

**EPHRATA BOROUGH COUNCIL
REGULAR MEETING MINUTES
JANUARY 11, 2021**

The regular Ephrata Borough Council meeting was called to order by President Susan Rowe at 7:00 PM on January 11, 2021, in the Council Chambers of the Borough Office, 124 South State Street.

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

Also in attendance were Borough Manager D. Robert Thompson, Police Chief John Petrick, Borough Solicitor James R. McManus, III, Esq. and Stephanie Fasnacht, Recorder. Due to the Coronavirus – COVID-19 guidelines set forth by Governor Tom Wolf and in the respect of the practice of social distancing, designated Staff participated via a video conference.

The following visitors were present within Council Chambers:

Tim Auker, 542 N. State Street, Ephrata
Wendy Stover, 261 Boomerang Drive, Ephrata

The following visitors participated in the meeting via video conferencing:

Teresa Caruthers, 229 Railroad Avenue, Ephrata
Marylouise Sholley, The Ephrata Review
Susanna Wurtz, 33 Akron Road, Ephrata
Julia Yoder, 407 Main Street, Akron
James Kimmel

A moment of silence was held which was followed by the Pledge of Allegiance.

APPROVAL OF MINUTES

It was moved by Mr. Barr, seconded by Ms. Martin, and unanimously passed that Borough Council approve the December 7, 2020, Work Session Meeting Minutes and the December 14, 2020, Regular Meeting Minutes.

MUNICIPAL MOMENT – RECOGNITION OF BOROUGH EMPLOYEES

President Rowe opened by stating, "... while most jobs can be challenging for employees from time to time, the year 2020 was unprecedented in the scope of demands faced by many. Tonight we would like to celebrate the men and women who are providing the essential responsibilities to keep the Borough of Ephrata running smoothly during the COVID-19 pandemic. Each of these individuals deserves to be honored with recognition and gratitude. They faced many challenges. They sacrificed time with their families. And they did so without complaint to keep the Borough residents with necessary services. We owe them all our gratitude and thanks."

Mr. Zimmerman expressed his appreciation to all Borough employees for their hard work and dedication.

Ms. Martin advised that employees "... went above and beyond" during the many challenges they faced as a result of the COVID-19 pandemic.

Mr. Barr expressed his sincere appreciation to the many employees who work diligently to keep the lights on, the water flowing, the streets clean, etc.

Mr. Ressler commented that the employees do an "outstanding job."

Mr. Richard advised he mirrors what his fellow Council members have already mentioned and closed by stating, "... hats off to all of them."

Mr. Weiler thanked all of the employees "... for being essential ... for keeping the Borough running."

Vice President Reinhold advised that employees did a "fantastic job" resulting in no stopping of any provided services. Vice President Reinhold further commented that Council should thank employees annually to recognize what they do and how valuable their efforts are.

Mayor Mowen advised in his role he has interaction with just about every employee and tries to make an effort to thank them for their work. Mayor Mowen, in referencing the Police Department, stated, "... I am proud of all of you and your work."

At this time, Mr. Thompson read the names of each Borough employee followed by Mayor Mowen reading the names of police personnel in acknowledgement of their contributions to the Borough.

President Rowe concluded by stating, "... from the bottom of my heart, thank you very much."

OPPORTUNITY FOR CITIZENS TO BE HEARD

Ms. Caruthers, 229 Railroad Avenue, Ephrata, in referencing the Ephrata-Warwick Trail, advised she believes it would be beneficial for the signage along the trail to be consistent between municipalities. Ms. Caruthers further advised that the Lititz signage includes specifics regarding the wearing of masks and the types of motorized vehicles allowed on the trail and she would like to see such clarification on Ephrata signage.

President Rowe advised that the WERT consortium meets quarterly and asked Mr. Thompson, who serves in the consortium, to discuss the matter further at their next meeting.

Vice President Reinhold commented that there is "... a need to use common sense" when utilizing the trail and if individuals are not comfortable (i.e., if others are not wearing masks) to walk elsewhere.

Ms. Wurtz, 33 Akron Road, Ephrata, in referencing the riot/incident that occurred on Capitol Hill the previous week, expressed her concerns of the actions of individuals and advised it is time for the community to rally together and address these trends. Ms. Wurtz then inquired as to what Council and the police are prepared to do to keep the community safe.

Mayor Mowen advised he met earlier in the day with Chief Petrick to begin a discussion of this matter with more discussions to take place in preparation of any incidents. Chief Petrick followed up Mayor Mowen's comments by advising that the police will enforce an individual's 1st Amendment right of free speech; however, if any action is needed, it will be taken with a professional police department's approach.

After a brief time allotted for citizen comments and with no one else in attendance wishing to speak, President Rowe called for a motion to close the public comments section of the meeting until the end of the meeting agenda; in which, it was moved by Vice President Reinhold, seconded by Ms. Martin, and unanimously passed to close public comments until the end of the meeting agenda.

