



CITY COUNCIL

Committee of the Whole

Monday, January 10, 2022

5:00 pm

Virtual Meeting

Agenda

The City Council Committee of the Whole meetings are filmed and can be viewed LIVE while the meeting is taking place via the attached Zoom link and dial-in phone number, on Facebook and on BCTV MAC Channel 99 or at your convenience at <https://www.readingpa.gov/content/city-council-video>.

Due to COVID-19, the public is prohibited from physically attending the meeting. In person attendance to view the meeting is permitted in the Penn Room in City Hall – use the 8th Street doors. To attend the meeting via our virtual app, please log-in using the link or the dial-in phone number below.

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.

<https://readingpa.zoom.us/j/84239617579?pwd=Um0yZS9qZFpNdU5iNEhBVWk0NkZBUT09>

Passcode: 124306

Or One tap mobile:

+16465588656,,84239617579#,,,,*124306# US (New York)

+13017158592,,84239617579#,,,,*124306# US (Washington DC)

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799 or +1 720 707 2699 or +1 253 215 8782 or +1 346 248 7799 or 888 475 4499 (Toll Free) or 877 853 5257 (Toll Free)

Webinar ID: 842 3961 7579

Passcode: 124306

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|-------------|--|---------------------|----------------|
| I. | Snow & Ice Emergency Ordinance
(Ordinance attached Pgs 2-5) | Parking Auth | 20 mins |
| II. | Issuance of Parking Tickets by Mail
(Ordinance adopted Feb 8, 2021 attached Pg 6) | Parking Auth | 20 mins |
| III. | Dumpster Screening Incentive | S. Harrity | 15 mins |
| IV. | Update Sidewalk Repair/Replacement Program & Funding | | 10 mins |
| V. | Reorganization Matters | | |
| | 1. Vice President Appointment | | |
| | 2. City Clerk Appointment | | |
| | 3. BCTV Agreement | | |
| | 4. Finance, Public Works & Safety Committee Mtgs vs Committee of the Whole | | |
| | 5. Parliamentary Procedure – <i>See Admin Code Rules of Procedure attached Pgs 7-8</i> | | |
| | 6. Council Handbook – <i>under development</i> | | |
| | 7. Appointment of Council members to Boards <i>See list below Pg 8</i> | | |
| VI. | Agenda Review | | |

VII. Executive Session re litigation – land use appeal M. Gombar

Drafted by:
Referred by:
Introduced on:
Advertised on:

**BILL NO. _____ -2021
AN ORDINANCE**

**AMENDING PART 9 OF THE CITY OF READING CODES,
SNOW AND ICE EMERGENCY, AS ATTACHED**

The Council of the City of Reading hereby ordains as follows:

Section One: The City of Reading hereby amends Part 9 of the City of Reading Codes, Snow and Ice Emergency, as attached.

Section Two: All relevant ordinances, regulations and policies of the City of Reading, Pennsylvania not amended per the attached shall remain in full force and effect.

Section Three: If any section, subsection, sentence or clause of this ordinance is held, for any reason, to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

Section Four: This Ordinance shall become effective ten (10) days after its adoption in accordance with 219 and 221 of the Home Rule Charter of the City of Reading.

Adopted _____, 2022

President of Council

Attest:

City Clerk
Sent to Mayor _____
Date: _____
Signed by Mayor: _____
Date: _____
Vetoed by Mayor: _____
Date: _____
Over-ridden by Council: _____
Date: _____

Part 9
Snow And Ice Emergency
A Snow and Ice Emergency Regulations

§ 576-901. Definitions.

In this Part, as accept as defined below, the ~~The~~ terms used *in this Part* shall have the meanings as defined in the Pennsylvania Vehicle Code **unless otherwise defined below:**

DIRECTOR — The Director of Public Works or his designated representative.

COMMERCIAL CORE DISTRICT – *The downtown center for government services, offices, shopping, hotels, entertainment and cultural activity encompassing the area set forth on the Zoning Map of the City of Reading pursuant to § 600-501.*

EXECUTIVE DIRECTOR – *The executive director of the Reading Parking Authority or his designated representative.*

PARKING ZONE – *streets or highways, or portions thereof, or municipal parking lots operated by the City or the Reading Parking Authority on which parking meters or kiosks are installed, operated and used.*

SNOW EMERGENCY ROUTE — Those streets marked as such in accordance with the provisions of this Part.

STREET — The entire paved surface between curbs, open to the use of the public as a matter of right for the purpose of vehicular travel.

§ 576-902. Declaration of snow emergency.

A. In the event weather conditions make it necessary for motor vehicle traffic to be expedited and parking on City streets prohibited or restricted for snow removal or other purposes, the Mayor or, in his absence, the Managing Director shall declare a snow emergency.

