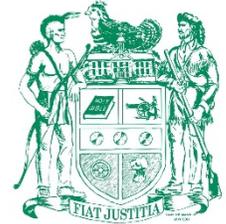


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**BOROUGH OF CARLISLE
COUNCIL MEETING MINUTES
January 10, 2019**

Mayor Scott called the Council Meeting to order at 7:00 p.m. Councilor Crampsie led the Moment of Silence and Pledge of Allegiance.

Councilmembers present: Councilors Crampsie, Flower-Webb, Fulham-Winston, Guido, Landis, Deputy Mayor Shultz and Mayor Scott. Also present were: Borough Manager Candland, Assistant Borough Manger Armstrong, Police Chief Landis, Water Resources Director Malarich, Planning/Zoning/Codes Manager Skelly, Parks & Recreation Director Crouse, Fire Chief Snyder, Human Resource Supervisor Hamilton, Public Information Coordinator Taylor, Solicitor Brenneman, and Borough Secretary Stone.

OPPORTUNITY FOR CITIZENS AND VISITORS TO BE HEARD

RECOGNITIONS

- A. Mayor Scott swore in Paige Hertzler, a new police officer for the Borough of Carlisle Police Department.

At 7:05 p.m., Mayor Scott announced that Council would recess for photo opportunities with the newly sworn in officer. Council reconvened at 7:15 p.m.

Mr. Glenn White, Executive Director of the Downtown Carlisle Association (DCA), provided Council with an overview of the DCA Annual Report. Mr. White noted since the conception of the DCA in 1981, its partnership with the Borough continues to improve the quality of the downtown by increasing the opportunities for growth in business, tourism, education and economic development. He thanked Council for their continued support. Mr. White encouraged citizens to volunteer in the many downtown events that take place throughout the year.

CONSENT AGENDA

Councilor Guido made a motion, seconded by Councilor Shultz, to approve the Consent Agenda. Council unanimously voted (7-0) to approve the Consent Agenda, which consisted of the following items:

A. **Minutes:**

1. *Council Meeting 12/13/18*
2. *Budget Public Hearing 12/13/2018*
3. *Tax Credit Public Hearing 12/13/2018*

B. Approval of Bills and Investment Transactions: Expenditures as of December 31, 2018:

<i>General Fund</i>	\$	666,290
<i>Water Fund</i>	\$	310,641
<i>Sewer Fund</i>	\$	563,176
<i>Solid Waste Fund</i>	\$	245,714
<i>Capital Projects Fund</i>	\$	123,462
<i>Parking Fund</i>	\$	11,029
<i>Highway Funds</i>	\$	1,741

C. Attendance Approval:

1. *Borough Fire Chief Jeffrey Snyder to attend the South Central Task Force Health and Safety Workshop at Lancaster County Public Safety Center on Tuesday February 19, 2019.*

REGULAR AGENDA

TABLED, CONTINUED, AND RECURRING ITEMS

None

REPORTS FROM ELECTED OFFICIALS

REPORTS FROM COMMITTEES

B. Community Planning & Smart Growth Committee:

Mr. Hubert Gilroy, Attorney with Martson Law Office, 10 East High Street, Carlisle, Pennsylvania, along with Mr. Doug Brehm of Brehm-Lebo Engineering, Inc. and Ms. Cate Mellen, YMCA Development Director, were present to answer questions from Council regarding the submission of the YMCA's land development plan. Mr. Gilroy noted the YMCA is submitting a waiver for the recreation fee in lieu of dedication of land for future intersection improvements. Mr. Brehm provided an overview of the upcoming building project. He explained with the removal of a portion of the building and the expansion of a second floor on the remaining structure, the usable space of 60,000 sq. feet, will remain consistent with the current building. Mr. Brehm indicated the new plan expands the parking to 161 onsite spaces. He spoke of new stormwater retention plans that will capture the total amount of the new impervious run off, as well as rooftop run off. Mr. Brehm indicated the YMCA would donate a portion of land for future intersection improvements and provide signage to improve safety for pedestrians.

