

LITITZ BOROUGH COUNCIL
Minutes of Meeting Held December 20, 2022
Council Chambers, 7 South Broad Street, Lititz, PA & Zoom

The regular December 20, 2022, Lititz Borough Council meeting was conducted as a hybrid meeting, in person in Council Chambers and virtually utilizing Zoom, which is a cloud-based platform for remote video and audio conferencing. The meeting was called to order at 7:00 P.M. by President Weaver with Council members Brubaker, Greiner, Mobley, and Sensenich present. Others present were Mayor Snyder, Sue Ann Barry, Chief Kerry Nye, Elijah Yearick, Rob McFadden, Scott Hain, Nathan Laucks, Colin Hutchinson, Chris Strayer, Aaron Zeamer, David Stoudt, David Carson, Jason Burkholder, Bryan & Karen Moore, Jim Millhouse, Dan Maher, Bobbi Groff, Joyce Schnupp, Linda Hartman, Tom Eppinger, Christian Raezer, Terry Duffin, Tom & Linda Hartranft, Samantha Cash, Amanda Soto, John Huber, Jim & Peggy Smith, Brenda Milligan, Benjamin Hartranft, and Laura Knowles of the Lititz Record Express. In virtual attendance were Drew Carson, Kimberly iPhone, Duane Ober, Luke Pederson, Alex Seifert, Cathleen, Michael Rudy, Dan Maher, Corrine Wenger, Lisa Schneper, Paula S., Smgr. 1, Bob __, and Bill __. The meeting opened with a moment of silence followed by the pledge of allegiance led by the Mayor. On a motion by Mobley with a second by Sensenich, the minutes of the November 29, 2022, Council meeting were unanimously approved.

APPOINTMENTS
Appointment of Police Sergeant

Upon introduction, Mayor Snyder administered the Loyalty Oath to Andrew Heise to his new rank of Sergeant of the Lititz Police Department. He was welcomed by all.

LIQUOR LICENSE TRANSFER HEARING:
Bullshead Brewhouse LLC

President Weaver recessed the regular meeting and opened a Public Hearing to receive public comments on a liquor license transfer request from Bullshead Brewhouse LLC, 11 S. Cedar Street, for PLCB beer, wine and liquor as presented by Aaron Zeamer of Russell, Krafft and Gruber LLP. The transfer would be purchased from Earl Township. Once approved, Bullshead Brewhouse LLC would need to satisfy all Borough requirements before the PLCB would grant the transfer. Representing Bullshead Brewhouse LLC, was David K. Stoudt, owner of the Lititz Springs Inn & Spa and Bullshead Public House, 14 E. Main Street, and new owner of Rooster Street Butcher, Restaurant & Barroom, 11 S. Cedar Street, the location of the liquor license transfer. Stoudt was sworn in and provided his background, current use at 11 S. Cedar Street and his vision for the property. Mobley questioned the use of the second floor living quarters and initially it will be occupied by his mother-in-law. Referencing the quality of food at the existing Rooster Street facility, Hutchinson asked if that would be preserved. There is a contract with the former owners to continue operations and working. The butcher space will be converted to a brewery space, however. Stoudt presented Exhibit 1, Proof of Publication and the application to be part of the record. As there were no further questions or comments from Council or the public, Weaver closed the Public Hearing. Sensenich moved, Greiner seconded to approve Resolution No. 962, the inter-municipal liquor license No. R-20241, transfer from Earl Township to Lititz Borough for Bullshead Brewhouse LLC, 11 S. Cedar Street. Motion passed unanimously.

PETITIONS, CORRESPONDENCE AND QUESTIONS:
2023 Budget Q & A

The Proposed 2023 Budget was presented in a public meeting held on November 8, 2022, and it was voted for public display at a public meeting on November 29, 2022. A public notice was delivered with each property owner's water bill explaining the proposed tax increase and the proposed increase in garbage rates. The President turned the meeting over to Mobley as Chairman of the Council Sub-Committee on Finances and the floor was opened for public comment. A resident who chose not to give her name or address had a concern with the tax increase and the planned purchase of certain items in the budget, i.e., excavator, electric bikes, a new plow and other vehicles instead of leasing or renting. She asked Council to vote to re-work the budget considering the high cost of living. She asked about the use of the electric bikes. With the number of activities and events in the community, the police would use them to get to places quickly.

