



COMMITTEE of the WHOLE

CITY COUNCIL

SUMMARY

September 26, 2022
5:00 P.M.
Hybrid Meeting

COUNCIL MEMBERS PRESENT:

J. Cepeda-Freytiz, D. Reed, M. Ventura, M. Goodman-Hinnershitz, C. Miller (in person), W. Butler (virtually)

OTHERS PRESENT:

L. Kelleher, M. Gombar, W. Heim, F. Lachat, J. Kelly, J. Stoudt, E. Moran, F. Freytiz (in person), N. Matz, R. Tornielli, M. Oppenheimer, Reading Eagle, BCTV, WFMZ (virtually)

The meeting was called to order at 5:02 pm by Ms. Cepeda-Freytiz.

I. East Reading Pool – 5 to 5:15 pm

Ms. Goodman-Hinnershitz described the unkempt condition of this former pool property, noting that people throw debris over the chain link fence and breach the fence surrounding the property. She also described the long standing structural problems at the property.

Mr. Matz stated that that when the Reading Parking Authority (RPA) initially considering a parking lot for this property, design professionals estimated that the installation of the lot at this site would cost approximately \$724K – repairing the failing retaining wall, asphalt, landscaping, etc. Since Council rejected this plan earlier this year, the RPA redirected its resources to other projects.

Mr. Abodalo arrived at this time.

In response to a question from Ms. Cepeda-Freytiz, Mr. Moran stated that parking stress is the new reality. He proposed converting Cotton Street to a one-way street, adding a bike lane and allowing parking on both sides of the street. He stated that making this change over this 1 mile street would create approximately 200 new curbside parking spaces.

Mr. Butler inquired about why the RPA is no longer considering using the former pool site as a parking lot. Mr. Matz stated that the cost of asphalt tripled which increased the original estimate by \$206K which makes this an untenable project.

Council members and the administration agreed to withdraw this ordinance from tonight's regular meeting agenda – listed as Ordinance B, under Introduction of New Ordinances.

Ms. Goodman-Hinnershitz expressed agreement with making Cotton Street a one-way street and she suggested doing the same on Fairview Street. She noted the need for a new plan for the former pool property.

Ms. Cepeda-Freytiz recalled that an East Reading citizen suggested holding a community meeting about the former pool property.

Ms. Reed and Ms. Goodman-Hinnershitz agreed.

Ms. Reed stated that she met with Mr. Matz about the parking strategic plan and she noted her support for the implementation of many of the initiatives suggested to improve parking stress.

Ms. Cepeda-Freytiz agreed, noting the need to balance the implementation of the initiatives with enforcement. She also noted the need for City personnel, RPA personnel and other municipal agencies to obey the parking regulations.

Mr. Matz stated the SOPs for double parking and other parking regulations are posted on the RPA website to help people become educated on the enforcement of various parking infractions. The Double Parking SOP is copied in below.

Standard Operating Procedure (SOP) for Double Parking

ORDINANCE: 576-403 (A1) / No stopping, standing, or parking a vehicle in a lane of traffic

PROCESS:

1. Check that 1) flashing roof lights and 2) hazard lights on RPA vehicle are turned on

NOTE: Lights MUST be turned on to write a ticket for this violation

2. Honk the horn three times to get the driver's and passengers' attention.

NOTE: These should be short honks or beeps. Do not "lay on" or "blast" the horn. That may make drivers angry and escalate the situation.

3. Situations PEOs may encounter:

a. Vehicle leaves area: No ticket issued

b. Driver or passenger responds with a vulgar gesture or obscene language: Ticket automatically issued

c. Vehicle refuses to move: Ticket issued

d. Vehicle double-parked while driver and/or passenger loading or unloading (Will see people walking between vehicle and building, trunk open, building door open, etc.)

i. Drive two or three blocks then return to see if the vehicle has moved

ii. Ticket issued if vehicle has not moved

e. Unoccupied vehicle (Engine running): Ticket automatically issued

f. Unoccupied vehicle (Engine not running): Ticket issued

i. EXCEPTON: If signs of loading/unloading (Trunk open, building door open, etc.)

