

**EPHRATA BOROUGH COUNCIL
WORK SESSION MINUTES
SEPTEMBER 4, 2018**

The Ephrata Borough Council Work Session was called to order by Vice President Thomas Reinhold on September 4, 2018, at 7:00 p.m., in the Council Chambers of the Borough Office, 124 South State Street.

The meeting began with a moment of silence which was followed by the Pledge of Allegiance.

In attendance in addition to Vice President Thomas Reinhold were President Pro Tem Melvin Weiler, Council Members Ricky Ressler, Victor Richard, Greg Zimmerman and Linda Martin and Mayor Ralph Mowen. Absent from the meeting was President Susan Rowe and Council Member Timothy Barr.

Also in attendance were Borough Manager, D. Robert Thompson, Police Chief William Harvey and Borough Solicitor James R. McManus, III, Esq.

Visitors included:

- AnnMarie K. Haus, 58 Misty Lane, Ephrata
- Tom Sheaffer, 18 Ridgewood Drive, Akron
- Dave Coryell, 403 E. Fulton Street, Ephrata

Opportunity for Citizens to be Heard

There were no comments or remarks from attendees.

Discussion of Committee Actions

Budget and Finance Committee

Vice President Reinhold advised EPAC was approved for a \$32,500 civic contribution in the 2018 Borough Budget. Their original request was to replace the HVAC for \$27,500 on a match with an additional \$5,000 for sound equipment. EPAC will have the matching funds by the end of the season and they are requesting that they be allowed to use the \$32,500 to repair and replace the HVAC and the balance to repair or replace the light or sound equipment. The Committee will recommend that Council approve to amend the purpose for the civic contribution.

Vice President Reinhold advised Staff presented the 2019 Pension Certification Report identifying the Borough's minimum municipal obligation to each pension plan. The 2019 defined benefit Police Pension Plan amount will be \$609,314. The 2019 defined benefit Borough Pension Plan amount will be \$487,728. The 2019 defined contribution Retirement Plan amount will be \$29,084. The Certification will appear on the September 10, 2018, Consent Agenda recommending Borough Manager execute certification.

Development Activities Committee

Mr. Weiler advised the Committee reviewed a request from the Ephrata Performing Arts Center (EPAC) to serve not-for-sale wine at an event on November 17, 2018. The Committee will recommend that Borough Council grant the request to serve not for sale wine at EPAC's event as noted on the request dated July 12, 2018 at their September meeting subject to receipt of a copy of the special occasion permit and receipt of a certificate of insurance naming the borough as additional insured.

Mr. Weiler advised the Committee reviewed a request from the Ephrata Rec Center to provide beer and wine during the Clare Point Derby event held at the Rec Center on November 17, 2018. The beverages will be served by professional wait staff. The Committee will recommend that Borough Council grant the request to provide beer and wine at their September meeting subject to the receipt of a PLCB special occasion permit.

Mr. Weiler advised Councilperson Martin presented a draft brochure for the holiday banners. The program will be sponsored by DEI this year and the EDO in following years. Ms. Martin will provide an updated brochure. The Committee will recommend that Borough Council agree to absorb the cost of an additional banner change-out for a new set of holiday banners at the September Council meeting. Ms. Martin and Mr. Thompson provided clarification of the changes, including revising the dates and event sponsor, to be made to the brochures. Ms. Martin advised the current banners will be taken down after Veteran's Day and the holiday banners will be displayed the week of Black Friday through Christmas.

Public Safety Committee

Mr. Ressler advised the Committee discussed the request from the Ephrata Farmers Day Association to waive Ephrata Borough Code §123.1 Livestock: hives of bees. *No person, firm or corporation shall keep any hog, cattle, goat or sheep or any hive of bees at any place within the Borough of Ephrata*, in order to conduct livestock judging and a petting zoo for the 2018 Ephrata Fair during the week of September 24 to 29, 2018. The Committee will recommend that Borough Council approve the request as part of the Consent Agenda at their September 10, 2018 meeting.

Highway Committee

Mr. Richard advised the Committee reviewed a July 25, 2018 e-mail request from the Ephrata Area Education Foundation to conduct a 5K Purple & Gold Color Run utilizing various streets in the Lincoln Heights section of the Borough and Hammon Avenue on Saturday, September 22, 2018 beginning at 8:00 AM. Mark Thompson, an event organizer, was present to discuss the event and answer questions. This is the 6th year for this event but the 1st year that Borough streets have been included as part of the 5K run route. The Borough has received a satisfactory certificate of insurance naming the Borough as additional insured and event organizers have provided notification to residents in the Lincoln Heights area without negative response. The Committee will recommend that Borough Council conditionally approve the request subject to Chief Harvey's approval and establishment of an incident support plan, as required, at their September 10, 2018 meeting.

