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2022

MONDAY, SEPTEMBER 12, 2022

Borough of Akron Council Meeting-September 12, 2022

Council Members Present-Nathan Imhoff President, Justin Gehman, Vice President; Ryan Cochran (via Zoom); Paul Swangren, Jr.; Bonnie Young;

Others Present-John McBeth, Mayor; Susan Davidson, Borough Manager; Sean Molchany, Assistant Borough Manager; Eric Higgins, West Earl Police Department, Suzanne Lausch-Minute taker.

Visitors- Aaron Murray 1229 Main St, Akron; Ken Harmes 682 Broad St, Akron; Sam Meckley-Rettew Associates Inc; Tom Murray III, 922 Broad St Akron (Akron Fire Co); Eric Higgins, West Earl PD; John Taylor, 216 South St. Akron; Sam and Jaclyn Hurst, 699 Broad St. Akron; Jobany Bedoya, VP of Ephrata Library Board of Directors; Mike Eichenlaub, President Ephrata Library Board of Directors.

Roll Call-

Bonnie Young, Present

Paul Swangren Jr, Present

Randall Justice, Present

Ryan Cochran, Zoom

Kleon Zimmerman Not Present

Justin Gehman, Vice-President Present

Nathan Imhoff, President Present

John McBeth, Mayor Present

I. Pledge of Allegiance-6:30pm

II. Minutes for August 8, 2022

Paul Swangren, Jr motioned to approve Akron Borough Council minutes for August 8, 2022. Randall Justice seconded the motion. Motion carried.

III. Visitors/Comments from Public

- a) Ken Harmes, 680 Broad St. Akron expressed concerns about businesses and parking issues in Akron and commented on the public transparency of alerting residents when a business replaces another business and the parking becomes an issue as in not enough parking. Assistant Akron Borough Manager, Sean Molchany stated that an office-to-office tenant space is not required to be publicly announced and that is not a requirement of the Borough to notify residents of occupancy changes. Mr. Harmes also expressed a complaint of a business adding a flower bed to a prior walkway causing pedestrians to walk into the street to get to the end of the street to a stop sign. Nathan Imhoff said council could look into Mr. Harmes complaints and Mayor McBeth suggested that the requirement for

1 parking spaces for businesses should be reviewed for ample parking spaces. Sean Molchany said that
2 zoning ordinance parking requirements will be reviewed with the zoning ordinance update.

3 b) Aaron Murray from the Akron Volunteer Fire Company shared that the Halloween Parade will be held
4 Wednesday October 19 at 6:30 p.m. The parade will start at Mennonite Central Committee located on
5 12th Street and will go up to Main Street, then make a right down Main Street to the Akron Fire Hall.
6 Main Street will be shut down from Circle Drive to Dawn Avenue. Street shut down will begin at 6:00
7 pm and Fire Police will be present. Lack of volunteers necessitated a shortened parade route. Mayor
8 McBeth requested written details for street closings from the Akron Fire Company and Aaron Murray
9 will get a letter to the Mayor. Nathan Imhoff requested details of the parade and Aaron Murray shared
10 how the parade is handled as far as costumes, judging and prizes etc. No rain date is planned for
11 inclement weather.

12 c) Ephrata Public Library Board Vice Chair Jobony Bedoya presented handouts to the Council and Mayor
13 on Library Activities and staff information. Bedoya shared that this is a non-profit that serves a wide
14 area and has been in the area for 60 years and serves 35,000 residents in the Akron, Ephrata and Clay
15 areas. He shared that the Passport office does help with the revenue stream for the library. 182,000
16 items have been circulated and employs 14.88 full-time employees.

