



COMMITTEE of the WHOLE

CITY COUNCIL

SUMMARY
January 11, 2021
5:00 P.M.
Council Office
Virtual Meeting

COUNCIL MEMBERS PRESENT:

L. Sihelnik, M. Goodman-Hinnershitz, D. Reed, J. Waltman, J. Cepeda-Freytiz (all electronically), M. Ventura, (via dial in)

OTHERS PRESENT:

L. Kelleher, K. Cochran (physically), S. Smith, M. Rodriguez, A. Amoros, F. Denbowski, W. Stoudt, J. Ruiz, N. Matz, A. LaMano, M. Boyer, K. Lugo, S. Rugis, T. Profit, F. Lachat, J. Abodalo, J. Kelly, A. Acevedo (all electronically) E. Moran (via dial in)

Others?

The meeting was called to order at 5:05 pm by Mr. Waltman. Due to the COVID-19 Emergency Declaration, the public is prohibited from physically attending the meeting. The meeting is convened via virtual app.

I. RPA Agreement and Ordinance Review

Ms. Goodman-Hinnershitz stated that several ordinances were enacted last week and some were delayed due to amendments made at the table. She stated that the ordinance amending the meter zones will be introduced this evening.

Mr. Matz stated that he is available to answer questions. He reminded all that during last week's meeting, Council chose to enact the tier 2 fine amounts. (*Note: at the January 4 special meeting Council agreed to the tier 2 fine amounts overall and the tier 3 fine amounts for safety hazards.*)

Mr. Marmarou arrived at this time (via dial in).

Ms. Goodman-Hinnershitz requested that all attendees remain on mute when not speaking to reduce the echo. She stated that this is a common courtesy on Zoom.

Ms. Kelleher stated that the addition of meters to loading zones was also tabled last week.

Ms. Reed stated that an amendment was proposed to implement a 60 day trial period for this program. Ms. Kelleher stated that the amendment was not passed and the ordinance was then tabled.

Ms. Cepeda-Freytiz questioned if the Parking Authority has exclusive enforcement power to cite for expired registrations and inspections. Mr. Matz stated that both the Parking Authority (RPA) and Police Department can cite for these violations. He stated that this issue is often raised by the public and there is a legal opinion available on the RPA website. He stated that he shared this opinion with Council this afternoon.

Ms. Cepeda-Freytiz questioned the difference between 576-414, 576-509 and 576-402 as they are worded very similarly. Mr. Matz stated that 576-402 limits the amount of time a person can park in an area based on signage; 576-509 refers to being parked at a meter and not paying; 576-504 refers to being parked at an expired meter.

Ms. Cepeda-Freytiz questioned why there were different time zones for metered spaces. Mr. Matz stated that he is not sure how the zones were created as he was not involved at the time. He expressed the belief that it may be to encourage turnover of parking spaces in certain areas.

Ms. Cepeda-Freytiz suggested that the meter time zones be reanalyzed. She stated that many residents are unhappy about Saturday meter enforcement and the time of meter zones. She noted the need for consistency especially since there will be an increase in the meter fee.

Mr. Matz stated that as long as the meter fee is paid, it is okay to extend beyond the zone timing. He stated that this may cause area businesses to suffer if customers cannot find convenient parking.

Ms. Cepeda-Freytiz stated that receiving service at a hair salon may take 2 – 3 hours. She stated that there are limitations to the parking app and that there is a fee to use the app. She expressed the belief that the use of the app should provide a discounted rate.

Ms. Goodman-Hinnershitz expressed the belief that a work group would be helpful as parking issues are explored overall. She noted her agreement with Ms. Cepeda-Freytiz's concerns and stated that there are many details to review and consider.

Ms. Cepeda-Freytiz agreed with the use of a work group.

Ms. Sihelnik stated that she has heard the same concerns as Ms. Cepeda-Freytiz. She noted the importance of deciding how to discuss and process future requests from the RPA. She stated that there is confusion and that items may be moving forward out of order.

Ms. Goodman-Hinnershitz clarified that the former work group only discussed the Cooperation Agreement and not these other requests. She expressed the belief that all these parking issues need close review as they are complex issues.

