THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA.

WHEREAS: Christopher Book served diligently and honorably as a of the Human Relations Commission since April 11, 2023; and

WHEREAS: Mr. Book provided invaluable and dedicated service to the Human Relations Commission, and Borough Council during that time; and

WHEREAS: Borough Council wishes to express its most sincere gratitude and appreciation to Christopher Book for all of his efforts and commitment to the Borough in performing his numerous and dedicated responsibilities over the past year.

NOW THEREFORE BE IT RESOLVED: By the Borough Council of the Borough of Phoenixville that Christopher Book is recognized and publicly acknowledged for his commitment and efforts in performing his numerous duties and further does offer their best wishes in his future endeavors.

PASSED by Borough Council this 14th day of May, 2024.

By: _____
Jonathan M. Ewald
President, Borough Council

ENACTED this 14th day of May, 2024.

By: _____
E. Jean Krack
Borough Manger/Secretary

RESOLUTION 2024 -

A RESOLUTION OF GRATITUDE FOR THE STUDENTS OF VALLEY FORGE UNIVERSITY FOR THEIR COMBINED EFFORTS IN A DAY OF VOLUNTEER SERVICE AND GENERAL CLEANUP OF THE BOROUGH OF PHOENIXVILLE

WHEREAS, on April 17, 2024, the students of Valley Forge University spent an entire day of community service by providing a general cleanup throughout the Borough thereby greatly improving the appearance of the Borough for the general public; and

WHEREAS, the students of Valley Forge University cleaned litter and debris along various main streets in the Borough; and

WHEREAS, the students of Valley Forge University cleaned litter and removed weeds, brush, and trash from the public areas of Borough parks and the Borough portion of the Schuylkill Trail.

NOW THEREFORE BE IT RESOLVED, that the Borough Council of Phoenixville does express its appreciation and gratitude for the hard work and volunteer efforts of the students of Valley Forge University and further does offer their most sincere thanks for a job well done.

PASSED by Borough Council this 14th day of May, 2024.

By: _____
Jonathan M. Ewald
President, Borough Council

ENACTED this 14th day of May, 2024.

By: _____
E. Jean Krack, Borough Manager/Secretary

I HEREBY CERTIFY that the foregoing is a true and correct copy of the said Resolution duly adopted at a regular meeting of Borough Council held on the 14th day of May, 2024.

By: _____
E. Jean Krack, Borough Manager/Secretary

ORDINANCE NO. 2024 -

**BOROUGH OF PHOENIXVILLE
CHESTER COUNTY, PENNSYLVANIA**

**“OPPORTUNITY TO REMEDIATE DETERMINATION
OF ABATEMENT ORDINANCE”**

AN ORDINANCE OF THE BOROUGH OF PHOENIXVILLE, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF PHOENIXVILLE, CHAPTER 4 “BUILDING”, PART 2 “ABATABLE STRUCTURES”, SECTION 4-203 “DEFINITIONS”, SECTION 4-206 “NOTICE PROCEDURES”, AND SECTION 4-207 “ELEMENTS TO BE CONSIDERED” IN ORDER TO CLARIFY THAT OWNER REMEDIATION SHALL BE PERMITTED WITHIN CERTAIN DEADLINES AND WHETHER A STRUCTURE IS A NUISANCE IS NOT IMPACTED BY COST OF REPAIR.

The Council of the Borough of Phoenixville, Chester County, Pennsylvania, hereby ORDAINS that:

Section 1.

1. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 4, “Buildings”, Part 2 “Abatable Structures”, Section 4-203 “Definitions”, are hereby amended as indicated by the black underlined interlineations indicating insertions of language and black strikethrough indicating deletions of language:

DEPARTMENT’S DETERMINATION

A Code Enforcement Officer's determination that a structure is an Abatable Structure that the Borough should demolish if not remediated by the Owner(s).

Section 2.

1. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 4, “Buildings”, Part 2 “Abatable Structures”, Section 4-206 “Notice Procedures”, Subsection 4-206.6. is hereby amended as indicated by the black underlined interlineations indicating insertions of language and black strikethrough indicating deletions of language:

6. The Abatable Structure Notice, required by §§ 4-205(3) and (4), shall be such as is reasonable (1) to communicate that the Department

has determined that a specifically identified structure is a public nuisance, an abatable structure and should be remediated ~~demolished~~, (2) to identify the property and (3) to give notice as to how and when such determination may be appealed. Such notice may be given by using a form which is substantially as follows:

ABATABLE STRUCTURE NOTICE

To the owners, occupiers and all other persons (collectively "Interested Parties") having an interest in the property (Property') located in the Borough of Phoenixville ("Borough"), Chester County, Pennsylvania, and known as [address] _____, which Property is identified by Chester County as real estate tax parcel 15- _____:

The Borough Code Enforcement Department ("Department") has determined that the structure, or a portion of it, on the Property, is a public nuisance, violates Borough regulations and should be repaired and/or demolished and/or removed. The Department has also determined that the Borough should demolish and remove the structure, at the Owners(s) expense, if the structure is not repaired by the Interested Parties, so that the public nuisance is eliminated, or demolished and removed within such time as Borough Council ("Council") may order. Any person or legal entity who wishes to challenge the Department's determination must file a written appeal with the Borough Secretary, at the Borough Hall, 351 Bridge 140 Church Street, Floor 2, Phoenixville, PA 19460, during regular business hours, on or before [5 working days prior to the hearing]. The written appeal shall identify the appellant(s) by name and address and reasonably identify the reasons why the Departments determination is challenged.

On _____, Council will hold a public hearing on the Department's determination. Any person or legal entity who so appeals may be a party at the hearing to be held by Borough Council. The hearing will be held at the Borough Hall, 351 Bridge 140 Church Street, Floor 2, Phoenixville, PA. The hearing will be held in accordance with the provisions of the Pennsylvania "Local Agency Law" (the Act of April 28, 1978, P.L. 202, 2 Pa.C.S. § 551, et seq., as amended). Any party to the hearing may be represented by legal counsel. If you wish to attend the hearing and/or any Borough public meeting and are a person with a disability requiring an auxiliary aid, service or other accommodation to participate in the proceedings or attend the meeting, please contact [insert name of Manager], Borough Manager, at the Borough Hall,

phone (610) 933-8801, to discuss how the Borough may best accommodate your needs.

Based on the evidence presented at that hearing, Council shall decide if and under what conditions the structure should be removed and/or demolished by the Borough. Council may allow a certain period within which the structure may be repaired and/or its nuisance conditions abated so that Borough demolition may be avoided. If such work is not done by the required date, according to Borough requirements and all applicable regulations, the Borough may do the work necessary to demolish and remove the structure and require the property owner to pay the Borough's costs. All such costs including, but not limited to, attorney's fees, shall be a municipal claim and lien on the Property and interest shall accrue thereon, at 10% per annum, until paid.

You should take this notice to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Lawyer Referral Service
Chester County Bar Association
15 West Gay Street, P.O. Box 3191
West Chester, Pennsylvania 19381-3191
Telephone: (610) 692-1889

If you have any questions concerning this Notice and/or what Department's determination, you should contact [insert name of Code Enforcement Director], the Borough's Code Enforcement Director, at the Borough Hall, 351 Bridge 140 Church Street, Floor 2, Phoenixville PA 19460, phone (610) 933-8801 ~~935-5635~~. However, it is important that you understand that nothing will extend the time for the hearing, as stated in this Notice, other than a written official extension notice from the Borough. If you do not file the required appeal or fail to appear at the hearing, you may lose your rights to challenge the Department's determination.

Section 3.

1. The Code of Ordinance of the Borough of Phoenixville, as amended, Chapter 4, "Buildings", Part 2 "Abatable Structures", Section 4-207 "Elements to Be Considered", is hereby amended as indicated by the black underlined interlineations indicating insertions of language and black strikethrough indicating deletions of language:

1. Council, in making the adjudication, shall consider whether the evidence presented pursuant to the hearing is sufficient to permit it to find and conclude that:

A. The structure is in such a condition that it is dangerous to the health, safety or general welfare and/or is a public nuisance, a nuisance in fact and an abatable structure.

