

1 **Borough of Akron Council Meeting-December 12, 2022**

2
3 **Council Members Present:** Nathan Imhoff, President, Kleon Zimmerman, Paul Swangren, Jr.,
4 Ryan Cochran, Randall Justice, Nathan Imhoff, Justin Gehman-Vice President, Bonnie Young

5
6 **Others Present:** Mayor John McBeth, Susan Davidson, Borough Manager; Sean Molchany,
7 Assistant Borough Manager; Suzanne Lausch, Minute Taker; see attached for visitors

8 **Zoom-** Andrew Tuleya, Chris Hoffman, Ingrid M, J. Smith, Michael Yoder, Marilyn Yoder, Paul
9 Swangren, Linda Baer, Barry Russell, Jill Zimmerman, Valerie Houtz, Randall Justice, Noelle F.,
10 Rebecca Beres, Frav Wise, Christina Houdeshell, Zoom User.

11
12 **Roll Call**

13 Kleon Zimmerman-present

14 Paul Swangren, Jr-present

15 Randall Justice-present

16 Ryan Cochran-present

17 Bonnie Young-present

18 Nathan Imhoff-present

19 Justin Gehman-present

20 Mayor John McBeth-present

21
22 Meeting opened at 6:35pm with the Pledge of Allegiance.

23
24 **Approval of Minutes**

25 Motion to approve minutes for November 28, 2022 by Paul Swangren, Jr second by Randall
26 Justice

27 Motion carried.

28
29 **Visitors/Comments from Public**

30
31 President Nathan Imhoff asked if any visitor this evening was here to speak about any topic
32 other than the Ephrata Library issue. He then requested that any visitor tonight who was here
33 two weeks ago should just announce that fact and let those visitors here for first time speak. He
34 also asked that only Akron residents should be speaking on this topic.

35
36 **Tim Leyman-**He stated that the "library is important to me." "I was a poor reader when I
37 started out and between 2nd and 3rd grade so I got books from the library and improved my
38 reading group at school." He stated that the library availability helped him improve his
39 education so he could have the job that he has today. (Nathan Imhoff said that this was a fiscal
40 decision and the council did not want to raise taxes.)

41 Nathan reiterated that funding would be revisited at end of fiscal year and then monies might
42 be allotted.

43
44 **George Wolf-** thanks all council members and says that he will accept the council's decision.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

Pam Musser-spoke two weeks ago

Deb Hansell-spoke two weeks ago.

Michael Morris-spoke at previous meeting

Sue Glick- she asked if the reserves can be used? And then replace those monies at end of year?

Robyn Hodgson- Shared a 13-page document of reasons that library is important to local residents. She placed rolled coins on table to be delivered to the library as a donation. She said that the library gives freedom to think and not funding looks bad to the values of America.

Peter Passage-spoke two weeks ago

Harold Benner-spoke two weeks ago. Would President Imhoff please read his statement. He is wondering if this is a done deal? He got impression that it was not a done deal. Nathan told him that the budget will be discussed this evening. He got impression that council statements made were that the budget was going to be approved. President Imhoff said that tonight the council would discuss the budget and then make a decision. President Imhoff said he wants to know where the monies go when the money is donated and wants to work with the library to be able to say where the money goes so, he can reply to constituents where the money goes. Harold asked if the Akron Borough has any reserve monies? President Imhoff replied that there are restricted reserves for emergencies and that council deliberations will be taking place tonight regarding the budget for 2023. Harold also said that it is difficult for library administration to make decisions without knowing if there will be a donation. Appreciates responses. Harold asked if all council members have same opinion regarding the library. He also said that he supports the \$20,000 as well as another 10%. He offered a check to the Akron Borough for the library but was advised by council to give it to library himself. Council cannot take check from private citizen and donate to the library.

Andrea Eberhart-spoke two weeks ago. Noted that Akron residents may use the library even though there is no Borough donation. She is afraid that the library will not let Akron residents use the library.