2023 Budget Q & A (Cont)

Bryan Moore, 1 Cardiff Court, said that the communication implied that the bulk of the increase in tax revenue will go towards road paving and he asked what that percentage is. Mobley and Greiner explained that for next year the paving project is roughly two-thirds or just over one mile. The goal is to pave 1.5 miles per year over the next five years; some years more or less than other years and to maintain the current engineering standard of paving a road every 20 years. Joyce Schnupp, 216 E. Sixth Street, asked when the millage was changed last in the Borough. Greiner explained that in 2018 the County did a total reassessment and the millage changed in 2019. Also, as a borough, there is not a lot of revenue generated by new developments as there are in townships, as Schnupp mistakenly thought the Lititz Reserve development was partially in Lititz Borough and it is not. She asked about the budget for the proposed Sixth Street Park and it is ~ \$59,000 with carryover funds from 2022, and said that the park should be removed from the budget. James Millhouse, 812 S. Cedar Street, asked if the Borough has received any Federal funds for infrastructure. Over \$3 million has been received for bridge replacement projects as well as ARPA funds. He thinks the increase in real estate tax is exorbitant and objected to the tax increase.

Tom Eppinger who is a tenant in the Apartments at Lititz Springs in the Wilbur complex, objected to the Borough losing parking meter revenue by providing free parking during the holidays, continuing to pay to rent the police vehicle garage, paying for Warwick Community Ambulance worker compensation insurance, donating funds to the ambulance (as he said they are a private business) and for donating funds for fire equipment. Greiner explained that in PA, municipalities are responsible for fire and emergency medical services. Eppinger went on to criticize spending money for a new park, a police vehicle, (dangerous) electric bikes, a new truck, and an excavator. As a tenant, he did not get the public notice that was mailed to property owners with their utility bill. The information was, however, also on the website, facebook and an article in the Lititz Record. He said a direct mailing to all citizens would have been appreciated. Ben Hartranft, 122 S. Oak Street, understands the effects of inflation but he would have liked to have had more notice of the tax increase and asked if Council has tried other forms of generating revenue or cutting expenses to lessen the burden to residents. As part of a presentation, Mobley highlighted the number of grants the Borough staff has pursued and obtained over the past thirteen years that amounted to 33 grants @ >\$8 million, in seven different categories of infrastructure in the community. There are four grant proposals being worked on for 2024 for the replacement of lead service lines, a leaf collection truck, pumps at the Water Plant, and a sewer interceptor project. Mobley stressed that the Borough is actively trying to offset costs by obtaining grants.

David Carson, 220 E. Sixth Street, asked where the difference is going between the revenue budgeted with the tax and garbage increases less the paving expenses and garbage contractor costs. He opposed the 62% increase in taxes and garbage as exorbitant and felt costs could be cut. Weaver detailed the increase in General Fund expenses, i.e., healthcare, salaries, investment in WESC to continue volunteer fire services, street light expense that used to be paid from liquid fuels funds, pensions, etc. Carson later thanked the Council for being transparent that some of the tax revenue to be generated is going towards services other than paving. He, however, went on to say expenses are not being cut and suggested joining the regional police force. Weaver explained the amount of time that goes into the budget preparation and needs vs. wants.

Karen Moore, 1 Cardiff Court, asked why the tax increase could not have been smaller over a longer period of time. The paving compounded with inflation made it necessary at this time. Mobley put the tax increase in perspective when one compares the municipal tax with the County tax and the school district tax. He also compared the Borough proposed tax rate to other Boroughs in the County as it remains in the lower two-thirds of all Boroughs. Dan Maher, 5 Peach Drive, said increasing taxes at all levels and inflation will be forcing Borough residents, especially those on a fixed income, out of their homes. Greiner stated that if it were not for ARPA funding, the taxes would have had to have been increased two years ago. Linda Hartman, 216 E. Sixth Street, asked if the tax increase can wait until after the grant application results are known. She stated that she has not received a raise in years and everything is going up.

2023 Budget Q & A (Cont)

At Lee's encouragement, Mobley explained in detail the 5-year paving plan. Brubaker said that Lititz is a desirable place to come to and the standards are high; the roads and services get used hard. Eppinger countered by saying visitors are not paying taxes. Brubaker referred to the low tax rate of Lititz Borough compared to other Boroughs in the County. Eppinger asked the plan if the Borough would lose its volunteer emergency services. The municipalities in this region work hard to provide the volunteer services so that paid personnel will not be another tax burden. Their fundraising efforts generate low donations.

Brenda Milligan, 505 E. New Street, being on a fixed income, requested incremental tax increases as many residents have not budgeted for it. Christian Raezer, 201 E. Sixth Street, asked when the Borough began absorbing the costs for handicapped ramps because he had to pay for his before the practice changed with the collection of stormwater fees. Chris Strayer, 172 N. Oak Street, encouraged the public to attend the Council meetings saying that Council wants their feedback. He also reflected on how so few residents and businesses support the volunteer emergency services. Strayer referred to the many unfunded mandates that effect local government and rising costs to residents. David Carson, 220 E. Sixth Street, requested that Council take until January 1, 2023, to make a decision on a tax increase. There being no other comments, Mobley thanked all for their comments and participation.

Donations

The President acknowledged donations from the Tiger's Eye retail store and from the Moravian Congregation in lieu of taxes.

