

# EPHRATA BOROUGH COUNCIL

Monday, March 13, 2023

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**\*\*\* AMENDED \*\*\***

## Voting Session Agenda

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### Call to Order

Invocation - *Pastor Deryl Hurst, DOVE Westgate Church*

### Pledge of Allegiance

### Attendance / Roll Call

### Approval of Council Agenda

### Approval of Minutes:

- Borough Council Work Session Meeting Minutes – February 6, 2023
- Borough Council Regular Meeting Minutes – February 13, 2023

### Municipal Moments:

- Andrea Glass, Ephrata Performing Arts Center
- **Chandra Mast, Shade Tree Commission**

### Opportunity for Citizens to Be Heard

### Action Items:

- ***Approval of Reports (Includes the following approvals)***
  1. Committee Reports:
    - Budget and Finance Committee
    - Development Activities Committee
    - Public Safety Committee
    - Highway Committee
    - Municipal Enterprises Committee
    - Community Services Committee
    - Special Projects Committee
    - Personnel Committee
  2. February 2023 General Ledger Report
  3. Ephrata Pioneer Fire Company February 2023 Report
  4. Lincoln Fire Company February 2023 Report
  5. Ephrata Community Ambulance Association February 2023 Report
  6. Ephrata Emergency Management February 2023
  7. Shade Tree Commission February 2023 Meeting Minutes
  8. Mainspring of Ephrata January 2023 Meeting Minutes

### NEW BUSINESS ITEMS

- ***Approval of Committee Recommendations***

#### Personnel Committee

- That Borough Council extend an offer to Christopher J. McKim for the position as Chief of Police effective immediately contingent upon his acceptance of a formal offer letter in a form approved by the Borough Solicitor.

• *Approval of Consent Agenda, Including:*

1. That Borough Council grant the request to serve alcohol at Whistle Stop Plaza subject to the receipt of a Certificate of Insurance naming the Borough as an additional insured, an incident support plan approved by Emergency Management, and the receipt of a copy of a PLCB special occasion permit. (Development Activities)
2. That Borough Council grant the request to serve alcohol at Whistle Stop Plaza subject to the receipt of a Certificate of Insurance naming the Borough as an additional insured, an incident support plan approved by Emergency Management, and the receipt of a copy of a PLCB special occasion permit. (Development Activities)
3. That Borough Council grant the request to serve alcohol at Whistle Stop Plaza on New Year's Eve subject to the receipt of a Certificate of Insurance naming the Borough as an additional insured, an incident support plan approved by Emergency Management, and the receipt of a copy of a PLCB special occasion permit. (Development Activities)
4. That Borough Council approve the Church of the Brethren stormwater management plan subject to the inclusion of HRG's comments. (Development Activities)
5. That Borough Council approve the Final Subdivision Plan for the Zimmerman Subdivision, dated December 21, 2022, containing 3 sheets prepared by dH Enterprises, West Lawn, PA, subject to addressing the comments contained in the HRG letter dated February 7, 2023. (Development Activities)
6. That Borough Council approve the Final Land Development Plan for Morgan Truck Body LLC, dated December 20, 2022, containing 24 sheets prepared by Spotts, Stevens & McCoy, Reading, PA, subject to addressing the comments contained in the HRG letter dated February 7, 2023. (Development Activities)
7. That Borough Council approve a waiver/modification of submission of Preliminary Plan, Section 281-14 of the Code of the Borough of Ephrata for the Preliminary/ the War Memorial Athletic Field Improvement. (Development Activities)
8. That Borough Council approve a waiver/modification of Existing Features, Section 281-26.B(2)(j) of the Code of the Borough of Ephrata for the Preliminary/Final Subdivision Plan for the War Memorial Athletic Field Improvements. (Development Activities)
9. That Borough Council approve a waiver/modification of maximum loading ratios in Karst areas, Section 275-302.A(2)(c) of the Code of the Borough of Ephrata for the Preliminary/Final Land Subdivision Plan for the War Memorial Athletic Field Improvements. (Development Activities)
10. That Borough Council approve a waiver/modification of impervious area to pervious, Section 275-304.A of the Code of the Borough of Ephrata for the Preliminary/Final Land Subdivision Plan for the War Memorial Athletic Field Improvements. (Development Activities)
11. That Borough Council approve the Final Land Development Plan for the War Memorial Athletic Field Improvement, dated December 16, 2022, containing 8 sheets prepared by Harbor Engineering, Manheim, PA, subject to the following:
  - a. The applicant must address the comments contained in the HRG letter dated February 10, 2023.

