

**SPRING CITY BOROUGH COUNCIL MEETING
AUGUST 7, 2023**

CALL TO ORDER

Due to inclement weather, the public meeting was delayed to 8:00 PM.

President Shaner called the meeting to order and recital of the pledge of allegiance.

Council members Bauman, Bliss, Kern, Shaner, and Sweeney were present, along with Solicitor Matthew Hovey, and Borough Manager Kisha Tyler.

President Shaner acknowledged the recent passing of former police chief Dee Sherman and offered condolences on behalf of borough council.

PUBLIC HEARING

Proposed Ordinance No. 567 - A zoning ordinance amendment of §201 Definition of Terms, to revise the definition for mixed use; amendment of §305 Table of Uses, to reflect mixed use (non-residential) as permitted by right in the DC-downtown commercial, GC-general commercial, and I-industrial zoning districts, and mixed use (residential) as permitted by conditional use in the GC-general commercial district; and repeals and replaces §1202.c.1, mixed uses, with new regulations for mixed uses including conditional use standards for mixed use (residential).

The solicitor referenced the PA Municipalities Planning Code guidelines for ordinance amendments and public hearing process. The ordinance title was read aloud. The floor was open to public comment; no one spoke. The hearing concluded at 8:05 PM.

APPROVAL OF THE JULY 10, 2023 MINUTES

Motion made by Mr. Sweeney to approve the July 10, 2023 meeting minutes; motion seconded by Mr. Kern. All in favor, motion carried.

MAYOR'S REPORT

Mayor Weiss reported that he attended the revolutionary War ceremony in East Vincent Township on 7/4, Hope on the Hill dinner 7/7, Chester County Legion playoff games 7/8, 7/10 and 7/11; Royersford Community Dinner 7/13, Nazarene Church dinner 7/28, and the Odd Fellows picnic at Brown Street Park 7/30.

CORRESPONDENCE

Chester County Commissioners grant award of \$390,640.00 for phase III of the parking lot project.

Dry-Tech Restoration Services, LLC request to extend the yellow curb in front of 80 Central Avenue. Pete Trynkiewicz represented the business. Photos were provided. Ms. Tyler advised that an additional 9' was painted yellow by the streets department in the spring. No action was taken.

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COMMITTEE REPORTS

Streets Department:

18 bulk pickups and 6.25 tons of leaves and yard waste collected; picked up recycling at 343 missed stops on July 13th; maintained all borough properties, minor repairs in the pool building; cut-back vegetation growing into the roadway on Brown Street; removed 2 dead trees at the Hall Street property, minor maintenance at the pool building, cleared inlets and fallen trees from storms, installed “no parking between signs” on Main Street in front of the fire house where the curb is painted yellow.

Sanitation & Surface Water: Pump stations checked daily, and flow data recorded three days a week. Cleaned plant grease pits; services utility water pumps; washed down UV effluent baffles and troughs; the Trojan UV system remote viewing is operational. Pump 1 at the King Street station had a clogged volute, the same station had a transducer failure, rebuilt pumps reinstalled at the Main Street station. No alarms, no breakdowns, 1 violation – a sample collected on 6/13/23 had a higher-than-normal CBOD concentration which was believed to be the result of debris sucked into the line during collection.

Police Committee: Chief White, Mayor Weiss, Councilmen Shaner and Yocum, and one guest attended the July 20 meeting. Chief White reported the following: Officer Rudderow withdrew his resignation and is back working shifts, new Durango is on hold for purchase, e-file system is operational, Officer Mains is a certified taser instructor and will head the in-house, Officer Moore is scheduled for firearms instructor training so certifications can be done in-house, 4 part-time officers working overlapping shifts, power shifts and parking enforcement. Statistics from the speed signs will be provided. Councilman Yocum suggested a police management study from PA DCED, all agreed.

Police Department: 174 total calls (full report on file); 25 traffic stops, 16 traffic citations, 3 parking tickets, 3 non-traffic citations, 7 criminal arrests. Unit 1 patrolled 1668 miles, Unit 2 is in for repairs.

