



COMMITTEE of the WHOLE

CITY COUNCIL

SUMMARY
May 9, 2022
5:00 P.M.
Hybrid Meeting

COUNCIL MEMBERS PRESENT:

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

OTHERS PRESENT:

L. Kelleher, M. Gombar, F. Denbowski, J. Kelly, F. Lachat, J. Stoudt, M. Rodriguez, E. Moran (in person), S. Smith, C. Crespo, K. Zeiber, R. Torielli, J. Searfoss, M. Lynch, BCTV (virtually)

The meeting was called to order at 5:04 pm by Ms. Cepeda-Freytiz.

I. Update to Fire Code

Fire Marshal Searfoss provided an overview of the Fire Code amendment. He explained that the State recently adopted the 2018 International Fire Code which the City amends slightly. He explained that the updated Code is adopted approximately every three years. He stated that amending the Code is necessary to administer the regulations within the City. He stated that the City makes several amendments as necessary to protect the safety of residents.

Mr. Searfoss stated that several of the "Whereas" clauses are in response to a recent appeal to the validity of the Fire Code and provide clarification. He stated that most of the amendments are to make Reading's regulations more stringent and to define the appeals process for the local appeals board procedure.

Mr. Searfoss stated that the Code includes a Certificate of Fitness which provides a list of contractors that have been vetted to assist property owners to get their properties into Code compliance. He explained that the fire alarm section is also more stringent due to Reading's high population and density. He stated that alarm alerts will allow the Fire Department to respond more quickly and will help save lives and property. He explained that this specifically applies to multiunit buildings where most incidents occur.

Mr. Searfoss requested Council support for this ordinance. He explained that if this amended Code is not adopted the City will have limited enforcement capabilities. He stressed the need for protection for City residents and property.

Ms. Cepeda-Freytiz questioned how often the Fire Code is updated. Mr. Searfoss stated that it is approximately every three years. He stated that PA is always one Code cycle behind the most current version and stated that the 2018 Fire Code was recently adopted by the State, after the release of the 2021 Code.

Ms. Cepeda-Freytiz questioned the State adoption. Mr. Searfoss explained that the State UCC adopted the 2018 Fire Code on February 14, 2022. He stated that the City then amends the Fire Code to meet local needs. He stated that if the amendments are not enacted the Fire Department has limited enforcement powers which has a negative impact on City residents and property owners.

Ms. Cepeda-Freytiz questioned when the next update would occur. Mr. Searfoss stated that it would be approximately three years from now.

Ms. Cepeda-Freytiz questioned if there is a 2022 version of the Fire Code. Mr. Searfoss explained that the 2018 Fire Code was adopted by PA in February 2022 after the release of the 2021 Fire Code.

Ms. Kelleher stated that the building codes are updated in a similar manner and stated that the Electrical Code amendment is being introduced this evening. She noted that the City is not behind schedule but following the lead of the State UCC as required.

Ms. Goodman-Hinnershitz noted the importance of enacting the Codes. She questioned how City professionals ensure that residents and contractors know and understand the regulations. Mr. Searfoss stated that the City amendments are posted on the website. He stated that there is much education that occurs during One Stop meetings as projects move forward. He stated that staff is available to speak directly with residents to answer questions.

Mr. Daubert noted his surprise to learn that the use and occupancy license for City properties is issued after the property sale. He stated that most other municipalities perform this inspection before settlement so that any required repairs are the responsibility of the seller and not the buyer. Mr. Searfoss stated that the City's Health and Safety Inspection occurs after the sale is final. He stated that his office along with someone from Property Maintenance performs these inspections. He agreed that significant issues are often found during Health and Safety Inspections and the new owner is shocked to learn about them. He stated that he educates realtors as he is able.

II. Crossing Guard Update

Police Chief Tornielli stated that the acting managing director handled most of the information at last week's meeting. He stated that he has also provided a report on the current positions, their locations and where there are vacancies.

Ms. Cepeda-Freytiz questioned if a meeting has been scheduled with the School District to discuss this issue. Mr. Denbowski stated that he has spoken with Dr. Sanchez. He stated that there are many end of school year activities at this time and noted his hope for a date in late August or early September after the start of the next school year. He noted the need to structure a meeting agenda.