17 d) Active Transportation Plan-Sam Meckley from Rettew Associates who have been assisting with this
18 plan since fall of 2021, made a presentation to Council on the Active Transportation Plan. The Steering
19 Committee met to review needs and had a public survey on the Borough webpage for input from the
20 public. The requirement now is for the Council to take action and to approve the resolution as
21 finalization is required for the plan. The Borough received \$9,000.00 grant from DCNR for the Active
22 Transportation Plan and \$10,000.00 from DCNR to prepare a sidewalk inventory map. This will allow
23 Akron to apply for grants when the plan is applied. Some questions regarding wording definitions were
24 discussed: on page 423 the word “wheeling” was used, and the definition regards any motorized
25 vehicle, wheelchairs, skateboards etc. Also, under question was the extension of the Ephrata to
26 Warwick rail trail from the Akron Park. Another question arose regarding the adoption of a sidewalk
27 ordinance. Akron does have an ordinance, but it does need improved. Paul Swangren, Jr asked if the
28 plan must be approved prior to applying for funding and if funding is not available for the rail-trail this
29 would not be a requirement. Questions were also raised on the Shareon Lane for bicycles regarding
30 maintenance and requirements for upkeep and is it enforceable? Also concerns about lack of resident
31 input for number of residents in Akron. Paul also had questions regarding the sidewalk inspections and
32 sidewalk inventory assessment plan. This is currently a work in progress. Nathan Imhoff asked if staff
33 could create a list of projects that the Borough is currently working on and the progress of completion
34 or if currently in progress. John McBeth questioned if there should be deadlines for the sidewalk
35 review. John McBeth commented on the Bus Shelter project not being a priority as this might be the
36 biggest “bang for the buck”. Sean Molchany replied that zoning does not currently permit this and that
37 also Penn Dot has a right of way and they would need property owner approval as well. This was
38 addressed previously, and zoning ordinance update is looking at this issue. A question arose about bus

1 shelters being no charge. Sean mentioned the even if no charge they must allow advertising on the
2 shelter. A final format for the plan must be submitted at the September 26 council meeting.

3 **IV. Bills**

4 Randall Justice made a motion to approve the September 2022, Board of Akron disbursements and fund the
5 appropriate account for the disbursements as reviewed by the Finance Committee.

6 Paul Swangren, Jr seconded the motion.

7 General Fund- \$332,526.07

8 Water Fund- \$ 6,510.57

9 Sewer Fund- \$ 2,014.01

10 Capital Proj - \$ 73,420.00

11 Payroll Fund - \$ 1,361.26

12 Total- \$415,831.91

13 Motion carried.

14 **V. Reports/Announcements**

15 a) **Police Report**-West Earl Police Chief, Eric Higgins shared that two new police officers were being sworn
16 in as one officer retired and one resigned. Police report for July 2022 was in the Council book and
17 August will be emailed to Susan Davidson to be distributed to Council and Mayor. Chief Higgins also
18 mentioned that a Police Liaison meeting took place on September 1, 2022 at the West Earl Township
19 Building. Mayor John McBeth and Susan Davidson represented Akron Borough.

20 b) **Mayor Report**-none at this time

21 c) **Borough Manager Report**- August 2022 month-end financials have been reconciled and the September
22 2022 payables have been reviewed by the Finance Committee. Staff has started the 2023 budget
23 process and would like to meet with Committee Chairpersons to discuss the budget. Akron Volunteer
24 Fire Company and Ephrata Public Library donations are on agenda for September 12, 2022 meeting and
25 Representatives from both groups are in attendance this evening. The 2023 Minimum Municipal
26 Obligation information for the non-uniform pension plan will be forwarded to Council and Mayor
27 before September 30, 2022 for approval at the October 2022 meeting. Justin Gehman and Susan
28 Davidson along with the Borough Solicitor met with Ephrata National Bank regarding the loan for
29 unfunded police liability for the Uniform Pension Plan on September 1, 2022. Loan papers for \$200,000
30 were signed. Graffiti in Roland and Broad Street parks has been cleaned up and West Earl Police
31 Department was notified. A crossing guard was hired to replace a crossing guard who has resigned.
32 West Earl Police Department crossing guard training took place on August 16, 2022 and the training
33 went well. Staff met with C. S. Davidson to review the annual MS-4 report that is due on September 30,
34 2022. Affordable Paving is completing work on s. Ninth Street and when completed, Hanover
35 Engineering will submit the final approval for payment. Staff met with person who is purchasing 1360
36 Diamond Station Road in regard to a sewer hookup and is getting an easement to hook in on the