- b. The applicant must address the comments contained in the Lancaster County Planning Review dated January 27, 2023.

(Development Activities)

12. That Borough Council conditionally approve Mainspring of Ephrata's request to use the WERT and Winters Memorial to place luminaries and flags on November 11, 2023, for Veterans Day subject to the receipt of a Certificate of Insurance naming the Borough of Ephrata as an additional insured.  
(Community Services)

- ***Approval of Committee Recommendations***

Budget and Finance Committee

1. That Borough Council adopt Resolution #2023-05 Authorizing Disposition of Records.
2. That Borough Council adopt Resolution #2023-06 Morgan Stanley Authorized Account Personnel.
3. That Borough Council adopt Resolution #2023-07 Mission Square Removal of Former Employees.
4. That Borough Council authorize entering into the proposed General Consulting Services Agreement with Government Management Services, LLC, for the addition of public funding and financing consulting services to their current consulting agreement and authorize 2023 unbudgeted expenditures for the fees noted therein, an additional \$2,000 per month.

Development Activities Committee

1. That Borough Council grant the request to serve alcohol at Whistle Stop Plaza for the 2023 Brewfest and close Rose Alley from North State Street to the Locust Street Parking Lot subject to the receipt of a Certificate of Insurance naming the Borough as an additional insured, an incident support plan approved by Emergency Management, and the receipt of a copy of a PLCB special occasion permit.
2. That Borough Council authorize a payment of \$11,840.00 to Trago Mechanical, Inc. for HVAC repairs at the Ephrata Public Library.
3. That Borough Council authorize the solicitor to prepare a lease with Weathered Vineyards to lease up to 6 parking spaces within the Ephrata Rec parking lot for \$150 per month plus an annual CPI increase.

Highway Committee

1. That Borough Council conditionally approve the January 25, 2023, letter request from the Ephrata Recreation Center to conduct the 5<sup>th</sup> Annual Memorial Day 5K race event on Monday, May 29, 2023 subject to EMC Gockley and Interim Chief Lt. McKim review and approval, Borough receipt of a satisfactory certificate of insurance naming the Borough of Ephrata as additional insured, and event notifications delivered to Lincoln Heights residents.
2. That Borough Council conditionally approve the February 13, 2023, letter request from Michael Lillis, Firecracker Run Co-Director to conduct the 46<sup>th</sup> Annual Firecracker Run event on Tuesday, July 4, 2023, subject to EMC Gockley and Interim Chief Lt. McKim review and approval, and Borough receipt of a satisfactory certificate of insurance naming the Borough of Ephrata as additional insured.
3. That Borough Council approve the February 6, 2023, letter request from Ed Ostrowski, RLA with ELA Group, Inc. to install slant curb for an existing driveway entrance adjacent to Ephrata Area School District property along Legion Avenue.
4. That Borough Council approve the February 2, 2023, letter request from Michael Ast, Technical Sales, with UGI Utilities, Inc. to close the 300 block of East Fulton Street between Tom Avenue and

Bethany Road on Tuesday, March 14, 2023, between 7:00 AM and 4:00 PM to accommodate a gas service line installation at 71 Bethany Road.

