

**EPHRATA BOROUGH COUNCIL
REGULAR MEETING MINUTES
JULY 9, 2018**

The regular Ephrata Borough Council meeting was called to order by President Susan Rowe at 7:00 PM on July 9, 2018, in the Council Chambers of the Borough Office, 124 South State Street.

Reverend Walter Carter, First United Methodist Church, offered the invocation, which was followed by the Pledge of Allegiance.

In attendance in addition to the President were President Pro Tem Melvin Weiler and Council Members Linda Martin, Ricky Ressler, Timothy Barr, Victor Richard, Gregory Zimmerman, and Mayor Ralph Mowen. Vice President Thomas Reinhold was not in attendance.

Also in attendance were Director of Operations Thomas Natarian, Police Chief William Harvey, Recording Secretary Stephanie Fasnacht, and Borough Solicitor James R. McManus, III, Esq.

The following visitors were present:

Walter Carter, First United Methodist Church, Ephrata
Jim Summers, Ephrata Recreation Center, Ephrata
Tim Auker, 542 N. State St., Ephrata

At this time, President Rowe turned the meeting over to Chairman of the Public Safety Committee/Council Member Ressler who extended a thank you to all who assisted with the successful 4th of July community events. Police Chief Harvey advised there is a lot of planning on the “front end” of these large-scale events and expressed his thanks to the many organizations that assisted. Chief Harvey advised that he heard some negative comments regarding the height of the fireworks as well as a large amount of smoke being produced which were unfortunate results of the weather/atmosphere and out of anyone’s control. Chief Harvey concluded his statement with, “... we had an excellent day and night in Ephrata – a good day all around.”

APPROVAL OF MINUTES

It was moved by Mr. Barr, seconded by Mr. Weiler, and unanimously passed that Borough Council approve the June 4, 2018, Work Session Minutes, and the June 11, 2018, Regular Meeting Minutes.

MUNICIPAL MOMENT

Lancaster County Commissioner Joshua Parsons provided updates on various topics including the County’s current financial condition, public safety, opioid/heroin epidemic and economic development. Commissioner Parsons concluded by expressing his appreciation of all that is being done and/or has been done in the Borough of Ephrata.

Lancaster County Commissioner Dennis Stuckey provided an update on the County’s finances advising within ten years, 65%-70% of the debt service will be paid off. Additionally, Commissioner Stuckey advised that the pension is approximately 92% funded.

Lancaster County Commissioner Craig Lehman provided an update on the County’s prison advising with the help and support of others, the prison population has been reduced without jeopardizing public safety. Additionally, Commissioner Lehman advised Lancaster County continues to be #1 in farmland preservation and is the only community in the nation to have a system in place when people experience homelessness.

After a brief question and answer period, President Rowe extended Council's appreciation for Commissioners Parsons, Stuckey and Lehman's time and service to the County.

OPPORTUNITY FOR CITIZENS TO BE HEARD

It was moved by Mr. Richard, seconded by Ms. Martin, and unanimously passed that the public comment section of the meeting be closed until the end of tonight's agenda.

ACCEPTANCE OF REPORTS

It was moved by Mr. Barr, seconded by Mr. Weiler, and unanimously passed to approve Acceptance of Reports consisting of the following documents:

Budget and Finance Committee

The Budget and Finance Committee met on June 25, 2018 and discussed the following:

1. Staff provided the Committee with information regarding the Recreation Center expenditures for the outdoor pool, park maintenance contracted services, \$13,394 civic contribution, as well as contributions towards community events such as the July 4th Fireworks and the Summer Camp programs. The Rec property and building is deeded to the Borough Authority. No action is required.
2. President Rowe discussed an article from the *Borough News* regarding Pennsylvania's aging population and how communities will need to adapt to their needs as well as to a shrinking tax base. Loss of revenue to non-profits, which are not required to pay taxes, significantly impacts Borough revenue. The Committee asked staff to put together some statistics on our PILOT program that started in 2017. Staff will report back with this information at the next meeting.
3. Staff provided the Committee with the 2017 Free Electric Report. Distribution charges increased so the total value of the free electric increased even if usage did not. Staff was asked to calculate the 12 month Recreation Center electric usage in kWh and corresponding charge. Staff will report back with this information at the next meeting.
4. Staff discussed with the Committee two building lots that the Borough budgeted to sell this year. The Committee recessed into an executive session to discuss the lot value and proposed method of sale, with the funds going into the General Fund.
5. Staff reviewed with the Committee the 1st quarter finance reports. Finances are trending as expected. No action is required.
6. Staff provided the Check and ACH registers to the Committee for June to date. No further action is required.