Mr. Richard advised the Committee reviewed an August 22, 2018 e-mail request from Christian Endeavor to conduct a 5-mile race utilizing a portion of East Fulton Street from South Maple Street to the Winters Memorial Trail on Saturday, November 10, 2018 for the race beginning at 9:00 AM. The remainder of the race will occur on the Trail. Dave Coryell, Executive Director of Christian Endeavor and Tom Sheaffer, an event organizer, were present to discuss the event and answer questions. This is the 1st year for this event with hopes that it becomes an annual event. The Committee will recommend that Borough Council conditionally approve the request subject to Borough receipt of a satisfactory certificate of insurance naming the Borough as

additional insured and Chief Harvey's approval and establishment of an incident support plan, as required, at their September 10, 2018 meeting.

Mr. Richard advised the Committee reviewed a resolution authorizing execution of an application for traffic signal approval to the Pennsylvania Department of Transportation for planned signal modifications at South Reading Road (SR 0272) & Meadow Valley Road (SR 1020) associated with the proposed Creek Corner Heights land development in Ephrata Township. The Borough is the traffic signal permittee for this signalized intersection. The Committee will recommend that Borough Council adopt Resolution #2018-9 at their September 10, 2018 meeting.

Mr. Richard advised the Committee reviewed a resolution providing for price adjustment of bituminous materials in small quantities. Price adjustments are associated with Bid #18-6 Old Mill Road Improvements and Bid #18-7 Lincoln Avenue and Marshall Street Improvements. The Committee will recommend that Borough Council adopt Resolution #2018-10 at their September 10, 2018 meeting.

Mr. Richard advised the Committee reviewed a resolution to replace existing experimental traffic and parking regulations under Section 305-5 of the Code of the Borough of Ephrata adopted by Resolution 2018-8 on August 13, 2018 restricting parking along certain portions of West Pine Street and North Oak Street. The Committee will recommend that Borough Council adopt Resolution #2018-11 at their September 10, 2018 meeting.

Mr. Richard advised the Committee reviewed a letter request received July 27, 2018 from the Highland Elementary School PTO to close Highland Avenue between West Chestnut Street and Broad Street from 5:00 PM to 9:00 PM on Friday, November 2, 2018 to conduct a Trunk or Treat event for the families of Highland Elementary School. The Committee will recommend that Borough Council conditionally approve the request subject to Borough receipt of a satisfactory certificate of insurance naming the Borough as additional insured, notification of the event provided to all Highland Avenue residents and Chief Harvey's approval and establishment of an incident support plan, as required, at their September 10, 2018 meeting.

Mr. Richard advised the Committee reviewed a letter from the Cocalico Valley VFW Post 3376 dated August 3, 2018 requesting to close South State Street between Fulton Street and West Franklin Street from 6:30 PM to 8:30 PM on Wednesday, October 24, 2018 (rain date – Thursday, October 25, 2018) for the annual Jack Frost parade scheduled to begin at 7:00 PM. The Committee will recommend that Borough Council approve this request as part of the Consent Agenda at their September 10, 2018 meeting.

Mr. Richard advised the Committee was advised by Engineering Project Manager Burkholder that work required replacing existing pavement markings along East and West Main Streets between Church Avenue and Lake Street will exceed the budgeted amount of \$10,000. The estimated cost of the work is \$18,237.94. Considering the Old Mill Road improvements project budgeted at \$285,000 was completed for \$188,000 the Committee will recommend to Borough Council that this work be completed and paid for from the unappropriated balance of account #31-49-057-7600 Street and Alley Program at their September 10, 2018 meeting.

Referencing the proposed Resolution 2018-8, Mayor Mowen sought clarification regarding the restricting parking along certain portions of West Pine Street and North Oak Street. Mr. Thompson advised the parking in question starts to the east by a couple hundred feet on Pine Street and then runs along the north side of Pine Street and the west side of North Oak Street as it goes around the corner. Mayor Mowen inquired if the Highway Committee could possibly look at the parking situation on North Oak Street (from the old stone building at the turn at the bottom of the hill) up to Broad Street as there is not enough room for two vehicles to pass each other when there are cars parked on the west side. Mr. Thompson clarified the proposed resolution includes West Pine Street, north side between Park Avenue and North Oak Street; then North Oak Street (on the west side) from Pine Street to 210 feet north of the north curb line at Broad Street (200 feet toward Pine Street from Broad Street). Mayor Mowen again expressed his concern of when vehicles are parked on the street there is no way to get two cars to pass safely as the area is too congested; further suggesting there should be no parking along the entire west side. Mr. Thompson advised the section that is being proposed is not in question and recommends Council move forward with the request and then request the Highway Committee look at the additional 210 feet of roadway which is of concern. Mr. Ressler explained the Committee was trying to ordain where there were existing signs which were unenforceable and advised the Committee will take into consideration Mayor Mowen's suggestion.

Chief Harvey advised he has met with the representatives from Christian Endeavor regarding their request. Chief Harvey advised this is the first event that is multijurisdictional (Ephrata Borough, Ephrata Township and Akron Borough) on the trail; as such, Chief Harvey stated he has "taken the lead" and made notifications to the jurisdictions involved of this particular event.