Councilor Shultz inquired how the new design conforms to the existing historic nature of the community and how public outreach was handled. Mr. Gilroy and Ms. Mellen noted that neighborhood meetings were held in 2015 and there was excitement with the new plan. Ms. Mellen explained there was an effort in keeping a cohesive look between the new design and the portion of the building that remains. Mr. Brehm mentioned that notices were sent out to the surrounding neighbors concerning a request for a variance and no design comments were expressed at that time.

Councilor Landis inquired why the YMCA chose to remove a portion of the structure as opposed to refurbishing the structure. Mr. Gilroy explained it was cost prohibitive to renovate due to

the structure of the inside walls.

Ms. Kate Hess, 433 Arch Street, Carlisle, Pennsylvania stated she was happy that YMCA is staying at that same location and a new structure is being built. Her concern was that surrounding neighbors should have been included in the building concept and commented that the new building style looks like every other YMCA building. She expressed her opinion that a new modern design should have been considered since the old portion of the building was removed. Mr. Gilroy responded that at this point in the development, the design could not be changed.

1. Borough Council voted 7-0 to approve the following:
 - a. a waiver for the submission of a Preliminary Land Development Plan (226-19) for 311 South West Street (YMCA);
 - b. a waiver to implement volume reduction controls for the 2-year, 24-hour post development precipitation event (217-14.A);
 - c. a waiver for the dedication / fee in lieu of parkland (226-32.E) conditioned on an agreement between the Borough and YMCA regarding the dedication of land to the Borough for future intersection improvements subject to approval by the Borough Solicitor (Crampsie/Flower-Webb)
2. Borough Council voted 7-0 to approve the following:
 - a. a Final Land Development Plan, submitted by Brehm-Lebo Engineering, Inc., on behalf of Carlisle YMCA, located on the SW corner of Walnut Street & Arch Street, subject to the conditions herein imposed by staff. (Crampsie/Flower-Webb)

Mr. Gilroy reported to date, five local foundations and private individuals have helped to raise 7.9 million dollars for the YMCA improvements.

3. Borough Council voted 7-0 to approve a waiver for the submission of a Preliminary Subdivision Plan (226-19); and furthermore approve a Final Subdivision Plan, submitted by FSA Associates, Inc., dated October 30, 2018, on behalf of Real Estate Collaborative, LLC, located on the SE corner of Hamilton St. & Clay St., subject to the conditions imposed by staff. (Crampsie/Flower-Webb)

Mr. Justin Doty, Frederick, Seibert & Associates, Inc, 505 S. Hanover Street, Carlisle, Pennsylvania stated he is working with Mason McCullin Redevelopers on the former Tyco building site. He noted tonight's request is to consolidate three parcels of land into one 4.2-acre parcel. Mr. Doted stated a private alley is being quick claimed and will be incorporated in the one tract of land. He remarked a future land development plan would be presented to Council later this year.

4. Borough Council voted 7-0 to adopt the Fair Housing Resolution, a requirement by the Department of Community and Economic Development (DCED). (Crampsie/Flower-Webb)

C. **Budget & Finance Committee:**

1. Borough Council, by a roll call vote of 7-0, adopted an Ordinance amending Chapter 120 [Fees] of the Borough of Carlisle with respect to minor changes to applications and permits for curbs, signs, zoning, ect. (Shultz/Crampsie)

2. Borough Council voted 7-0 to adopt a Stormwater Credit Application Instruction Manual by resolution. (Shultz/Crampsie)

D. Economic Development Committee:

1. Borough Council voted 7-0 to authorize the advertising of an ordinance approving an Agreement between the Downtown Carlisle Association [DCA] and the Borough of Carlisle [Borough] retroactive to January 1, 2019 through December 31, 2019. (Flower-Webb/Fulham-Winston)

Said agreement shall outline the duties and responsibilities of each organization to include the approval of the “DCA Annual Work Program”, which shall be consistent with the direct financial support provided by the Borough. Approval is subject to the Borough Solicitor’s satisfactory review and approval of said agreement.

