



# ***COMMITTEE of the WHOLE***

## ***CITY COUNCIL***

**SUMMARY**  
**April 18, 2022**  
**5 pm**  
**Hybrid Meeting**

**COUNCIL MEMBERS PRESENT:**

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

**OTHERS PRESENT:**

M. Gombar, L. Kelleher, J. Stoudt, J. Kelly – in person and F. Denbowski, S. Smith, K. Zeiber, F. Lachat, M. Oppenheimer, B. Ayers-Fisher, B. Murray, J. Ruiz, E. Moran, M. Rodriguez - virtually

Ms. Cepeda-Freytiz called the meeting to order at 5:07 pm. She asked everyone to keep Mr. Waltman in their prayers.

**I. Greenhouse Update**

Ms. Ayers-Fisher gave the history of the City Greenhouse located in City Park. She stated that it was originally part of the County Fairgrounds in the 1880s and after the County moved the fairgrounds to a new location the Greenhouse came under the City's control. That Greenhouse was demolished and replaced with a new 6,500 sq. ft. Greenhouse in 1927 and the last rehabilitation occurred in the 1990s due to the work of the Friends of the Greenhouse.

Mr. Zeiber stated that the administration is recommending a full rehab that includes a new building envelope, new mechanicals, electric, plumbing, masonry, etc. at the estimated cost of \$1.048M. He stated that the City will seek partners to assist with fundraising, grant funding and programming that will open the facility to the greater community. He stated that they hope to reopen the Greenhouse in 2024.

Mr. Denbowski stated that funding to assist with the required matching funds will be allocated within the CIP.

Ms. Lynch from the Reading Eagle arrived at this time.

Ms. Goodman-Hinnershitz stated that she is pleased the administration is seeking public private partnerships to restore the Greenhouse. She suggested that the administration seek Council's assistance to identify potential partners and policy.

Ms. Reed agreed and she offered to speak with former members of Friends of the Greenhouse to see if their 501c3 still exists and gather additional documentation. She expressed the belief that the most recent use of the Greenhouse was very haphazard for over the past decade.

Ms. Kelleher noted that if the Friends of the Greenhouse have not filed annual tax returns beginning in 2005-06, their 501c3 status has been eliminated.

Mr. Moran echoed the remarks made in support of the rehabilitation of the Greenhouse, noting the importance of this project for the community. He noted his administration's willingness to take on overlooked capital projects and needs, through APRA funding and other available grant funding.

Ms. Cepeda-Freytiz stated that she is pleased that the administration is seeking public/private funding for this rehabilitation project. She encouraged the administration to work to identify the list of friends and their level of financial commitment.

Ms. Ayers-Fisher stated that the administration will focus on partners that have the ability to apply for project related grant opportunities, noting that if the Friends of the Greenhouse is no longer available, an alternative approach can be sought.

Mr. Zeiber agreed, noting that Alvernia's O'Pake Center has formed a task force to ensure the sustainability of this project and the future of the Greenhouse. He added that he believes that the estimate for the Greenhouse rehabilitation is on target.

Ms. Reed noted the creative financial formulation used for the Goggleworks. She suggested using a similar model.

## **II. Crossing Guards**

Mr. Denbowski thanked Ms. Ventura for bringing up the need to re-examine the Crossing Guard program. He stated that in response to last week's discussion he met with the Traffic Sergeant and the School District about the current state of this program. He stated that the Traffic Sergeant gave him a binder with information on the program. He stated that while the Traffic Unit and District always struggled to find and retain crossing guards, that problem grew much worse when schools reopened after the pandemic shutdown. He explained the Traffic Unit's work to recruit, train, administer, and monitor this program and the time that takes away from actual police work.

Ms. Ventura joined the meeting virtually at this time.

Mr. Denbowski stated that when he spoke with Dr. Sanchez he learned how the District and Traffic Unit work together to recruit individuals who live within the school neighborhoods. He stated that his look at other Third Class Cities found that most outsource this program. He noted that Reading started on this path approximately five (5) years ago but the progress stopped for some unknown reason. He suggested moving forward at this time to put out an RFP with the requirement that the existing guards will be retained and not paid less than the current rate of \$15 per hour. This change will allow the Traffic Unit to focus on police work, like traffic enforcement at school buildings.