Ms. Reed stated that a parking study was conducted in 2008/2009. She suggested that this study be reviewed as a reminder of why parking is conducted in its current state. She expressed the belief that residents are confused by all the parking issues and agreed that enforcement of meters on Saturday is concerning for many. She noted the need to clearly explain any parking changes to the public. She stated that parking is a big issue and has economic development implications.

Mr. Kelly stated that the Parking Study RFP results will be opened tomorrow. He stated that the RFP includes a detailed map of the study areas and that it is not City-wide. He stated that relative to the app, if you extend your meter beyond the time allowed, it will double the fee. Mr. Matz stated that he was unaware of the doubled fee.

Ms. Goodman-Hinnershitz expressed the belief that additional discussions are needed. She questioned if Council was ready to move forward on the items on this evening's agenda.

Mr. Matz explained that the RPA amendments being requested are a small number of their overall recommended amendments. He stated that all the parking regulations are under review. He stated that the decision was made to bring these forward first since there are budget implications. He stated that 6 – 8 recommendations will come forward in batches until complete. He stated that he is willing to participate in a work group.

Ms. Sihelnik agreed that a process is needed. She suggested that the process be defined and a timeline drafted. She noted the need to ensure a thorough and clear process.

Ms. Goodman-Hinnershitz stated that the addition of meters at loading zones is eligible for final passage this evening. She noted the need to focus on the items that are already on the table.

Mr. Waltman stated that nothing is ever perfect. He noted the need to adapt and amend these items later as needed. He noted the need to answer the big questions.

Ms. Sihelnik expressed the belief that the last meeting was confusing and the process appears disorganized. She stated that other proposed amendments have been discussed but that they are not on the agenda.

Ms. Kelleher stated that Bill 98-2020 was enacted increasing the penalties for parking trucks, trailers, etc. She stated that Bill 99-2020 was also enacted providing for meter enforcement on Saturdays. Bill 100-2020 was enacted which amended the posting of daily parking permits.

Bill 101-2020 is currently on the table and eligible for final passage and Bill 102-2020 was re-advertised and will be re-introduced this evening.

Mr. Waltman questioned if there are others to consider this evening. Ms. Kelleher stated that she has not yet received others.

Ms. Sihelnik stated that there has been discussion about reducing the number of violations to become eligible for payment plans. She stated that the cost of no parking signs for non-profits was also discussed. She questioned where this legislation currently is.

Ms. Goodman-Hinnershitz expressed the belief that not all of these items have come forward through the City Clerk.

Ms. Kelleher stated that these items are on this evening's agenda for introduction:

- Ordinance reducing the number of tickets before booting and increasing the daily parking fee and meter fee
- Ordinance adding parking meter zones
- Ordinance allowing the Police Chief to void any parking violation and requiring the Police/RPA to communicate about any temporary changes

Mr. Matz stated that two additional ordinances were requested for introduction this evening but do not appear on the agenda.

Ms. Goodman-Hinnershitz requested that a spreadsheet be drafted showing the status of each request for reference. She stated that this will assist with bringing order to this process and will help Council look at the big picture.

Ms. Goodman-Hinnershitz read the loading zone legislation out loud. She reiterated that this amendment would add parking meters to loading zones.

Mr. Matz reiterated that the RPA loses approximately \$500,000 per year on these 98 loading zone parking spaces in metered areas.

Ms. Reed noted her concern that this would impact businesses. She noted the need for feedback from affected businesses.

Ms. Goodman-Hinnershitz stated that she proposed an amendment at the table last week to provide for a study and report on the impact of this change. She stated that the amendment failed and the ordinance was tabled as a result. She stated that without an amendment calling for evaluation, it will not occur.

Ms. Reed stated that Council would then need to rely on anecdotal feedback and not actual data.

Ms. Goodman-Hinnershitz noted the need for Council to weigh the increased revenue potential with the possible negative impacts.

Mr. Matz stated that he is willing to provide a report to Council in 4 – 6 months. He explained that this change cannot be implemented immediately because software updates and education are needed. He expressed the belief that the program can be implemented in April at the earliest. He stated that the review period would then begin.

