



**MOHNTON BOROUGH
BUSINESS MEETING MINUTES**

AUGUST 14 2024 7:00 pm

- Public Welcome -

The meeting was called to Order at 7:00 PM by Council President, Jon Davis who presided. Pledge of Allegiance was said, and roll taken.
Announcement: Meeting being recorded for accuracy.

In attendance:

Council Members:

Jon Davis Gary Hafer
Daniel McDevitt Kerry Hoffman - *absent*
Jason Kercher - *absent* Alicia Bressler
Brian Simmon- *absent* Eric Burgis, Mayor

Borough Attendees:

Loretta Imbody, Operations Manager
Jason Ulrich, Solicitor
Jennifer McConnell, Engineer

GUEST: None.

PUBLIC COMMENT:

Ken Sowers – Parking and speeding questions.

Buddy Styer – Fern Street and retaining wall discussion and update. Request to remove a handicap space sign on his block. Borough will keep sign in place after verifying it is still being used.

CODE ENFORCEMENT OFFICER REPORT: - Jennifer McConnell

Vacancy properties, working to get them registered. Continuing to work on violation property complaints. Working on identifying blighted properties.

ENGINEER REPORT: - Jennifer McConnell

14/18/35 W Wyomissing Zoning Variance Applications –

Council discussion, position & Solicitor attendance for Zoning Hearing meeting, August 21, 2024

G&E REALTY HOLDINGS ZONING VARIANCE APPLICATIONS

Recommended motions: I move we:

- 1. For 14 W Wyomissing (Parcel C),** take a position of (support/take no position/against) the variance application to allow (a & b below)
 - a. Use variance from Section 27-600 to allow an existing building to be converted into a 4 Unit Apartment Building
 - b. Lot Area variance from Section 27-600/27-401 to allow four dwelling units (requiring a lot area of 7500 SF/unit or 0.69 acres) on an existing lot of 0.13 acres.
 - c. Sidenote: Zoning Officer Determination is that the required yard setbacks and impervious coverages are existing non-conformities and no variance is required

(subsections c & d).

✓ **Motion: Support:** Gary Hafer, 2nd: Alicia Bressler **Against:** Jon Davis, 2nd: Dan McDevitt
2/2 vote is tied. Because of a quorum but with an even number the Mayor must vote. 8PS1207B.
Support: Mayor Eric Burgis.

✓ **Motion:** Take no position. None.
all in favor.

2. For 18 W Wyomissing (Parcel D), take a position of (support/take no position/against) the variance application to allow (a & b below)

a. Use variance from Section 27-600 to allow an existing building to be converted into a 4 Unit Apartment Building

b. Lot Area variance from Section 27-600/27-401 to allow four dwelling units (requiring a lot area of 7500 SF/unit or 0.69 acres) on an existing lot of 0.14 acres.

c. Sidenote: Zoning Officer Determination is that the required yard setbacks and impervious coverages are existing non-conformities and no variance is required (subsections c & d).

✓ **Motion: Support:** Alicia Bressler, 2nd: Gary Hafer, Dan McDevitt **Against:** Jon Davis 2nd: none.
all in favor. Opposed: Jon Davis

3. For 14 and/or 18 W Wyomissing, take a position of (support / take no position / against) the variance application to allow:

a. Variance from Section 909.1 requiring residential parking spaces to be on the subject lots and rather allow them to be on 21 W Wyomissing (Parcel B) across the street.

b. Sidenote: The required number of spaces for the apartments (2 per unit) are available on 21 W Wyomissing and would be by lease agreement to protect them. It is believe that prior uses of these two structures utilized this parking area in the past.

Solicitors note to add: Must do an easement that is required as a condition in this plan.

✓ **Motion: Support:** Alicia Bressler, Gary Hafer, Dan McDevitt **Against:** Jon Davis
all in favor. Opposed: Jon Davis

4. For 35 W Wyomissing (Parcel A), take a position of (support / take no position / against) the variance application to allow:

a. Use variance from Section 27-600 to allow three townhomes to be constructed – lot already contains four apartments.

b. Lot Area variance from Section 27-600/27-401 to allow seven dwelling units (requiring a lot area of 7500 SF/unit or 1.51 acres) on an existing lot of 0.42 acres.

c. Variance from Sections 27-701.5.A(1) and 601.4.C to allow two additional parking spaces to be installed directly off W Mohn St (there are three existing parking spaces in this location)

d. Sidenote: Zoning Officer Determination is that the required yard setbacks and impervious coverages are existing non-conformities and no variance is required (subsections c & d).

Recommended motion: I move we (do / do not) request that the Borough Solicitor (and/or) Zoning Officer attend the hearing to represent Borough Council's position.

Discussion: The lots in question are located in the C-1 zoning district. Apartments and Townhomes are not a permitted use in this district or in R-1 whose uses are also allowed in C-1. Therefore use variances are required to allow the conversions as well as new townhomes to be construction. Apartments/conversions are only permitted in the R-2 zoning district by

Conditional Use based upon Ordinance 959 adopted in March 2023. The existing lot areas are non-conforming for their existing prior non-residential use but that existing non-conformity status, in the Zoning Officer's opinion, does not carry forward to a proposed residential uses. Sufficient parking for both conversions is available in the lot across the street which is held in common ownership.