Ms. Cepeda-Freytiz inquired about the cost of this program. Mr. Moran stated that while the program is never fully staffed the amount budgeted is much more than the actual annual expenditure. Mr. Kelly stated that the City budgets the full cost of the program annually - \$300K and half the cost is covered by the District. The cost estimate for 2022 is currently \$50K.

Ms. Cepeda-Freytiz inquired about the origin of the crossing guard program. Ms. Kelleher explained that the program comes from the State School Code, not the Third Class City Code. She stated that while the City is not required to create or manage this program. The City sometime prior to 1960 agreed to a 50-50 partnership with the District.

Mr. Moran disconnected from the meeting.

### **III. Adjustment to Council Representation on BACs**

Ms. Kelleher explained that Mr. Waltman suggested that Council review these appointments since Mr. Daubert filled the vacated District 1 seat. Council went through each and requested resolutions to make the following changes:

- **Resolution** – appointing Jeff Waltman to the BCAP Board ~~with Brianna Tyson as~~ alternate
- **Resolution** – appointing Donna Reed as liaison to the BCTV Board with Marcia Goodman-Hinnershitz as alternate
- **Resolution** – appointing Johanny Cepeda-Freytiz to the Blighted Property Review Committee with Christopher Daubert as alternate
- **Resolution** – appointing Melissa Ventura to the Diversity Board with Johanny Cepeda-Freytiz and Wesley Butler as alternate
- **Resolution** – appointing Marcia Goodman-Hinnershitz to the Environmental Advisory Council with Donna Reed and Johanny Cepeda-Freytiz as alternates
- **Resolution** – appointing Johanny Cepeda-Freytiz as liaison to the Human Relations Commission with Christopher Daubert as alternate
- **Resolution** – appointing Donna Reed as liaison to the Shade Tree Commission with Christopher Daubert as alternate

- **Resolution** – appointing Donna Reed as liaison to the Stadium Commission with Wesley Butler as alternate

Mr. Denbowski was asked to approach the School District about adjusting the meeting schedule to permit two Council members to attend these quarterly meetings. Mr. Denbowski agreed to speak with Dr. Sanchez about moving the meetings to 4:30 pm.

#### **IV. Use of City Owned Properties**

A spreadsheet prepared by Mr. Zeiber showing the major properties owned by the City with the utility costs (electric and gas) was distributed with the handouts sent via email late this afternoon.

Ms. Reed inquired about the WEEU building. Mr. Zeiber stated that this is a tower signal repeater located on the Fire Tower property.

Ms. Cepeda-Freytiz inquired if there are additional City-owned properties. Mr. Zeiber answered affirmatively noting that this first round includes the properties that were reviewed in the feasibility study that PFM prepared in 2018.

Ms. Goodman-Hinnershitz noted that many City facilities have stone walls which require maintenance. Mr. Zeiber agreed, noting the heavy work load on the City's one mason.

Ms. Reed inquired about the Public Works building located at 14<sup>th</sup> and Walnut, noting that a former administration recommended demolishing the building. Mr. Zeiber stated that this building is in poor condition and only limited portions can be used.

Ms. Cepeda-Freytiz inquired if the City has had a facilities report. Mr. Kelly stated that PFM prepared a City building feasibility study in 2018 that shows the condition and needs of the majority of City owned facilities. He added that there is a separate pdf report prepared on each property.

Ms. Goodman-Hinnershitz noted the need to address the Mineral Spring Hotel, which is in a state of decay. She expressed the belief that these legacy problems increase the City's overall liability.

Mr. Kelly suggested considering a General Obligation bond to add capital funding to move the City's capital plan forward.

Ms. Reed read a letter she received from the County Veterans Administration seeking the Mineral Spring Hotel for a non-profit for veterans' services. She stated that the original request was made in 2019 and the City has not responded. She stated that City officials owe the group a meeting.

Mr. Denbowski stated that a former Public Works Director questioned the structural integrity of the building 3-4 years ago. He stated that there are use deed restrictions limiting the ways the grounds and building can be used. He stated that one of the restrictions notes that the property must be used for sports activities and East Ends was an Athletic Association which enabled them to operate the club as the revenue generated was used to support athletics. He stated that he will research the deed restrictions and feasibility report on the building's condition and report back.

