

## OFFICIAL MINUTES APRIL 18, 2016

The Regular Meeting of April 18, 2016, of Council for the Borough of Kennett Square was called to order at 7:00 p.m. in the Monroe Nute Room of the Kennett Fire Company No. 1, 301 Dalmatian Street, Kennett Square, Pennsylvania with President Danilo P. Maffei in the Chair.

### ROLL CALL

Present: *President Danilo P. Maffei*  
*Vice President Geoffrey R. Bosley*  
*Councilmember Wayne Braffman*  
*Councilmember Ethan Cramer*  
*Councilmember Douglas Doerfler*  
*Councilmember James Mallon*  
*Councilmember LaToya M. Myers*  
*Mayor Matthew W. Fetick*  
*Manager Joseph C. Scalise*

Absent: *Jr. Council Person Meliton Gomez*

### AMENDMENT to the AGENDA

President Maffei announced Mike Pia, Jr. was unable to attend tonight's meeting and that the action items with regards to the Kennett Business Park Land Development need to be removed from the agenda.

**It was moved by Councilmember Doerfler and seconded by Councilmember Mallon to amend that agenda by removing both items pertaining to the Kennett Business Park Land Development. Motion carried unanimously.**

### PUBLIC COMMENTS

John Thomas, 406 South Broad Street, advised that West Whiteland recently closed their dog park due to problems created by the people using it. He recommended that rules and regulations be put in place from Council for the two (2) new proposed dog parks.

### REPORTS

#### POLICE DEPARTMENT

Corporal William Holdsworth reported the following offenses for the month of March, 2016:

- Actual Offenses – 44.

- Criminal Arrests – 10.
- DUI Arrests – 1.
- Traffic Citations – 57.
- Traffic Warnings – 46.
- Total Calls in March, 2016 – 708, compared to 618 in 2015.
- Total Calls Year-to-date – 2,012, compared to 1,780 in 2015.

### **FIRE COMPANY**

On behalf of Fire Chief Christopher Plumley, Borough Secretary Karen Scherer, reported the following calls for the month of March, 2016:

- EMS Calls – 75 total, with 36 being in the Borough and 33 in Kennett Township.
- Fire Calls – 36 total.

### **FINANCE COMMITTEE**

Vice President Bosley reported the following from the Finance Committee's April meeting:

- Reviewed invoices.
- Randy Behmke, Director of Public Works, was present to give a financial update on the various projects within his department.
- Reviewed the debt presentation that will be given this evening.
- Discussed the Revolving Loan Fund; will move forward to develop a presentation for Council.
- Working on determining the proper amount of parking meter revenue lost due to special events.

### **CONSENT ITEMS**

#### **MINUTES of MARCH 21, 2016**

President Maffei presented the minutes for March 21, 2016 for approval.

**It was moved by Councilmember Cramer and seconded by Councilmember Braffman to approve the minutes as presented. Motion carried unanimously.**

### **CONSENT ITEM BILLS**

President Maffei presented the bills to be paid on April 18, 2016.

**It was moved by Councilmember Doerfler and seconded by Councilmember Mallon to approve the bills as presented. Motion carried unanimously.**

## FINANCE PRESENTATION

The Manager gave a PowerPoint presentation of the Borough's debt from 1998 through 2020. In 2015 the debt consisted of the following:

- Water Debt - \$25,670.
- Sewer Debt - \$6,776,000.
- Parking Debt - \$2,594,089.
- General Debt - \$2,755,911.

## SPECIAL EVENT APPLICATION

### EAST END MARKET, SATURDAYS, MAY 7<sup>th</sup> through LABOR DAY

President Maffei presented the special event application for a new event - East End Market.

The Manager advised that this event is sponsored by Kennett Area Merchants and Restaurants (KARMA). They are proposing to hold it in the Weinstein Lot, corner of State and Willow Streets, on Saturdays, from 9 a.m. to 4 p.m., beginning May 7<sup>th</sup>.

Lynn Sinclair, KARMA, advised that it will state in the vendor application will that the sale of firearms, weapons, food and drink are prohibited. She noted that KARMA has changed the ending time of the event. It will run from 9 a.m. until 2 p.m.

**It was moved by Councilmember Mallon and seconded by Councilmember Braffman to approve the special event application as presented.**

The Manager advised that the approval of the application is contingent upon KARMA providing a Certificate of Insurance to the Borough. He added that the Borough will reserve the right to suspend the event should parking or other problems arise.

**It was moved by Councilmember Mallon and seconded by Councilmember Braffman to amend the motion to include "the event will be on a week to week basis at the judgement of the Borough Manager". The amended motion carried unanimously.**

**The amended motion to approve the special event application carried unanimously.**

## RELIEF of PARKING REQUIREMENTS - DENIED

### 416/418 WEST STATE STREET

### CHRISTOPHER SOTIROPOULOS

President Maffei presented a request from Christopher Sotiropoulos for the relief of the required parking requirements for a proposed commercial building at 416/418 West State Street.