John Williamson-Mr. Williamson said that he is concerned about Akron’s reputation due to recent events, mentioning the previous solicitor who wanted to kill Senators and now the withdrawing of library funding. He wanted to offer solutions: he looked at budget and has a couple questions. Previously the library donation was \$20,000 and the fire company donation was \$30,000. In the 2023 budget, the donation for the library is 0, and the fire company is now \$35,000 an increase of \$5,000. The Drug Task force amount in 2023 budget is \$4200 and if there is concern about how money is spent, he noted that the Drug Task Force had a scandal of an officer stealing money. He offered various ideas for fundraisers for library. He also

1 mentioned an item in the newsletter that stated there will be no more Christmas tree drop offs
2 in the Akron Park. President Imhoff said that this drop was unfortunately being used for
3 garbage, and others who drop their trash there so that is reason for removing that offering.
4 President Imhoff said that he is surprised when previous council members come back and
5 criticize current members and he did not appreciate some of the statements made by previous
6 council members.

7
8 **Tina Mast-Burnett** -Said she understands budget balancing however she says significant
9 number of Akron residents use the library. She wonders why the council cut the library from
10 the budget?

11
12 **Tom Burnett**-spoke last week. Said he appreciated civil discussion during these meetings.

13
14 **Ren Cole**-Said he was at the meeting representing queer youth in support of the library. It has
15 given him friends and people that helped him build community. Great for all youth and
16 everyone. He said that the library supported a family of a child that recently committed suicide.

17
18 **John Stoner**-thanked borough members for service to community. He supports library funding.
19 He is concerned about the fiscal decision and mentioned that cutting others or raising taxes
20 should be an option. Should value taxes that provide opportunities for community. Offered
21 check of \$10.00 made to borough for donation to the library.

22
23 **Carl Landis**-spoke two weeks ago. Supports funding library. Doesn't want to be freeloader

24
25 **Dawn Stauffer**-was not at prior meetings. After vacation she heard a lot of conflicting
26 information on the library funding and came to hear the facts of why the library is not being
27 funded. She wonders how this decision came to be and is curious to hear discussion tonight
28 about the budget. She asked council to please consider other adjustments and other
29 expenditures. She also questioned street sweeping and how it is being done. President Imhoff
30 did say that council did decrease monies for the street sweeping. She expressed appreciation
31 for the council.

32
33 **Deb Landis**-was here two weeks ago. She echoed the appreciation of council members. Since
34 last meeting she was wondering why there was not a discussion to cut other budgeted items
35 and why not look at everything and not target just one group.

36
37 **Erica Lausch**-she expressed appreciation for the library and wants community supported by
38 donation to library.

39
40 **Dennis Stauffer**-Explained he missed the first meeting as he was on vacation. He mentioned
41 that he first read about this in Florida. He heard conflicting information and wondered about
42 Nathan's comment that the council needs to answer to residents who wonder how money is
43 being spent. If a resident is wondering that then would strings be attached to the donation? He

1 also asked if the problem is what the money is being spent on, or the lack of information from
2 library. He said we may disagree but thank you for the dialogue.

3

4 **Randall Justice (council member)**-he clarified that there was some concern about what
5 components of the donation are being spent for what type of programming at the library.

6

7 **Michael Morris** said that the library would attest that the money would go to payroll.

8

9 **Shawn**-at last meeting

10

11 **Chris Beiler**-agreed with all views stated

12

13 **Dwayne Yoder**-He said that he is concerned about the precedent this sets for other
14 municipalities

15

16 **Ed Miller**-here two weeks ago. Recommended that council could tell constituents what
17 municipal funding supports at the library. The donation would be support for library meeting
18 state standards for example required open hours, 12% spent on books, databases, personnel
19 requirements etc. He said that he understood that library administration might be confused
20 about council questioning them. He also shared that the library raises monies in other ways
21 that may go for other programming like summer reading etc. States that council should look at
22 it as meeting state standards as stated above. He also said that the silver lining has been to see
23 people supporting the library and sees a community passionate about their library. Appreciates
24 being attentive to economic reality in community and shared that during recessions libraries
25 get busier as people cannot afford things so the library is a place to go.