## **V. Public Safety Reports**

Council reviewed the Fire Department Report attached to the agenda.

Mr. Daubert inquired about the timeline for the 9<sup>th</sup> and Marion Fire Station. Chief J. Stoudt stated that there are weekly meetings with the contractor and the completion is slated for mid to late December 2022. The steel beams were delivered last week and the 900 block of Amity Street is currently closed down to traffic to allow the set-up of the crane.

## **VI. Administrative Reports**

- **Finance**

The finance handouts were distributed. Mr. Kelly stated that to date expenditures are at 28%. He apologized for the small font noting that the document was intended for electronic viewing.

Ms. Goodman-Hinnershitz suggested advising Council when meeting documents will be delivered for electronic viewing so Council can bring devices which will eliminate the need to circulate unreadable handouts.

Mr. Kelly reminded Council about the Act 47 Recession Hearing on Wednesday, May 4<sup>th</sup> at 5 pm and the planned exit date of July 14, 2022.

Mr. Kelly stated that the debt policy draft will be distributed for review in June.

Mr. Daubert inquired about the progress on the skateboard park. Mr. Kelly stated that phase one and two RFPs will be out in early June. He explained that the delay was caused by a legal issue in the procurement process. He noted that the acting managing director is now championing this project.

Mr. Kelly stated that there has been no use of nonrecurring revenue or the use of fund balance.

- **Human Resources**

Mr. Denbowski noted the list of vacancies across all work groups in City Hall – 4 Executive openings, 9 Management openings, 16 Rank and File openings and 14 part-time openings.

He stated that the administration is speaking with recruitment firms for the Executive and Management openings. He noted the unusual recruitment challenges faced by Reading and other municipalities.

Ms. Cepeda-Freytiz inquired if the administration works to promote from within. Mr. Denbowski explained that management positions require specific skill sets, education and/or certifications. He added that the rank and file positions are first posted for bid. If jobs are not filled through the bid process they are advertised externally to the public. The open rank and file jobs are currently being internally and externally advertised.

Ms. Cepeda-Freytiz countered noting the need to offer incentives that inspire existing staff to seek additional education or certifications to make them eligible for management promotions. She also suggested offering a college tuition reimbursement program for employees and offering a finder's fee for employees who refer individuals for City employment.

Mr. Denbowski stated that currently there is a federal program that will provide student loan forgiveness after 10 years of public service. He stated that these suggestions could be reviewed by the Diversity Board.

## **VII. Other**

Ms. Goodman-Hinnershitz noted the need to inform the public about the changes at Bernhart's Dam and the exposure of un-remediated areas of the park that contain a high concentration of lead. She stated that the highly contaminated island is now accessible due to the lowered water level of the lake and people were seen on the island over the weekend. The island was not remediated at the request of the EPA because the water level of the lake made it inaccessible by foot.

Mr. Denbowski read the following statement:

We have been working with Red Creek Wildlife to oversee the wellbeing of the swans at Bernharts. They have been involved since we started meeting about the drawdown. According to Red Creek, all swans are currently flighted and are protected migratory birds. They will be allowed to move off on their own. They are wild migratory birds protected by Federal Law. We cannot touch them. Red Creek will remain for assistance if any amphibian, fur, or fowl needs assistance but only if they are injured.

The Game Commission has recently taken the position the Mute Swan is an invasive species, we were previously under a protected status which was the last information conveyed by Red Creek Wildlife. They are still protected in some States. The Swans are ultimately not eligible for relocation in Pennsylvania.

The city is proceeding in accordance with the PA Fish and Boat Commission's permit instructions. The city is allowing the wildlife to manage itself. This is considered by the city's fisheries biologists and other professionals as the best practice. It is the same procedure that the Isaac Walton League used when they drained Egelman's reservoir every year to harvest the bass for stocking. This project is being managed the same way that hundreds of other reservoir drawdowns are being conducted across the state.

Also, the reservoir will be totally drained by removing the center of the spillway down to the rock ledge upon which it was built. This is to ensure structural stability. The intent is to allow the normal flow of the creek to run naturally through the dam without being impeded.

Ms. Goodman-Hinnershitz suggested sharing this information across various outlets. Ms. Kelleher suggested sharing this statement with Muhlenberg Township.

