

## **BOROUGH OF AKRON COUNCIL MEETING – April 26, 2021**

***Council Members present*** – Nathan Imhoff, President; Justin Gehman, Vice-President; Paul Swangren, Jr.; Randall Justice, Kleon Zimmerman and Michael Morris. (Thomas J. Murray, Sr not present)

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

***Visitors*** – Larry Alexander, Ephrata Review; Todd Eachus, Comcast; James Cihocki, Cable Services; Glen Weaver, Akron Mennonite Church; John Weber, Akron Mennonite Church; John D. Hershey, RGS Associates; John Taylor; Denise Auker, and Matt Auker.

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

***Council Roll Call:*** Thomas J. Murray, Sr. – No  
Kleon Zimmerman – Yes  
Paul Swangren, Jr. – Yes  
Randall Justice – Yes  
Michael Morris – Yes  
Justin Gehman, Vice-President – Yes  
Nathan Imhoff, President – Yes  
Mayor John McBeth – Yes

### **Approval of Minutes**

Paul Swangren, Jr. made a motion to approve the April 12, 2021 Borough of Akron Council Meeting minutes. Randall Justice seconded the motion.  
Motion carried.

### **Bills**

Kleon Zimmerman made a motion to pay the Police Contract with Akron Borough for the month of May in the amount of \$58,728.53. Paul Swangren, Jr. seconded the motion.  
Motion carried.

### **Reports/Announcements**

#### ***Police Report***

Chief Higgins reported that they put a speed sentry radar sign out. The battery will need to be replaced as it died quicker than anticipated.

The Chief also reported that they are working on a complaint on North 11<sup>th</sup> Street. One of the residents complained about Eagle Disposal truck backing up down on North 11<sup>th</sup> Street into Ephrata at 4:30 a.m. on Friday. Chief Higgins contacted Eagle Disposal on Friday and they assured him that it is not going to happen again. The Chief explained to them that if he needs to, he will ask Akron Council to pass an ordinance where Eagle Disposal cannot be out at 4:30 a.m.

because their back up alarm is waking up the residents. Sean Molchany, Assistant Borough Manager, will look into it to see if there is an ordinance. Nathan Imhoff expressed condolences from Akron Borough on the loss of Officer Metzler.

Chief Higgins stated they hired Officer Blessing who will start patrol this Wednesday, April 28, 2021. The Chief will bring him, as well as Officer Mertz, to the next Council meeting to introduce them to Council.

***Mayor Report***

Nothing to report.

**Borough Manager Report**

Sue Davidson gave an update on the pension audit for the uniform and non-uniform pension from 2017 through 2020. There were no findings for the non-uniform; however, there was one finding because an ordinance was never adopted by Akron Borough to eliminate the uniform pension plan when the Akron Borough Police Department was dissolved; therefore, it was not amended by the time they started the actual pension to resolve it. The Council adopted the ordinance; however, since it was not in place when the audit started, they have a finding. The audit will go through another review.

**Assistant Borough Manager/Zoning Officer Report**

Nothing to report.

**Finance Report**

Nothing to report

**Community Relations**

***Website Quote Discussion***

Michael Morris presented a packet with proposals for the website from three different locations. The first one is from Pointpixl, LLC. Pointpixl, LLC worked with Mr. Morris very closely from the moment they started to the moment that it was over to make sure everything is exactly as the Council wants it to be, but with that, there comes a higher cost. The total price for the website redesign and redevelopment is \$8,000, which is a bit above what they were originally talking about, but they can provide a lot for what they are offering.

The second one is Redix Webdesign. They are going to be very similar to Pointpixl, but with a little less of the hands-on approach. They will be looking at about \$7,200 for the similar work. The third one is WebTek, located here in Akron. They came in at \$5,500 with an optional item that the other two did not offer. One of the things Mr. Morris asked for, was if an uploaded PDF document would be searchable through the website search box. The first two companies said that they were unaware of a way that they could do that; WebTek did find a way that they could add a plug-in to the website so that anything that is uploaded to the website is searchable the same way as a webpage would be. Mr. Morris thinks that has a lot of value, and they are also the cheapest.