Development Activities Committee

The Development Activities Committee met on June 25, 2018 and discussed the following:

1. The Committee reviewed a stormwater management plan for 851 Martin Avenue. The applicant is proposing stormwater improvements for a new single family dwelling. The Committee will recommend that Borough Council approve the stormwater management

plan subject to the inclusion of HRG's comments dated June 18, 2018. This will appear on the July Consent Agenda.

2. The Committee reviewed an Improvement Agreement for proposed stormwater improvements associated with the stormwater management plan for 851 Martin Avenue. The amount of the agreement is \$16,150.20. The Committee will recommend that Council authorize the Council President and Secretary to execute the Improvement Agreement with the owner, Sherman and Walton Inc. This item will appear on the July Consent Agenda.
3. The Committee reviewed an Operation and Maintenance Agreement for the stormwater management plan for 851 Martin Avenue. The Committee will recommend that Council authorize the Council President and Secretary to execute an Operation and Maintenance Agreement with the owner, Sherman and Walton, Inc. This item will appear on the July Consent Agenda.
4. The Committee reviewed a request from Kathy Hoy to serve alcohol at a private wedding being held at the Ephrata Performing Arts Center (EPAC) on September 29, 2018. The Committee will recommend that Borough Council grant the request to serve beer, wine and a signature drink at the July meeting subject to receipt of a certificate of insurance naming the Borough as an additional insured.
5. The staff provided an Economic Development update. The preparations and submissions for the Orphans Court hearing is continuing. The Alliance and DEI have to approve the merger and agree to dissolve by a resolution voted on by their respective memberships. The EEDC merger remains in limbo due to its partnership in the Mountain Springs property.
6. The two hearings from April have been continued again until the July meeting.
7. There was one new application for the July Zoning Hearing Board meeting. The Committee does not feel it's necessary to send the solicitor to the hearing.

On a motion by Mr. Zimmerman and seconded by Mr. Barr, the committee went into an executive session to discuss real estate matters.

Highway Committee

The Highway Committee met on Monday, June 25, 2018 and discussed the following:

1. The Committee reviewed a May 30, 2018 letter request from Deanna Paparo, Boy Scout Troop 363 Committee Chairperson, to use the Public Works building parking lot during the Ephrata Fair Parade on Wednesday, September 26, 2018 to park cars as a fundraiser. Three spaces are to be reserved in the event of a Borough emergency. The Committee will recommend that Council conditionally approve the request as part of the Consent Agenda at their July 9, 2018 meeting subject to Borough receipt of a satisfactory certificate of insurance naming the Borough as additional insured.
2. The Committee reviewed Municipal Winter Traffic Services Renewal Agreement #3900038016 by and between the Pennsylvania Department of Transportation (PennDOT) and the Borough. The Agreement area consists of 2.97 linear miles along

East and West Main Streets (SR 0322) from Bethany Road to Market Street and compensates the Borough at a rate of \$1,149.23 per travel lane mile for snow and ice removal during the 2018/2019 winter season. The total anticipated reimbursement to the Borough is \$6,826.43 plus any applicable adjustment to offset severe winter conditions. There is no fuel cost adjustment factored into the Agreement. The Committee will recommend as part of the Consent Agenda that Borough Council authorize the Borough Manager to execute Municipal Winter Traffic Services Renewal Agreement #3900038016 with PennDOT at their July 9, 2018 meeting.