Ms. Cepeda-Freytiz questioned the hiring of an outside firm to manage the program. Mr. Denbowski stated that the RFP should be issued shortly. He noted his hope that the firm would be in place and crossing guards hired before the beginning of the next school year. He stated that he will keep Council updated.

Ms. Reed questioned if the crossing guards would be hired before the start of the next school year. Mr. Denbowski stated that he is hoping that can occur. He stated that the outside firm would hire and manage the crossing guards.

Ms. Goodman-Hinnershitz noted her agreement with Mr. Denbowski. She expressed the belief that time will pass quickly. She noted her hope that those who are hired understand the community in which they will be placed. She also noted the need for crossing guards to understand what is expected of them. She noted that there is more hazardous driving occurring and noted the need for the crossing guards to protect themselves and the children.

Chief Tornielli stated that there is annual training required and that this requirement will be included by the RFP. He stated that the Police Department is willing to continue training.

III. Agenda Review

Ms. Cepeda-Freytiz questioned if there was an update on Mr. Waltman. Ms. Kelleher stated that there is not.

Ms. Cepeda-Freytiz wished Mr. Waltman a speedy recovery.

Council reviewed this evening's agenda including the following:

- Award of Contract authorizing an amendment to the 2019 CDBD-CV Action Plan in the amount of \$100,000 for the replacement of the HVAC system in the McKnight and Spring Fire Station

Mr. Denbowski stated that HVAC system replacements are eligible projects for CDBG COVID funds.

- Resolution authorizing the sale of the 1999 Duratech HD 10 Tub Grinder to Hopewell Trucking and Excavating for the scrap metal value of \$2,810

Ms. Cepeda-Freytiz questioned where this funding goes. Mr. Denbowski stated that it would go to Solid Waste. Mr. Zeiber agreed.

- Resolution authorizing an amendment to the 2019 CDBG-CV Action Plan by transferring \$360,000 in CDBG-CV CARES funding from the Special Economic Development Activity and Microenterprise Assistance Activity to the 615-619 Walnut St Veterans Housing Activity for the Berks County Redevelopment Authority

Ms. Reed questioned if this would temporary or permanent housing. Mr. Denbowski stated that he did not have this information because the County Redevelopment Authority is leading the project. He explained that COVID funds can be used to address homelessness. He expressed the belief that this would be permanent housing since CDBG funds are being used. He stated that he can provide additional information in an email after he obtains more information.

Ms. Reed questioned if other Berks municipalities are helping homeless veterans. Mr. Denbowski stated that the County has held meetings but he does not have specific information. He stated that often times other municipalities do not have the capacity to provide these services.

Ms. Goodman-Hinnershitz stated that this would be part of the planning process. She expressed the belief that this project is needed. She stated that Hope Rescue Mission has one floor dedicated to veterans but that it is not enough space. She stated that this location is central to needed services and that transportation to services can be a barrier to receiving services.

Ms. Cepeda-Freytiz questioned who owns these properties. Mr. Denbowski stated that they are owned by the County Redevelopment Authority.

Ms. Cepeda-Freytiz stated that the heading indicates that this is a Reading Redevelopment Authority project. Mr. Denbowski stated that the heading says Reading but that the document indicates that it is the County.

Ms. Cepeda-Freytiz questioned if these properties were currently being used for housing. Mr. Denbowski stated that the project is in process.

Ms. Cepeda-Freytiz questioned when the housing would open. Mr. Denbowski stated that he can provide the timeline and details of the project. He stated that the project can move forward due to COVID funding availability and stated that the City is excited to partner on this project. He expressed the belief that it will have a large impact on the community.

Ms. Cepeda-Freytiz also requested the project start date.

Ms. Reed stated that she supports veterans but not taking additional buildings off the City's tax rolls. She stated that this project is downtown and near the Performing Arts Center. She suggested that there may be a better location for veteran housing that is not in the City's downtown core. She stated that more and more Reading properties contain non-profits that do not pay property taxes. She expressed the belief that Reading does more than its share to assist people but that other municipalities must now step up and share this burden as well.

Ms. Goodman-Hinnershitz stated that there are problems with "not in my backyard" when assisting the homeless. She stated that these people are currently living in parks, playgrounds, under bridges and along the river. She expressed the belief that it is more humane to locate the homeless near social services. She stated that it is a challenge to have so many non-taxable properties but that the City must work through that.