Retirement of Borough Manager

David Carson, 220 E. Sixth Street, referred to Sue Barry's upcoming retirement on January 31, 2023, and requested Council's plan for replacement. Weaver shared that Council has been working with a consultant and feel that there is adequate internal staff for a shared leadership approach. Carson asked if there was consideration given to an outside search given the length of service Barry put in. Lee stated that Council hired a professional firm that went through a yearlong process to analyze what would be the best result for Lititz Borough. Carson said that Council makes the decision not a consultant and he would have appreciated if the information would have been put out there.

ORDINANCE NO. C-606:
2023 Real Estate Tax Rate

As Council members stated that the decision was not an easy one to make and having the best interest of the Borough citizens, Mobley moved, Greiner seconded to approve Ordinance No. C-606, Real Estate Tax Rate for 2023 at 3.25 mills. Motion passed unanimously.

ORDINANCE NO. C-607:
Appoint Lancaster County as Tax Collector

Greiner moved, Sensenich seconded to approve Ordinance No. C-607, disbanding the Flood Control Committee. Motion passed unanimously.

RESOLUTION NO. 961:
2023 Budget

Upon presentation, Mobley moved, Sensenich seconded to approve Resolution No. 961, the 2023 Budget. Motion passed unanimously.

SUB-COMMITTEE ON SEWER AND WATER SERVICES:
Inframark Report

Laucks reviewed the most recent Inframark Report. A total of \$27,612.75, in nutrient credits was sold to LASA, WVSA and CAN DO. New security aspects have been implemented at the WTP and WWTP. Mobley moved, Sensenich seconded to accept the Inframark November 2022 Monthly Report. Motion passed unanimously.

SUB-COMMITTEE ON STREETS AND TRAFFIC:
Fire & Ice Festival 2023

Upon presentation, Sensenich moved, Mobley seconded to approve a Special Event Permit Application from Venture Lititz for the Fire & Ice Festival to be held in downtown Lititz, February 16, 2023, 6:00 P.M. – February 26, 2022, 4:00 P.M. Juniper Lane will be closed on February 16, 2023, 4:30 P.M. – 10:00 P.M. for a preview event at The Shirt Factory. Ice sculptures will be placed out every few days over the spaced out ten day event. Motion passed unanimously.

Advertise Bids for the 2023 Street Resurfacing Project

Upon a motion by Sensenich with a second by Mobley the advertisement for bids for the 2023 Street Resurfacing Project @ ~ \$672,758.22, unanimously approved:

- S. Cedar Street from Second Avenue to Sixth Street;
- W. Sixth Street from Warwick Township Line to Broad Street (Warwick Township will take the lead);
- W. Seventh Street from Warwick Township Line to Broad Street (Warwick Township will take the lead);
- Arrowhead Drive from Warwick Township to Broad Street.

SUB-COMMITTEE ON FINANCES:
Financial Statement/Bills

Mobley moved, Sensenich seconded to approve the Financial Statement and pay the bills. Motion passed unanimously.

SUB-COMMITTEE ON PLANNING:
Reduction in Letter of Credit for 505 Laurel Avenue Project

Upon the recommended by the Borough Engineer, Lee moved, Greiner seconded to reduce the Letter of Credit for the Stormwater Management Plan for 505 Laurel Avenue by \$70,993.06, to \$5,160.00. Motion passed unanimously.

Electric Vehicle Charging Zoning Amendment

Upon presentation, Lee moved, Mobley seconded to advertise the Electric Vehicle Charging Zoning Amendment Ordinance. Motion passed unanimously.

SUB-COMMITTEE ON PERSONNEL:
Resignation from Shade Tree Commission

Upon presentation, Greiner moved, Sensenich seconded to accept Alex Piehl's decision to not be reappointed to another term on the Shade Tree Commission. Motion passed unanimously.

REPORT OF THE JUNIOR COUNCIL PERSON

Junior Council Person Colin Hutchinson reported on activities at WHS, including Jonathan Shoff leading the Show Choir in the December performances, the Holiday bazaar and the Boys and Girls Holiday Hoops Tournament hosted by WSD.

REPORT OF THE PUBLIC WORKS FOREMAN, FACILITIES MANAGER &
ENVIRONMENTAL COORDINATOR:

An application for a PA Small Water Grant has been submitted for VFD pumps at the Water Plant.

REPORT OF THE MAYOR & CHIEF OF POLICE
Permanent Appointment to the Police Department

Upon recommendation by Chief Nye, Greiner moved, Sensenich seconded to appoint Police Officer Megan Davis as a permanent officer in the Police Department following her one-year probation. Motion passed unanimously.

REPORT OF THE DIRECTOR OF COMMUNITY PLANNING

Yearick reported that Dunkin Donuts is attempting to pave their lot. The Borough's Joint Application to the County Commissioners for ARPA funds looks favorable for possibly 50% of the requested funding.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:50 P.M. on a motion by Greiner with a second by Mobley.

Respectfully submitted,


Sue Ann Barry
Secretary/Treasurer