3. The Committee reviewed a June 18, 2018 e-mail request from Amy MacKenzie, Boy Scout Troop 38 Parking Lot Coordinator, requesting to use the Ephrata Borough Office parking lot and the Major Winters Memorial Trail parking lot adjacent to East Fulton Street and Railroad Avenue during the 2018 Ephrata Fair to park cars as a fundraiser. The Committee will recommend that Council conditionally approve the request as part of the Consent Agenda at their July 9, 2018 meeting subject to Borough receipt of a satisfactory certificate of insurance naming the Borough as additional insured.
4. The Committee reviewed a June 18, 2018 e-mail request from Pleasant Valley Mennonite Church, Ephrata, PA to conduct two (2) street meetings in front of the Ephrata Review building to be conducted Wednesday, July 25, 2018 from 7:15 PM to 8:00 PM and Wednesday, August 15, 2018 from 7:00 PM to 7:45 PM. The Committee will recommend that Council conditionally approve the request as part of the Consent Agenda at their July 9, 2018 meeting subject to Borough receipt of a satisfactory certificate of insurance naming the Borough as additional insured.
5. The Committee reviewed a June 7, 2018 letter of requests from the Christmas in Ephrata Committee (CEC) in conjunction with Downtown Ephrata, Inc. and the Ephrata Development Organization seeking permission to conduct activities associated with Santa's Arrival and Annual Christmas Tree Lighting including closure of East Main Street from State Street to Lake Street on Friday, November 23, 2018 utilizing the "Ephrata Fair" detour routes between 3:00 PM and 9:30 PM. Also, the letter requested permission to conduct activities associated with a Holiday Walking Tour and Caroling between 5:30 PM and 8:00 PM on Friday, December 14, 2018 including the use of Whistle Stop Plaza and adjacent parking lot from Main Street to the rear of the Train Station building from 3:00 PM to 9:00 PM. Additionally, the letter requests use of the Train Station building to host Santa Claus from November 12, 2018 to January 7, 2019 (includes time needed for set-up and removal) including use of Whistle Stop Plaza to create a "Winter Wonderland." David Boland with the CEC was invited to attend the July 2, 2018 Council Work Session to answer any questions or address any Council concerns regarding their requests. The Committee will recommend that Borough Council conditionally approve the requests at their July 9, 2018 Council meeting subject to Chief Harvey's approval, Borough receipt of a Special Events Permit issued by the Pennsylvania Department of Transportation to close a numbered state route, and Borough receipt of a satisfactory certificate of insurance naming the Borough as an additional insured.
6. The Committee reviewed a June 1, 2018 letter request from Bridget E. Shadler, LPG with August Mack Environmental, seeking permission to install two (2) groundwater monitoring wells within Cloverbrook Drive in conjunction with site investigative work at 471 North Reading Road, the Garman property. The monitoring wells will be

approximately 20-feet deep and 2-inches in diameter with pavement surface completion using an approximately sized 1-foot by 1-foot protective, metal-cased manway. The Committee will recommend that Borough Council conditionally approve the request at their July 9, 2018 meeting subject to the appropriate party(ies) entering into an agreement with the Borough to provide required maintenance and street restoration upon completion of groundwater monitoring activities, said agreement being in a form acceptable to the Borough Solicitor.

7. In a follow-up from discussion at the May 29, 2018 Highway Committee meeting the Committee heard from Lt. Chris McKim of the Ephrata Police Department (EPD) regarding his perspective of the West Pine Street parking issue each Wednesday afternoon prior to the Our Mother of Perpetual Help (OMPH) sponsored food giveaways. Lt. McKim offered several alternatives including establishment of staging areas in nearby parking lots as a way to remove cars from West Pine Street prior to the planned events. Lt. McKim also stated that the EPD has offered OMPH various resolutions to the issue in the past but OMPH has resisted implementation. After lengthy discussion the Committee directed staff to provide a Resolution for their review at their July 23, 2018 meeting permitting a 90-day experimental traffic regulation prohibiting parking on both sides of West Pine Street and North Oak Street from Highland Alley to or near Broad Street.
8. The Committee was advised that Wellspan Ephrata Community Hospital (WECH) plans to provide and install more visible advisory signage at the Martin Avenue pedestrian crosswalk from their new parking lot to the Hospital due to WECH employee safety concerns while crossing the street in this vicinity. Borough Manager Thompson recommended that the Borough enter into an operations and maintenance agreement with WECH in a form acceptable to the Borough Solicitor.
9. Engineering Project Manager David Burkholder updated the Committee on progress to improve pedestrian visibility at the three mid-block crossings in the CBD. No further action at this time.