ACCEPTANCE OF REPORTS

It was moved by Mr. Barr, seconded by Mr. Zimmerman, and unanimously passed to approve the

Acceptance of Reports consisting of the following documents:

Personnel Committee

The Personnel Committee did not meet during the month of December 2020.

At the Borough Council Work Session on December 14, 2020, Council President Rowe provided Borough Council the required 28-day notice that Guidelines, Procedures and Policies are to be ratified at the January 11, 2021 Voting Session of Ephrata Borough Council. President Rowe requested all members of Council read over the documents and provide her with any suggested changes. None were received by the deadline; any changes discussed at the January 4 Work Session will either be incorporated prior to the January 11 vote or held for discussion by the Personnel Committee at their January 12 committee meeting.

The following documents will be ratified January 11, 2021:

- a. By-Laws
- b. Rules of Order
- c. Borough Council Meeting Guidelines
- d. Committee Meeting Guidelines
- e. Telecommunications Policy
- f. Code of Ethics/Conflicts of Interest Guidelines
- g. Whistleblower Policy
- h. Employee Evaluation Guidelines
- i. Borough Manager Evaluation Form
- j. Borough Manager Self-Evaluation Form
- k. Chief of Police Evaluation Form
- l. Chief of Police Self-Evaluation Form
- m. Performance Management Process
- n. Budget Night Policy

Miscellaneous Reports:

- ◆ December 2020 General Ledger Report
- ◆ Ephrata Pioneer Fire Company December 2020 Report
- ◆ Lincoln Fire Company December 2020 Report
- ◆ Ephrata Community Ambulance Association December 2020 Report
- ◆ Ephrata Community Ambulance 2020 Annual Operations Report
- ◆ Ephrata Emergency Management December 2020 Report
- ◆ Mainspring of Ephrata December 2020 Meeting Minutes

NEW BUSINESS ITEMS

STANDING COMMITTEE RECOMMENDATIONS

Public Safety Committee

It was moved by Vice President Reinhold, seconded by Mr. Richard, and unanimously passed that Borough Council approve the disposition of assets for a 2016 Dodge Charger VIN 2C3CDXKT9GH238103 by accepting the winning bid of \$10,601.00 submitted by Seth Barr. Mileage 72,318 and engine hours 7420.

It was moved by Vice President Reinhold, seconded by Mr. Ressler, and unanimously passed that Borough Council approve the disposition of assets for a 2016 Dodge Charger VIN

2C3CDXKT5GH238101 by accepting the winning bid of \$11,201.00 submitted by Chicago Autoplex Inc. Mileage 69896 and engine hours 7628.

It was moved by Vice President Reinhold, seconded by Mr. Richard, and unanimously passed that Borough Council approve the disposition of assets for a 2016 Dodge Charger VIN 2C3CDXKT1GH242808 by accepting the winning bid of \$10,000.00 submitted by Chicago Autoplex Inc. Mileage 68333 and engine hours 7120.

It was moved by Vice President Reinhold, seconded by Mr. Ressler, and unanimously passed that Borough Council approve the disposition of assets for a 2016 Dodge Charger VIN 2C3CDXKT5GH233612 by accepting the winning bid of \$9,600.00 submitted by Chicago Autoplex Inc. Mileage 68230 and engine hours 7984.

Personnel Committee

It was moved by Vice President Reinhold, seconded by Mr. Richard, and unanimously passed that Borough Council ratify the following Ephrata Borough Council documents:

- a. By-Laws
- b. Rules of Order
- c. Borough Council Meeting Guidelines
- d. Committee Meeting Guidelines
- e. Telecommunications Policy
- f. Code of Ethics/Conflicts of Interest Guidelines
- g. Whistleblower Policy
- h. Employee Evaluation Guidelines
- i. Borough Manager Evaluation Form
- j. Borough Manager Self-Evaluation Form
- k. Chief of Police Evaluation Form
- l. Chief of Police Self-Evaluation Form
- m. Performance Management Process
- n. Budget Night Policy

APPROVAL OF CHECKS 43880 THROUGH 44230 AND THE ACH REGISTER DATED DECMEBER 30, 2020

It was moved by Mr. Ressler, seconded by Mr. Richard, 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 \$1,093,619.79.

OPPORTUNITY FOR CITIZENS TO BE HEARD

With no visitors wishing to address Council, President Rowe moved onto the Discussion/Announcements portion of the meeting.