~~B. The structure cannot be repaired economically so that it will no longer be a public nuisance.~~

~~C. The abatable structure should be demolished and removed by the Borough if not repaired, removed or demolished by the Owner within an amount of time to be determined by Borough Council.~~

2. Determining whether reasonable repairs can be made to a structure to eliminate the conditions cited in the Abatable Structure Notice, Council may consider, among other things, ~~the estimated cost of such repairs;~~ the time required to make such repairs; the danger to the occupants of the structure to neighboring structures and persons, and to the general public; ~~the estimated value of the structure before and after the necessary repairs;~~ the existence of liens or claims of any nature against the property; the ability and willingness of the owner or other responsible persons to effect the repairs in a timely manner.

Section 4. Officer Authorization. The appropriate officers of the Borough are authorized to take whatever actions are necessary and appropriate to carry out the purpose and intent of this Ordinance.

Section 5. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, parts, or sections hereof. It is hereby declared as the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, part or section thereof not been included herein.

Section 6. Repealer. All ordinances or parts of ordinances conflicting or inconsistent herewith are hereby repealed.

Section 7. Effective Date. This Ordinance shall become effective upon enactment as provided by law.

[Signature page follows]

PASSED by Borough Council this _____ day of _____, 2024.

By: _____
Jonathan M. Ewald
President, Borough Council

APPROVED by the Mayor, this _____ day of _____, 2024.

By: _____
Peter J. Urscheler
Mayor

ENACTED this _____ day of _____, 2024.

By: _____
E. Jean Krack
Borough Manager/Secretary

I HEREBY CERTIFY that the foregoing is a true and correct copy of the said Ordinance duly adopted at a regular meeting of Borough Council held on the _____ day of _____, 2024.

By: _____
E. Jean Krack
Borough Manager/Secretary

ORDINANCE NO 2024 -

BOROUGH OF PHOENIXVILLE CHESTER COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE PHOENIXVILLE BOROUGH COUNCIL, CHESTER COUNTY, PENNSYLVANIA AMENDING CHAPTER 15, "MOTOR VEHICLES AND TRAFFIC," PART 2, "TRAFFIC REGULATIONS," SECTION 15-213 "STOP INTERSECTIONS ESTABLISHED" AND PART 4, "GENERAL PARKING REGULATIONS," SECTION 15-402, "PARKING PROHIBITED AT ALL TIMES IN CERTAIN LOCATIONS" OF THE CODE OF ORDINANCES OF THE BOROUGH OF PHOENIXVILLE

The Council of the Borough of Phoenixville, Chester County, Pennsylvania hereby ORDAINS that:

SECTION 1.

Chapter 15, "Motor Vehicles and Traffic," Part 2, "Traffic Regulations," Section 15-213 "Stop Intersections Established," is hereby amended as indicated by the black line and strikeout interlineations below, with strikeout indicating deletions of language and underlined interlineations indicating insertions of language:

Stop Street	Intersecting or Through Street	Direction of Travel
<u>Buchanan Street</u>	<u>Breckinridge Street</u>	<u>North</u>
<u>Morgan Street</u>	<u>Buchanan Street</u>	<u>West</u>

SECTION 2.

Chapter 15, "Motor Vehicles and Traffic," Part 4, "General Parking Regulations," Section 15-402 "Parking Prohibited at All Times in Certain Locations," is hereby amended as indicated by the black line and strikeout interlineations below, with strikeout indicating deletions of language and underlined interlineations indicating insertions of language:

Street	Side	Between
Bridge Street	South	Bridge Street to a point 20 feet west of the southwest corner of Prospect Street. A <u>"No Parking, Standing or Stopping" sign shall be placed as erected. To a point 108 feet west of the southwest corner of Prospect Street. A "No Parking Here to Corner" sign shall be placed with the sign facing west. sign shall be placed as erected.</u>
Bridge Street	South	Bridge Street to a point 20 feet east of the southeast corner of Prospect Street. A "No Parking Here to Corner" sign shall be placed with the sign facing west.