ii. Drive two or three blocks then return to see if the vehicle has moved

- iii. Ticket issued if vehicle has not moved
 - g. Vehicle double-parked while there are open spaces on the block: Ticket issued
- NOTE: Include photos of open spaces on the block
- i. EXCEPTIONS: 1. Vehicle leaves the area: No ticket issued
 - 2. Vehicle moves to legal parking space: No ticket issued

4. Complete note on ticket such as "No driver", "No flashers", "Ignored request to move"

PICTURES must include:

- 1. Clear picture of plate number
- 2. Car next to another vehicle or open space at curb; must clearly show the vehicle parked in the lane of traffic
- 3. Open spaces on the block to document other parking was available to the driver

Mr. Miller inquired about enforcement at loading zones. He explained that the owner of a restaurant was unloading restaurant supplies and was ticketed. Mr. Matz explained that there are variables for loading zones. He asked Mr. Miller to call him about the issue.

§ 576-411. Parking, stopping, standing or drifting prohibited in a loading zone or timed zone.

[Amended 2-12-2007 by Ord. No. 14-2007; 9-10-2007 by Ord. No. 68-2007; 10-22-2007 by Ord. No. 74-2007; 1-11-2021 by Ord. No. 101-2020]

- A. No person shall allow a vehicle to be parked, stopped or standing in the following ways:
 - (1) For more than the time designated in any marked loading zone or timed zone.
 - (2) Without loading activity in any marked loading zone.
- B. No person shall drift a vehicle to conceal an officer's chalk mark within a loading zone or a timed zone.
- C. Commercial loading zones shall be established to provide retail businesses with areas for commercial vehicles to conduct loading and unloading activities (such as trucks that deliver or pick up beverages, food supplies, large merchandise, etc.). It shall be unlawful for any vehicle other than a commercial vehicle to occupy any commercial loading zone during the hours applicable to any such zones.
 - (1) A commercial vehicle shall include all motor vehicles, with a gross vehicle weight (GVW) of 10,000 pounds or more that are used for the transportation of goods, wares or merchandise. Passenger vehicles having a truck license or registration shall not qualify as a commercial vehicle.
- D. Use of loading zones within the parking zones identified in § 576-502 shall be charged at the parking meter rates set forth in the City Fee Schedule located in 212-144.

Ms. Reed noted the growing problem with people parking their vehicles on sidewalks and blocking garages. Mr. Matz suggested contacting the RPA Dispatch when those complaints are identified so enforcement can occur.

Ms. Cepeda-Freytiz thanked Mr. Matz for attending and for being open to discussions that went beyond the subject matter planned.

The discussion concluded at 5:26 pm.

II. Ordinance Amending Salaries of Elected Officials – 5:15 to 5:45 pm

Ms. Cepeda-Freytiz suggested putting this ordinance on hold until the budget is settled.

Ms. Goodman-Hinnershitz agreed; however, she questioned the need to define the working hours of elected officials. She stated that the Charter fails to define each position as fulltime or part-time and the expected working hours. She expressed the belief that while it is believed that Council is a part-time body, the work hours expand far beyond what is generally considered part-time hours. She suggested providing clarity on the expected work hours. She asked the Council Solicitor to consider this issue.

Ms. Reed stated that while she does not disagree, she gave examples of elected officials who also ran movie theaters, ran farms and hatcheries, etc. while they also served in elected positions and received a salary. She expressed the belief that defining the expected hours of work will be difficult. She stated that she is interested in exploring the use of a referendum to allow the electorate to approve or reject the proposed salary increases.

Mr. Daubert arrived at the meeting.

Mr. Gombar agreed that defining the work hours for each elected position will be difficult. He stated that the earliest a referendum can be placed before the electorate is the 2023 spring primary, noting that the date of the primary has not yet been defined. He stated that as the Charter requires the ordinance/increase to be in place six months prior to the election of the officials a referendum may not be an option.

Ms. Cepeda-Freytiz inquired if the last increase was approved by ordinance or referendum.