DISCUSSION/ANNOUNCEMENTS

Vice President Reinhold expressed his appreciation to Ms. Wurtz for her comments regarding the unfortunate events that took place in Washington DC last week. Vice President Reinhold advised it is imperative that the public feels safe in the community and, "... that government's first and foremost responsibility is public safety ... make sure that their constituents and their citizens feel safe." Vice President Reinhold further stated, "... I also think that it's unfair that the actions of some are blanketed by all ... that seems to be the way this country is now ... you know you got some bad apples on either side ... actions occur and an entire part of the country is blamed for that or, basically, trying to be muted and

not having their points of views expressed ... so, I think we all have to realize as well, we need to appreciate our differences ... we need to listen to each other ... we need to go there ... but we need to call out ... evil is evil and good is good, but it's not all one together ... it's important to recognize that the action(s) of a few do not mean they cover everyone ... because I'd like to think ... yes, there was a lot of people that stormed the Capitol which is absolutely atrocious and deplorable in my mind ... my point being is that was a small, small fraction of what was down there in DC and I think everybody needs to recognize that and we need to be smart and we need to understand that right now, a lot of minds are being manipulated by what's being put out there in the news because it seems as though – and this is my humble thoughts on it – there's a directive being pushed one way ... and it's a scary time right now because if we lose the 1st Amendment Right as United States citizens, we're not in the United States anymore.”

Mr. Richard stated, “... listening to the tone of what has been said so far tonight, I just feel how blessed I am to live in Lancaster County; more specifically, Ephrata Borough.”

Mr. Ressler stated, “... I don't like to get into politics in Borough Council – especially, national politics – but I ... personally, that was insurrection ... that wasn't a protest ... it wasn't any 1st Amendment Right issue ... that was clear and present insurrection ... and I would be very careful to put out false equivalency types of statements about that because I don't believe there is an equivalency.” Mr. Ressler concluded his comments by stating, “... I realize that there are good people on the Republican side, the Democrat side ... not all Republicans are insurrectionists, but clearly the group that went down there .. I saw interviews from local people ... they believe in insurrection ... they believe in the overthrow of the government and I just ... I'm not going to go along with that.”

Mr. Barr stated, “... in the rush of judgement, the media had labeled a group of people from our mobile home community as the people responsible for this insurrection for happening ... I thought it was very unfair for media outlets to label people ... that's just not true ... they rushed to judgement and they were looking to label and define an enemy ... and that's one of the groups they picked out ... free speech is something we definitely must hold dear.” Mr. Barr concluded his comments by stating, “... let's have a nice, calm year and all get along.”

Ms. Martin advised she has set a goal to do something new each month with her January “something new” being her walking the trail from Ephrata to Lititz. Ms. Martin commented, “... I am so grateful we have that ... I was so happy to see babies in strollers, teenagers cackling amongst themselves and older individuals walking ... this is something to be proud of and to be happy to have in our community.”

Mr. Zimmerman stated, “... yes, we all have 1st Amendment Rights ... we always want that ... but by definition of what occurred in Washington, DC, that was insurrection and that's just not right in the United States of America.”

Mayor Mowen advised he received correspondence from Amnesty International requesting him to do what he is able to regarding the protection of human rights, protect people from violence from armed groups and to condemn white supremacy. Mayor Mowen advised a request within the letter was for him to issue an executive order banning all open carry and concealed carry of weapons within the Borough. Mayor Mowen clarified that is a 2nd Amendment Right and he as the Mayor of the Borough of Ephrata has no authority whatsoever to regulate guns as that falls under national and state levels.

Mayor Mowen, in referencing the events in Washington DC, advised as he was watching everything unfold, “... I was so angry that I got emotional ... that was the President of this Country inciting a riot ... inciting insurrection ... and it was wrong ... totally wrong ... and for him to continue to spew the lies about a stolen election even when he was quasi telling people to “settle down” was so wrong” Mayor

Mowen further commented, "... as a veteran, I am absolutely disgusted ... and as a citizen, I am absolutely disgusted about that action."

Mayor Mowen then advised the FBI has communicated that extreme groups are planning on armed assaults in every capital in every state in this country on Inauguration Day. Mayor Mowen then stated, "... I pray it doesn't happen ... and, hopefully, this country can come back."

Mayor Mowen concluded his comments by stating, "... my wife is Greek ... she talked to her sister in Greece ... we are the laughing stock of this world right now ... we are the country that has said, "... look at us ... we don't have this kind of thing happening here ... we can't say that anymore and I'm ashamed ... I'm absolutely ashamed."

Chief Petrick advised in following up to Mayor Mowen's comments, "... as a professional police department, I just want people to be aware that we try to deescalate all situations when possible, when practicable ... ultimately, we want a conflict to come to peaceful resolution and will only use that force which is reasonable ... but first and foremost, we try to deescalate ... unfortunately, there are times we have to use force, but only in a justifiable manner ... we have to realize that there are times when force is necessary to affect a lawful arrest."

Prior to adjourning the meeting, President Rowe advised the Personnel Committee will be meeting in an Executive Session at approximately 7:55 PM on this date to discuss employee evaluations.

ADJOURNMENT

It was moved by Mr. Barr, seconded by Ms. Martin, and unanimously passed that Borough Council adjourn. The meeting was adjourned at 7:48 PM.

Respectfully submitted,

D. Robert Thompson, Secretary