✓ **Motion:** **Support:** none **Against:** Alicia Bressler, 2nd: Jon Davis *all in favor*

14 18 35 W Wyo. Jason Ulrich – A revised Zoning hearing application has been received and reviewed by Jen McConnell. A second application has been submitted for 35 W Wyomissing which includes the building of three new townhomes. Jason Ulrich states, they have not scheduled a hearing to date, the Council needs to decide if Jason Ulrich should attend the meeting to state the Council's position. Jen McConnell states, the Council can make a decision on each individual property.

✓ **MOTION:** Motion to table the 14 18 35 W. Wyomissing decision until the August General meeting.
Motion: Brian Simmon 2nd: Jason Kercher *All in favor*

Saint John's Church Planning Commission Meeting – The Church has an active land development plan, and they have a dimensional variance for a parking lot drive aisle that will be going before the Zoning Hearing Board.

Highbrook MS4 Project: Grant funding has been sent in with the initial draft reports that they have requested and they are under review. Easement requests were sent out to three property owners. Highbrooke HOA has responded by letter, and has questions before signing the easements. First questions are about how it will affect their parking lot, when will project start. Storm Sewer Piping from Madison to Highbrooke property - replacement discussion/potential action. The borough is looking at replacing the pipe.

SOLICITOR REPORT: - Jason Ulrich

ECode Schedule: Updated of Ordinances online. Annual fee is \$1195.00.

✓ **Motion:** Approve ECode expenditure of \$1195.00. Gary Hafer, 2nd: Alicia Bressler *all in favor*

Solid Waste Ordinance:

✓ **Motion:** Approve Solid Waste Ordinance. Alicia Bressler, 2nd: Gary Hafer *all in favor*

Trash and Recycling Bid: Ready to go, it will be advertised, and bid will open at the end of September.

Comcast Agreement: New franchise agreement has been circulated to Council for review, and should be ready for vote next General Meeting.

POLICE REPORT: – Report by Eric Burgis

FIRE CHIEF REPORT: Report given.

COUNCIL PRESIDENT'S REPORT: - Jon Davis

No report.

MAYOR REPORT: - Eric Burgis.

Motion:

✓ **MOTION:** to accept the Certified Eligibility List of Officers from the Civil Service Commission.

Motion: Gary Hafer 2nd: Dan McDevitt All unopposed, motion carried

Executive session

Motion:

Motion to hire Officer Deron Mandel M to fill the Full Time Police Officer position.

Motion: Jon Davis 2nd: Gary Hafer All unopposed, motion carried

COMMITTEE REPORTS

FINANCE & ADMINISTRATION REPORT: - Dan McDevitt

✓ **MOTION:** Motion to pay bills. Review of Bills to pay.

Motion: Dan McDevitt 2nd: Alicia Bressler all in favor

PERSONNEL AND PUBLIC SAFETY REPORT: - Jon Davis

MMO Pension for 2025

✓ **MOTION:** Motion to vote on MMO for 2025.

Motion: Dan McDevitt 2nd: Gary Hafer all in favor

Trash Billing Update:

2024 still outstanding \$171,582.00 (about 30% of borough residents)

2023 and before still outstanding \$92,873.00 – liens going out on properties.

Mohnton Borough has filed \$34,820.24 in liens so far to date. (this does not include the \$553 ea. in filing fees).

Finance Department is sending out reminders again for this year's trash.

Finance Department highly recommends, since 30% of Mohnton's residents aren't paying their trash bill, put billing in their taxes. If a resident does not pay, it goes to the tax office for collections.

RECREATION PROGRAMS REPORT: - Kerry Hoffman - absent

Story walk project installation is currently happening at the park.

BUILDINGS, GROUNDS AND ZONING REPORT: - Gary Hafer

Doors: Pricing for doors at Borough Hall and Playground. Looking to include in budget for next year.

GRANTS, COMM. RELATIONS, INTER-GOVERNMENT COOPERATION REPORT: - Brian Simmon - absent

No report.

STREETS AND LIGHTS REPORT: - Jason Kercher

Skid steer broom quote:

✓ **MOTION:** Motion to purchase broom from Power Co for \$11845.00.

Motion: Gary Hafer 2nd: Dan McDevitt Opposed: Alicia Bressler

HEALTH, SANITATION, WATER, SEWER REPORT: - Alicia Bressler

NNO Update: Accounting for event has been circulated for review. A lot of purchases for the event will be able to be used next year. The event was pretty good even with the rainy weather. We need to come up with a better plan for the event but this year it all came together at the end. There was a lack of volunteers. Have each Council member involved with an area – involved from the beginning of planning. Gary suggested a wrap up meeting.

Motion to accept all reports.

Motion to accept, made by: Alicia Bressler ***2nd by:*** Gary Hafer *All unopposed, motion carried*

Executive Session: No session.

Old Business:

Motion to accept minutes of last General Meeting.

Motion to accept, made by: Alicia Bressler ***2nd by:*** Gary Hafer *All unopposed, motion carried*

New Business:

Dan McDevitt announces his resignation from Mohnton Borough Council.

There being no other new business, old business, comments or notes from other Council Members nor any other action items,

Motion to Adjourn meeting:

Motion to accept, made by: Gary Hafer ***2nd by:*** Alicia Bressler *All unopposed, motion carried*

Adjournment - The meeting adjourned at. 8:17PM