A regular meeting of the Community Development and Public Safety Committee was held on Tuesday, October 13, 2020 via Zoom Video Communications, hosted by Mr. Gabriel Khalife, Borough Manager.

The meeting was called to order at 7:30 p.m. by Ms. Amanda Raudenbush, Chairperson. Members present were: Ms. Amanda Raudenbush, Ms. Arabel Elliott and Dr. Derek Mace. Also present: Mr. James Schlegel, Mayor; Ms. Judith Danko, Director of Community Development; Mr. Craig Summers, Chief of Police; Mr. Gabriel Khalife, Borough Manager; and Ms. Carolann Moody, Recording Secretary. Public Attendance: Ms. Sandra Green representing Kutztown Community Partnership; Ms. Lisa Ladd-Kidder representing Kutztown Borough Planning Commission; Mr. Rodney Freeman representing Kutztown Area Transport Service; Mr. Daniel Haxall, Eric Boyer, and Mr. Warren Shaub, Borough Residents

PUBLIC COMMENTS
There were no comments from the public.

FIRE COMPANY
There was no one from the Kutztown Fire Company in attendance.

APPROVAL OF MINUTES
Members reviewed the September 8, 2020 Committee meeting minutes. Motion by Ms. Elliott and seconded by Dr. Mace to approve the September 8, 2020 minutes as written. The motion passed by unanimous vote.

PLANNING AND ZONING
- Update Regarding Possible Zoning Amendments as Discussed at the October 12, 2020 Planning Commission Meeting
  Ms. Danko updated Committee members regarding the proposed changes to the off-street parking requirements, shared parking as well as the off-street parking distances that were discussed at the October 12, 2020 Planning Commission meeting. She added that the discussion was tabled until the November as some Planning Commission members were not in attendance.

- Update Regarding AT&T Small Cell Request
  Ms. Danko mentioned that most of the discussion with AT&T has been regarding ownership of the pole, who will be responsible for it and the equipment on it.
• Development Outside of Kutztown – Tucker Tract
Ms. Danko stated that Tucker Tract is a proposed medical building to be built up the street from Giant. She added that they might be requesting water/sewer from the Borough of Kutztown; however, they will need to reach out to Maxatawny then KMA and the Borough of Kutztown.

• Update Regarding Zoning Hearings from September 16, 2020 (263 W Main St./602 College Garden Dr./351 Normal Ave.)
Ms. Danko stated that the applicant for 263 W Main Street did not show up, therefore it was an automatic denial, adding that as of this date, she has not heard from the applicant. She mentioned that the request from the applicant at 602 College Garden Drive was granted for the installation of a carport. 351 Normal Avenue was also granted. She reminded committee members why this item was brought to Zoning Hearing, adding that Borough Council sent the Borough Solicitor to the Zoning Hearing meeting to oppose approval of the already erected fence. Ms. Danko stated that the Zoning Hearing Board decided to approve the fence. Ms. Raudenbush asked what the hardships were that would have the Zoning Hearing Board approve the fence, however, none were mentioned. Following a lengthy discussion regarding the homeowner erecting the fence without a permit, safety issues, site triangle rules and regulations, the fence being 6’ rather than the normally allowed 4’, including wanting to be careful to not set a precedence, motion by Dr. Mace and seconded by Ms. Elliott to continue the conversation regarding 351 Normal Avenue at the Borough Council meeting with full council being present.

CODE ENFORCEMENT

• DCR Report – September, 2020
Ms. Danko reviewed the report. There were no questions or comments.

• Proposed Ordinance Revision Regarding High Grass/Weeds & Trash Violations
Ms. Danko reminded committee members that at a previous meeting, there was a discussion regarding the Community Service Officers either issuing notices or citations for high grass/weeds and trash violations, much like they already do for snow removal violations. Chief Summers mentioned that he believes it would work out well to have the Community Service Officers issue those notices or citations. Following a brief discussion, it was decided to have Ms. Danko speak with Attorney Mooney about changing the verbiage to a designee rather than being specific to say Community Service Officer then bring the revised ordinance to Borough Council for approval.

• Review and Discuss Example DCR Ordinances
Ms. Danko reviewed the example DCR Ordinances that she emailed to committee members. There was a lengthy discussion regarding the current DCR levels and how they are defined, the ability to enforce the different levels, the current timing of the DCR’s, holding landlords more accountable for their tenants, as well as updating the database to be easily searchable by the both the Code Office and the Police Department. Motion by Dr. Mace and seconded by Ms. Elliott to direct Ms. Danko and Chief Summers to work together to revise the current DCR Ordinance using the example models, have Attorney Mooney review any changes to be sure any revisions are enforceable and legal, and at a future meeting get further input from the public. The motion passed by unanimous vote.
COMMUNITY DEVELOPMENT

● CDO Monthly Report – September, 2020
Ms. Danko reviewed the report. There were no questions or comments.