B. Declaration of a snow emergency **may occur** ~~shall occur on any day between the hours of 7:00 a.m. and 11:00 p.m. Such declaration shall go into effect a minimum four hours after the announcement.~~ **while snow is falling within the City; whenever there is a covering or coating of newly fallen snow; or whenever the Mayor receives a firm forecast of snow from a recognized weather forecasting service.**

C. Once in effect, prohibition under this section shall remain in effect until terminated by announcement of the Mayor, ~~with the exception that any street which is clear of snow and ice from curb to curb for length of the entire block is excluded.~~ While the prohibition is in effect, no persons shall park or allow to remain parked any vehicle on any portion of the snow emergency routes identified in this Part. **Vehicle owners shall have a maximum of two hours following the declaration of a snow emergency to remove their vehicles from a snow emergency route.**

D. ~~Declarations~~ **Declaration of a snow emergency, and its subsequent termination,** shall be publicly announced by the Director as outlined in the **City's** emergency operations plan.

E. ~~However, nothing~~ **Nothing** in this section shall be construed to permit parking at any time or place where it is forbidden by any other provision of law.

F. The Reading Parking Authority shall provide parking at no charge at its garages to City residents when a snow emergency is declared or there is prohibited parking pursuant to § 576-903. The Parking Authority shall control the time and manner of vehicles parked in its garages.

§ 576-903. ~~Prohibited parking.~~ Declaration of prohibited parking for snow removal or inclement weather.

A. The Director may post any City street no parking at any time, for purpose of snow removal **or due to inclement weather**, regardless if **of whether** a snow emergency is declared. **Under any such circumstance, the following shall apply:**

1. When posted, it shall be unlawful for any person to park a vehicle or to fail to remove a vehicle from any place along such posted street.

2. *The Director shall post any such street with temporary "no parking" signs.*

3. *The parking restrictions shall remain in effect until otherwise declared by the Director.*

4. *Vehicle owners shall have a maximum of six hours following a posting by the Director to remove vehicles on posted streets.*

B. Commercial Core District and Parking Zones. *The Mayor, the Managing Director or the Executive Director may post any City street in the Commercial Core District or in a Parking Zone no parking at any time, for purpose of snow removal, or due to inclement weather, regardless of whether a snow emergency is declared. Under any such circumstance, the following shall apply:*

1. *When posted, it shall be unlawful for any person to park a vehicle or to fail to remove a vehicle from any place along such posted street.*

2. *The Executive Director shall post any such street with temporary "no parking" signs.*

3. *The parking restrictions shall remain in effect until otherwise declared by the Mayor, the Managing Director or the Executive Director.*

4. *Vehicle owners shall have a maximum of two hours following a posting by the Executive Director to remove vehicles on posted streets in the Commercial Core District or in a Parking Zone.*

~~B. The Director shall post streets "no parking" using temporary signage that states "no parking" and specifies the date, time, location and reason for parking restrictions. No parking shall remain in effect till the street is clear of snow and ice from curb to road center line for the length of the entire block.~~

~~C. Vehicle owners shall have a maximum of six hours following such posting by the Director to remove vehicles on posted streets. Vehicles must be removed by the time shown on the posting.~~

§ 576-904. Moving, impounding and returning vehicles.

All members of the Police Department are authorized to remove or have removed a vehicle from a street that is in violation of the provisions of this Part. ***Vehicles parked in violation of the provisions of this Part shall be subject to an immediate tow by the Police Department or the Parking Authority.*** Any vehicle removed may be towed to and placed at any area designated by the Chief of Police for impounding of vehicles. All costs of removal, towing, ***and*** storage or parking of any vehicle removed under the provisions of this Part shall be paid by the owner of the vehicle and that vehicle shall remain impounded until all costs are paid.

§ 576-905. Signs to mark snow emergency routes.

On each street designated as a snow emergency route, the Director shall post special signs, one on each block and/or at intervals not exceed 660 feet and at all points where any street affected joins another street with the wording: "Snow Emergency Route. No Parking During Emergency. Tow Away Zone." These signs shall be distinctive and uniform in appearance and shall be plainly readable to persons traveling on the street.

§ 576-906. Official snow emergency routes.

A. The following streets are designated snow emergency routes:

Buttonwood Street
Centre Avenue
Clymer Street
Fifth Street
Fourth Street
Franklin Street

Hampden Boulevard
Hancock Boulevard
Hiester's Lane
Kenhorst Boulevard
Lancaster Avenue
Laurel Street
Mineral Spring Road
Morgantown Road
Museum Road
Old Wyomissing Road
Penn Street
Perkiomen Avenue
River Road
Schuylkill Road
Spring Street
Thirteenth Street
Walnut Street
Washington Street
Wyomissing Boulevard

B. The snow emergency routes are shown in Figure 1.²⁰

20. Editor's Note: The snow emergency routes map is on file in the Public Works Department.

§ 576-907. Snow removal operations.