Municipal Enterprises Committee

The Municipal Enterprises Committee met on July 2, 2018 and discussed the following:

1. Director of Operations, Thomas Natarian reviewed a request by Turning Point Energy (TPE), the Borough's solar partner, regarding deferred improvements to the solar site. When the land development plan for the solar site was approved by Ephrata Township in 2016 they deferred improvements involving sidewalks, street trees, and street improvements. If the Township determines that these deferred improvements are necessary, they will be the responsibility of the Borough under the terms of the Power Purchase Agreement with TPE. TPE has requested a letter from the Borough acknowledging this future obligation. The Committee will recommend that Council authorize the Borough Secretary to send a letter to Turning Point Energy acknowledging the Borough's obligation to make deferred improvements at the solar site when they meet on July 9, 2018.
2. Mr. Natarian reviewed the monthly activity report from TPE regarding progress at the solar site. The interconnection request to PPL, submitted on March 23, remains under consideration by PPL. The Borough linemen have been installing poles for the distribution line and are on schedule for September 1 completion, per the PPA.

Pending outcome of the interconnection request with PPL, the overall project remains on schedule.

3. Mr. Natarian reviewed the net metering policy of the Borough. Mr. Dave Beazley addressed the Committee to question the net metering policy and specifically the distribution charges that are assessed at his residence. After much discussion, Staff will review the accuracy of the distribution charges that Mr. Beazley has paid. Staff will also review the net metering policy and provide options for the Committee to consider at a future meeting. No action was taken by the Committee.
4. Mr. Natarian reported that work is almost completed on the CARA and Basin Retrofit project near the solar site. The project was slowed by wet weather as construction began and, more recently, by dry hot weather at the end of June and early July. Staff will continue to monitor the progress of the new plants at the CARA and Basin Retrofit project.
5. Mr. Natarian and Borough Manager, D. Robert Thompson provided an update on the status of the Pennsylvania Municipal Electric Association (PMEA). PMEA has undertaken a strategic planning initiative. Mr. Natarian and Mr. Thompson are members of the strategic planning task force. The goal is for PMEA to leverage the relationships with American Municipal Power (AMP) and the American Public Power Association (APPA) to become more actively engaged in public power issues in the state, more involved in supporting the technical, financial, and policy needs of its 35 municipal members, and more proactively working to protect the legislative and legal rights currently in place in the state.
6. Mr. Thompson updated the Committee on the status of the franchise cable agreement negotiations with Comcast. The Committee reviewed an email from Dan Cohen of the Cohen Law Group who is negotiating the agreement on behalf of Ephrata Borough, Ephrata Township, Akron Borough, Lititz Borough, and Warwick Township. Mr. Cohen reports good progress and four issues to be addressed: The proposed build-out of the system; Complementary services; Franchise grant; and Enforcement/liquidated damages.
7. The Committee discussed the APPA National Conference in New Orleans. The conference covered several topics including cybersecurity, megatrends influencing the future of public power, and electric vehicles. Most noteworthy is the projection that in the next 10 years electric vehicles will add 40% more load to the distribution system of every community. The implications of a 40% increase in load over such a short period of time are daunting. If this comes to fruition the ability to control that load increase will be critical.

Community Services Committee

The Community Services Committee met on June 26, 2018 and discussed the following:

1. Chandra Mast, Shade Tree Commission Chair, explained the reasons for the proposed changes to the Shade Tree Ordinance. Borough staff revised the Ordinance based on shade trees in the street or ally right-of-ways. The Shade Tree Commission's recommended scope of work and responsibility goes beyond shade trees. The Shade Tree Commission is trying to establish performance standards and goals for future members of the Commission. The Committee requested that the original proposed

ordinance draft from the Shade Tree Commission, and the document with their comments that Borough staff received from them on the Borough's proposed ordinance, be forwarded for review. In addition, Chandra requested that the Borough's revised proposal be forwarded to her for review and additional comments. The Committee tabled further discussion until their July meeting.