26

27 **John Taylor**-supports council. Was here two weeks ago. Glad he is not on council anymore.

28

29 **Sara Lynn Yuncy**-supports library donation

30

31 **Bob Sherman**-not here two weeks ago. Appreciates council. Please fund library.

32

33 **Ann Sherman**-supports funding of library. Mentioned the amount of programming that library
34 provides to the community. She took advantage of several library programs including a basic
35 computing class and power point instruction. He said the library provides programs for job
36 hunting etc. Appreciates council members and the residents who came to speak up for library
37 funding.

38

39 **Randall Justice**-thanked audience and said that this has been an uneasy couple of weeks
40 related to budget. And is only speaking for himself. A fiscal responsibility turned into a library
41 discussion. He feels honored and constrained to respond to the publics request to fund the
42 library.

43 **Bonnie Young** feels conflicted as well about the library funding. She says that the sewer
44 expenses are rising and that the decision is difficult.

1 **Nathan Imhoff**- Expressed concern about the sewer main collapse to tune of over \$400,000. He
2 would then have supported the library. He has been getting many e-mails regarding the budget
3 and the library donation being the majority.

4 **Ryan Cochran**-said that the library is not only one with cuts to budget. Some other capital
5 projects were not included in the budget. Everyone is feeling the effects of the economy. Sewer
6 project came in larger than expected. He was elected to represent Akron residents not the
7 library. He also said that the council doesn't fund raise.

8 **Justin Gehman**-stated appreciation to community for support of library. Also said that he did
9 not hear from all Akron residents. There are 4,200 residents and may only have heard from 300
10 in support of the library. He is looking out for 4,200 residents not just the 300 or so that showed
11 support of library.

12 President Imhoff then proposed some ideas: 53% of Akron residents use Ephrata Public Library.
13 A fair decision would be to revisit the \$20,000 donation and consider at least including in
14 budget \$10,600 (which covers 53% of residents) and then revisit at end of year to add to that
15 total. He recommended a suggestion for proposed amendment for council member to motion
16 to remove this amount from the general reserve restricted fund.

17 Bonnie Young motioned to take general reserve fund of \$10,600 and move to general fund for
18 library donation for 2023 with revisit in November 2023 for any additional funding. Second by
19 Justin Gehman

20 Vote by roll call:

21 Ryan Cochran-no
22 Bonnie Young-yes
23 Kleon Zimmerman-no
24 Paul Swangren, Jr.-no
25 Randall Justice-yes
26 Justin Gehman-no (but not regarding the library) (regarding new position)
27 Nathan Imhoff-yes

28 **Paul Swangren, Jr.**-stated that they should add that monies would be taken out of reserves
29 then amend the motion.

30 Nathan Imhoff said that the motion should include the additional donation and would be
31 addressed in November of 2023. He also shared that it is too late to raise taxes as the cut off
32 was December 1, 2022.

33 **Paul Swangren, Jr.**-Shared that he appreciates audience and council members and freedom to
34 speak. He reiterated the importance of library to the community. He also wanted to share some
35 facts regarding the decision to eliminate the library funding from the budget. He said that the
36 council agreed to remove the library donation and then later if the library had a specific request
37 in written form the council would then consider a donation. He said that he used the old library
38 and the new library and the new library is not like the old library. Through public discussion, he
39 noted that there is a need for a community center. Paul is concerned that the library donation
40 is going for things other than the library. Council continues to ask for details from executive
41 director of Ephrata Public Library for finances and he feels that the library is not transparent
42 with how their funds are spent. Concerned about postcard that was mailed to all Akron
43 residents and the anonymous nature of the card. This was actually a help to the library as there
44 are "Go Fund Me" support. I will not vote for the \$10,600.

