



# ***COMMITTEE of the WHOLE***

## ***CITY COUNCIL***

### **SUMMARY**

**April 25, 2022**  
**5:00 P.M.**  
**Hybrid Meeting**

#### **COUNCIL MEMBERS PRESENT:**

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

#### **OTHERS PRESENT:**

L. Kelleher, M. Gombar, F. Denbowski, J. Kelly, F. Lachat, W. Stoudt, J. Stoudt (in person), C. Crespo, K. Zeiber, F. Denbowski, R. Tornielli (virtually)

The six members of Council (with Ms. Ventura attending virtually) Mr. Gombar, Mr. Lachat, Mr. Denbowski and Mr. Kelly met in an executive session on contract negotiations with Mr. Fraga from the Cohen Law Group (virtually) at 5:03 pm. That executive session concluded and Mr. Fraga disconnected from the meeting at 5:30 pm. A second executive session began with those remaining regarding litigation at 5:30 pm. That session concluded and a third session on personnel began with the same group. That session concluded at 6:09 pm.

The COW meeting was called to order at 6:15 pm by Ms. Cepeda-Freytiz. She asked everyone to send prayers to Mr. Waltman, who is very sick. She announced that prior to the start of the COW, executive sessions were held on contract negotiations, litigation and personnel.

#### **I. 5G Telecommunications Zoning Amendment**

Mr. Lachat explained that the Law Department is working with the Cohen Law Group to revise the Telecommunications section of the Zoning Ordinance. He stated that the Cohen Law Group assisted the City Clerk and Law Department with the existing language in the Zoning Ordinance. He stated that there were changes over the past few years to the federal and state laws that place limitations of municipal zoning regulations with regard to 5G installations.

## II. Agenda Review

Ms. Kelleher confirmed that Ms. Nieves from Street on the Feet has confirmed her attendance and that there are currently two (2) citizens registered to provide public comment, both are attending in person.

- **5. Consent Agenda Legislation**

**A. Award of Contract** - to Degler-Whiting in the amount of \$110,005, from the CIP, for playground equipment and repairs to the SE Quadrant - to include City Park, Neversink Playground, and Orange and Cherry Playground. Pandora Park and Reading Iron were not address in this quadrant due to recent or future projects. 10<sup>th</sup> and South playground will not be addressed at this time as discussions of future use are pending.

**B. Motion** - recognizing the shift in CIP projects to fund active/ongoing projects as follows:

- Within the CIP budgetary line 34-07-71-4801: Playgrounds and Parks \$875,000 will be reduced by \$100,000 and added to the 3rd and Spruce All abilities Playground to satisfy the DCNR grant matching requirements.
- Within the CIP budgetary line 34-07-74-4801: McKnight and Spring Improvements of \$382,000 will be reduced by \$100,000 to fund the 3rd and Court Fire Station upgrade to allow project completion, as it was not finished in 2021 as planned.
- Aboveground Restroom and 5th and Penn of \$130,000 will be removed from the CIP budget and the PW ADA Access Project will be funded at \$56,000 leaving \$74,000 unencumbered for new or underfunded project completion.

Mr. Kelly explained that this list was devised by Mr. Anspach after a thorough review of the projects started and planned. Some of the project delays were caused by the supply chain problems.

**C. Award of Contract** - for the purchase of accessories to increase the range and capability of the existing Telerob robotic platform utilized by the RPD Bomb Squad to AeroVironment Inc, Simi Valley, CA at the amount of \$39,106.60 via the Capital Budget. The robotic platform is used when responding to reports of suspicious items/packages, IED (improvised explosive devices) and recovery of ordinance. These accessories will allow the team members to position at a safer distance thus increasing the safety factors for the members.

**D. Award of Contract** - for the purchase of a Digital X-RAY system to integrate with the RPD Bomb Squad's existing Telerob robotic platform to NOVO Digital Radiography INC (NOVO DR Inc), Grand Blanc, MI at \$62,676.10 via the Capital Budget. This system will be used to assist members of the RPD Bomb Squad with investigations of suspicious packages by allowing the members to position at a safe distance thus increasing the safety factors for the members. This system will integrate with the existing robotic equipment being used by the RPD Bomb Squad members. The equipment is Sole Source and the justifications have been completed and accepted by the City Administration.

**E. Resolution** - authorizing the execution of the Federal-Aid Reimbursement Settlement Agreement No. 057563 for the 3<sup>rd</sup> & Penn Streets Crosswalk Project, PennDOT MPMS No. 76614

**F. Resolution** - authorizing the exoneration of the 2021 property taxes, penalties and interest in the amount of \$955.94 at 138, 139, 140, 141 and 143 Whitaker Court for Goggleworks

**G. Resolution** - directing the Solicitor to oppose the Private Sale Bid of 326 S 17<sup>th</sup> ½ St and 1253 Spruce St with the Berks County Tax Claim Bureau

Mr. Gombar stated that the amount of the bid for 326 S 17<sup>th</sup> ½ Street does not cover the tax delinquency. After a brief discussion, Council decided to amend the resolution at the regular meeting to remove the Spruce Street property as the amount of that bid covers the tax delinquency and oppose only the property on S 17<sup>th</sup> ½ Street. They also agreed to remove this resolution from the Consent Agenda and consider it separately under the Resolution heading.

**H. Award of Contract** - to Barry Isett & Associates, Wyomissing, PA in the submitted price of \$99,900.00 from the Public Works budget for design and engineering services for the Centre Park Revitalization Project. In 2018, a master plan was commissioned for Centre Park. The City of Reading would like to move forward with the improvements as outlined in the master plan. Improvements are to include but are not limited to interpretive signage, lighting, central sculpture, ADA walkways, improved entranceways, etc.