2. Jim Summers, Executive Director, discussed the need for two capital projects that have to be completed at the Rec Center. The Rec pool filter needs to be replaced and the assembly room HVAC needs to be repaired/replaced. The Rec has recently replaced the locker room HVAC at a cost of \$42,000. The Rec paid \$23,000 and is working with the contractor to pay off the balance. Jim further explained that some of the capital projects that have been completed, like the Water Treatment System, are paid out of the Operating Fund, which in turn creates a deficit. The Rec Center is unique as it relates to a Not-for-Profit Organization, which is defined by whether the organization charges for services or not. The Rec does charge for memberships; however, Jim presented the value that the Rec adds to the community footprint. There are many organizations that are given discounted or free rental for use of the facilities, such as Ephrata Lacrosse, Ephrata Borough, Leo's Helping Paws, Ephrata Women's Club, to name a few. These discounts equate to \$5,200 in lost revenue. In addition, there are discounted Memberships given to Ephrata Borough employees, Ephrata Township employees, for training and active military (free memberships), and on a need basis, such as disability and financial. The discounted memberships equate to \$8,580 in lost revenue. The Rec also has a Grater & Grow Scholarship Fund in the amount of \$41,000 that is used to assist kids on the assisted lunch programs in area schools. It also provides day passes for those children that cannot afford them.

The Rec has been soliciting for donations. The July 4th Fireworks event is still in need of \$1,000. They are not receiving as many donations this year. In addition to solicited donations, Clay Township gives \$1.00 per capita. Akron cut the Rec donation out of their budget due to the Rails to Trails Project, and Ephrata Township has not responded to the Rec's requests to meet. WellSpan Ephrata does not donate to capital projects, but is working with the Rec to develop a Learn to Swim Program. The Committee will recommend at the July meeting that the Borough donate \$110,000 from funds that are available in the Capital Budget from the MS4 Project due to grant money received. (Ref. page 145 of 2018 Budget)

Special Projects Committee

The Special Projects Committee met on June 18, 2018 at 7:30 pm and discussed the following:

1. Borough Manager Thompson and solicitor McManus reviewed with the committee the edits made to the Special Events ordinance, application and checklist. In addition Mr. Thompson reported that after the staff discussed the issue of block party requests they determined that Council would need to establish a number of policies before the staff could address block party requests. Those policy issues include:
 - Who will authorize a street closing
 - Requirements that all impacted property owners consent to the closing of the street and agreeing to restricted ingress and egress to their property
 - Who will indemnify and hold the Borough harmless
 - Approval to consume alcohol in the public

- Requirement to obtain special event insurance and from whom

In addition the staff was asked to contact the Borough's insurance carrier to identify their requirements.

Finally, staff reported that they did identify a few inconsistencies between the Special Events Ordinance and the existing requirements of Chapter 119 of the Code of the Borough of Ephrata, Alcoholic Beverages. The staff will prepare amendments to the Alcoholic Beverage chapter to be enacted along with the Special Events ordinance.

The committee was satisfied with the amended Special Events and Alcoholic Beverages ordinances and will recommend that Borough Council enact the ordinances at their July 9, 2018 voting session.

2. Borough Manager Thompson and solicitor McManus reviewed with the committee the edits made to the Mobile Food Facility ordinance, application and checklist. The committee was satisfied with the changes and will recommend that Borough Council enact the ordinance at their July 9, 2018 voting session.
3. The committee reviewed the quotation for erecting a gateway sign at the southern entrance to the Borough along SR 272. The committee will recommend that Borough Council authorize an amount not to exceed \$3,510 from the Economic Development fund to furnish and install a gateway sign at their July 9, 2018 voting session.

NEW BUSINESS ITEMS

Consent Agenda

President Pro Tem Weiler advised the items on tonight's consent agenda have been discussed in detail at their respective committee meetings and were brought forward for additional discussion at last week's Work Session. These items are considered routine in nature and voted upon under one umbrella. These items are not open for discussion unless an individual or Council Member wishes to have the item removed from the consent agenda. If an item is removed it will be handed over to the Committee under which it was originally discussed during the standing committee recommendations.

Development Activities Committee

1. That Borough Council approve the stormwater management plan for 851 Martin Avenue, plans dated April 27, 2018, containing 5 sheets prepared by David Miller/Associates, Inc., Lancaster, PA, subject to the following:
 - A. The applicant must address the comments contained in the HRG letter dated June 18, 2018.
2. That Borough Council authorize the Council President and Secretary to execute an Improvement Agreement in the amount of \$16,150.20 for the stormwater management plan for 851 Martin Avenue with the owner, Sherman and Walton, Inc.
3. That Borough Council authorize the Council President and Secretary to execute an Operation and Maintenance Agreement for the stormwater management plan for 851 Martin Avenue with the owner, Sherman and Walton, Inc.