Mr. Daubert suggested moving this resolution off the consent agenda and into the resolution section to allow comment at the voting meeting. Ms. Cepeda-Freytiz agreed.

Ms. Reed stated that one by one buildings are coming off the tax rolls. She noted the need for tighter spending limits to offset the loss of property tax and noted that this will impact City revenue.

Ms. Cepeda-Freytiz noted that it is heartbreaking to see the many issues that veterans deal with after serving the country.

Ms. Reed questioned if a meeting has been scheduled with the Vietnam Veterans about using the former Mineral Spring Hotel building. She stated that if Walnut St can be used for veterans than this property should be also. Mr. Denbowski stated that the property's structural integrity is being evaluated at this time. He stated that there are deed restrictions on the property which will limit what it can be used for. He stated that he will contact the group this week to schedule a meeting.

Ms. Cepeda-Freytiz expressed the belief that veterans deserve to have green and open spaces.

- Resolutions making Council appointments to boards and commissions

Ms. Cepeda-Freytiz questioned if staff could attend upcoming BCAP meetings while Mr. Waltman is recovering from his illness.

Ms. Goodman-Hinnershitz stated that she would attend but is not available on their regular meeting days.

- Award of Contract to Honeywell for the replacement and installation of two HVAC compressors, with a service contract, in the City Hall HVAC system at the cost of \$94,161.46

Mr. Kelly stated that the entire HVAC system in City Hall will be funded through the capital budget. He stated that this repair will allow the system to function until it is fully replaced.

- Ordinance authorizing the placement of a 4-way stop sign at the N. 13th and Pike intersection

Mr. Daubert questioned if a stop sign or traffic signal will be installed. Mr. Gombar stated that it will be a stop sign. He stated that the traffic study did not support the installation of a traffic signal.

Ms. Goodman-Hinnershitz questioned if a traffic study justified the installation. Mr. Gombar stated that it did.

- 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

Ms. Reed stated that she is unsure why the fine for trucks, trailers and tractors to park longer than one hour is being eliminated. Ms. Kelleher explained that trucks, trailers and tractors are prohibited from parking on any street at any time. Mr. Gombar agreed.

Ms. Reed stated that she will move to amend this ordinance by doubling the amount of each fine up to ten instances of the same vehicle. She stated that the tenth fine would equal \$100,000.

Mr. Butler requested clarity on the prohibition of parking trucks, trailers and tractors on City streets. Ms. Kelleher stated that they may not be parked on City streets and must be parked in private lots. She stated that when these vehicles are parked on streets, the Police will issue a warning and generally they are moved. She described the locations of several truck parking lots.

Ms. Cepeda-Freytiz questioned if it was okay to remove this fine and address the amount of the fine for parking at a fire hydrant in the same ordinance. Mr. Gombar stated that it is okay as it stands as this is two amendments to the same section of the Code.

Ms. Cepeda-Freytiz questioned if the heading language should be clarified so that those who own large trucks do not believe they can begin parking on City streets. Mr. Gombar supplied clarifying language.

Ms. Goodman-Hinnershitz agreed with the need for penalties for parking at a fire hydrant. She stated that she has a hydrant in front of her home that always has cars parked at it. She stated that residents are willing to risk parking at hydrants when there are no other spaces available. She noted the need to control the escalation of fines and suggested using other more realistic consequences. She stated that there are not enough parking spaces for the number of cars that belong to City residents. She expressed the belief that she would have a three block walk from her car to her home when she arrives there this evening.

Ms. Cepeda-Freytiz questioned the Parking Authority's program encouraging rear parking when available. Mr. Denbowski stated that there are zoning issues and environmental issues that are being studied. He stated that he will provide an update at a future meeting.

Ms. Reed stated that many times alley access is blocked and rear parking could not be used. She stated that there would be no way in and no way out. She expressed the belief that community parking lots is a good program but noted that she is unsure that residents will be willing to pay to park. She noted the need for additional truck parking areas.

Ms. Goodman-Hinnershitz questioned if box trucks are prohibited from parking on streets. Ms. Kelleher stated that they are.

Ms. Goodman-Hinnershitz suggested requiring a vehicle owner that constantly parks in front of a fire hydrant to be forced to use a parking lot. Mr. Gombar stated that he will research the legality of this suggestion and report back to Council.