1 **Kleon Zimmerman**-appreciates residents and library but he has concerns with the Northern
2 Hub. Kleon is concerned that the building itself is a liability.
3 **Bonnie Young** said that she is conflicted by all things that people are saying. She is concerned
4 about the small children and the two who spoke at last meeting.
5 **Randall Justice**-Shared that he grew up poor and was appreciative of his of access to a library.
6 He is concerned with the vulnerable people who need access and standing up for people that
7 can't speak for themselves.
8 **Nathan Imhoff** mentioned he received dozens of e-mails regarding the library donation
9 decision and had a troubled Thanksgiving. He tried to answer all e-mails as possible. He shared
10 that other municipalities have increased their funding to offset Akron's lack of donation.
11 Nathan will take tour in January of the EPL as invited by the board.

12
13 **2023 General Fund Budget**

14 Ryan Cochran motioned to approve General Fund; Second by Paul Swangren, Jr (motion
15 rescinded)
16 Bonnie Young motioned to adjust General Fund to allow for allocation of \$10,600 for library
17 increasing the total General Fund budget amount to \$1,942,196.00 second by Justin Gehman

18 **Roll call for the amendment.**

19 Bonnie Young-yes
20 Ryan Cochran-no
21 Kleon Zimmerman-no
22 Paul Swangren, Jr. -no
23 Randall Justice-yes
24 Justin Gehman-no
25 Nathan Imhoff-yes

26 **motion did not pass**

27 **Discussion-** Kleon Zimmerman mentioned that he has concerns about the Northern Hub as he
28 thinks the Ephrata Library does not get enough rent for the building which creates a liability.
29 Paul Swangren Jr. mentioned that he will continue to ask for transparency in spending of Akron
30 taxpayer money. This issue and request seem to get lost in the process. Swangren went onto
31 say that he pointed out and will again that a citizen asked Ephrata Public Library Board to see
32 what non payroll expenses were back in March 17, 2022 Board meeting. After consulting with
33 law sources there was a motion to decline the request for public access to the non-payroll
34 expenses. Justin Gehman stated that he is concerned about the finance position that was
35 discussed as far as personnel. Stated that borough is fully staffed in public works. He would like
36 to look at current job responsibilities before hiring a finance person.
37 Paul Swangren, Jr. stated he thought that this was discussed as not being an advertised position
38 until council discusses this position. When need arises can't council read adjust at the time that
39 the decision is made for a new position. Paul concerned about "creeper" projects. Justin says
40 right now we have two borough managers and when Susan Davidson retires can the job
41 descriptions be revisited. Discussion on hiring in a timely fashion for succession plans. Only
42 looking at position as extra costs not as a way to decrease costs with proactive plans. Discussion
43 on Sean Molchany moving into Borough manager when Susan Davidson retires and training a
44 person to replace her with understanding of borough finances.

1 **Mayor McBeth-** “A budget funding is a roadmap, not the road”. Spending of funds is not in
2 concrete. Clarify number of employees in the future after Susan Davidson retires. Only two
3 people in office. Right now, the three people is temporary. \$30,000 for half a year for a finance
4 person. Don’t forget insurance, social security etc. Borough Manager Davidson mentioned
5 benefits were not included in the budget.
6

7 Motion by Paul Swangren, Jr with second by Randall Justice to approve the 2023 General Fund
8 Budget in the amount of \$1,942,196.00.

9 Bonnie Young-yes

10 Ryan Cochran-no

11 Kleon Zimmerman-no

12 Paul Swangren, Jr.-no

13 Randall Justice-yes

14 Justin Gehman-yes

15 Nathan Imhoff-yes

16 Motion passed 4-3.

17

18 **2023 Water Fund Budget**

19 Motion by Ryan Cochran to approve the 2023 Water Fund Budget in the amount of
20 \$485,985.00 Motion was second by Paul Swangren, Jr.