Prospect Street and Taylor Alley. "No Parking, Standing or Stopping" signs shall be placed as erected.

Buchanan Street

Both

Bridge Street and Breckinridge Street. "No Parking, Standing or Stopping" signs shall be placed as erected.

SECTION 3.

If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, parts, or section hereof. It is hereby declared as the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, part or section thereof not been included herein.

SECTION 4.

All Ordinances or parts of Ordinances conflicting or inconsistent herewith are hereby repealed.

SECTION 5.

This Ordinance shall become effective upon enactment as provided by law.

PASSED by Borough Council this 14th day of May, 2024.

By: _____
Jonathan M. Ewald
President, Borough Council

APPROVED by the Mayor, this 14th day of May, 2024.

By: _____
Peter J. Urscheler, Mayor

ENACTED, this 14th day of May, 2024.

By: _____
E. Jean Krack, Borough Manager/Secretary

I HEREBY CERTIFY that the foregoing is a true and correct copy of the said Ordinance duly adopted at a regular meeting of Borough Council held on the 14th day of May, 2024.

By: _____
E. Jean Krack, Borough Manager/Secretary

Personnel and Public Safety Committee Meeting
Monday, May 6, 2024
6:00 pm

MINUTES

Committee: Chairperson, Ms. Burckley, Mr. Strenfel, and Mr. Weiss

Mayor Urscheler

Staff: Mr. Krack, Ms. Getzfread, Chief Marshall, Chief Brazunas, and Ms. Donato (as needed).

Deputy Chief Dixon – TowerDIRECT

I. Call to Order at 6:05 pm

II. Public Participation on Non-Agenda Items.

No public participation.

III. Committee Member Updates/Discussions.

No updates or discussion.

IV. New Business

A. Review Monthly Fire and Ambulance Reports.

Ms. Burckley asked if anyone had additional information or updates.

Mr. Weiss asked if the response times were consistent with County metrics?

Chief Brazunas stated that response times were equal to or better than the target times of the County plans.

Deputy Chief Dixon reported that Tower Ambulance was looking at various grant opportunities and would like to work with the Borough on any applicable grants to improve the level service already being provided.

B. Consider request from Randy Morin for reappointment to the Tree Advisory Commission for the term expiring June 30, 2029.

Mr. Strenfel made a Motion to recommend Borough Council reappoint Randy Moring to a new term on the TAC. Seconded by Mr. Weiss. Motion approved 3-0.

C. Consider request from Jennifer Chandler for appointment to the Tree Advisory Commission for the open vacancy with term expiring June 30, 2028.

Ms. Chandler was not present. Ms. Burckley will reach out to her as to whether she remains interested.

- D. Consider request from Justin Gordon for appointment to the Tree Advisory Commission for the open vacancy with term expiring June 30, 2028.

Mr. Gordon was not present. Ms. Burckley stated that since this application only came in a couple of days ago, she will reach out to Mr. Gordon.

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

Ms. Burckley put the call out for interested persons to apply for the various positions.

V. Old Business

- A. PXV Inside Out.

Ms. Getzfread provided a general update on changes being made in advance of the upcoming opening.

- B. Emergency Management.

Nothing new to report.

- C. Community Policing.

Nothing new to report.

VI. Public Participation

Ms. Murphy asked that with the upcoming closure, that the parking department enforce the Zone “A” parking.

VII. Adjournment at 6:45 pm by Mr. Weiss.

Next Meeting Date: Monday, June 3, 2024 at 6:00 pm

Parks and Recreation Committee Meeting
Tuesday, April 16, 2024
6:00 pm

MINUTES

Committee: Chairperson, Mr. Moore, Ms. Burckley, Ms. Dugan, and Mr. Weiss

Public Members: Janet Hunter

Staff: Mr. Krack, Ms. Gibbons, Ms. Getzfread, and Mr. Watson

I. Call to Order at 6:00 pm. All present.

II. Public Participation on Non-Agenda Items

No public participation.