The Council appreciated Mr. Morris taking the time to look into this, and thanked him for presenting the proposals. The Council is considering WebTek because they are the cheapest and

because they are local. This will be put on the agenda as a motion item for the first Council meeting in May.

### ***Holiday Wreaths***

Michael Morris said that Katrina Zimmerman found some outdoor wreaths that she was able to negotiate a price for. They are \$39 apiece. Ms. Zimmerman also looked into if they need permission to hang the wreaths on the PPL poles, and it looks like there will be just some paperwork that they will have to fill out.

Mr. Morris will do a fundraiser in a couple months to see if people can sponsor some of the wreaths.

Sean Molchany asked who is going to hang the wreaths, because he does not recommend Borough staff going up on the PPL poles and hanging anything near electric line.

Kleon Zimmerman said the wreaths can only be so high. The person hanging them would have to stay 15 feet away from the top line, so the safety issue is not a problem. There are guidelines on how high they can be and it is all within the clearance.

Mr. Molchany also asked if they will need a bucket truck for that. Mr. Zimmerman said they will probably need one.

Nathan Imhoff said they can look into doing something similar to what Ephrata Borough does. They get organizations that bring trucks like Comcast and Blue Ridge to help hang wreaths as a donation to the community.

Mr. Imhoff asked if they are looking at one wreath per pole, or two wreaths per pole, where one is facing one direction and the other is facing the opposite side of the street. Mr. Morris said that if they could, they would do two, but it all comes down to how many wreaths they want to get.

Paul Swangren, Jr. recommended they find out how many locations they want to do, and also reach out to PPL to get their permission, before they spend money on the wreaths.

Sue Davidson, Borough Manager, said PPL has already been contacted. Ms. Davidson would like to go for a walk with Katrina Zimmerman to see how many poles there are, and also contact Windstream, because some poles are Windstream poles, and she will also check on the budget item for Community Relations.

Michael Morris also said that he will be reaching out to Lions Club to see if they want to do anything on Akron Day in the Park, later on this year.

### **Parks and Property Report**

Nothing to report.

### **Personnel Report**

Paul Swangren, Jr. reported that Personnel Committee had a meeting this evening at 6:00 p.m. The Committee discussed several different items like updating the Personnel Manual, as well as updating the Public Works Personnel. They are also looking at options to find summer help, as always, and looking at options to get help cleaning the parks.

They are still continuing on the Crossing Guard program trying to get some numbers and a proposal to bring to Council.

### **Streets Report**

Justin Gehman had nothing to report. Mr. Gehman asked if they have an update on where they stand in regards to Construction Masters. Sue Davidson stated they spoke to Hanover

Engineering about Front Street, and also contacted PennDOT about the retainage. They had to reopen the initial report they did for Front Street. Ms. Davidson is waiting to hear back from Construction Masters.

Ms. Davidson reported that Hanover Engineering was out doing surveys in Akron.

Paul Swangren, Jr. asked if there is any movement on the Edgehill/ Manor Ridge Street project. Sean Molchany said there is no movement on it as of yet. He was going to go out to write all the streets with Public Works Department; grade them, and then bring a recommendation to Council for a five-year plan on repaving. At this point, they have not been released to do any design work on roadways as of yet.

Mr. Swangren stated Council had in the budget for the design of the Edgehill/Manor Ridge Street. The design should go through.

Nathan Imhoff agreed that they need to move forward on that.

Sue Davidson will contact Hanover Engineering tomorrow, Tuesday, April 27, 2021 regarding that.

### **Public Utilities Report**

Kleon Zimmerman stated they have Mr. Rehab, LLC scheduled to come out to take videos of the sewer line and fix the leaks, after which they will move to the next section of the sewer line to do a video and see what the infiltration is.

Sean Molchany said they have identified five problematic areas in the Borough already.

Mr. Rehab, LLC is on the schedule and the contract is signed.

Mr. Molchany is working on a map that will show what has been done, when it was done and where they are going next.

