

**EPHRATA BOROUGH COUNCIL
REGULAR MEETING MINUTES
MAY 8, 2023**

The regular Ephrata Borough Council meeting was called to order by President Thomas Reinhold at 7:00 PM on May 8, 2023, in the Council Chambers of the Borough Office, 124 South State Street.

In attendance in addition to the President were President Pro Tem Victor Richard, Council Members Alan Buohl, Kory Musser, Ricky Ressler, Greg Zimmerman as well as Mayor Ralph Mowen. Absent were Vice President Linda Martin and Council Member Timothy Barr.

Also in attendance were Borough Manager Nancy Harris, Police Chief Christopher McKim, Borough Solicitor Isaac P. Wakefield, Esq., Salzmann Hughes and Stephanie Fasnacht, Recorder.

The following visitors were present within Council Chambers:

Larry Alexander, The Ephrata Review
Wesley Allen, New Covenant Church of God
Steve Aronson, 424 Lake St., Ephrata
Tim Auker, 542 N. State St., Ephrata
Shawn Bear, Mainspring of Ephrata
Brian Chang, 170 Springdale Ln., Millersville
Drew Harmon, 1824 Larchmont Ln., Lancaster
Officer John Hirneisen, School Resource Officer, Ephrata Area School District
Cheri Kline, 121 Ridge Ave., Ephrata
Kevin Kline, 121 Ridge Ave., Ephrata
Erick Schlosser, 186 Boomerang Dr., Ephrata
Matthew Stauffer, 1237 Ash Ln., Lebanon
Members of Boy Scout Troop 73

Pastor Wesley Allen, New Covenant Church of God, offered the invocation which was followed by the Pledge of Allegiance.

APPROVAL OF AGENDA

Ms. Harris provided confirmation of the following:

1. The meeting agenda was posted on the Borough's website and at Borough Hall no later than 24 hours in advance of the time of the meeting.
2. The meeting agenda included a listing of each matter of Borough business that will be or may be the subject of deliberation or official action at the meeting.
3. There were no changes made to the meeting agenda after it was posted.
4. The meeting agenda was made available to individuals in attendance at the meeting.

President Reinhold asked if there were any requests to add a matter of Borough business to the meeting agenda. Seeing none, President Reinhold asked for a motion to accept the meeting agenda as posted. Mr. Richard moved and Mr. Ressler seconded to approve the meeting agenda as posted. The motion carried unanimously.

PROCLAMATION - MOTORCYCLE SAFETY AND AWARENESS MONTH

Mayor Mowen proclaimed May 2023 as Motorcycle Safety and Awareness Month and recognized 40 years of A.B.A.T.E. (Alliance of Bikers Aimed Toward Education) of Pennsylvania who actively promotes the safe operation of motorcycles as well as promoting motorcycle education, awareness and respect of the citizens of our Borough, County and State.

PROCLAMATION – NATIONAL POLICE WEEK 2023

Mayor Mowen proclaimed the week of May 14 to May 20, 2023, to be National Police Week as well as May 15, 2023, as Peace Officers’ Memorial Day in honor of law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community. Mayor Mowen called upon all citizens to join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

PROCLAMATION – NATIONAL PUBLIC WORKS WEEK

Mayor Mowen proclaimed the week of May 21 to May 27, 2023, to be National Public Works Week as public works professionals focus on the infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to public health, high quality of life and well-being of the people of the Borough of Ephrata. Mayor Mowen encouraged the recognition of public works professionals and the substantial contributions they make to the Borough.

APPROVAL OF MINUTES

Mr. Richard moved and Mr. Ressler seconded that Borough Council approve the April 3, 2023, Work Session Meeting Minutes and the April 10, 2023, Regular Meeting Minutes. Motion carried unanimously.

MUNICIPAL MOMENT – SCHOOL RESOURCE OFFICER JOHN HIRNEISEN

Officer John Hirneisen began his presentation by extending his appreciation to Council for their support over the years of the School Resource Officer (SRO) Program within the Ephrata Area School District and provided a brief overview of his background in the military and law enforcement.

Officer Hirneisen explained the role of the SRO highlighting it is a component of community-oriented policing. Officer Hirneisen provided an overview of the SRO Triad Concept implemented by the District which includes: (1) Informal Counselor/Mentor; (2) Teacher/Guest Speaker; and (3) Law Enforcement Officer.