Ms. Reed stated that the increases for the mayor and auditor were approved by Council ordinance after a collaborative process between Council, the mayor and auditor, which has not been the case with this proposal.

Ms. Ventura asked Ms. Reed to define “collaborative process”. Ms. Reed stated that the last time increases were proposed the topic was brought up at a COW then follow-up discussions occurred between the elected officials to find agreement on the new salaries prior to the introduction of the ordinance which is not what occurred with this proposed ordinance.

Ms. Cepeda-Freytiz noted that while there was not discussion, there was some communication about this issue via email. She stated that Ms. Kelleher researched the Council salaries in PA municipalities several months ago, through the PML.

Ms. Reed again stated that the administration could have brought this issue forward through a COW discussion, prior to submitting the ordinance for introduction. She asked Ms. Kelleher to find information on the last process in the meeting minutes.

Ms. Cepeda-Freytiz again suggested tabling the ordinance until November.

Mr. Moran stated that the administration suggested salaries that match those of other Home Rule strong mayor forms of government.

Ms. Reed suggested withdrawing the ordinance and collaborating on a new ordinance that is reflective of compromise between all elected officials, including the Auditor.

Mr. Daubert and Mr. Miller stated that by revision or withdrawal there will be collaboration to refine the ordinance.

Mr. Butler inquired about how the collaboration could occur if the body of Council is split on the issue.

Ms. Goodman-Hinnershitz stated that as with other issues Council can come together through the democratic process.

Ms. Reed asked that Ms. Rodriguez be included in the collaboration.

Ms. Cepeda-Freytiz stated that by early to mid-November the final budget should be solidified and the salary discussion can be considered.

Mr. Kelly stated that Council does not need to wait until December to adopt the budget; the budget can be enacted as soon as it is finalized.

The discussion concluded at 5:42 pm.

III. BAC Appointments & Reappointments – 5:45 to 6 pm

Ms. Goodman-Hinnershitz noted the varied information on the appointments of Planning Commission meetings.

Mr. Gombar explained that the Planning Commission appointments fall into a different category than other board, authority and commission appointments, as they are controlled by the Municipalities Planning Code (PA MPC). Under the PA MPC resident appointments are required for the Planning Commission and the only non-residents that can be appointed are employees of the municipality. He further explained that the Charter Section providing Council with discretion to appoint non-city residents does not apply to the Planning Commission. The 1972 Home Rule Act requires the municipality to adhere to the terms of the PA MPC; therefore exempting the Charter Section on membership.

Mr. Gombar stated that due to this new finding, any non-resident members will need to be asked to voluntarily resign their positions.

Ms. Reed inquired if serving on both the City and County Planning Commissions is a conflict.

Mr. Gombar expressed the belief that the County Planning Commission is advisory to the City Planning Commission. The City Planning Commission is not required to adhere the recommendations of the County Commission during their consideration and vote at meetings. This would need to be considered on a case by case basis.

Ms. Goodman-Hinnershitz stated that currently there are two (2) applicants for the City Planning Commission before Council, one (1) new appointment and one (1) reappointment and there is one (1) non-City resident who was recently reappointed. Letters to these individuals explaining this appointment information are required.

Discussion ended at 5:40 pm.

IV. Agenda Review 6 to 7 pm

- Consent Agenda

A. Resolution – authorizing the submission of a PA DCED Strategic Management Planning Program Grant in the amount of \$200,000 to hire professional consultant services to assist in the development, adoption and implementation of a Multi-Year Financial Management Plan, provide quarterly financial reporting and cost analysis of collective bargaining agreements, and providing a \$100,000 local match

Mr. Kelly explained that this application will seek a financial consultant such as PFM to continue to provide the City with financial forecasting, cost analysis of bargaining agreements and quarterly financial analysis outside of the Act 47 process.

B. Award of Contract - to Hawk Valley Associates, Mohnton, PA and Hailstone Economics, Scranton, PA at a total cost of \$200,000 for the review subdivisions, land development, planning and zoning applications for compliance with City ordinances

Mr. Kelly explained the need to retain these consultants to avoid building a new backlog of planning and zoning applications.