● Budget Report – 3rd Quarter, 2020
Ms. Danko reviewed the report. There were no questions or comments.

KCP/MAIN STREET REPORT:
Ms. Green mentioned that a business owner contacted KCP regarding the opportunity of putting a Keith Haring history mural with the Berks Arts Council. The mural would be at the back of the Bagel Bar, but on the Heatwaves building. She spoke with Ms. Danko regarding the current Mural Ordinance and is requesting that Borough Council review and revise the Ordinance to allow for the mural. There was a lengthy discussion regarding the Mural Ordinance as murals are considered graffiti the way the current ordinance is written. Ms. Raudenbush suggested a follow-up with Attorney Mooney regarding the revision of the Graffiti Ordinance.

POLICE

● Incidents Reported – Jan thru September, 2020
Chief Summers reviewed the report. There were no questions or comments.

● Offenses/Arrests Reported – September, 2020
Chief Summers reviewed the report. There were no questions or comments.

● Budget Report – 3rd Quarter, 2020
Chief Summers reviewed the report. There were no questions or comments.

● Crime Alerts Berks County Donation Request
Chief Summers reviewed the request with Committee members. Following a brief discussion regarding agencies that request donations from the Borough, it was decided to have Mr. Khalife look into the amount that was donated last year and make a decision regarding the donation at the November meeting.

● Time and Attendance SOP
Chief Summers reviewed the Time and Attendance SOP with Committee members, mentioning that this SOP was updated to define the Sick Leave Policy. He stated that there is nothing in the SOP that violates the contract; however, there may be a grievance from the officers. Following a brief discussion, motion by Dr. Mace and seconded by Ms. Elliott to recommend Borough Council approve the updated Time and Attendance SOP. The motion passed by unanimous vote.

MAYOR’S REPORT

● Distinguished Unit Citation
Mayor Schlegel mentioned that after speaking with Chief Summers they would like to recognize members of the Kutztown Borough Police Department with a Distinguished Unit Citation due to their being prepared for and monitoring a Black Lives Matter Protest, which was successful and peaceful because of their dedication and professionalism. Chief Summers stated that some
officers came in on their day off and all did a great job in keeping this event peaceful. Following a lengthy discussion regarding this event, it was agreed that the wording would be changed from “monitored a” to “involved in”. Motion by Dr. Mace and seconded by Ms. Elliott to recommend Borough Council award the Distinguished United Citation Award to the Kutztown Borough Police Department. The motion passed by unanimous vote.

- **Civilian Service Award**
  Mayor Schlegel reviewed the event with Committee members leading up to the recognition of Ms. Linda Schwartz for the Civilian Service Award. Motion by Dr. Mace and seconded by Ms. Elliott to recommend Borough Council approve the Civilian Service Award for Ms. Schwartz. The motion passed by unanimous vote.

- **Cannabis Festival**
  Mayor Schlegel mentioned that there was a gridlock of traffic on Noble Street of vehicles heading to the Cannabis Festival being held at Renninger’s Market. He stated that although the event was held in Maxatawny Township, it did create a problem for the Borough of Kutztown. He suggested a letter to Renninger’s Market management regarding the traffic. Following a lengthy discussion, Mr. Khalife will compose a letter and have Chief Summers review the letter before it is forwarded to Mr. Renninger.

**EMERGENCY MANAGEMENT:**
There was no one in attendance from Emergency Management.

**MISCELLANEOUS**
- **Update on Community Development Office Continued Research Regarding Office Relocation**
  Ms. Danko mentioned that she is still looking for a new space for the Community Development Office.
- **Response to Increase in Right to Know Requests**
  Ms. Danko mentioned that she just wanted to let everyone know that there was been an increase in Right to Know requests and that she has been sending individuals the paperwork to complete. She added that they do not have to follow through on any of the requests unless they fill out the right-to-know paperwork.
- **Continued Efforts Towards Implementation of Electronic Submission & Historical Data Transfer**
  Ms. Danko stated that she just wanted to update the Committee that her office is continuing their effort towards implementation of electronic submission and historical data transfer of information.
- **Meeting Time Change**
  Ms. Raudenbush stated that she had mentioned to Committee members in the past about starting the Community Development/Public Safety Committee meeting earlier next year due to the length of the meeting on a not very long agenda. Khalife reviewed the process for changing the time of the meeting. Committee members agreed to discuss this item amongst themselves.
OFF AGENDA
There was nothing to discuss Off Agenda

ADJOURNMENT
With no further business to discuss, a motion was made by Dr. Mace and seconded by Ms. Elliott to adjourn the meeting. The motion carried and the meeting adjourned at 9:53 p.m.