Ms. Reed noted the work and fundraising the Centre Park Historic District did to create a master plan for the park area. She noted the benefits of this public private partnership.

## • **9. ORDINANCES FOR FINAL PASSAGE**

**A. Bill No. 32-2022** - amending City Code Chapter 576, Part 12, Parades, Special Events, and Public Gatherings by making revisions to the special event application process and the corresponding section of the Chapter 212 fee schedule for special events ***Introduced at the April 11 regular meeting***

**B. Bill No. 33-2022** - amending the 2022 General Agency fund (31) to reflect the appropriation of funding in the amount of \$152,500 for the Lead Hazard control Program. The Community Development department property maintenance division will be managing the healthy homes initiative program targeting households with children six (6) years old or younger and have been diagnosed with Elevated Blood Lead Level (EBLL). The presence of lead in a child could cause developmental challenges medically found to have a measurable concentration of lead in their blood. ***Introduced at the April 11 regular meeting***

**C. Bill No. 34-2022** - amending City Code Chapter 453, Part 3, Mobile Vendors making corrections and adding provisions for vendors at the Pagoda ***Introduced at the April 11 regular meeting***

Councilor Goodman-Hinnershitz noted the need for the City to be prepared to enforce the terms of the ordinance as there are some vendors who have been selling on the Pagoda property without the proper permits.

The ordinance provides the following:

**§ 453-312. Enforcement.**

This Part will be enforced under the jurisdiction of the Property Maintenance Division, *the Fire Marshal* and the Reading Police Department.

**§ 453-313. Violations and penalties.**

Any person violating any provision of this Part or of the regulations promulgated hereunder, shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of \$75 to \$1,000 for each and every offense, to be collected as other fines and costs are by law collectible, or shall be imprisoned for not more than 90 days or both. Each day during which the person violated any provision of this Part shall constitute a separate offense. Institution of a prosecution for the imposition of the foregoing penalty shall not be construed to limit or deny the right of the City to such equitable or other remedies as may be allowed by law.

Chief Torielli stated that enforcement will occur if need be.

**D. Bill No. 35-2022** – amending City Code Chapter 23, Part 14, Code & License Appeals Board by adding Mobile Vendors Appeals to the powers of this board ***Introduced at the April 11 regular meeting***

**E. Bill No. 36-2022** – amending the Position Ordinance by eliminating 2 of the 4 fulltime Ambassadors, leaving 2 at \$20.87 per hour for a total of \$41,600 per employee per year and adding 6 part-time positions at a rate of \$15 per hour at 28 hours per work for a total of \$21,840 ***Introduced at the April 11 regular meeting***

Mr. Daubert questioned the capacity of these personnel to undertake the clean and safe responsibilities for this area and the area that is being covered. Mr. Denbowski stated that the part-time crew will cover seven days a week. He stated that he will need to obtain the boundaries of the area.

Ms. Cepeda-Freytiz requested copies of the job descriptions for the part-time employees.

**F. Bill No. 37-2022** – increasing the salary of the Fire Chief to \$105,000.00 per annum, payable in equal bi-monthly installments ***Introduced at the April 11 regular meeting***

• **10. INTRODUCTION OF NEW ORDINANCES**

Mr. Butler read through the ordinances being introduced. Ms. Cepeda-Freytiz stated that the ordinances will be discussed at the May 9<sup>th</sup> COW.

**A. Ordinance** – authorizing the placement of a 4-way stop sign at the N. 13<sup>th</sup> and Pike intersection

**B. Ordinance** – amending Chapter 576-416 Parking Fines and eliminating the fine associated with Trucks, Trailers and Tractors parking longer than 1 hour and increasing the fine for Parking within 15 feet of a Fire Hydrant from \$100 to \$200 and increasing the 30 and 60 day penalties from \$50 to \$100

**C. Ordinance** – adopting and amending the 2018 International Fire Code

**D. Ordinance** – amending Chapter 576, Section 800 Impounding and Immobilization of Vehicles to provide updates that coincide with other sections and ordinances

**E. Ordinance** – amending the City’s Zoning Map by changing the parcel located at 1716 N 12th Street from MC to R3

**F. Ordinance** – amending Code Section 576-409 Parking Prohibited on Private Property and Section § 576-803. Authority to Remove and Impound Unattended Vehicles on Private Property by any Privately Operated Towing Businesses operating within the City of Reading, as per 75 Pa.C.S. §3353.3.b Towing Vehicles on Private Property and 67 Pa. Code, 212.115. Posting of Private Parking Lots to prevent predatory towing practices.

**G. Ordinance** – amending the City Code Chapter 5, Parts 2 City Council, 3 Mayor and 4 City Auditor prohibiting these officials, whether elected or appointed, from using a city-owned vehicle, city gas card and city credit card

- **11. RESOLUTIONS**

**A. Resolution**– appointing Dep Chief James Stoudt as Fire Chief

### **III. Other**

Ms. Ventura requested an update on the status of the crossing guard program, noting that there appears to be a severe shortage.

Chief Tornielli stated that currently only 11 crossing guards of the required 75 are currently employed. Prior to the closure of schools for the pandemic, there were approximately 50 crossing guards employed. He stated that coming off the closure of schools, the Traffic Unit has not been able to get those filling the guard positions to return and they are not having luck with recruitment. He noted that the District assist with recruitment efforts.

Chief Tornielli explained the amount of work required for the Traffic Unit to monitor this program, noting that this program pulls the personnel away from performing police work.

Mr. Denbowski and the Chief noted that this issue has been discussed at the quarterly meetings with the Reading School District.

Ms. Cepeda-Freytiz asked that for this issue to be revisited at an upcoming COW.

The meeting adjourned at 7:05 pm.

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