Highway Committee

4. That Borough Council conditionally approve the May 30, 2018 request from Boy Scout Troop 363 to use the Public Works building parking lot during the 2018 Ephrata Fair Parade on Wednesday, September 26, 2018 to park cars as a fundraiser subject to Borough receipt of a satisfactory certificate of insurance naming the Borough as additional insured.
5. That Borough Council authorize the Borough Manager to execute Municipal Winter Services Renewal Agreement #3900038016 with the Pennsylvania Department of Transportation for the 2018/2019 winter season.
6. That Borough Council conditionally approve the June 18, 2018 request from Boy Scout Troop 38 to use the Ephrata Borough Office parking lot and the Major Dick Winters Memorial Trail parking lot at East Fulton Street and Railroad Avenue during the 2018 Ephrata Fair to park cars as a fundraiser subject to Borough receipt of a satisfactory certificate of insurance naming the Borough as additional insured.
7. That Borough Council conditionally approve the June 18, 2018 request from Pleasant Valley Mennonite Church of Ephrata, PA to conduct a street meeting in front of the Ephrata Review building on Wednesday, July 25, 2018 from 7:15 PM to 8:00 PM and Wednesday, August 15, 2018 from 7:00 PM to 7:45 PM subject to Borough receipt of a certificate of insurance naming the Borough as additional insured.

It was moved by Mr. Barr, seconded by Ms. Martin, and unanimously passed to adopt and/or conditionally approve the items listed on the Consent Agenda.

STANDING COMMITTEE RECOMMENDATIONS

Development Activities Committee

It was moved by Mr. Weiler, seconded by Mr. Ressler, and unanimously passed that Borough Council grant Kathy Hoy's request to serve alcohol at a private wedding being held at EPAC on September 29, 2018 subject to receipt of a certificate of insurance naming the Borough as an additional insured.

Highway Committee

It was moved by Mr. Barr, seconded by Mr. Ressler, and unanimously passed that Borough Council conditionally approve the requests from the Christmas in Ephrata Committee in conjunction with Downtown Ephrata, Inc. and the Ephrata Development Organization per their letter dated June 7, 2018 to conduct activities associated with the annual Christmas Tree Lighting, Santa's Arrival, Holiday Walking Tour and Caroling and hosting of Santa Claus subject to Chief Harvey's approval, Borough receipt of a Special Event Permit issued by the Pennsylvania Department of Transportation to close a numbered state route, and Borough receipt of a satisfactory certificate of insurance naming the Borough as additional insured.

It was moved by Mr. Barr, seconded by Mr. Ressler, and unanimously passed that Borough Council conditionally approve a request from Bridget E. Shadler, LPG with August Mack Environmental per her letter dated June 1, 2018 to install two (2) groundwater monitoring wells within Cloverbrook Drive subject to the appropriate party(ies) entering into an agreement with the Borough to provide required maintenance and street restoration upon completion of their groundwater monitoring activities, said agreement being in a form acceptable to the Borough Solicitor.

Municipal Enterprises Committee

It was moved by Mr. Richard, seconded by Ms. Martin, and unanimously passed that Borough Council authorize the Borough Secretary to send a letter to Turning Point Energy acknowledging the Borough's future obligation to make deferred improvements involving sidewalks, street trees, and street improvements at the solar site.

Community Services Committee

At this time, President Rowe passed her gavel to President Pro Tem Weiler advising she has a statement she would like to read in reference to the Ephrata Recreation Center's request:

"I recently expressed to the Community Services committee I was unsure if the Borough should cover the entire \$110,000 request. While I appreciate the Ephrata Recreation Center and the many things they do for the community – Ephrata Borough and areas beyond – I am not certain the residents of our Borough should be asked to fund the entire amount. As I have stated many times over my years on council, we have the largest percentage of our population living below the poverty level in the county, second only to Lancaster City. I realize this money is available because of MS4 funding coming in under budget, but does that mean we should spend our savings? Should Ephrata Borough residents cover the entire request when residents of other communities also benefit? I do want to acknowledge the commitment of Executive Director Jim Summers and the Board of Directors for their hard work and fund-raising efforts. While it's not that long ago it appeared the Recreation Center was on a downward slide, through the dedication of Jim and the board they have dug their feet in and stopped that slide, turned the corner and begun a slow and steady climb back up the hill. I heard nothing last week at our work session that was not already stated at the committee meeting when this request was discussed. As we approach the vote, I am still not convinced a yes vote is fair to Borough residents. That said, I also understand the urgency of the need of the Recreation Center to complete the repairs the funding will cover and the benefits to the community at large – including Borough residents."