Ms. Cepeda-Freytiz stated that she is not comfortable with adding meters to loading zones. She stated that RPA would also need to purchase additional meters. She stated that there are many changes being made and many more will be proposed. She expressed the belief that residents are overwhelmed by these changes. She noted the need to review the timing of the meter zones as well.

Ms. Sihelnik suggested enacting the addition of meters to the loading zones and amending it again as needed after it has been evaluated. She expressed the belief that this change would increase revenue but would not affect residents or downtown visitors. She stated that this fee is paid by delivery companies in many other areas. She suggested that the ordinance move forward.

Mr. Waltman thanked all for their work on the parking amendments. He questioned if the 400 block of N 9th St has been removed from the additional meter zones. Ms. Kelleher stated that it has.

Ms. Goodman-Hinnershitz again suggested the creation of a spreadsheet to track these changes. She suggested that this process may take much of the year to complete. Mr. Matz agreed and reiterated that he is willing to participate in a work group.

Ms. Sihelnik noted the need for consistent and open dialog throughout this process. She stated that she is pleased with the direction this discussion is taking.

Ms. Goodman-Hinnershitz stated that the Resolution authorizing the Cooperation Agreement between the City and the RPA is also on this evening's agenda for Council action. She stated that it was tabled at the last meeting to update the contribution amount.

Mr. Matz stated that the contribution amount in the Cooperation Agreement has been updated by increasing the contribution by \$500,000 due to Council's choice of the tier 2 fine amounts. *(Note: at the January 4 special meeting Council agreed to the tier 2 fine amounts overall and the tier 3 fine amounts for safety hazards.)*

Ms. Cepeda-Freytiz questioned how the loading zone ordinance would be amended this evening. She suggested that local businesses pay a reduced amount for these meters.

Ms. Sihelnik stated that the two tier fee for these meters needs legal review. She stated that the amendment will require an evaluation period.

Ms. Goodman-Hinnershitz agreed with Ms. Sihelnik.

Ms. Cepeda-Freytiz questioned how to proceed. She suggested that Reading-based businesses not pay a meter fee for loading zones. Mr. Matz expressed the belief that having Reading-based businesses pay a lower fee in the loading zones is similar to non-profits paying a lower fee for daily parking permits. He opined that the two tier fees could be enacted.

Ms. Cepeda-Freytiz noted the need to use data collection regarding the use of loading zones. Mr. Matz stated that it will be difficult to capture this data.

Ms. Sihelnik stated that if the legislation is enacted and the delivery companies begin using the app, the data can be captured. She requested a legal opinion regarding the two tiered payments in the meantime.

Ms. Goodman-Hinnershitz stated that she will propose an amendment to require this evaluation. She questioned if the legal opinion is required before implementation.

Ms. LaMano stated that it would be ideal to research the issue and provide a legal opinion before implementation of two tiered rates. She suggested that a trial period begin with all companies paying the same rate to study the impact and amend the program in the future if necessary. She stated that the two tier rate may be problematic but may be a way to show preference to City businesses.

Ms. Goodman-Hinnershitz noted her preference to table this legislation until after the legal opinion is received. She stated that there are new questions that have not been answered.

Mr. Waltman questioned the cost of the loading zone meters. Mr. Matz stated that it would be \$2.00 per hour. *(Note: the RPA has proposed increasing the meter fee to \$2.80 per hour)*

Mr. Waltman stated that amendments can be made at any time. He expressed the belief that Council is overanalyzing this issue. He suggested that the legislation move forward and the program be analyzed after it is implemented.

Ms. Sihelnik agreed with Mr. Waltman. She stated that if the legislation is amended it should only be to require an evaluation period.

Ms. Goodman-Hinnershitz called Council's attention back to the Cooperation Agreement.

Ms. Cepeda-Freytiz questioned if the fine increases were reflected in the Cooperation Agreement. Mr. Matz stated that they are reflected in the Agreement. He explained that the RPA's contribution to the City is relative to the tier 2 fee increases. *(Note: at the January 4 special meeting Council agreed to the tier 2 fine amounts overall and the tier 3 fine amounts for safety hazards.)*

II. Agenda Review

Council reviewed this evening's agenda including the following:

- Invocation

Chief Stoudt requested a moment of silence after the invocation to honor the passing of Deputy Fire Chief Mark Kulp.

