



Borough of Carlisle
Special Council Meeting Minutes
July 15, 2021
5:30 PM

Mayor Scott called the Special Council Meeting to order at 5:30 p.m.

Borough Council voted 4-0 to allow Deputy Mayor Shultz and Councilor Hicks to participate in the meeting via Zoom. (Stuby/Fulham-Winston)

Council members present: Councilors Fulham-Winston, Hicks, Landis, Stuby, Deputy Mayor Shultz and Mayor Scott. Also present were: Borough Manager Armstrong, Water Resource Director Malarich, Human Resource/Risk Management Manager Berrier, Public Information Coordinator Taylor, Solicitor Brenneman, and Borough Secretary Stone.

OPPORTUNITY FOR CITIZENS AND VISITORS TO BE HEARD

No citizens were heard.

REGULAR AGENDA

A. Economic Development:

1. Borough Council by a roll call, voted 6-0 to adopt an ordinance amending Chapters 78 and 223 of the Code of the Borough of Carlisle to allow limited consumption of alcoholic beverages by open containers on sidewalks, amending the definition of open sidewalk cafes and allowing expansion of open sidewalk cafés to allow use of sidewalks on adjoining properties. (Hicks/Fulham-Winston)

Solicitor Brenneman provided a clarification that the proposed ordinance is not a cocktail-to-go ordinance. He noted the Borough does not have the authority to regulate or approve that type of use for businesses holding a liquor license and that only the legislature has that authority. Solicitor Brenneman explained the proposed ordinance addressed open containers, which is an item every municipality can regulate. The ordinance assists taverns, restaurants, bars and distilleries in the C1 when they apply to the Liquor Control Board to extend their liquor license premises to both sides of their property.

Councilor Stuby stated that he fully supported the passing of the ordinance. He noted that this past year has shown that these measures have been successful and feels that eventually Council should consider implementing this Borough wide, essentially lifting our open container restrictions throughout the Borough. Councilor Stuby offered that state law already provides penalties for the offenses of public drunkenness and disorderly conduct, which to him are the biggest concerns with allowing public consumption of alcohol. He noted because of these state laws, having a local ordinance prohibiting open containers of alcohol and public consumption of alcohol seems unnecessary. Councilor Stuby asked Council to keep this in the back of our minds and revisit this topic in the summer of 2022, after there has been another full year to evaluate this new ordinance.

Councilor Landis concurred with Councilor Stuby and remarked of the success that Dickinson College has had with public events where alcohol usage is permitted.

B. Mayor's Report:

Councilor Stuby recommended sending a letter of support to the State asking to allow cocktails-to-go on a permanent basis. He noted the state's temporary measures for cocktails-to-go went away when the emergency declaration for Covid was lifted. Councilor Stuby explained that this legislation was brought before the Senate, but they recessed before voting. In the letter, Council will ask our state representative to push the Senate to reconvene and pass the legislation to get it on the Governor's desk. He remarked that having this legislation enacted would benefit the Carlisle business over the summer months.

1. Borough Council voted 6-0 to issue a letter in support of House Bill 1154, Printer's Number 1992 (Cocktails-To-Go). (Stuby/Fulham-Winston)

C. Community Planning & Smart Growth:

Water Resource Director Malarich explained that lots five, seven and eight of the IAC developments were conditionally approved by Council in March of 2020. That approval combined the three lots into one project. The developer was now asking that the project be divided into three separate steps and reapprove the land development plan for Lot 5.

1. Borough Council voted 6-0 to re-approve a Final Land Development Plan for Lot 5, Northside Village, prepared by BL Companies, original date 10/3/2019, latest revision 5/25/2021, subject to the applicant's acceptance and satisfactory resolution of the conditions listed in Council's March 12, 2020 agenda, and as supplemented by the following: (Stuby/Fulham-Winston)
 - a. A revised Developer's - Guarantee Improvement Agreement(s) between the Borough and the property owner, and Northside Village LLC, for the full and satisfactory completion of all required Lot 5 (on site and adjacent B Street and C Street public right-of-way) improvements, subject to the review of the Borough Solicitor;
 - b. A revised Stormwater Operation & Maintenance Agreement(s) between the Borough and the property owner and Northside Village LLC, for the full and satisfactory installation, access, and maintenance for Lot 5, subject to the review of the Borough Engineer and Solicitor;
 - c. The receipt of sufficient financial security in the form of a letter of credit, or insurance bond, satisfactory to the Borough Engineer and Solicitor;
 - d. A revised schedule of construction – completion, which shall be inserted into all Lot 5 Agreements.

Solicitor Brenneman noted that Deputy Mayor Shultz and Councilor Hicks are not physically present at the meeting due to work obligations and attended remotely

NEW BUSINESS:

Mayor Scott entered into the record a letter received on July 15, 2021 from the Chamber of Commerce expressing their support for our amendment to Chapter 78 and 223 to allow limited consumption of alcoholic beverages by open container on sidewalks and amending the definition of open sidewalk cafés and allowing the expansion of open sidewalk cafés to allow the use of sidewalks and adjoining properties.

Mr. Glenn White, Executive Director of DCA, 53 West South Street, Carlisle, Pennsylvania, commended Council for their efforts and forward thinking to keep providing a fertile ground for businesses to prosper and survive during the Covid crisis. He noted the open container law has been a big help and he carried the message from the local businesses that they are very appreciative of everything Council has done to help guide them.

ADJOURNMENT

There being no further business or public comment, the meeting adjourned at 5:44 p.m.

Timothy A. Scott, Mayor

Joyce E. Stone, Borough Secretary