E. ERCP Committee:

1. Borough Council voted 7-0 to appoint Mr. Jason Gavenonis to a first full term on the Carlisle Borough Sewer Authority. This term will become effective immediately and shall expire on December 31, 2023. (Guido/Shultz)
2. Borough Council voted 7-0 to appoint Mr. Paul Siekert to a first full term on the Carlisle Borough Sewer Authority. This term will become effective immediately and shall expire on December 31, 2023. (Guido/Shultz)
3. Borough Council voted 7-0 to appoint Ms. Marian Coughlin to a partial term as an “alternate” on the Human Relations Commission. The partial term will become effective immediately and shall expire on February 29, 2020. (Guido/Shultz)
4. Borough Council voted 7-0 to appoint Mr. John Rogers to a first full term on the Carlisle Borough Historical Architectural Review Board (HARB). This term will become effective immediately and shall expire December 31, 2022. (Guido/Shultz)

F. Parks and Recreation Committee:

1. Borough Council voted 7-0 to approve the installation of a Born Learning Trail at Lindner Park. (Funds for the signs and 5 foot by 17 foot section of asphalt for a trike track will come from a partnership between the Carlisle Rotary Club and the United Way of Carlisle and Cumberland County. Union Quarries and John Gleim Excavating will provide donated materials and labor for the installation of the trail.) (Landis/Scott)

G. Public Safety Committee:

1. Borough Council, by a roll call vote of 7-0, adopted an ordinance amending the Code of the Borough of Carlisle, adopted by Ordinance #2032, and thereafter amended, with respect to Chapter 244, Vehicles and Traffic, to add a private on-street handicapped parking space on North Bedford Street and a public on-street space on West High Street. (Scott/Guido)

H. Public Works Committee:

Mayor Scott presented a statement pertaining to the Borough obtaining land for the Carlisle Connectivity Project. Statement is attached to these minutes.

Public Works Director Mark Malarich provided a map illustration and details of the land that is involved in the obtaining the right of way needed to make road improvements in the Carlisle Urban Redevelopment Plan.

Councilor Guido and Fulham-Winston concurred that eminent domain is the Borough's last resort if a negotiation with the property owners cannot be reached.

1. Borough Council, by a roll call vote of 7-0, adopted an ordinance authorizing the condemnation of certain land for transportation rights-of-way needed as part of the Carlisle Connectivity Project. (Fulham-Winston/Landis)
2. Borough Council voted 7-0 to approve the annual service contract with HACH Service Partnership for preventative maintenance and servicing of equipment at the Carlisle Water Treatment Facility. Contract is for a one-year period effective January 7, 2019. (Fulham-Winston/Landis)
3. Borough Council voted 7-0 to authorize the Mayor to execute a Recycling Development and Implementation Grant Agreement with the Pennsylvania Department of Environmental Protection, totaling \$169,682, (One hundred, sixty-nine thousand, six hundred and eighty- two dollars) to support purchase of equipment to be used at the Borough's yard waste compost site, subject to Borough Solicitor approval of the agreement. (Fulham-Winston/Landis)

REPORTS FROM COUNCIL MEMBERS & STAFF

ADJOURNMENT

Councilor Landis stated she attended the I81 transportation meeting and was pleased with the improvements that were proposed for the interstate. She mentioned residents were asked to contact the Chamber of Commerce to participate in future meetings regarding the PennDot I81 improvement project.

Councilor Guido thanked Council for their continued support of DCA. She recognized Law Enforcement Appreciation Day and thanked the police department for keeping the Borough safe.

Mayor Scott announced that an Executive Session had taken place prior to the Council meeting to discuss pending real estate acquisition and that Council will reconvene following the meeting to discuss personnel and legal matters. Council will not reconvene.