Diamond Spring Circle property. He is able to hook into our sewer line, but first must get the easement, all agreements must be in order and has to meet all specifications in order to hook in. The Borough Planning Commission met on September 1, 2022 to review the proposed zoning updates. John Trescott Lancaster County Commissioner will be attending the September 26, 2022 meeting.

d) **Finance Report August 31,2022**

i) **General Fund**-\$275,897.22

ii) **Water Fund**-\$7709.89

iii) **Sewer Fund**-\$164,265.12

iv) **Highway Aid**-\$169,238.32

v) **General Fund Reserves**

General Fund Reserves

(1) **Restricted**-\$158,000.00

Restricted (Goal) \$144,363.00

Total- \$144,363.00

(2) **Operating**-162,433.62

(3) **Capital**-\$285,645.52

(4) **Total**-\$606,079.14

vi) **Water Fund Reserves**

(1) **Restricted**-\$72,992.00

(2) **Operating**-\$232,827.36

(3) **Capital**-0.00

(4) **Total** -\$305,819.36

vii) **Sewer Fund Reserves**

(1) **Restricted**-\$121,822.00

(2) **Operating**-\$311,642.67

(3) **Capital**-\$0.00

(4) **Total**-\$433,464.67

viii) **Capital Projects**-\$384.13

ix) **Community Fund**-\$2,060.05

TOTAL-\$1,964,917.90

ESCROW-\$6,029.17

e) **Community Relations Report**-Bonnie Young thanks Randall Justice for funding for concerts in Akron Park; Swing Street group had the smallest audience for a total of 50 people. Bonnie Young and the

1 Borough Manager met with Wesley Moyer about improvements to the disc golf course. Wesley
2 mentioned that the club has plans for improvements to the course and will get back to them with more
3 information. Wesley informed them that more people are using the course since the Covid pandemic in
4 2020. He also informed them that the club is raising funds for improvements by holding tournaments.
5 So far \$5,000.00 has been raised. Some late input from Akron public in regard to the proposed town
6 motto has been received, but Council will stay with the current suggestions that are on listing on
7 SurveyMonkey on the Borough webpage. Council will make decision on motto at the October 10, 2022
8 Council meeting.

- 9 f) **Parks and Property Report**-Pavilion project sticking points regarding electric and storm water
10 management if needed. Basic drainage (French drain) and or rain barrels. Paul Swangren, Jr thought
11 the discussion previously was to delay electric for the pavilion and Nathan Imhoff replied that the
12 conduit should be created for the future electric. Goal should be to get itemized quote for further
13 review of project. Nathan commented that perhaps a better understanding of the total project and
14 associated costs prior to getting the funding might have been a help in the planning process. The Park
15 House project proposal was reviewed by Randall Justice and other staff reviewed the plans and
16 estimate for repairs and recommends that they be facilitated quickly without delays. Current price
17 seems fair. Repair financing would come out of the General Fund. Paul Swangren, Jr motioned to
18 approve Prime Home Contractor LLC to complete the repairs on the Park House and take funds from
19 General Fund. Second by Justin Gehman. Motion approved.
- 20 g) **Personnel Report**- A FT Public Works employee was hired and started work on September 7, 2022 and
21 staff would like to hire another FT Public Works employee and it is in the budget. A crossing guard has
22 resigned, and staff advertised for this position and hired a new crossing guard to start on September
23 12, 2022 (corner of Broad Street and S. 11th Street). The new crossing guard will be trained by a
24 substitute crossing guard. Paul Swangren, Jr. mentioned there will be a Personnel Meeting on
25 September 26, 2022 at 6:00 p.m. to discuss an additional Public Works hire.
- 26 h) **Streets Report**- Sean Molchany reviewed Section 15-605 Overnight Parking Ordinance proposed
27 changes to dated ordinance. Sean Molchany reviewed old ordinance and suggested updates. Randall
28 Justice made a motion to update the overnight parking ordinance. Paul Swangren, Jr seconded. Motion
29 approved.
- 30 i) **Public Utilities Report**- Staff met with C. S. Davidson to look at outfall inspections i.e., stormwater
31 detention facilities etc. and how to put data into new program which would generate reports; this is a
32 new program that would generate and print reports from entered data. Sean Molchany says a demo
33 will be presented to council to show how program will benefit the borough. Sidewalk inventory can be
34 used in this program as well. Updated MS4 information on the Borough website. Paul Swangren, Jr
35 mentioned water monitoring requirement information in the Council books. Paul also mentioned it
36 does not include the PFAD/PFOS monitoring. Sean Molchany mentioned that this is not required until
37 2023. Paul Swangren, Jr. also mentioned the street work on Edgehill/Manor Ridge Drives to contact