Dennis Melton, Architect, stated that when his client purchased the property it contained a duplex. Mr. Sotiropoulos plans to remove the dwelling units and construct a three-story office building that will include a dentist office, attorney office and dental lab. Mr. Melton displayed the plans which included four (4) on-site parking spaces. The Borough's Zoning Ordinance requires 25 spaces so Mr. Sotiropoulos is here tonight to request relief of 21 spaces at the In-lieu of Parking Fee of \$470 per space.

Vice President Bosley stated that he abstains from discussion and acting on this item due to the fact that his employer owns the property adjacent to Mr. Sotiropoulos.

Mr. Sotiropoulos stated that the large parking garage at Linden and Union Streets is within four (4) blocks and satisfies the parking requirements stipulated in the ordinance.

The Mayor stated that he likes the plans but noted that this is an 84% parking relief request. He suggested that Council only grant relief for five (5) to ten (10) spaces and that the owner pursue parking spaces with another private property owner.

Councilmember Doerfler stated he agrees with the Mayor's comments and other options should be considered.

Councilmember Braffman stated that it has been common in the past to grant parking relief but we need to figure out a more fair policy.

Councilmember Cramer thinks the proposed plan is great but we need to make a promise tonight to come up with a better policy for granting parking relief. We already have parking issues and we should not add to that issue.

President Maffei stated that we want development like Mr. Sotiropoulos is proposing but we are now getting into areas that are more residential. Numerous driveway cuts prohibit on-street parking so there are challenges here.

Councilmember Mallon appreciates the project but said it should go to the Planning Commission. He noted that this a very large percentage of relief and feels Council is being asked too early in the process.

The Mayor suggested that Mr. Sotiropoulos work with neighboring property owners to consider easements from adjacent property owner.

**It was moved by Councilmember Mallon and seconded by Councilmember Braffman to direct the applicant to the Planning Commission.**

**Councilmember Mallon withdrew his motion.**

**It was moved by Councilmember Braffman and seconded by Councilmember Doerfler to deny the request as presented. Motion carried with a vote of 6 to 0 with Vice President Bosley abstaining.**

**AUTHORIZE ADVERTISEMENT  
AMENDMENTS to KENNETT SQUARE BOROUGH CODE  
CHAPTER 18, SUBDIVISION and LAND DEVELOPMENT  
ADDING PARK and RECREATION LAND DEDICATION and/or IMPACT FEE**

President Maffei presented the advertisement to hold a public hearing for the proposed ordinance amending Chapter 18, Subdivision and Land Development, by adding Park and Recreation Land Dedication and/or Impact Fee.

The Manager advised that the public hearing will be held on Monday, May 2<sup>nd</sup>, 7 p.m.

**It was moved by Councilmember Cramer and seconded by Councilmember Myers to authorize the advertisement as presented. Motion carried unanimously.**

**PUBLIC COMMENTS**

John Thomas, 406 South Broad Street, referred to Item #5, stating that he agrees with Councilmember Braffman that we continuously give out variances regarding parking. We need to amend the zoning ordinance to make common sense. He added that the required parking should be part of the building plans.

John Thomas referred to the Finance Presentation Report and expressed concern that the numbers are unrealistic to him. He stated that we cannot go into debt again and noted that although the debt is coming down, we still transfer \$750,000 into the General Fund.

**PRESIDENT REPORT**

President Maffei announced that the May 2<sup>nd</sup> Council meeting will be held in the Monroe Nute Room, 301 Dalmatian Street.

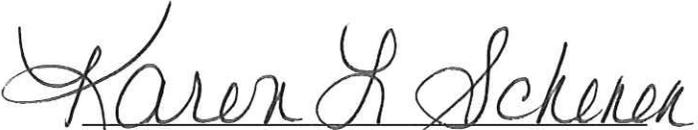
**COUNCIL, MANAGER and MAYOR COMMENTS and ANNOUNCEMENTS**

The Mayor referred to the MOU with Kennett Township and Council's concern of the agreement not being reciprocal; he stated that he is working on that. The Mayor briefed Council on a recent overweight truck in Kennett Township that produced \$550 in revenue in fines for the Borough for less than 30 minutes of work.

The Manager announced that the Annual Spring Cleanup Day is this Saturday, April 23<sup>rd</sup>, 9 a.m. to 3 p.m. The Community Shred Event will be held the same day in the municipal parking lot between the Library and Borough Hall, from 9:00 a.m. to noon.

**ADJOURNMENT**

It was moved by Councilmember Cramer and seconded by Councilmember Braffman to adjourn the meeting at 8:16 p.m.



Karen L. Scherer  
Borough Secretary