Officer Hirneisen provided a summary of the services he performs within his role as the School Resource Officer, including, but not limited to:

- Safety Talks
- Safety Drills (i.e., Fire and Intruder)
- Senior Presentation
- Oversees “Every 15 Minutes” Program
- Oversees Youth Aid Program
- Oversees Crossing Guards

OPPORTUNITY FOR CITIZENS TO BE HEARD

Steve Aronson, 424 Lake St., Ephrata, advised he is representing the Historic Ephrata Cloister, and extended a personal invitation to attend their upcoming events including: (1) May 21, 2023 – Spring Concert and (2) May 26-May 28, 2023 – 65th Anniversary of the Ephrata Cloister Museum Store.

A representative from Boy Scout Troop 73 advised several members of the Troop are attending the meeting to complete the requirements to earn a merit badge.

After time allotted for additional citizen comments and with no one in attendance wishing to speak, President Reinhold called for a motion to close the public comments section of the meeting until the end of the meeting agenda. Mr. Zimmerman moved and Mr. Ressler seconded to close public comments until the end of the meeting agenda. Motion carried unanimously.

ACCEPTANCE OF REPORTS

Mr. Richard moved and Mr. Zimmerman seconded to approve the Acceptance of Reports. Motion carried unanimously.

Development Activities Committee

The Development Activities Committee met on April 24, 2023, at 7:30 PM at Ephrata Borough Hall, 124 South State Street.

Approval of Agenda:

Ms. Harris provided confirmation of the following:

1. The meeting agenda was posted on the Borough's website and at Borough Hall no later than 24 hours in advance of the time of the meeting.
2. The meeting agenda included a listing of each matter of Borough business that will be or may be the subject of deliberation or official action at the meeting.
3. There were no changes made to the meeting agenda after it was posted.
4. The meeting agenda was made available to individuals in attendance at the meeting.

Committee Acting Chair Buohl asked if there were any requests to add a matter of Borough business to the meeting agenda. Seeing none, Mr. Buohl asked for a motion to accept the meeting agenda as posted. Ms. Martin moved, and Mr. Reinhold seconded to approve the meeting agenda as posted. The motion carried unanimously.

Action Items:

1. The Committee reviewed a land development plan for the Ephrata Area Intermediate School Athletic Field Improvements Land Development Plan. The Committee will recommend that Borough Council approve one waiver/modification request and approve the final plan subject to the inclusion of HRG's comments and Lancaster County Planning comments. This will appear on the May Consent Agenda. **(Matter Tabled Until a Future Meeting)**
2. The Committee reviewed a letter from the VFW regarding Phase IV of the Ephrata Honors banners. The current three-year rotation will end in November and those banners will be retired. The VFW will offer a new set of banners which will be available for the summer of 2024. The Committee will recommend that Borough Council approve the VFW's request.

3. The Committee reviewed an alcohol request from Mainspring of Ephrata as part of the Deck Crawl. They are asking to set up two locations on Borough property. One is at Whistle Stop Plaza and the other is in Grater Park. The Committee will recommend that Borough Council approve the request subject to receipt of a certificate of insurance naming the Borough as an additional insured and a copy of the PLCB Special Occasion permit.
4. The Committee reviewed a draft lease with the County of Lancaster for a radio transmitter building and antenna tower. This will replace the previous lease and has been reviewed by the solicitor. The Committee will recommend that Borough Council authorize President of Borough Council to execute the lease.

Discussion Items:

1. The Committee reviewed the first quarter budget report for activities under their purview. There were no concerns regarding the report.
2. The Committee reviewed an Ephrata Borough Property lease comparison chart that identifies the benefits each lease contains. The Committee would like to have a policy that would apply to all Borough leases. The staff will create an initial draft for the Committee to begin to review. The staff will also look into revenues versus expenses for the lessees. This item will be moved to the Budget and Finance Committee.
3. At the recent Poverty and Homelessness Symposium a resident asked about receiving notifications when a shelter use goes in. After some discussion, it was decided that Harris will review this with the solicitor and report back to the Committee.
4. The Committee discussed a strategy for downtown economic development. Staff will be scheduling a workshop with Council to explore a strategy. To assist the staff in determining what could be improved, it was suggested that Council provide the staff with 3 things they would like to see changed downtown and 3 things they like downtown. Harris suggested some options for additional ordinances to improve appearances.
5. The Zoning Hearing Board did not meet in April so there are no decisions.
6. There were no new applications for the May Zoning Hearing Board meeting.

Public Safety Committee

The Public Safety Committee met on April 17, 2023, at 6:30 PM at Ephrata Borough Hall, 124 South State Street.

Approval of Agenda:

Chief McKim provided confirmation of the following:

1. The meeting agenda was posted on the Borough's website and at Borough Hall no later than 24 hours in advance of the time of the meeting.
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4. The meeting agenda was made available to individuals in attendance at the meeting.