Ms. Reed and Mr. Daubert questioned the need for outside consultants as a zoning administrator and planner were hired and Mr. Daubert also inquired about the term of this contract.

Mr. Abodalo noted the high volume of projects going through the zoning and planning processes. He noted that the former zoning administrator/planning manager resigned in early December 2021 and the former planner resigned in early January 2022. These positions were filled in July and September, respectfully. The Planning Manager position remains unfilled. He noted that the problem attracting qualified applicants is challenging. Due to the need to balance the uptick in projects against the need to fill positions, consultants are needed to fill the gap.

Mr. Abodalo stated that if we cannot increase the staff salaries to attract qualified applicants, we will need to pay consultants to fill the gap. He stated that when qualified candidates are hired, the consultants will no longer be needed and the contracts will be terminated.

Mr. Kelly stated that this is a standard three (3) year contract with two (2) optional one year extensions.

Ms. Reed clarified that her concern is not the qualifications of Hawk Valley, but the need for a consultant when we have a zoning administrator and planner on staff.

Mr. Kelly noted the difficult realities of attracting and retaining staff across the board.

Ms. Cepeda-Freytiz noted the need to correct salary disparities during 2023 budget discussions.

Mr. Heim inquired if the unexpended salary of the planning manager makes the cost of the consultants an economic wash. Mr. Abodalo agreed as a planner III position earns approximately \$80,000.

C. Award of Contract – to Detwiler Roofing, East Earl, PA, for Phase 2 of the City Hall roof project at a cost of \$555,740.00

D. Award of Contract - to H. F. Lenz, Johnstown, PA at the cost of \$42,000 from the PW Budget to supply assistance to the City's Public Works Department with the technical specification preparation, project/program development/implantation and general engineering for the City Hall HVAC Project.

E. Resolution – authorizing the Acting Public Works Director with the discretion to approve the installation of additional banners on additional City Bridges as requested with the installation costs covered by the Berks Arts Fast Lane Art juried contest, and exhibition celebrating and displaying the work of high school student artists, based on. The banners will be displayed until the City's traditional Holiday banners are installed.

- Ordinances for Final Passage

Council reviewed this evening's agenda including the following:

A. Bill 80-2022 – amending Code Section 91-101, Salaries of designated elected officials assuming office on and after the 1st Monday in January 2024 as follows:

- A. Mayor. The Mayor of the City of Reading shall be compensated at an annual salary of:
- (1) For the period beginning the first Monday in January ~~2008~~, and ending the first Sunday in January ~~2009~~ **2024: \$68,100 \$99,000**.
 - (2) For the period beginning the first Monday in January, and ending the first Sunday in January ~~2010~~ **2025: \$69,600 \$102,000**.
 - (3) For the period beginning on the first Monday in January ~~2010~~, and ending the first Sunday in January ~~2011~~ **2026: \$71,100 \$105,000**.
 - (4) For the period beginning the first Monday in January ~~2011~~ **2027**, and annually for each

year thereafter: ~~\$72,600~~ **\$108,000**.

B. President of Council. The City Council President for the City of Reading shall be compensated at an annual salary of ~~\$5,500~~ **\$8,750** per year.

C. Councilmen. The District Councilpersons for the City of Reading shall be compensated at an annual salary of ~~\$5,000~~ **\$8,000** per year.

D. City Auditor. The City Auditor of the City of Reading shall be compensated at an annual salary of:

- (1) For the period beginning the first Monday in January ~~2008~~ **2024**, and ending the first Sunday in January ~~2009-2025~~: **\$80,000**.
- (2) For the period beginning the first Monday in January ~~2009-2025~~, and ending the first Sunday in January ~~2010-2026~~: ~~\$54,600~~ **\$81,000**.
- (3) For the period beginning on the first Monday in January ~~2010~~ **2026**, and ending the first Sunday in January ~~2011~~ **2027**: ~~\$56,100~~ **\$83,000**.
- (4) For the period beginning the first Monday in January ~~2011-2027~~, and annually for each year thereafter: ~~\$57,600*~~ **\$84,000**.