III. Presentations

No presentations.

IV. Committee Member Updates/Discussions

Mr. Moore reminded everyone of the upcoming Earth Day.

Ms. Dugan provided information regarding the Borough's upcoming 175 Birthday Celebration at the Recreation Center on Saturday, April 20.

Ms. Gibbons reported that Valley Forge University students would be doing their annual Clean-up Day on Wednesday, April 17. She also reported the Mountain Bike Park would open up in Mid-May weather dependent.

V. New Business

A. Motion to approve a Temporary Community Event Application for the Kiwanis Patriotic Celebration at Reeves Park on Friday, May 24, 2024 from 9:30 am to 12:00 noon. No parking on the north side Third Avenue between B Street and Main Street from 830 am to 12:00 noon to allow school buses to park.

Ms. Dugan made a Motion to recommend Borough Council approve the TCE. Seconded by Mr. Weiss. Motion passed 4-0.

B. Motion to waive all fees associated with the rental and utilization of Reeves Park for the Kiwanis Patriotic Celebration on May 24, 2024.

Ms. Dugan made a Motion to recommend Borough Council waive the fees as requested. Seconded by Mr. Weiss.

On the question.

Mr. Weiss expressed concerns as to how Council determines which events to waive the fees.

Ms. Burckley noted for the public that in the case of this event, there is practically nothing Borough staff provides in the way of personnel or services and that this is an annual event for the school children which Council has historically waived.

Mr. Weiss asked whether there is a policy on when and what to waive.

Mr. Krack stated that there was a period of time when Borough Council waived fees for five or six events as being Borough events. He cautioned that the waiving of any fees is Council's prerogative but that trying to establish any such policy with so many events occurring each year was not something he would recommend.

Mr. Weiss suggested this topic be put on the Policy Committee Agenda.

Motion passed 3-1 with Mr. Weiss voting No.

- C. Motion to recommend Borough Council approve a Temporary Community Event Application for the Phoenixville Car Show on Saturday, July 20, 2024 from 11:00 am to 3:00 pm at Reeves Park. Second Avenue and Third Avenue to be closed between Starr Street and Main Street from 9:00 am to 4:00 pm. Conditioned upon receipt of all fees and valid Certificate of Insurance naming Borough as Additional Insured.

Mr. Weiss made a Motion to recommend Borough Council approve the TCE. Seconded by Ms. Dugan. Motion passed 4-0.

- D. Motion to recommend Borough Council approve a Temporary Community Event Application for Phoenixville Police Department National Night Out on Tuesday, August 6, 2024 from 6:00 pm to 9:00 pm at the Recreation Center Parking Lot at 501 Franklin Avenue.

Ms. Burckley made a Motion to recommend Borough Council approve the TCE. Seconded by Mr. Weiss. Motion passed 4-0.

- E. Motion to recommend Borough Council approve a Temporary Community Event Application for the 42nd Anniversary Andre Thornton Day at Andre Thornton/C' Jon Saunders Park on Saturday, September 14, 2024 from 11:00 am to 7:00 pm. North Main Street to be closed between Vanderslice Street and High Street from 8:00 am to 8:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

Mr. Weiss made a Motion to recommend Borough Council approve the TCE. Seconded by Ms. Burckley. Motion passed 4-0.

- F. Motion to recommend Borough Council approve a Temporary Community Event Application for the SHRC – Phoenix Wheel Heritage Award Celebration at the Borough Hall Parking Lot on Friday, October 11, 2024 from 5:30 pm to 8:30 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

Ms. Dugan made a Motion to recommend Borough Council approve the TCE. Seconded by Mr. Weiss. Motion passed 4-0.

- G. Motion to recommend Borough Council approve a Temporary Community Event Application for the Burn off the Bird 5K starting and ending at the Recreation Center on Saturday, November 30, 2024 from 8:30 am to 11:00 am. Franklin Avenue between Grant Street and Fillmore Street and Fillmore Street between Franklin Avenue and Cromby Road to be closed for approximately five minutes each. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

Mr. Weiss made a Motion to recommend Borough Council approve the TCE. Seconded by Ms. Dugan. Motion passed 3-0-1. Ms. Burckley abstained due to conflict.