Committee Chair Buohl asked if there were any requests to add a matter of Borough business to the meeting agenda. Chief McKim requested that the discussion of the Full-Scale Exercise (active shooter), which occurred on Saturday April 15, 2023, be added. Mr. Richard moved, and Mr. Ressler seconded to approve the meeting agenda as amended. The motion carried unanimously.

Action Items:

1. None.

Discussion Items:

1. EMA April 2023 Report – EMA Coordinator Gockley reported a slow month. EMA Coordinator reported that Community Assessment for Public Health Emergency Response (CASPER) preparedness in Lancaster County is temporarily on hold. He continues to meet with special needs facilities regarding evacuation plans.
2. Monthly report – Chief McKim reviewed the police report for the month of March 2023 to include a summary of Excellence in Policing, and Significant Issues.
3. Body Worn Camera Cooperative Grant Partnership – Chief McKim reported that the grant situation had changed, and that Millersville University is no longer spearheading a cooperative grant effort. The Borough's contracted grant-writing firm has been asked to keep an eye out. Chief McKim answered questions about the existing Body Worn Camera program.
4. 1st Quarter 2023 Budget Review – due to an inadvertent omission, no budget document was available for review. Chairman Buohl requested it be made available for the next meeting.
5. Active Shooter Exercise – Kim Stonebraker, Chief McKim, Randy Gockley and Chief Rich Gehman commented on the planning and execution of the Full-Scale Exercise at the WellSpan Ephrata Diagnostic Center.

Old Business Items:

1. Fire Call Annual Comparison – No discussion.

Miscellaneous Items:

1. Whistlestop Activity - Chief McKim reported a complaint of harassment at the Whistlestop overnight. It could not be substantiated.
2. Shelter Activity - Chief McKim reported several calls at the Church Street shelter which mostly involved medical issues.
3. There was discussion regarding legal and constitutional parameters for police action on trespassing, loitering, and potential ordinances.

Highway Committee

The Highway Committee met on April 24, 2023, at 5:30 PM at Ephrata Borough Hall, 124 South State Street.

Approval of Agenda:

Mr. Burkholder provided confirmation of the following:

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4. The meeting agenda was made available to individuals in attendance at the meeting.

Committee Vice Chair Martin asked if there were any requests to add a matter of Borough business to the meeting agenda. Seeing none, Ms. Martin asked for a motion to accept the meeting agenda as posted. Mr. Musser moved, and Mr. Buohl seconded to approve the meeting agenda as posted. The motion carried unanimously.

Action Items:

1. The Committee reviewed a staff request to authorize the purchase of a new street saw and two new blades. The 5-year fleet replacement plan includes \$55,000 in 2023 to replace a street saw. The Committee will recommend that Borough Council approve this purchase via Costars Contract #008-E23-1115 through Service Supply Corporation from Ephrata, PA for \$34,715 at their May 8, 2023, meeting.
2. The Committee reviewed a disposition of assets request for a 2009 Husqvarna Street Saw, Serial #001260790001, with 395 hours of use to be traded in towards the purchase of a new street saw. This equipment is in fair condition and is functional. This equipment has a trade-in value of \$6,000. The Committee will recommend that Borough Council approve this disposition of assets and authorize the President of Borough Council and Borough Secretary to execute Resolution #2023-15 at their May 8, 2023, meeting.
3. The Committee reviewed the results of Bid #23-2 for South Oak Street Bridge Repairs and Approach Improvements. Budget estimate for this project is \$125,000. The Committee will recommend that Borough Council award the bid to the apparent low bidder: Bertolet Construction, LLC from Wernersville, PA in their total bid amount of \$115,732 at their May 8, 2023, meeting.
4. The Committee reviewed an April 17, 2023, letter request from the Ephrata Pioneer Fire Company asking to close South State Street between West Franklin Street and Fulton Street on Tuesday, June 27, 2023, between the hours of 5:30 pm and 9:30 pm to conduct an open house. The Committee will recommend that Borough Council approve this street closure at their May 8, 2023, meeting.

Discussion Items:

1. The Committee reviewed the 1st Quarter 2023 budget report for those activities under their purview and noted that snow and ice control numbers were lower than expected due to the mild winter months with little snow and ice. No other concerns currently.
2. The Committee discussed parking and traffic concerns on the Hummer Road approach to West Main Street in conjunction with two proposed land developments within the Lincoln Heights neighborhood. The Committee also heard from Lincoln Heights property owner Steven Wissler and was provided a copy of his summary of issues regarding his perceived traffic impacts of the

proposed land developments within the Lincoln Heights neighborhood. Mr. Wissler's summary of issues is included in this report. Staff will solicit a Proposal from the Borough's traffic engineer to further study the Hummer Road approach to West Main Street and report back to Committee at their next scheduled May 22, 2023, meeting.

