

BOROUGH OF AKRON COUNCIL MEETING – October 25, 2021

Council Members present – Nathan Imhoff, President; Justin Gehman, Vice-President; Thomas J. Murray, Sr., Kleon Zimmerman, Paul Swangren, Jr., Michael Morris, and Randall Justice.

Others present – Mayor John McBeth; Susan Davidson, Borough Manager; Sean Molchany, Assistant Borough Manager, and West Earl Police Chief Eric Higgins.

Visitors – Larry Alexander – Ephrata Review, Gordon Zook – Ten Thousand Villages, John Taylor, Dale Lausch, Matt Lausch and Howard Anderson

Meeting opened at 6:30 p.m. with the Pledge of Allegiance.

Council Members/Mayor Roll Call:

Thomas J. Murray, Sr. – Present
Kleon Zimmerman – Present
Paul Swangren, Jr. – Present
Randall Justice – Present
Michael Morris – Present
Justin Gehman, Vice-President – Present
Nathan Imhoff, President – Present
Mayor John McBeth – Present

Approval of Minutes

Paul Swangren, Jr. made a motion to approve the October 11, 2021 Borough of Akron Council Meeting minutes. Randall Justice seconded the motion.

Motion carried.

Visitors/Comments from Public

Dale Lausch, who owns property at the corner of Oak and 7th Streets, brought an issue to Council's attention regarding the result of the water main installation. Mr. Lausch stated the Borough requested permission to go through his front yard for the water main, to which he agreed. However, it was concerning to him that nothing was used to protect the sidewalk to disperse the weight of the equipment. After the work was done, it appears that the sidewalk is now bellied. Mr. Lausch met with Sue Davidson and Sean Molchany about two weeks ago to try to get some resolution on the issue. He would like the sidewalk to be fixed, and if the Borough decides that it is his responsibility, he will have it fixed in the spring.

Susan Davidson stated she requested from Mr. Lausch a picture of the sidewalk before construction. Mr. Lausch did provide a picture; however, there is no date on it. Susan Davidson and Sean Molchany discussed the issue today and are working towards a resolution.

Sean Molchany stated he looked up pictures of the area on google, that are probably from 3 to 5 years go, which show the sidewalk being in a sunken condition prior to construction. Mr. Molchany will send the pictures to Council for examination, and will get back to Mr. Lausch with a response.

Howard Anderson, living on Oak Street, brought an issue to Council's attention regarding parked vehicles on the side of the road behind Enterprise. He reported that some of those vehicles don't have license plates on, and one of them has a flat tire. They have been sitting there since August.

Chief Higgins stated they will address this issue, and asked Mr. Anderson to report these issues to West Earl Police in the future.

Motion to pay the November 2021 West Earl Police Services

Michael Morris made a motion to approve the payment to West Earl Township for police services in the amount of \$58,728.63. Thomas J. Murray, Sr. seconded the motion. Motion carried.

Reports

Police Report

Chief Higgins shared his idea to assign an officer to work hand-in-hand with their Code Enforcement Officer. He believes Officer Rogers would be a fit because he is more familiar with Akron Borough and the ordinances of Akron. Officer Rogers would work with Akron Borough Office to address code issues.

Chief Higgins introduced Officer Samantha Heise. Officer Heise is being sworn in tonight and she is excited to be part of West Earl Township Police.

Mayor Report

Nothing to report.

Borough Manager Report

Presented her report in the Old Business and New Business.

Assistant Borough Manager/Zoning Officer Report

Nothing to report.

Finance Report

Nothing to report.

Ten Thousand Villages Conceptual Letter

Nathan Imhoff asked Gordon Zook from Ten Thousand Villages to talk about the letter he sent to Council regarding Ten Thousand Villages Commitments for Akron Town Center Conceptual Design Proposal, and what his vision is on this project.

Mr. Zook stated Ten Thousand Villages has been working with the Implementation Task Force to figure out what their long-term vision is for the use of that property. Ten Thousand Villages

wants to support this collaborative effort of the Akron Borough, Ten Thousand Villages, and Lancaster County Economic Development Company, and they believe that this is a great opportunity to plan for a Town Center that will incorporate the Borough's and its residents' interests.

Randall Justice stated there was a concern about the portion of the cost for the initial research between Ten Thousand Villages (the owner of the property) and the Borough, where the Borough's portion would be taxpayer money. Mr. Justice asked Mr. Zook to share about how that portion was determined, because it is a little bit uncomfortable for Council members.

Mr. Zook explained that the initiative did not come originally from Ten Thousand Villages, but they are willing to work with Akron Borough to see what would make sense. Ten Thousand Villages would contribute \$4,000.00 of the cost to help the Borough explore this possibility.

Mr. Justice stated that one of the other risks that the Council discussed was the idea that they can spend time, energy and money in this exploration stage, and then Ten Thousand Villages could, at any point, find it more beneficial to sell the property.

Mr. Zook stated their intention is to keep that building and use it; however, they cannot guarantee that it is going to be the final solution for the Borough, if the Borough decides to move forward with the project.

Mr. Justice also stated when they talked about the project, there has been a lot of conversation about Ten Thousand Villages building and the Borough's role in that, and he also heard the park being mentioned. Mr. Randall would like to know more about what is intended for the park as part of this project.