### **Public Hearings/Presentations/Appointments**

#### ***Akron Borough Comprehensive Plan Implementation Committee***

Denise Auker presented the funding opportunity of Active Transportation Plans and Policies to establish activity-friendly routes that connect to everyday destinations. It is a \$20,000 grant and they are told by the Lancaster Planning Commission to go for all of it. One of the points for the plan is to coordinate with global organizations for health and wellness. Another point is to connect Roland Park to the Rail-Trail, which has been discussed for a couple years. If they get this grant, it will also help direct them into finding more grants.

What Ms. Auker will need from the Borough is five meetings, which can be done every other week; a contact with the Borough, and three quarterly updates. The application is due May 15, 2021.

Sean Molchany asked if there is a specific project that has been sought after. Ms. Auker said that one of the things is the Rail-Trail connect to Roland Park that would help with some funding.

This plan is to encourage walking and biking, and applying for this grant will then encourage to go after other grants that will help with walking.

Planning Commission needs Akron Borough's approval that they will support the plan, and that they will have someone as a contact person for the meetings and to help with information.

Randall Justice made a motion to approve the Akron Borough Comprehensive Plan Implementation Committee to move forward on this grant. Justin Gehman seconded the motion.

Paul Swangren, Jr. stated he is concerned about free money, and especially \$20,000, which is funding provided by the Pennsylvania Department of Health through the State Physical Activity and Nutrition grant and Health Services Block Grant from the Centers for Disease Control and Prevention. Mr. Swangren thinks this is a plan to give \$20,000 to RETTEW to make a plan to hypothetically make a path for something that the Borough does not have money for, which is a waste of government funding. Mr. Swangren stated he is voting “No”.

2 – No - (Paul Swangren, Jr & Kleon Zimmerman voted no)

4 – Yes – (Nathan Imhoff, Justin Gehman, Randall Justice and Michael Morris voted yes)

Motion carried.

## **Old Business**

### ***Hydrosoft Proposed Agreement***

Sue Davidson presented the First Amendment to Lease Agreement for Hydrosoft Computers, which expires May 1, 2021. In their last agreement, the lease started at \$400, then it went up \$100 each year. Ms. Davidson spoke with Hydrosoft a few times and they want to keep the rent at \$1,000 for each month starting May 1, 2021. Either party may terminate the lease with an ending date following the 6<sup>th</sup> year by giving the other party 180 days advance written notice of their intent to terminate.

Randall Justice pointed out that the Second Amendment is written as another six-year term, so the termination of 180-day notice after 6 years is not within that 6-year window.

Randall Justice made a motion to approve the Second Amendment to Lease Agreement for Hydrosoft Computers. Kleon Zimmerman seconded the motion.

Motion carried.

## **New Business**

### ***Motions and Decisions***

*Handi Vangelism Ministries International (HVMI) Organizational Headquarters Campus, Preliminary/Final Land Development Plan – 2361 Rothsville Road, Zoned R-1, Extension of Time Request.*

HVMI will be extending their time until August 9, 2021 now, which constitutes a 90-day extension from the current May 10, 2021 date.

Paul Swangren, Jr. made a motion to approve the time extension request for HVMI Organizational Headquarters Campus Preliminary/Final Subdivision and Land Development Plan for action by the Borough of Akron Council. The request will extend the time period in which to act on the plan to August 9, 2021. Michael Morris seconded the motion.

Motion carried.

### ***Comcast Memorandum of Understanding***

Randall Justice made a motion to enter the Memorandum of Understanding with Comcast regarding street opening and cable system construction. Kleon Zimmerman seconded the motion.

Motion carried. Randall Justice abstained from any discussion or voting on this matter. Letter attached.

Todd Eachus with Comcast said they will be leaving door hangers for the residents with contact information for Comcast, so they can contact Comcast in case there is a problem. Also, the Borough may contact Mr. Eachus directly with concerns and issues.

Mr. Eachus encouraged the Council to make sure restoration is complete to their satisfaction. Comcast is ready to start work as soon as they get the paperwork and the bond form Akron Borough. They are looking at starting in Westview Drive area.

*Akron Mennonite Church – Stormwater Management Plan, 1311 Diamond Street, Zoned R-1*

Randall Justice noted for the record that he needs to abstain from this discussion.