Mr. Zimmerman inquired as to why the difference in the cost of the pavement markings project. Mr. Thompson advised \$10,000 is the yearly amount budgeted for improvements and that typically the improvements are completed within that amount; however, due to this being Main Street, there has been more significant delamination of the street markings over the winter months. Mr. Thompson advised due to coming in under budget on the other street project, Staff is asking for consideration to at least get through the Central Business District resulting in the increase of the dollar amount.

Municipal Enterprises Committee

Mr. Richard advised Director of Operations, Thomas Natarian and Borough Manager, D. Robert Thompson reviewed with the Committee a proposed Pole Attachment Agreement with Comcast. The Pole Attachment Agreement would grant Comcast the right to attach to Borough-owned poles after a separate Franchise Agreement would be approved. The Pole Attachment Agreement was negotiated with the assistance of the Cohen Law Group. Cohen has worked with the Borough on previous pole attachment agreements. Staff is recommending that the Pole Attachment Agreement be approved. The Committee will recommend that Council approve a Pole Attachment Agreement with Comcast Cable Communication Management, LLC and Comcast of Southeast Pennsylvania, LLC when they meet on September 10, 2018.

Community Services Committee

Ms. Martin advised the Committee reviewed additional information submitted by Dave Coryell and Tom Sheaffer with Christian Endeavors. They met with Chief Harvey as requested and attended the Highway Committee meeting to make their request for street closures from 8:00 am to 9:30 am. Fire Police will be positioned at the Queen Street and Parkview Heights crossings. Christian Endeavors is requesting to use the linear trail and part of the upper parking lot to hold a 5-mile race on November 10, 2018. The Committee will recommend that Borough Council approve the request at their September 10, 2018 meeting subject to the review and approval by the Chief of Police of an Incident Support Plan and the receipt of a Certificate of Insurance naming the Borough as an additional insured.

Special Projects Committee

Mr. Zimmerman advised he received information from the Ephrata Fair Committee and Richard Young, on behalf of the Ephrata Fair Committee, which was forwarded to Mr. Thompson. Mr. Thompson advised information was also received from the Ephrata Public Library as it relates to being a tenant of Borough property and how that is applicable, as well as information received from Mr. Harter, EDO. Mr. Zimmerman advised the deadline to submit information/comments is September 7, 2018; after which, the Committee will review the comments, see how they apply to what is currently in place and/or if amendments are needed. Mr. Ressler advised a problem area is the gathering of a large amount of information needed for events. Mayor Mowen inquired as to the sharing of the information provided; in which, Mr. Thompson advised the intention is to share the comments received with the Committee, as well as advising Staff, and have discussions about the suggested changes that might streamline the process. Mr. Thompson advised “we’ve heard loud and clear the concerns, especially from the Fair Association, about food vendors” and Staff is seeking to provide possible suggestions to resolve those issues. Mayor Mowen inquired if State Inspections are going to be taken into consideration; in which, Mr. Thompson advised the State is going to require that the vendor has a Department of Agriculture permit which is no different than what the Ordinance is already asking for. Mr. Richard stated he is glad the Ordinance is being reviewed again and that the Committee is attempting to resolve issues.

Opportunity for Citizens to be Heard

There were no comments or remarks from attendees.

Discussion/Announcements

Mr. Richard reminded Council Members to make contact with the Ephrata Farmer’s Day Association to obtain reserved parade seating within the next week.

Mayor Mowen reminded Council that if they are willing to do so, the option is still available to ride/participate in the parade.

Chief Harvey advised information will be put forth regarding severe weather events as a result of recent flooding incidents. Chief Harvey provided an update on road conditions on Route 322 West with the goal being to have the road reopened by the end of next week.

Vice President Reinhold advised he will not be in attendance at the September 10, 2018, Voting Session.

Vice President Reinhold advised he was disappointed that the Ephrata Community Pool was not open this past Saturday (Labor Day Weekend) due to “impending weather.” Vice President Reinhold advised the weather was overcast, but it did not rain. Vice President Reinhold advised he heard the closing was partly due to being short on staffing which is an issue that needs to be addressed. Mr. Ressler advised a discussion regarding staffing was held at the last Community Service Committee meeting. Mr. Ressler advised they discussed the safety issue as well as the State requirement of having the proper number of lifeguards for the square footage; and if they didn’t have the proper number of lifeguards on duty, they would have to close the area. Vice President Reinhold advised he can appreciate that, and that we have to get out of the situation that we don’t have enough lifeguards. Mayor Mowen advised he saw a posting from the Rec Center stating, “Lifeguards Needed.” Ms. Martin advised other municipalities are struggling with the same issue as there is a shortage of lifeguards.

Vice President Reinhold took a moment to congratulate the Ephrata Mounts Football Team on their win, 61-14. Vice President Reinhold advised at the end of the game, the score was left displayed on the scoreboard and that he felt a “real sense of community” rally around the team.

Adjournment

It was moved by Mr. Zimmerman and seconded by Ms. Martin to adjourn. The meeting was adjourned.

D. Robert Thompson, Secretary