VI. Public Participation.

No public participation.

VII. Adjournment at 6:36 pm by Ms. Burckley.

Next Meeting Date: Tuesday, May 21, 2024 at 6:00 pm.

**INFRASTRUCTURE, TECHNOLOGY, TRANSPORTATION,
AND SUSTAINABILITY (ITTS)
COMMITTEE MEETING
Tuesday, April 16, 2024
7:00 PM**

MINUTES

Committee: Chairperson, Mr. Weiss, Ms. Burckley, Mr. Moore, and Mr. Strenfel
Staff: Mr. Krack, Mr. Watson, and Ms. Getzfread

I. Call to Order at 7:01pm.

II. Public Participation on Non-Agenda Items

Mr. Lutzker asked the status of the Streetscapes project for Gay Street.

Mr. Krack reported the project is scheduled to start in about two weeks.

III. Committee Member Updates/Discussions

No updates or discussions.

IV. New Business

A. Motion to recommend Borough Council approve the GVF Shuttle proposal in the lump sum amount of \$25,000.

There is no additional information at this time. This item will come back to the Agenda at a later date.

B. Discussion regarding Streetscapes proposal from Emmet Street between Franklin Avenue and Dayton Street.

Mr. Krack reported this item came from Mr. Kirkner who at the last Council Meeting asked that the Borough look into a Streetscapes project for Emmett Street.

Mr. Weiss questioned the need for such a project and thought such a project would be better served on Franklin Avenue between the bridge and the Recreation Center.

Mr. Krack noted that the area along Emmett Street does not appear to provide enough room for a parking lane and new sidewalks. That if sidewalks were improved, residents would continue to park as they do thereby destroying the new sidewalks.

Mr. Krack stated he and Mr. Watson would reach out to PennDOT for a meeting to discuss what, if anything, could be done on the road since it is SR-113.

V. Infrastructure Updates

A. Engineering Reports (Jan, Apr, Jul, Oct)

Mr. Weiss noted the information in the two reports was very concise and generally could answer most of the questions on the rest of the Agenda.

B. Stormwater Management

Mr. Krack reported that Staff is reviewing information for a potential PA Small Waterway Grant to mitigate one of the areas identified in the Engineer's report.

C. The Phoenix Wheel

Mr. Krack reported the various components which are currently stored at Valley Forge University would be identified and taken to another location in the Borough to layout and determine what, if any, additional parts may need to be fabricated.

VI. Transportation Updates

A. Bridge and Starr Street

Mr. Krack reported that Staff met with the Priest and members of the Brotherhood for the Church to review the plans. Staff and the engineer will meet with them in early May to review any questions they may have regarding the proposed project.

B. Paradise Street – Phase 2

Mr. Krack reported the engineer was given the approval to move forward with the next phase and that Staff will meet with the engineer in May to determine next steps and proposed schedule.

C. Hall Street

Nothing new to report.

D. Mowere Road

Ms. Getzfread reported that due to a glitch in the electronic program, PennDOT is not able to provide the Contract for signatures at this time. Staff needs the signed contract in order to put the project out to bid as details in the contract must be incorporated into the bid documents. Staff asked for a paper version of the contract and was told that could not be provided.

E. French Creek Trail

Mr. Watson stated that he is working on a meeting with Tague Lumber to layout the schedule for installing the new fence and then prepare the work area to install that portion of the trail.

F. Train Station

Ms. Getzfread reported that the SRPRA Board Meeting was held at Borough Hall on Monday. AECOM is progressing with review of the existing infrastructure for the proposed rail line and where the stations may be located along the rail line.

G. Washington/Gay Intersection return to stop signs

Mr. Watson provided additional information regarding upcoming costs to replace the controller cabinet and relocation of the traffic signal standards. While there will be costs to remove the existing equipment, add stop signs and repair the ADA ramps, those costs will be much less than current projections.