It was moved by Ms. Martin, seconded by Mr. Ressler, and passed by a roll call vote of six yeas by Messrs. Barr, Richard, Weiler, Ressler, Zimmerman and Ms. Martin, and one nay by President Rowe that Borough Council approves the request from the Ephrata Recreation Center for financial assistance in the amount of \$110,000 to be allocated to three capital projects as follows: 1) locker room HVAC \$15,000, 2) Assembly Room HVAC \$60,000 and the pool filter replacement \$35,000. The Committee is recommending that Borough Council approves \$110,000 from available funds in the Capital Budget from the MS4 Project account number 31-49-055-7600.

Special Projects Committee

It was moved by Mr. Zimmerman, seconded by Mr. Barr, and unanimously passed via roll call vote that Borough Council enact Ordinance 1543 amending Part II, General Legislation, Chapter 119, of the Code of the Borough of Ephrata, Alcoholic Beverages, Section 119-1, Consumption of Alcoholic Beverages, Subsections C.(2); D.(2) and F.(1) by deleting references to special events.

It was moved by Mr. Zimmerman, seconded by Mr. Barr, and unanimously passed via roll call vote that Borough Council authorize the purchase of a gateway sign to be installed along northbound SR 272 at the southern entrance to the Borough in an amount not to exceed \$3,510.00, to be paid from the Economic Development fund.

**APPROVAL OF CHECKS 34343 THROUGH 34671 AND THE ACH REGISTER
DATED JUNE 28, 2018**

It was moved by Mr. Richard, seconded by Mr. Barr, and unanimously passed that Borough Council ratify the payment of bills performed by the staff since the last regular Council meeting in the aggregate amount of \$744,559.39.

OPPORTUNITY FOR CITIZENS TO BE HEARD

There were no comments or remarks from attendees.

DISCUSSION/ANNOUNCEMENTS

Mr. Zimmerman advised he was glad to hear there were no issues with fireworks this past 4th of July; in which, Chief Harvey provided information regarding the number of complaints the Police Department received relating to fireworks. Chief Harvey related with the new state law and the availability of fireworks in big box retailers and grocery stores, the number of complaints may increase. Mayor Mowen advised it is an impossible task for the police officers to locate the perpetrators unless they observe them setting the fireworks off.

Mr. Ressler commented that he would appreciate if people would be respectful of others (i.e., veterans, animals, people's bedtimes, etc.) when they are setting off fireworks.

Ms. Martin reminded Council members the second Concerts by the Creek series will be held on Tuesday, July 10, 2018, starting at 5:30 p.m.

Mr. Richard praised the latest Ephrata Concert Band's performance and thanked Mr. Summers, Ephrata Recreation Center, for their support of the band. Mr. Richard inquired how community events, such as the July 4th fireworks, are communicated if an event is cancelled; in which, Mr. Summers advised he was in constant communication with Chief Harvey providing status updates. Chief Harvey advised he posted updates on both the Ephrata Police Department's and Emergency Management's Facebook pages which reached a large number of individuals.

Mayor Mowen expressed his gratefulness for a "good" July 4th. Mayor Mowen asked meeting attendee, Tim Auker, if he knew of any resolution to the Kings Court issue (which was discussed at the July 2, 2018, Work Session); in which, Mr. Auker advised he was on vacation last week and was not able to provide an update. Chief Harvey advised that Nancy Harris, Codes, went to the property to complete an assessment of the issue; however, he had no further information to add.

Chief Harvey advised he will be conducting an Active Shooting – House of Worship training event on Wednesday, July 11, 2018, and there are still a few spots available.

Mr. Natarian expressed his appreciation to Council for allowing him to attend this evening's Borough Council meeting in Mr. Thompson's absence.

ADJOURNMENT

It was moved by Mr. Weiler, seconded by Mr. Richard, and unanimously passed that Borough Council adjourn. The meeting was adjourned at 8:12 PM.

Respectfully submitted,

D. Robert Thompson, Secretary