21 Caveat for finance position discussion

22 Bonnie Young-yes

23 Ryan Cochran-yes

24 Kleon Zimmerman-yes

25 Paul Swangren, Jr. -yes

26 Randall Justice-yes

27 Justin Gehman-yes

28 Nathan Imhoff -yes

29 Motion carried.

30

31 **2023 Sewer Fund Budget**

32 Ryan Cochran made a motion to approve the 2023 Sewer Fund Budget in the amount of
33 \$1,000,815.00. Paul Swangren, Jr. seconded the motion Caveat for finance position discussed

34 Bonnie Young -yes

35 Paul Swangren, Jr. -yes

36 Kleon Zimmerman-yes

37 Randall Justice-yes

38 Justin Gehman-yes

39 Nathan Imhoff-yes

40 Motion carried.

41

42 **2023 Highway Aid Fund**

43 Ryan Cochran made a motion to approve the 2023 Highway Aid Fund Budget in the amount of
44 \$258,320.00. Paul Swangren, Jr. seconded the motion.

- 1 Bonnie Young-yes
- 2 Ryan Cochran-yes
- 3 Kleon Zimmerman-yes
- 4 Paul Swangren, Jr.-yes
- 5 Randall Justice-yes
- 6 Justin Gehman-yes
- 7 Nathan Imhoff-yes
- 8 Motion carried.

9

10 **Bills**

- 11 Motion to approve disbursements was made by Ryan Cochran for December 2022, and second
- 12 by Kleon Zimmerman
- 13 Motion carried.

14

15 **Reports/Announcements**

16

- 17 **Police Report**-submitted to council and Mayor. Officer Burns promoted to Sergeant

18

- 19 **Mayor Report**-John McBeth-none

20

21 **Borough Managers Report**

22 **Administration & Finance**

- 23 November 2022 month-end financials have been reconciled
- 24 December 2022 payables will be reviewed by Finance Committee
- 25 Motion to pay bills

- 26 2023 proposed Borough budget is on agenda for Council's approval on December 12, 2022
- 27 Resolution to keep millage the same at 3mills is also on agenda for December 12, 2022 and
- 28 appointing Herbein & Co as auditors and the 2023 meeting advertisement

29 **Parks & Property**

- 30 Staff is getting another quote on the Colonial Park pavilion

31 **Streets**

- 32 Public Works Department removed the tree and curbing on Circle Drive. Street patching will be
- 33 don one Circle Drive, S. Ninth St, Eighth St., Miller Road and Westview Drive.

34 **Public Utilities**

- 35 PW Department continues to install meters. Total meters installed as of November 17, 2022 is
- 36 1,663

- 37 A water main break took place on Tuesday, December 6, 2022 on S. Ninth St.

38 **Community Relations**

- 39 The Shoe-In Committee met to discuss the Annual New Year's Eve Event at the Broad St. Park.
- 40 The event starts at 9pm and will provide music, food, hayrides and games.

41 **Planning & Zoning**

- 42 Planning Commission Meeting was held on Thursday, December 1, 2022 to discuss proposed
- 43 zoning updates. No Zoning Hearings are scheduled at this time.

1 Earl Shirk, who serves as the Planning Commission Chairperson, is interested in serving another
2 term on Planning. His term expires the end of this year. 4-year term (2023-2026)

3 Tom Bender, who serves on the Zoning Hearing Board, is interested in serving another term. His
4 term expires the end of this year. 3-year term (2023-2025)

5 **Other Business**

6 An employee holiday lunch is scheduled for Tuesday, December 20, 2022 from 11:30am-
7 1:00pm at the Lodge in Roland Park. The Borough office will be closed over that timeframe. This
8 is a combined luncheon with the West Earl employees.