John D. Hershey with RGS Associates presented an exhibit for the Akron Mennonite Church project to provide an overview of the existing church structure, the existing cemetery, an existing parking area and the existing Stormwater Management facility, which is capturing the runoff from the parking area. The plan is to convert an approximately 4-acre area from its current agricultural use into a restored woodlot meadow area. In addition, Akron Mennonite Church wants to create an alternative to traditional burial practices.

To the Council's point about Stormwater Management, there is a new facility that is being proposed to capture the loaded runoff from some of the impervious areas.

Mr. Hershey stated they went through four rounds of comments and responses, and they finally are at a point where they have a stormwater design that satisfies the engineer's concerns.

Nathan Imhoff thanked the Akron Mennonite Church representatives for addressing the issue with stormwater, because this was the major thing the Council wanted to see.

Kleon Zimmerman made a motion to grant the following modification in accordance with section 17-905 of the Stormwater Management Ordinance of 2017.

- Section 17-3021.A.2.(c) – Loading Ratio

Kleon Zimmerman further moved to approve the Akron Mennonite Church Stormwater Management Plan, and modifications requested.

The approval is contingent upon the owner/applicant's written acceptance of the conditions outlined in the Hanover Engineering Review Letter dated, April 14, 2021 and subject to the submission of information meeting those condition. Justin Gehman seconded the motion.

Mayor John McBeth asked if the retention basin does not have an overflow. Mr. Hershey explained that in a major storm event, it does overflow, but it captures the stormwater that is required per the Borough's ordinance.

The Mayor also asked if there are any standards so there is not a lot of water lying around, no mosquitoes traps, etc., and how long the water actually stays in the retention basin. Mr. Hershey stated it is less than the amount of time that the mosquitoes need for a full breeding cycle.

Sean Molchany clarified that it does not mean that no water will be leaving the site; it will, but it is in accordance with the provisions of the ordinance. Everything from the development is going to come into the detention basin, meet the ordinance, then discharge in accordance with the ordinance provisions.

Motion carried.

*Niss Avenue Pump Station Roof Repair*

Sean Molchany said that a couple week ago he was informed that the Pump Station roof is leaking directly on the generator. This is an ongoing issue that needs to be addressed. Mr. Molchany reached out to COSTAR provider, which is Sensenig Co. Roofing in Ephrata. They gave the Borough a cost, and if approved, they will fix the roof as soon as it comes on their schedule. It is a flat, rubber roof that requires a professional to get it done. This will include re-decking, insulating, and bringing it up to code.

Michael Morris made a motion to approve the COSTAR bid to re-roof the 23x25 Niss Avenue Pump Station to Sensenig Co. Roofing in an amount not to exceed \$11,490.00. Randall Justice seconded the motion.

Paul Swangren, Jr. recommended they take funds out of the Sewer fund for this repair. Kleon Zimmerman expressed his concern regarding the quote saying that the replacement of decking and wood blocking will be done on a time and material basis. He said Sensenig Co. Roofing should be able to tell from underneath the roof if decking needs to be replaced, or not, and that should be included in the quote. He is also concerned about the bid saying that it is in an amount not to exceed \$11,490.00, because if the decking needs to be replaced, steal decking is expensive. Sean Molchany explained that when they do a quote, they say not to exceed, that way they know that if it goes over that, it has to come back to Council for approval. The Council is in agreement that this is an emergency repair since there is water coming down on the generator, and this quote is the best option that they have, so they need to move forward.

Motion carried.

### **Other Business/Deliberations**

Michael Morris brought to Council's attention that he was contacted by the director of the Ephrata Public Library regarding the Story Walk. Ephrata Public Library is not very happy with the Council's charging for labor costs of putting the Story Walk posts in. Their understanding was that they were paying \$4,000 for the posts, and Akron Borough was paying for labor. Randall Justice stated in his three meetings with Ephrata Public Library, there was no discussion ever about Akron Borough paying for anything.

Paul Swangren, Jr. stated it would be appropriate to have Ephrata Public Library come to the next Council meeting to discuss this matter with them. The Council was in agreement.

Paul Swangren, Jr. made a motion to adjourn the meeting. Justin Gehman seconded the motion. Motion carried.

Meeting adjourned at 8:06 p.m.

Respectfully submitted,

Lydia Kovalchuk  
Minute Taker

LK