Councilor Flower-Webb echoed Councilor Guido's thoughts on the great job being done by DCA in their promotion of Carlisle and noted she is looking forward to the upcoming Ice Art Festival. She shared that the "Farmers on the Square" has moved into the Carlisle Theatre for the winter months and Bella's Bridesmaids is opening at 152 N. Hanover Street. She also noted that Mike Landis is retiring from the Borough after 21 years of service to the Borough.

Councilor Crampsie stated he is looking forward to working with staff and resident in 2019.

Fire Chief Snyder recognized Mr. Michael Snyder for organizing the Carlisle Borough Services Academy and the outstanding job he provides in this training.

There being no further business or public comment, the meeting adjourned at 8:18 p.m.

Timothy A. Scott
Mayor

Joyce E. Stone
Borough Secretary

Mayor Scott's Comment from 01.10.19 Council Meeting

I want to take this opportunity to thank those whom took the time to reach out to my colleagues, staff and me regarding the eminent domain action that is before us this evening. Given the level of interest that this subject has received, I thought it best to provide some background:

Let us start with the terms "Eminent Domain" and "Condemnation": These terms do not mean that a property is being taken from the property owner for free. It means the property is purchased after all other negotiations have failed. Those negotiations can fail for a host of reasons, but ultimately, the owner is compensated fair market value for the portion of property being "taken" using independent appraisals and legal oversight.

Also, eminent domain does not mean that the Borough will cease attempting to negotiate a fair and equitable resolution with the property owners. It means that the Borough has opted to start pursuing a "Plan B" **IF, and only IF**, the Borough and the property owner(s) come to such an impasse where the Borough has no other recourse than to exercise its eminent domain rights in order to move forward with Project 1.

Project 1 involves intersection improvements at the Carlisle Springs Road/North Hanover intersection and the Penn and North Hanover Streets 5-point intersection. Over the course of the past 21 months, the Borough has reached agreements with eleven (11) out of the fourteen (14) property owners affected by these two intersections' upcoming improvements. The three (3) outstanding agreements are: Norfolk Southern, which is being finalized and the two (2) properties being considered for eminent domain this evening.

I asked staff to provide a visual aid of the land in question for this evening's meeting, but, before staff reviews the map with us, I want to emphasize the following:

- a.) The future roundabout was a decision made by the Borough in conjunction with its connectivity project engineers and PennDOT as a result of the proposed development at the former IAC/Masland site. The roundabout is not a result of the road diet. Significant changes need to be made to the North Hanover corridor to accommodate the proposed traffic at the IAC site once developed. Changes must also be made at the Spring Road and North Hanover Street intersection.
- b.) A traffic light will be installed at Spring Road and N Hanover Street and will prevent motorists from being trapped on the railroad tracks. The travel lanes of North Hanover also need to be realigned. Thus, North Hanover needs widened slightly. Hence, the reason why these easements and rights of way are needed to be acquired by the Borough.

In closing, the Borough of Carlisle has a longstanding history of working collaboratively with stakeholders at the local, county and state levels but more so, working with and among its very own community.

This Council does not take the action of eminent domain lightly. However, my colleagues and I (as well as former Councilors who have sat here) are often faced with policy decisions that are not always popular. But, when faced with such challenges, I can say that my colleagues and I attempt to enact policy that is fair and equitable and consistent with Carlisle's vision, values and goals. Tonight's decision is no different-the Carlisle Connectivity Project is a key element of the overall Carlisle Urban Redevelopment Plan, a plan that was devised in response to the Borough's major manufacturing losses of IAC/Masland, Carlisle Tire & Wheel, and Tyco. Our state, county, and local partners drew upon public input in order to set the objectives of the Connectivity Project to achieve the transportation upgrades that we are now discussing this very evening.

At this time, I will now ask my fellow colleagues if they have any additional comments to add prior to the motion.