Ms. Cepeda-Freytiz noted the tour of small businesses this morning with the PA Secretary of the DCED.

Ms. Reed questioned why a limo was rented and why the limo required a police escort. She noted that in the past the Rec van was used for similar occasions or tours. She expressed the belief that it is completely inappropriate for a City in the Act 47 program to rent a luxury vehicle for a state official visit. She added that the limo was also rented from a business outside of the City. She stated that this exorbitant behavior sends a bad message.

Mr. Kelly stated that the Rec van was unavailable and it was too dirty to use for the tour. He stated that they also could not find anyone to drive the vehicle.

Mr. Denbowski agreed, noting that the last minute notice of the visit required fast decision making. He stated that the fee for the limo was \$330.

Mr. Kelly stated that several asks, large and small, were made to the DCED Secretary for funding for City projects.

Ms. Goodman-Hinnershitz agreed that renting a luxury vehicle while asking for grant funding is a poor look and is inappropriate.

Ms. Cepeda-Freytiz inquired if the administration paid for the two tables at the Hope Rescue Mission dinner. Mr. Denbowski stated that the tables were donated.

Ms. Reed noted that the value of each seat at the table exceeded \$50 each and she questioned if this gift was reported to the Ethics Board. Mr. Denbowski stated that he will consult with the Ethics Solicitor.

The Ethics Code provides:

**B. Gifts: Solicitation/Acceptance. [Amended 10-9-2017 by Ord. No. 91-2017]**

**(1) Restriction on Acceptance/Solicitation of Gifts by City Officials and Employees.**

(a) No City official or employee or member of his/her immediate family shall accept or solicit any gift, gratuity, money, favors, invitations, food, drink, loans, promises, or other benefits (collectively referred to as "gifts") from any person, firm, corporation, or association which to his knowledge is interested, directly or indirectly, in any manner whatsoever, in business dealings with the City provided that City official or

employee has any influence, directly or indirectly, in any manner whatsoever, in the City's participation in those business dealings.

(2) Exceptions. A City official, employee, or member of his/her immediate family may accept, but not solicit, the following gifts, notwithstanding that the person giving the gift may be seeking official action from that officer or employee:

(b) Food, beverages, or entertainment provided at an event for which attendees do not have to purchase a ticket;

(j) Gifts totaling less than \$50 from a single individual during a single calendar year.

(3) Return of Gifts: Reporting.

(a) In all but de minimis cases, all gifts received must be publicly recorded and submitted to the City Clerk on a form from the City's Board of Ethics specifying: the donor; the address of the donor; the date received; a concise description of the gift; and the value of the gift. A gift having a value in excess of \$50 may not be considered de minimis.

(b) The City Clerk shall file the gift disclosure form with the Board of Ethics and have the gift form uploaded onto the City's website.

(c) The Ethics Board shall designate two members (hereinafter the Subcommittee) who will evaluate the propriety of gifts valued at \$50 or more, and determine if the gift must be returned to the donor. The Subcommittee shall evaluate the propriety of the gift according to the provisions of (1) Restrictions, and (2) Exceptions above.

(d) The Subcommittee shall issue a written opinion to the party that submitted the form within 21 days unless a shorter timeline is agreed upon. The opinion shall include all material facts relied on by the Subcommittee, and articulate a basis for the decision. All opinions shall be posted on the City's website. The officer or employee shall have the right to appeal the decision to the full Ethics Board.

### **VIII. Executive Session**

Mr. Gombar noted the need for an executive session about litigation and quasi-judicial deliberations on a conditional use decision.

Ms. Reed, Ms. Goodman-Hinnershitz, Mr. Daubert, Ms. Cepeda-Freytiz, Mr. Butler, Mr. Gombar, Ms. Kelleher and Mr. Kelly attended in person and M. Ventura, Ms. Smith, Mr. Denbowski, Mr. Lachat participated virtually entered an executive session to discuss litigation at 7:23 pm. The others were dismissed.

Mr. Lachat and Mr. Denbowski were dismissed and those remaining went into executive session to discuss a conditional use decision regarding the reuse of 2040 Centre Avenue at 7:49 pm.

The executive session concluded and the meeting adjourned at approximately 8:28 pm.

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