- Public Comment

Ms. Kelleher stated that there is one individual who provided written comment to be read at the meeting.

Ms. Cepeda-Freytiz stated that Rep. Guzman has requested to speak but did not meet the required deadline. Mr. Waltman stated that Rep. Guzman will be granted time to speak.

- Ordinance amending City Code Chapter 62 Pensions by replacing Administrative Services Department references to Finance Department and by allowing the Mayor to designate a representative to vote in proxy for the Fire and O & E Pension Boards

Ms. Goodman-Hinnershitz requested a legal opinion on this legislation prior to voting. Ms. LaMano stated that the opinion will be received at next week's meeting.

- Ordinance amending the Quality of Life Ticketing Program regarding solid waste

Mr. Lugo explained that there are small content changes throughout to allow for better enforcement. He stated that definitions have also been updated.

Mr. Lugo explained that two additional Tickets have been added to address temporary dumpsters and the improper use of litter baskets.

Ms. Goodman-Hinnershitz questioned if rear trash pick-up for senior citizens has begun. Mr. Lugo stated that this amendment is only regarding the QoL ticket items.

Ms. Cepeda-Freytiz requested clarification on the Clean City Fee. Mr. Lugo stated that this fee helps offset the cost of litter and dumping clean-ups and yard waste and electronic recycling. He stated that the fee is not new but that it is now reflected differently on the RAWA bill.

Ms. Cepeda-Freytiz questioned if this fee is paid by all residents or only those with private haulers. Mr. Lugo stated that the fee is paid by anyone who has City collection of either trash and recycling or only recycling.

Ms. Cepeda-Freytiz questioned the amount of the fee. Mr. Lugo stated that it is \$2.50 per unit per month.

Ms. Cepeda-Freytiz questioned if the fee is also paid for vacant properties that do not generate waste. Mr. Lugo stated that the fee is paid for all properties including vacant properties. He stated that the fee can only be removed if the water service to the property has been turned off.

Mr. Lachat stated that the fee has been upheld by the Commonwealth Court since all residents benefit from these programs.

- Ordinance amending City Code Chapter 496 Part II regarding waste collection from mixed use properties

Mr. Lugo stated that Council amended Solid Waste Collection to include all properties with six or fewer residential units. He stated that regarding mixed use properties where there is a business on the first floor with residential units above, this has caused some properties to require two haulers. He explained that the business has a hauler and the residential units are on the City system requiring two separate collection systems. He stated that this allows the property to use one system only and allows them to opt into the City system.

- Ordinance increasing the salary range of the CD Director to \$110,000 contingent on the \$20,000 contribution from the Reading Redevelopment Authority, retroactive to November 23, 2020

Mr. Amoros stated that this item has been pending for some time. He noted his hope for quick Council action to provide this salary increase. He stated that this also affects other CD employees.

Ms. Sihelnik stated that she requested an updated organizational chart delineating the Redevelopment Authority responsibilities. She stated that she would like to see this information before taking action on the salary increase.

Ms. LaMano stated that the retroactive date is January 1, 2021. She noted the need to correct the legislation and the agenda.

Mr. Amoros stated that Mr. Abodalo has agreed to the January 1, 2021 date but requested the other salaries retroactive to November 23, 2020. He stated that Mr. Abodalo indicated that the organizational chart had been sent but that it will be sent again.

III. Other Matters

Ms. Kelleher reminded all about the HARB Appeal Hearing tomorrow at 5 pm.

Ms. Reed stated that she has requested an executive session.

Mr. Amoros requested that this discussion be delayed to allow the Administration to prepare additional information.

Ms. Reed allowed for this additional time but noted the need for discussion soon as this is a concerning topic.

After a brief discussion it was noted that this topic is not eligible for executive session. Ms. Kelleher requested the topic be sent to her for inclusion on next week's Committee of the Whole agenda.

The meeting adjourned at 6:25 pm.

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