Old Business Items:

1. The Committee briefly discussed parking kiosks and was advised that Borough staff is working on putting together a capital project for 2024 to upgrade parking payment options in the CBD. Reducing the proposed number of parking kiosks is planned. Preliminary capital projects for 2024 will be due sometime in July 2023.

Community Services Committee

The Community Services Committee met on April 24, 2023, at 4:30 PM at Ephrata Borough Hall, 124 South State Street.

Approval of Agenda:

Mr. Rineer provided confirmation of the following:

1. The meeting agenda was posted on the Borough's website and at Borough Hall no later than 24 hours in advance of the time of the meeting.
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3. There were no changes made to the meeting agenda after it was posted.
4. The meeting agenda was made available to individuals in attendance at the meeting.

Committee Vice Chair Martin asked if there were any requests to add a matter of Borough business to the meeting agenda. Seeing none, Ms. Martin asked for a motion to accept the meeting agenda as posted. Mr. Ressler moved and Ms. Martin seconded to approve the meeting agenda as posted. The motion carried unanimously.

Action Items:

1. A request was made by Lori Ann Kobzina, a member of the Ephrata Unleashed Dog Park Committee, to install four shade structures in the dog park. Ms. Kobzina stated the Dog Park Committee has been exploring different options for shade structures at the dog park. She stated that building a pavilion type structure would be too expensive and their Committee settled on a permanent 14' x 14' umbrella. Ms. Kobzina stated that the Committee has the funds to pay for the structures and they are currently searching for a contractor to install the structures. Ms. Martin and Mr. Ressler wanted to know what the wind uplift rating was for the structures. Ms. Kobzina stated that they are rated for wind gusts of up to 85 MPH. Mr. Ressler asked about the maintenance of the structure. Ms. Kobzina stated the fabric would be taken off over the cooler months and re-installed over the summer months. The material has a 10-year life expectancy. The Committee will recommend that Borough Council approve the request.

Discussion Items:

1. The Committee discussed the first quarter budget report. There were no concerns.
2. There was a discussion about Melissa Zook's request to use the Haller property as a nature based educational facility. Mr. Rineer gave a brief update on building code-related issues. The Committee

would like to have further discussions on this proposal at the next Committee meeting. Ms. Zook was going to gather more information about the day care facility and Ms. Harris was going to gather information on a feasibility study.

- 3. Mr. Rineer gave an update for the proposed Christmas tree bank. He stated that the Shade Tree Commission would be interested in gathering some ideas for the tree bank and he will present them to the Committee once they are done.
- 4. There was a discussion about pickleball courts in the Borough. Linda Brown stated that pickleball is a growing sport and there is a demand for locations to play it. She stated that she has a list of over 600 people who would be interested in pickleball courts being constructed in the Borough. Sue Hertzog, a resident of the Brickyard asked about the possibility of changing the existing tennis courts in the Brickyard Park to pickleball courts since the existing courts are seldom used. The Committee asked Ms. Harris to look into what would be involved in the conversion. Ms. Harris/Staff will research to identify possible locations and costs involved with building pickleball courts; six (6) is the desired number. The pickleball discussion will remain on the agenda as more information is available.

- April 2023 Borough of Ephrata Management Report
- April 2023 Borough of Ephrata Operations Report
- April 2023 General Ledger Report
- Ephrata Pioneer Fire Company April 2023 Report
- Ephrata Community Ambulance Association April 2023 Report
- Ephrata Emergency Management April 2023 Report
- Shade Tree Commission April 2023 Meeting Minutes
- Mainspring of Ephrata March 2023 Meeting Minutes

1st Quarter 2023 Department Reports:

- Finance
- Police
- Electric
- Inspection Codes
- Wastewater
- Public Works
- Water
- Sanitation

1st Quarter 2023 Organization Reports:

- Ephrata Public Library
- Ephrata Recreation Center
- Historical Society of the Cocalico Valley
- Mainspring of Ephrata

1st Quarter 2023 Mayor’s Revenue Report

NEW BUSINESS ITEMS

STANDING COMMITTEE RECOMMENDATIONS

Development Activities Committee

Mr. Zimmerman moved and Mr. Buohl seconded that Borough Council approve the request from the VFW to proceed with Phase IV of Ephrata Honors Banners. Motion carried unanimously.