Mr. Zook explained that his understanding is that the Town Center concept is building space, like coffee shops, or limited retail, in conjunction with recreational opportunities.

Mayor McBeth said that his understanding is that they will need \$8 to 10 million to invest, if this project was developed. He asked whether Ten Thousand Villages has that money.

Mr. Zook explained that if something was to be developed and when the concept plan is prepared, at that point, they are going to need to find a developing partner that can front the money. Ten Thousand Villages does not have that money. Mr. Zook said they all need to make sure that it is a feasible plan, and that it is a plan that somebody is willing to front money for, in order to develop it.

Thomas J. Murray, Sr. stated he would like to see the relative material to the park restrictions.

The Council thanked Mr. Zook for the conversation and for their partnership.

Community Relations Report

Michael Morris will report under Old Business.

Parks and Property Report

Nothing to report.

Personnel Report

Paul Swangren, Jr. stated they had a Personnel meeting prior to the Council meeting where they discussed several issues. Mr. Swangren requested that they hold an Executive Session at the end of this meeting to discuss some personnel issues that came up at the meeting.

Streets Report

Nothing to report.

Public Utilities Report

Nothing to report.

Old Business

2022 Budget Process

Susan Davidson requested to hold another Budget Meeting next Monday, November 1, 2021 at 6:00 p.m.

Thomas J. Murray, Sr. made a motion to hold a Budget Meeting on November 1, 2021 at 6:00 p.m. starting immediately after the Akron Authority meeting. Michael Morris seconded the motion.

Motion carried.

Affordable Paving Streets Project

Sean Molchany stated Affordable Paving was able to secure a pipe for the project and they have it scheduled to start the week of November 8th, pending the structures being completed, which are scheduled to be done the first week of November.

Borough Webpage Update

Michael Morris presented the first draft of the new Borough website. It is a bit cleaner which makes it easier to find the Pay Online button, as well as some of the other main things. The website is also mobile friendly. Mr. Morris demonstrated how to make posts on the website and how to access some of the main things.

Mr. Morris will give WebTek feedback on this first draft to get a second draft, after which the Council will determine if they want to add anything, and if not, they will go live.

Uniform Minimum Municipal Obligation

Sue Davidson stated at their last Council meeting, Thomas J. Murray, Sr. asked for a legal opinion in regards to the Minimum Municipal Obligation that was due for the Uniform Pension Plan. Ms. Davidson contacted their Solicitor and the Auditor's office. The Auditor's office recommended that Ms. Davidson would reach out to the West Earl Actuary, which she did.

Ms. Davidson presented a letter from the Solicitor with his legal opinion; the actual MMO that was calculated and adopted last year, as well as a copy of the amount that was received this year from the state for their Uniform and Non-Uniform pension.

Thomas J. Murray, Sr. stated they have an unfunded actuarial liability of \$257,841.00. Mr. Murray prefers to borrow the money and to pay it off, because it can change based upon where the stock market might be.

Susan Davidson stated they received \$57,567.00 from the State. \$30,084.00 would be paid towards the uniform MMO. And the remainder would go to the non-uniform MMO.

Thomas J. Murray, Sr. made a motion to pay \$30,084.00 to the West Earl Township Uniform Pension Plan. Paul Swangren, Jr. seconded the motion.
Motion carried.

Paul Swangren, Jr. made a motion to amend the Police Agreement – Unfunded Pension Liability. Michael Morris seconded the motion.
Motion carried.

Thomas J. Murray, Sr. stated they need to research with several banks, where they can borrow the money, to get the best possible rate.

New Business

Ephrata Library Donation

Nathan Imhoff stated at the last Council meeting he requested information on Ephrata Public Library donations and how much they are required to come back and tell the Council where Akron Borough's donated money is being spent. They did get a letter with that information which gives the Council a better idea on how they want to handle their donations in the future. Mr. Imhoff would like to discuss that information at their next Budget meeting.

Wolf Tract

The Council was not in favor of taking over the maintenance bond prior to accepting the dedication of the roadway. The Council would like to allow them to finish the roadway before accepting the dedication.

Motions and Decisions

Motion to adopt the Disorderly Conduct Ordinance

Susan Davidson explained that because of the technical issues that LNP experienced a few weeks ago, they were not able to advertise, so this item will be put on the agenda for November 8, 2021 Council Meeting.

Other Business/Deliberations

Paul Swangren, Jr. made a motion to move to Executive Session, excluding Thomas J. Murray, Sr., to discuss personnel issues. Justin Gehman seconded the motion.

Motion carried.

The regular Council meeting was recessed at 8:06 p.m.

The regular Council meeting was reconvened at 8:46 p.m.

Paul Swangren, Jr. made a motion to return to regular Council Meeting and exit the Executive Session. Randall Justice seconded the motion. Motion carried.

Paul Swangren, Jr. announced that Council discussed Personnel matters only and no decisions were made. He also noted that Thomas J. Murray, Sr. did not participate in the Executive Session.

Paul Swangren, Jr. made a motion to adjourn the meeting. Michael Morris seconded the motion.

Motion carried.

Meeting adjourned at 8:47 p.m.

Respectfully submitted,

Lydia Kovalchuk
Minute Taker