9 Sue Davidson’s term on the Akron Authority expires the end of this year and she is interested in
10 serving another 5-year term. (2023-2027)

11 **Board Vacancies**

12 Vacancy Board-2 year

13 Building Code Appeals board

14

15 **Finance Report-**

16 Ryan Cochran read into the minutes the November 2022 month-end fund balances

17

November30,2022

General Fund	\$145,927.91
Water Fund	\$5,262.59
Sewer Fund	\$152,127.43

Highway Aid	\$137,262.16
--------------------	---------------------

General Fund Reserves		General Fund Reserves	
	Restricted		Restricted
			(Goal)
	\$158,000.00		\$144,363.00
	Operating		
	\$166,441.82		
	Capital		
	\$436,801.27		
	Total	Total	\$144,363.00
	\$761,243.09		

Water Fund Reserves	
Restricted	\$72,992.00
Operating	\$240,462.46
Capital	\$0.00
Total	\$313,454.46

Sewer Fund Reserves	
Restricted	\$121,822.00
Operating	\$314,763.12
Capital	\$0.00
Total	\$436,585.12

Capital Projects \$400.26

Community Fund \$1,591.35

Total \$1,953,854.37

Escrow \$6,073.41

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

Community Relations Report-Senator Ryan Aument office e-mailed Bonnie Young for opportunities for grants for the gazebo and that grant has expired. DCED sent information and will probably have grant mid-year. She will revisit at that time. Bonnie Young will write an article for the Akron Shoe-In for New Year's Eve.

Parks and Property Report-none

Personnel Report-none

Streets Report

Nothing to report

Public Utilities Report-

No report

Public Hearings/Presentations/Appointments

Old Business

Overnight parking review. Solicitor will review and advertise for required timeframe.

School Resource Officer Proposed Agreement-

Staff updated agreement with correct address and edits.

Motion to accept the SRO Agreement by Ryan Cochran and second by Justin Gehman.

Motion carried.

Proposed Dedication area for Police and Fireman at Fire Station

In process

West View Drive Dedication Process Petition

In process

Correspondence and Petitions

Motions and Decisions

1 Motion to approve Real Estate Tax Resolution #2349 keep the millage rate at 3 mills was made
2 by Randall Justice and seconded by Paul Swangren, Jr.
3 Motion carried.

4
5 Motion to approve 2023 Health Insurance Renewal through Benecon was made by Ryan
6 Cochran second by Kleon Zimmerman
7 Motion carried

8
9 Motion to approve Resolution #92023 for the Borough of Akron, Section 125 Premium Plan
10 including Adoption Agreement as made by Randall Justice and second by Paul Swangren, Jr
11 Motion carried.

12
13 Motion to approve 2023 Borough of Akron Meeting Advertisement was made by Kleon
14 Zimmerman and second by Justin Gehman.
15 Motion carried.

16
17 Motion to appoint Thomas Bender to the Borough of Akron Zoning Hearing Board for a three-
18 year term (2023-2025) was made by Paul Swangren, Jr. and seconded by Justin Gehman
19 Motion carried.

20
21 Motion to appoint Earl Shirk to the Borough of Akron Planning Commission for a four-year term
22 (2023-2026) was made by Paul Swangren, Jr and second by Justin Gehman
23 Motion carried.

24
25 Motion to appoint Susan Davidson to the Borough of Akron Authority for a five-year term
26 (2023-2026) was made by Bonnie Young and seconded by Justin Gehman.
27 Motion carried.

28
29 Paul motioned to appoint Michael Morris to Borough of Akron Vacancy Board for the year 2023
30 was made by Paul Swangren, Jr and seconded by Randall Justice.
31 Motion carried. 6-1 Ryan Cochran voted no.

32
33 A motion to adjourn the meeting was made by Paul Swangren, Jr with second by Ryan Cochran
34 at 8:55.
35 Motion carried.

36
37 Respectfully Submitted,

38
39 Susan Davidson
40 Borough Manager/Secretary

41