Mr. Zimmerman moved and Mr. Buohl seconded that Borough Council approve Mainspring’s request to serve alcohol at Whistle Stop Plaza and Grater Park subject to receipt of a certificate of insurance

naming the Borough as an additional insured and a copy of the PLCB Special Occasion permit. Motion carried unanimously.

Mr. Zimmerman moved and Mr. Buohl seconded that Borough Council authorize the President of Borough Council to execute a lease with the County of Lancaster for a radio transmitter building and antenna tower. Motion carried unanimously.

Highway Committee

Mr. Richard moved and Mr. Musser seconded that Borough Council authorize the purchase of a new Husqvarna FS5000D 36" Street Saw from Service Supply Corporation through PA DGS Costars Purchasing Agreement 008-E23-1115 for \$34,715. Motion carried unanimously.

Mr. Richard moved and Mr. Musser seconded that Borough Council authorize the President of Borough Council and Borough Secretary to execute Resolution 2023-15 approving disposal of a 2009 Husqvarna Street Saw, Serial #001260790001 by way of trade-in on the purchase of a new street saw. Motion carried unanimously.

Mr. Richard moved and Mr. Musser seconded that Borough Council award Bid #23-2 for South Oak Street Bridge Repairs and Approach Improvements to Bertolet Construction, LLC, in their total bid amount of \$115,732. Motion carried unanimously via roll call vote.

Mr. Richard moved and Mr. Musser seconded that Borough Council approve the April 17, 2023, letter request from Ephrata Pioneer Fire Company to close South State Street from West Franklin Street to Fulton Street on Tuesday, June 27, 2023, from 5:30 PM to 9:30 PM to conduct an open house Motion carried unanimously.

Community Services Committee

Mr. Ressler moved and Mr. Zimmerman seconded that Borough Council grant Ephrata Unleashed Dog Park Committee's request to install four shade structures at the dog park. Motion carried unanimously.

APPROVAL OF CHECKS 50838 THROUGH 51073 AND THE ACH REGISTER DATED APRIL 27, 2023

Mr. Ressler moved and Mr. Richard seconded that Borough Council ratify the payment of bills performed by Staff since the last regular Council meeting in the aggregate amount of 1,982,556.32. Motion carried unanimously.

OPPORTUNITY FOR CITIZENS TO BE HEARD

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

DISCUSSION/ANNOUNCEMENTS

Mr. Musser commented that, "... it was good to have people show up" for a Council meeting noting the number of attendees.

Mr. Ressler commented how important it is that "youngsters" see how local government operates referencing the Boy Scouts in attendance. Additionally, Mr. Ressler expressed his appreciation to the members of A.B.A.T.E. and the importance of their efforts to keep motorcyclists safe on the roadways.

Mr. Buohl wished the Boy Scouts “good luck” in earning their merit badges.

Mr. Zimmerman expressed his appreciation to Staff for the information provided to Council via the Management and Operations Reports. Additionally, Mr. Zimmerman advised he had the opportunity to participate on a panel for the selection of Hibshman Scholarship recipients stating it was an “eye-opening experience” and he “... loved every minute.”

Mr. Richard commented he was appreciative of the acknowledgement of the importance of motorcycle safety on the roadways. Additionally, Mr. Richard expressed his thanks to the members of the police department and public works department for all of the work they do for the community.

Chief McKim advised that hopefully at their June meeting, Council will have names before them as possible police officer candidates. Chief McKim, speaking to the Boy Scouts, commented, “... Scouts make good citizens and good citizens make good cops” encouraging them to keep that in mind as they decide on future career goals.

Mayor Mowen advised that the Ephrata shower trailer’s numbers are lower than the other municipalities who provide that service. Additionally, Mayor Mowen expressed his kudos to various members of the Ephrata Track Team and highlighted some of the team’s statistics.

President Reinhold reminded attendees that the primary elections will be held on Tuesday, May 16, 2023, and encouraged voter participation.

President Reinhold referenced the upcoming Memorial Day activities including breakfast, provided by the VFW, the ceremony put on by the Ephrata War Memorial Association which honors those who have served, as well as highlighted the update of the memorial wall and plaques.

In closing his comments, President Reinhold advised that the Ephrata’s boys baseball team is currently playing against Elizabethtown for the section title.

ADJOURNMENT

Mr. Zimmerman moved that Borough Council adjourn the meeting. Motion carried unanimously. The meeting was adjourned at 8:01 PM.

Respectfully submitted,

Nancy E. Harris, P.E.
Secretary

SJF