A. The Director and Chief of Police are hereby jointly authorized to close any street and redirect traffic whenever necessary to plow, clear or otherwise remove snow. It shall be unlawful for any person to pass through a closed area, unless authorized.

B. ***Equipment owned by the City-owned or Parking Authority***, or contracted equipment, is permitted to operate in any direction on any street, at any time upon orders of the Director ***or Executive Director***.

C. No person shall remove snow or ice from private property or any sidewalk and place ***it upon any City street*** ~~upon the street~~.

§ 576-908. Violations and penalties.

A. ***No person shall park a motor vehicle in violation of any provision of this Part. Violations shall be issued in the manner and amounts set forth in Part 4 of this chapter.*** ~~Whenever any motor vehicle is found parked or left in violation of any provision of this Part, notice of this violation shall be given, in manner provided for parking violation in the City pursuant to Part 4 of this chapter.~~

~~B. Every person convicted of a violation of any provision of this Part shall upon such conviction be fined \$50 and the cost of prosecution for each offense. In the default of payment of such fine and cost, such persons shall be imprisoned for not more than 10 days.~~

EXHIBIT A

§ 576-514. Enforcement.

The duty of enforcing the provisions of this Part shall be on the Department of Police and the Reading Parking Authority. In case of emergency, any of the provisions of this Part may temporarily be suspended by such Chief of Police or Executive Director, who shall then have the authority to adopt and enforce such other temporary rules and regulations as traffic conditions, during such emergency, may demand or require. *Notification in writing about the suspension and temporary replacement of any rules or regulations shall be provided to the Chief of Police or Executive Director immediately.*

§ 576-517. Notice of violation; violations and penalties; waiver.

A. ~~Any police officer or other duly authorized Parking Authority employee shall place on motor vehicles/conveyance parked in violation of the provisions of this Part a notice of said violation. A police officer or duly authorized Parking Authority employee shall provide notice of a motor vehicle/conveyance parked in violation of the provisions of this Part, or as otherwise provided by law, by either (1) placing notice of the violation on a motor vehicle/conveyance; (2) providing notice of the violation by mail or (3) provide notice of the violation as otherwise permitted by law. The owner or operator of the motor vehicle/conveyance shall pay the penalties set forth in 576-416 within the timeframes noted therein. The Reading Chief of Police, or his designee, shall have the discretion and authority to void any parking ticket issued by the Reading Parking Authority and the Reading Police Department. The Reading Police Department shall provide notice to the Reading Authority stating when parking tickets are voided and documenting the circumstances under which the ticket was voided. The authority of the Reading Police Chief to void tickets under this provision shall in no way usurp the appeal process of the Reading Parking Authority.~~

B. ~~Each such owner or operator may, within 10 days of the time when such notice was attached to his motor vehicle/conveyance, pay as penalty in full satisfaction of each violation, the sum of \$20 and after 10 days but within 20 days of the violation the sum of \$35. [Amended 8-8-2016 by Ord. No. 31-2016]~~

§ 5-208. Rules of procedure.

[Amended 4-9-2001 by Ord. No. 7-2001; 3-8-2010 by Ord. No. 7-2010; 7-26-2021 by Ord. No. 55-2021]

A. The standard reference of Council shall be Robert's Rules unless not specifically provided for by the Rules of Procedure herein.

B. Business is conducted by acting on motions. Once a matter has been moved and seconded, no other matter shall be taken up until the main issue is disposed of.

(1) Rule No. 1. Disclosure of interest. A member who has personal or private interest in any question, measure, bill proposed or pending before the Council shall disclose that fact to Council and shall not vote thereon. If such interested person shall vote without disclosing his interest in such question, measure or bill, Council may avoid the enactment or transaction or not, as it deems best.

(2) Rule No. 2. Proposed amendments to these rules. Amendments to these rules must be presented in writing at a nonlegislative meeting of the Council held at least one week prior to the date when the same are to be finally considered. Amendments shall be adopted by the affirmative vote of the majority of all members of Council.

(3) Rule No. 3. Suspension of rules. These rules may be suspended by the affirmative vote of the majority of all members of Council present, but the suspension shall not extend beyond the adjournment. No rule of Council, which is also subject of legislative enactment, shall be suspended.

(4) Rule No. 4. Legislation.

(a) No rule, matter, bill or resolution shall be considered by Council unless a written memorandum, brief, resolution or bill is delivered to the City Clerk by 12:00 noon on the Wednesday preceding the meeting where the matter or legislation is to be considered, introduced or enacted/adopted by Council. The City Clerk shall furnish to the Mayor and all members of Council copies of all proposed resolutions and ordinances by posting the agendas on the website. **[Amended 10-28-2013 by Ord. No. 51-2013]**

(b) Legislation referred to or being considered by a Council Committee must be returned to the full body of Council for consideration with either a positive or negative recommendation. If the legislation is not returned in this manner, any three Council members may request that the full body, at a regular business meeting, consider the legislation.