1 the engineer regarding full width milling and Sean says he discussed with i.e., about reworking the plan
2 to reduce costs.

3 **VI. Public Hearings/Presentations/Appointments**

4 **VII. Old Business**

5 i) Park House Improvements Committee Report-ongoing

6 **VIII. New Business**

7 a) 2023 Budget-Staff will be meeting with Council chairpersons to discuss the 2023 proposed budget

8 **IX. Motions and Decisions**

9 a) **Motions and Decisions:** 2022 Donation to Akron Fire Company; Paul Swangren, Jr motions to approve
10 donation of \$17,500.00. This is the remainder of the 2022 budgeted amount. Bonnie Young second.
11 Motion approved.

12 2022 donation to Ephrata Public Library-Justin Gehman motions to approve donation of \$10,000.00 to
13 Ephrata Public Library. This is the remainder of the 2022 budgeted amount. There was no second.
14 Motion died. Discussion ensued: Paul Swangren, Jr objected to donation as he thinks that the library
15 has an “agenda” that is not appropriate for the conservative values of the community. Randall Justice
16 expressed a different thought process on value of Library to the community as well as Suzanne Lausch
17 shared her experience at the library as a volunteer and the type of people who frequent and use the
18 library resources. Justin Gehman made a motion to approve donation of \$10,000.00 to the Ephrata
19 Public Library. This is the remainder of the 2022 budgeted amount. Randall Justice seconded the
20 motion. A Roll call vote was called with the following results:

21 i) Bonnie Young abstained

22 ii) Nathan Imhoff-yes

23 iii) Randall Justice-yes

24 iv) Paul Swangren, Jr-no

25 v) Ryan Cochran-yes

26 vi) Justin Gehman-yes

27 b)

28 **X. Ordinances**

29 **XI. Resolutions**

30 **XII. Acknowledgments**-Paul Swangren, Jr expressed appreciation to Akron Volunteer Fire Company

1 **IXIII. Other Business/Deliberations-** The Lancaster County Planning Commission on behalf of the Lancaster
2 County Commissioners informed both Akron Borough and West Earl Township that they have no objection
3 to officially naming an unnamed stream to Warbler Run. This stream begins in Akron Borough and flows
4 through West Earl Township into the Conestoga River. Staff attended a Zoom meeting hosted by the
5 Lancaster County Solid Waste Management Authority and distributed information to Council and Mayor on
6 that meeting. Staff distributed Blue Ridge Communications Upgrade Information-building internet to Council
7 and Mayor. Lancaster County Commissioner John Trescot will attend September 26, 2022 meeting;
8 Mennonite Central Committee donated \$7000.00 in lieu of taxes. The Borough Manager mentioned the
9 School Resource Officer contract expires at the end of 2022. Council told staff to reach out to the School
10 District and the status of a proposed contract.

11 **IXIV. Correspondence and Petitions**

12 **IXV. Adjournment**

13 a) Motion by Paul Swangren, Jr to adjourn the meeting. Randall Justice seconded the motion. Motion
14 carried.

15
16 Meeting adjourned at 9:00 p.m.

17
18 Respectfully submitted,

19
20 Susan Davidson
21 Borough Manager/Secretary
22
23