5. That Borough Council conditionally approve the February 22, 2023, letter requests from the Christmas in Ephrata Committee of Mainspring of Ephrata to conduct activities associated with Christmas in Ephrata 2023 subject to Interim Police Chief Lt. McKim and EMC Randy Gockley's approval and establishment of an Incident Support Plan, Borough receipt of a satisfactory certificate of insurance naming the Borough of Ephrata as additional insured, and Borough receipt of a Special Events Permit issued by PennDOT to close a numbered state route with Mainspring of Ephrata as permit applicant.
6. That Borough Council conditionally approve Mainspring of Ephrata's event request to conduct activities associated with 2023 New Year's Eve Celebration subject to Interim Police Chief Lt. McKim and EMC Randy Gockley's approval and establishment of an Incident Support Plan, Borough receipt of a satisfactory certificate of insurance naming the Borough of Ephrata as additional insured, and Borough receipt of a Special Events Permit issued by PennDOT to close a numbered state route with Mainspring of Ephrata as permit applicant.

#### Municipal Enterprises Committee

1. That Borough Council authorize the Borough Secretary and Council President to enter into an agreement, conditional upon terms agreeable to the Solicitor, with Ecosystem Planning and Restoration for Gross Run Construction Management Services.
2. That Borough Council enact Ordinance No. 1575 amending Chapter 165 Sections 165-8 Residential Service Rates and 165-9 Commercial and Industrial Service Rates of the Borough Code.
3. That Borough Council adopt Resolution #2023-08 Establishing a Base Power Supply Cost.
4. That Borough Council accept the quote from Waukesha<sup>®</sup> Service to perform the electric substation transformer #1 repair in the amount of \$65,400.00.

#### Community Services Committee

1. That Borough Council award Bid #23-1 to E.W. Reiff Lawn Care, Inc., for turf maintenance services in the amount of \$60,000 for the 2023 mowing season; \$63,000 for the 2024 mowing season; and, \$66,000 for the 2025 mowing season with the 2024 and 2025 mowing seasons being optional and at the discretion of Staff upon satisfactory performance each year.
2. That Borough Council adopt the 2023 Ephrata Community Pool operation dates and rates as proposed by Ephrata Recreation Center's Executive Director, Jim Summers.
3. That Borough Council conditionally approve the Ephrata Unleashed Dog Park Committee's request to hold its 2<sup>nd</sup> Annual K9 Eggstravaganza Egg Hunt on April 1, 2023, between the hours of 1:00 PM-3:00 PM at the Dog Park.
4. That Borough Council grant Reliance Environmental's request to place monitoring wells at the following Borough-owned properties: (1) Redcay Park; and, (2) the basketball courts off of East Queen Street.
5. That Borough Council conditionally approve the request for the residents of Lincoln Heights to hold a community event on May 17, 2023, from 5:30 PM-7:30 PM with the placement of a food truck at the Lincoln Heights Playground subject to the conditions that cones be placed on the street around the food truck and that food is only served on the sidewalk side of the truck.
6. That Borough Council grant American Legion's request to hold a Community Easter Egg Hunt on the Borough-owned property between the American Legion's parking area and Vine Street on April 7, 2023, from 5:30 PM-7:30 PM.

7. That Borough Council conditionally approve Impact Troop 38's request to hold an Easter flower sale at Whistle Stop Plaza on April 7-9, 2023, subject to the receipt of a Certificate of Insurance naming the Borough as an additional insured.
- ***Approval of Checks and ACH Register***
    - Checks 50354 through 50579 and the ACH Register dated March 1, 2023

**Opportunity for Citizens to Be Heard**

**Discussion / Announcements**

**NEW BUSINESS ITEMS**

- ***Approval of Action Item***
  1. It was moved by Mr. Zimmerman and seconded by Mr. Richard to approve further discussion and possible alteration of the previously approved Borough logo. Motion failed with two votes in favor and six against.

**Adjournment**