Finance and Ordinance: The committee met July 26. They discussed the current police vehicle situation of both being out of service at the same time, a new Durango is on order. They also discussed funding options for the Liberty Fire Company. Councilman Bliss encouraged the committee to create an emergency Services Committee to explore funding issues. The matter will be further discussed at the committee’s August meeting.

Zoning, Building and Code Enforcement: 21 permits; fees collected = \$42,823.50

Planning Commission: The commission met July 19, 2023. The proposed zoning amendment was the only agenda item. They discussed mixed-uses, building height and parking. The vote was 3-1 in favor of recommended approval to council.

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Parks and Recreation: At their June 23 meeting they discussed upcoming concerts, 8/11 5th Street Remnants and 8/25 Fit to be Tied. Tuned Up Brewing plans to attend the shows to offer concessions for concertgoers. The music and market festival is October 7 – the committee’s goal is to increase participation of Spring City businesses, increase event awareness, and include a kid’s corner. The Halloween Parade is October 24 – suggested goodie bags for marchers, decreasing the number of prizes (many were unclaimed), and seeking more sponsors and bands.

Emergency Services: Liberty Steam Fire Company responded to 10 incidents within the borough. They assisted with 9 calls in East Vincent Township, 9 in Royersford Borough, and 1 in Upper Providence Township.

Library: Julia Wyant resigned as director in July, no replacement to date.

Financial Reports: Posted.

APPROVAL OF THE REPORTS

Motion made by Mr. Sweeney to approve the reports; motion seconded by Mr. Bliss. All in favor, motion seconded.

PUBLIC COMMENT

Terry Fries addressed the council about a sinkhole and drainage issue at 221 Poplar Street. Ms. Tyler acknowledged that she responded to Ms. Fries via email that the sinkhole is on private property and the drainage pipe referenced by Ms. Fries is not the borough’s pipe. Ms. Tyler also said she provided Ms. Fries with copies of two letters written by the solicitor in 2021 about this matter and perpetual maintenance agreement.

OLD BUSINESS

NEW BUSINESS

1. Proposed Ordinance No. 567 Mixed Uses

The solicitor provided clarification that adoption of the ordinance amendment does not give approval for any subsequent land development application.

Motion made by Mr. Bauman to adopt Ordinance No. 567; motion seconded by Mr. Kern. Vote 3-1, Mr. Shaner opposed; the motion was carried.

2. Resolution No. 2023-14 Non-Uniform Pension Plan 2024 MMO

The 2024 non-uniform pension plan minimum municipal obligation as calculated by the actuary with no employee contribution is \$64,595.00.

Motion made by Mr. Kern to approve Resolution No. 2023-14; motion seconded by Mr. Bliss. All in favor, motion carried.

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3. Resolution No. 2023-15 Police Pension Plan 2024 MMO

The 2024 police pension plan minimum municipal obligation as calculated by the actuary with no employee contribution is \$61,506.00

Motion made by Mr. Bauman to approve Resolution No. 2023-15; motion seconded by Mr. Kern. All in favor, motion carried.

4. Recycling Contract Violation for Missed Collections on July 10, 2023

Ms. Tyler requested the council's approval to send a notice to Eagle Disposal imposing violations and liquidated damages as outlined in the contract for 343 missed collections on July 10, 2023, totaling \$8,575.00.

Motion made by Mr. Bliss authorizing the Notice; motion seconded by Mr. Kern. All in favor, motion carried.

5. Recycling Contract 2024–2026

The current contract expires December 31. The solicitor suggested that the council consider its option to bid or discontinue the service. Rising industry costs will result in substantially higher bids; and factor in the nationwide study that materials are not actually being recycled by the haulers. Although the borough provides for recycling, there is no ordinance regulating it; and recycling is not mandated for municipalities with a population under 5,000. No action was taken, the matter will be discussed at a future meeting.