(5) Rule No. 5. Voting.

(a) The vote upon any motion, resolution or ordinance will be taken by roll call. The City Clerk will clarify by reading aloud the content of the parliamentary motion, amendment, of the award of contract, ordinance or resolution before the roll call is taken.

(b) The yeas and nays of each Councilperson will be entered into the minutes. On the call of yeas and nays, no member shall be excused from voting as such, unless by the consent of the Council and the Solicitor, or if a bona fide conflict of interest exists as defined in Part 10, Code of Ethics, or other provisions of general law. Unless a member of Council is so excused or prevented from voting, the failure to vote shall be recorded as an affirmative vote.

(c) The City Clerk will rotate the order in which the roll is called after every vote with the exception of amendments to the main question.

(6) Rule No. 6. Duties of the presiding officer. The President of Council shall decide all questions subject to appeal by any two members of Council and have general supervision of the meeting. He shall determine the appropriate committee to which legislation and other matters shall be referred. The President of Council shall be the designated representative of the body and shall communicate the intentions of Council, with respect to professional service, contracts, legislative action and other matters, as needed.

(7) Rule No. 7. Reconsideration. A motion to reconsider a question shall be entertained only at the next legislative meeting following the one at which vote was taken. No second motion to reconsider the same motion shall be entertained.

(8) Rule No. 8. Motions to be entertained.

(a) All motions must be moved and seconded. When a question (or main motion) is under consideration, no motion shall be entertained except for:

- [1] Adjournment.
- [2] Previous question (2/3 vote).
- [3] Lay on the table.
- [4] To postpone.
- [5] To commit.
- [6] To amend.
- [7] End debate.
- [8] Call for the question.

(b) These questions have preference in the order given. The first three must be decided without debate. A motion to adjourn is always in order when the main question has been ordered put, when a member has the floor, or during a call of the yeas and nays.

(c) Motions for the previous questions to postpone or commit shall preclude amendment or debate upon the original subject. Motion to postpone shall preclude commitment.

(9) Rule No. 9. Rules of debate.

(a) Prior to debate, a bill or resolution must be placed on the table by a first and second motion of the body. The sponsor of the bill or the referring committee will have the first opportunity to make a statement. After which, each member of Council shall be entitled to make one statement on the proposed legislation. President of Council may also invite the Mayor and Managing Director to comment. All first statements shall be no longer than three minutes in length.

(b) Second statements or comments shall be entertained after each member present has been given the opportunity to speak one time and shall be no longer than two minutes in length. In the event no other Council member wishes to address the issue and no one moves to end debate or call for the question, debate will be allowed to continue. In general, it is expected that the body will make their remarks concise and focused on matter or issue proposed. Amendments or statements not relating to the question shall not be made. All such matters not relating to agenda items will be entertained after the Council business portion of the agenda.

(c) President of Council or presiding officer may, at his discretion, choose to limit debate time on each agenda item to 10 minutes, as stated in Roberts' Rules of Order.

(d) Members wishing to speak shall request recognition from the presiding officer, at which time other Council members shall not engage in dialogue or interrupt except for the following:

[1] Call for the orders of the day (when they are not being conformed to).

[2] Raising a question of privilege.

[3] Point of order (calling the member who has the floor to order or calling his attention to the fact that he is not observing the rules).

[4] Call for a separate vote on one or more subjects that are included in a single motion.

[5] Request or inquiry that requires an immediate response.

C. The body may override the presiding officer's decision on any procedural rule through the passage of a motion.

Appointment to Boards

1. Environmental Advisory Council (EAC) voting member
2. Diversity Board voting member
3. Local Redevelopment Authority voting member
4. Blighted Property Review Committee (BPRC) voting member
5. RATS (Reading Area Transportation Study) voting member
6. Mt. Penn Preserve Partnership (MP3) – voting member
7. Rec Commission – (voting member)
8. Audit Committee – Finance Chair voting member
9. Capital Planning Committee - Finance Chair voting member
10. Revenue Committee – Finance Chair voting member
11. BCAP (Berks Community Action Program) – voting member
12. P3 Member voting member + 2 non-voting liaisons
13. BCCJAB (Berks County Community Judicial Action Board) – non-voting liaison
14. School District Work Group - voting member (no more than 3)
17. Stadium Commission non-voting liaison
18. Shade Tree Commission – non-voting liaison
19. Human Relations Commission – non-voting liaison
20. Planning Commission – non-voting liaison
21. BCTV – non-voting liaison
22. Conversion Therapy Board – voting member
23. OPEB – voting member