Introduced at the August 22 regular meeting; Tabled at the September 12 regular meeting

Ms. Cepeda-Freytiz stated that as per discussion earlier in this meeting, a motion to table will be entertained and the issue will be discussed again when the budget discussions have concluded.

B. Bill 104-2022 – amending the Solid Waste Budget by transferring \$15,000 from Legal to Fuel to cover unforeseen fuel costs ***Introduced at the September 12 regular meeting***

C. Bill 105-2022 – Reading FilmFEST –\$200,000 ARPA Grant Funding Allocation ***Introduced at the September 12 regular meeting***

D. Bill 106-2022 – Reading Science Center – ~~\$20,000~~ **\$86,000** ARPA Grant Funding Allocation ***Introduced at the September 12 regular meeting***

E. Bill 107-2022 – Opportunity House - \$200,000 ARPA Grant Funding Allocation ***Introduced at the September 12 regular meeting***

F. Bill 108-2022 – RIZE - \$100,000 ARPA Grant Funding Allocation ***Introduced at the September 12 regular meeting***

Ms. Cepeda-Freytiz reminded Council about the need to abstain from the vote on the ARPA Grants if a conflict of interest exists and the forms were submitted, as was discussed previously. In this case Ms. Goodman-Hinnershitz has a conflict with Opportunity House and Mr. Butler and Ms. Cepeda-Freytiz have conflicts with Reading FilmFest.

G. Bill 109-2022 – making budget appropriations of the 2022 Retail Sewer and Storm Fund Budget for projected price increases and costs for retail sewer and storm operations by decreasing

Contracted Services 550748-42160 in the amount of \$50,000 and increasing Vehicle Supplies 550748-45000 in the amount of \$50,000 ***Introduced at the September 12 regular meeting***

H. Bill 110-2022 – making budget appropriations of the 2022 Sewer Fund Budget to budget for projected price increases and costs for sewer operations by decreasing Contracted Services 54073-42160 in the amount of \$50,000 and increasing Vehicle Supplies 54073-45000 in the amount of \$50,000 ***Introduced at the September 12 regular meeting***

I. Bill 111-2022 – making budget appropriations of the 2022 Sewer Fund Budget to budget for projected price increases and costs for Pump Station Operations by decreasing Contracted Services 540743-42160 in the amount of \$150,000 and increasing Water Services 540743-41007 in the amount of \$150,000 ***Introduced at the September 12 regular meeting***

J. Bill 112-2022 – amending City Code Chapter 212 Fee Schedule Section 113, Fire Prevention, Fire Protection and Medical Transportation Section 36 Fire and Rescue Services; by including a fee for the unnecessary use of the medical alarm system ***Introduced at the September 12 regular meeting***

Ms. Goodman-Hinnershitz inquired about the impact this modification will have on the elderly who sometimes rely on EMS.

Chief Stoudt explained that this fee will be applied and billed to false transmissions at the alarm companies. He explained that billing questions should be referred to the Chief's Office.

Chief Stoudt stated that the majority of assisted living facilities have the alarm call go to the nurse's station and the nurse summons EMS if required. The majority of these unnecessary calls come from the high-rise and Housing Authority buildings that are not assisted living facilities.

K. Bill 113-2022 – amending City Code Section 576-403, reducing the required distance for parking near a fire hydrant from 15 feet to 7 feet ***Introduced at the September 12 regular meeting***

Chief Stoudt explained that this issue was brought to the department by the Parking Authority some time ago. The issue was studied and the Chief determined that the reduction will not impact the ability of the Department to respond to a fire, as the change will provide the Department with 7 feet in length from the center point of the hydrant in each direction.

Mr. Heim stated that he will make the Parking Authority aware of the timing of the effective date of this ordinance.

L. Bill 114-2022 – amending the Position Ordinance by increasing the salary of the Pension Coordinator by \$6,067.36 to \$55,000.00 per annum, reimbursed by the three pension boards on a quarterly basis based upon the percentage of the number of employees participating in each fund compared to the total number of employees participating in all three funds recalculated on January 1 of each calendar year ***Introduced at the September 12 regular meeting***

- Introduction of New Ordinances

Ms. Cepeda-Freytiz noted that Ordinance B is being withdrawn as per the discussion earlier at this meeting.