6. Brown Street Park and Borough Property Surveys

Project planner Drew Sonntag (URDC) sent out an RFP for borough property surveys. Two received for Brown Street Park = Barry Isett & Associates \$8,750.00, Land Grant Surveyors \$13,900.00. One received for Church and Hall Street = Barry Isett & Associates \$6,750.00

Motion made by Mr. Kern to accept both proposals from Barry Isett & Associates for property surveys; motion seconded by Mr. Bauman. All in favor, motion carried.

7. Proposed Amendment to 2023-2026 Police Collective Bargaining Agreement

The amendment includes a payment option in lieu of health benefits in the amount of \$7,500.00 annually, and outlines stipulations for such.

Motion made by Mr. Kern to approve the amendment, subject to final draft by the solicitor; motion seconded by Mr. Bauman. All in favor, motion carried.

8. PA DCED Police Management Survey

Recommended by the police committee to initiate a police management study.

Motion made by Mr. Kern to engage the PA DCED for a police management study; motion seconded by Mr. Bauman. All in favor, motion carried.

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PAYMENT OF THE BILLS

General Fund: 21st Century Media \$90.24; Abel Brothers Towing \$250.00; Airgas USA \$33.85; All Traffic Solutions \$3,000.00; AmTrust \$59,509.00; ApexCompu \$330.00; AT&T \$133.85; Banner Life \$185.73; Brian Thornton & Sons Electric \$1,250.96; CCATO \$36.00; CCSWA \$5,799.56; Constable \$253.00; Crystal Springs \$138.91; DeCordre Automotive \$1,570.90; Denney Electric \$27,277.53; Diversified Technology \$1,262.17; Eagle Disposal \$5,888.74; Emery Auto \$708.82; EEMA \$5,152.95; Flexible Benefit Plans \$24,268.42; H.A. Berkheimer \$451.75; H.W. Munz \$340.51; High Swartz \$4,566.00; Hostgator \$132.43; L&W Group \$554.00; Limerick Hardware \$266.28; M&M Tree Service \$1,600.00; Maille LLP \$13,019.25; Microsoft \$53.00; Montgomery County \$67.00; Motley Associates \$9,829.25; PECO \$2,501.07; PA American Water \$760.23; Premier Payroll \$368.00; ProShred \$54.50; Reliance Life \$715.27; Ron Black Agency \$275.00; Splash Car Wash \$275.00; Tague Lumber \$16.79; Universal Mailing \$679.84; URDC \$5,734.41; US Bank \$1,000.00; USPS \$84.00; Verizon \$526.55; WEX Fleet \$1,229.97; Whitetail Disposal \$11,316.90; **Total \$266,469.98**

Park Fund: American Pool Management \$23,000.00, Clover ACH Systems \$15.85; Merchant Bank \$319.21; PECO \$762.61; PA American Water \$946.26; Verizon \$57.13; Walters Services \$472.00; Whitetail Disposal \$160.00; **Total \$25733.06**

Sewer Fund: Commonwealth of PA \$600.00; Crystal Springs \$11.49; Curtis Power Systems \$1,714.47; Diversified Technology \$777.24; EEMA \$7,930.49; EEMA O&M Services \$9,825.97; J.C. Ehrlich \$77.00; M&M Tree Service \$5,300.00; M.J. Reider & Associates \$1,505.70; PECO \$2,621.44; PA American Water \$361.79; Verizon \$227.81; Whitetail Disposal \$190.40; Wind River Environmental \$4,484.74; **Total \$35,665.54**

Motion made by Mr. Bliss to approve the bills; motion seconded by Mr. Kern. All in favor, motion carried.

ANNOUNCEMENTS

Sewer Committee 8/10 6:30 pm, Planning Commission 8/16, Park & Recreation 8/17 6:00 pm, Police Committee 8/17 6:30 pm, Finance & Ordinance Committee 8/23 6:30 pm. The next council meeting is Tuesday, 9/5 7:00 pm.

ADJOURNMENT

Motion made by Mr. Kern to adjourn the meeting; motion seconded by Mr. Bauman. All in favor, meeting adjourned.

*Respectfully submitted by
Kisha Tyler, Borough Manager*