Ms. Burckley made a Motion to recommend Borough Council authorize Staff to apply to PennDOT for removal of the existing traffic signals. Seconded by Mr. Moore. Motion passed 4-0.

H. Walkability

Mr. Krack provided background on the original Walk Phoenixville Pedestrian Accessibility Plan.

Mr. Weiss asked Staff to provide an update on actions taken by the Borough or others that remedy any of the recommendations in the Plan.

I. Parking Study Update

Ms. Getzfread provided an update that Bowman will commence the pre-PXV Inside/Out assessment the first week of May and then will follow after the closures commence with the second assessment to determine the impacts of the closure.

VII. Sustainability Updates

A. PXVNEO

Mr. Krack reported that the consulting firm will be on site next week to set up their systems. We will then start the system to capture additional data and then

shut the system down. The consulting firm will then assess the information and provide recommended next steps for eventual full startup operations.

B. Municipal Building Solar Installation

Ms. Getzfread reported the Borough Engineer should receive the various submittals for review next week. Once approved, the final design and installation should begin in mid to late May.

VIII. Technology Updates

Nothing new to report.

IX. Public Participation

Mr. Saneck asked about the location of the building where the Wheel was being located. He also asked about the removal of the traffic signal at Washington Avenue and Gay Street.

X. Adjournment at 8:17 pm by Ms. Burckley

Next Meeting Date: Tuesday, May 21, 2024 at 7:00 pm.

FINANCE COMMITTEE MEETING

Wednesday, April 24, 2024

6:00 pm

MINUTES

Committee: Chairperson Ms. Dugan, Mr. Carminito, Mr. Ewald, and Mr. Kirkner

Staff: Mr. Krack, Ms. Getzfread, Ms. Koza-Lubinsky, Ms. Donato, and Ms. Niemczuk

I. Call to Order. 6:05 pm.

II. Public Participation on Non-Agenda Items

No public participation.

III. Committee Member Updates/Discussions

No updates or discussion.

IV. New Business

A. Motion to recommend Borough Council approve the 2024 Pre-Paid dated 3/1/2024 - 3/31/2024 in the amount of \$1,011,357.38.

Mr. Kirkner made a Motion to recommend Council approve. Seconded by Mr. Ewald. Motion passed 3-0.

B. Motion to recommend Borough Council approve the 2024 Pre-Paid Credit Card Statement dated 3/1/2024 - 3/31/2024 in the amount of \$83,318.44.

Mr. Kirkner made a Motion to recommend Council approve. Seconded by Mr. Ewald. Motion passed 3-0.

C. Motion to recommend Borough Council approve the 2024 Pre-Paid ACH dated 3/31/2024 in the amount of \$39,594.02

Mr. Kirkner made a Motion to recommend Council approve. Seconded by Mr. Ewald. Motion passed 3-0.

D. Motion to adopt a Resolution authorizing the filing of an application for funding under the Flood Mitigation Program for the Borough of Phoenixville's Third Avenue & Gay Street stormwater flood mitigation project.

Mr. Kirkner made a Motion to recommend Council approve. Seconded by Mr. Ewald. Motion passed 3-0.

- E. Motion to adopt a Resolution for the sale and disposition of personal property valued at or above \$2,000.

Mr. Kirkner made a Motion to recommend Council approve. Seconded by Mr. Ewald. Motion passed 3-0.

- F. Motion to recommend Borough Council approve Budget Increase 2024-04 from Waste Water Restricted Fund Balance in the amount of \$117,400 to Waste Water – Sewer Treatment (HTC Professional Services – Arcadis) for professional services to Arcadis for ongoing HTC project.

Mr. Ewald made a Motion to recommend Council approve. Seconded by Mr. Kirkner.

On the Question. Mr. Krack provided background on the proposals.

Motion passed 3-0.

- V. Public Participation

No public participation

- VI. Adjournment at 6:12 by Mr. Ewald.

Next Meeting Date: Tuesday, May 28, 2024 at 6:00 pm