Mr. Butler reviewed the following ordinances:

A. Ordinance – amending the City’s Property Maintenance Code with the 2018 Edition of the International Property Maintenance Code of the International Code Council, as deleted, modified or amended in Exhibit A

B. Ordinance – authorizing the conveyance of 513 S. 14 ½ to the Reading Parking Authority to create a parking lot and be responsible for its upkeep and maintenance, including substantial improvements to the retaining wall and surface area in order to make the property usable as a parking lot.

C. Ordinance – authorizing a Budget transfer in the amount of \$200,000 from Police Patrol for crossing guard services

D. Ordinance – authoring the execution of an MOU between the City and the Berks County Conservation District to control accelerated erosion and to prevent sediment pollution from entering the waters of the Commonwealth which may result from earth disturbance activities in the City

E. Ordinance – amending City Code Chapter 23, Section 1 by adding a new Part 23-102 allowing the removal of Planning Commission members via the PA MPC or not being excused from 3 meetings.

F. Ordinance – amending City Code 576-403 by authorizing the installation of parking stalls at proscribed locations within the City and accompanying parking regulations requiring cars parked in those areas to park within the stalls and setting forth penalties for violations of these regulations and adding a fine to City Code 576-416

- Resolutions

A. Resolution – appointing Dihmond Perez to the Youth Commission

B. Resolution – appointing Janetivis Aponte to the Youth Commission

Ms. Cepeda-Freytiz spoke highly about the qualifications and outlook of these two young women who spoke frankly about current problem with youth violence and its causes. She questioned how to bridge the gap between students and adults, suggesting a discussion with the School Board.

Mr. Daubert stated that this problem is not local to only Reading and that it is an endemic problem at all school districts.

Ms. Goodman-Hinnershitz agreed with the need for a meeting between Council and the School Board to discuss this issue.

Ms. Cepeda-Freytiz asked the administration to work with the City Clerk to make the meeting arrangements.

Mr. Moran stated that there is no need for a meeting, as he currently meets with the School District quarterly. He stated that he is open to inviting some Council members to these meetings.

In response to a question from Ms. Cepeda-Freytiz, Mr. Moran stated that there are no meeting minutes from his meetings with the district. He stated that he will be extending an invitation to some Council members.

V. Other Matters

Mr. Heim invited Chief Tornielli to provide an update on the out-sourcing of the crossing guard program.

Chief Tornielli stated that as of last Friday the contractor has hired 20 crossing guards, some of whom worked for the City as guards. The contractor set a goal of hiring 25 guards by December and they are on target to meet that goal. He stated that this new program will increase the safety of school students and allow the Traffic Unit to preform police work in the school areas, rather than crossing guard monitoring. He stated that the contractor is currently analyzing the school neighborhoods to determine location where guards are required. He thanked Council and the administration for bringing this issue to fruition.

Ms. Cepeda-Freytiz noted that some residents who have submitted complaints to the Desk Sergeant are concerned that their identity is exposed. The Chief assured Council that the name of the complainant is held confidentially, noting that the name of the complainant is requested as back up in case a witness is needed to support a citation. As an example, he used complaints regarding the noise ordinance. If the noise no longer exists when the officer responds, he can contact the complainant to inquire if the complainant wishes to file charges and agrees to serve as a witness if the citation is appealed in Court.

Mr. Heim agreed with the Chief and he expressed the belief that often the identity of the complainant is released by another person in the neighborhood.

Ms. Ventura stated that she went on another ride-along with the District 3 patrol officer on Friday evening. She thanked the officer for his work and experience, noting that more people should take advantage of this learning experience. She added that the officer's knowledge of the law and the District was very impressive.

Ms. Cepeda-Freytiz adjourned the meeting at 6:35 pm and she asked everyone to be prepared to reconvene for the regular meeting promptly at 7 pm.

*Respectfully Submitted by
Linda A. Kelleher, CMC, City Clerk*