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

Ms. Ventura questioned the meaning of this ordinance. Ms. Kelleher stated that it will update the type of immobilization that the Parking Authority can use. Mr. Gombar agreed and stated that booting is no longer the only option to immobilize vehicles.

Mr. Kelly questioned if a vehicle parked at a fire hydrant can be immobilized. Mr. Gombar stated that immobilization is used if vehicle owners do not pay unsettled fines. Immediate towing is also an option.

- Ordinance – amending the City's Zoning Map by changing the parcel located at 1716 N 12th Street from MC to R3

Ms. Cepeda-Freytiz stated that the required public hearing was held on Wednesday, April 27.

- 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.

Ms. Goodman-Hinnershitz stated that this would address predatory towing practices.

Mr. Gombar stated that this ordinance requires the proper signage be posted before vehicles can be towed from private lots. It also requires the Police Department to review the situation before a vehicle can be removed. He expressed the belief that this sets a fair standard and stated that these changes were requested by the Police Department. He stated that this would prevent a tower with no relationship to the lot owner from removing vehicles.

Chief Tornielli stated that towing companies are removing vehicles before verifying the user and the business they are conducting. He noted his hope that this amendment would prevent these situations.

Ms. Ventura requested the name of the towing company that is involved in this practice. Chief Tornielli stated that he would not disclose the company name in this public meeting.

- 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

Ms. Reed expressed the belief that this is good policy that respects the taxpayers. She stated that taxpayers should not pay for these expenses. She stated that some quick math estimates that she has spent approximately \$14,000 during her tenure. She noted the need for officials to use their own vehicles as part of their public service. She expressed the belief that Reading's residents are struggling financially and should not be paying for vehicles and gas for elected officials. She expressed the belief that this policy is especially needed after Reading exits Act 47.

Mr. Daubert stated that Reading already has a credit card policy and suggested that the references to credit cards be removed from the ordinance. He expressed the belief that this is duplicative and stated that he is prepared to make an amendment.

Mr. Denbowski noted that the reference to travel outside Berks County is contrary to IRS regulations which are not limited by boundaries.

Mr. Daubert stated that commuting from home to work and back again is not part of the IRS program. He stated that use of the vehicle for specific work travel is allowed.

Ms. Goodman-Hinnershitz noted the need for consistent documentation of travel expenses. She noted the need to establish a set schedule for reimbursement or to use Google Maps to prove mileage amounts. She expressed the belief that travel within Reading is generally one to two miles per trip.

Mr. Moran stated that multiple trips add up. He commended Council for their fiscal responsibility. He stated that he treats his office as a full time position and he personally responds to situations 24 hours a day. He stated that he attends many activities and suggested that Council consider adopting the State vehicle policy. He stated that the State requires payment to use a vehicle. He noted the need to analyze the use of City vehicles.

Ms. Reed stated that she is also reviewing the County vehicle policy. She suggested that all City vehicles contain mileage trackers to monitor vehicle use. She noted the need for City vehicles to be used for City business only and noted the need for drivers of City vehicles to obey all traffic and parking regulations.

Ms. Rodriguez stated that mileage can be reimbursed for City business only.

Ms. Reed questioned if there is City business in Harrisburg and garage parking is necessary how the parking fee would be handled. Ms. Rodriguez stated that this would be a covered expense as would the person's meal.

Ms. Goodman-Hinnershitz stated that the State's guidelines are very clear. She stated that the guidelines include prevailing rates and hotel expenses for required travel that spans several days.

Mr. Moran stated that there are also apps available to track mileage. He noted that his vehicle use is transparent.

Ms. Cepeda-Freytiz questioned if an amendment is necessary for the mileage component. Mr. Gombar stated that the ordinance references IRS regulations. He suggested that the ordinance clarify that expenses are reimbursed for City business only.

Ms. Cepeda-Freytiz questioned the reference to travel outside Berks County. Mr. Gombar stated that this reference should be eliminated.

Ms. Cepeda-Freytiz questioned if the reference to the gas card was relevant. Mr. Moran stated that a gas card is issued for each vehicle. He also noted the need to document usage. Ms. Kelleher noted the situation with the former Executive Director of the Redevelopment Authority who had a vehicle owned by the Authority and a City gas card.

Ms. Cepeda-Freytiz expressed the belief that the use of a personal car for City business should not have use of a City gas card. Mr. Moran stated that if mileage is claimed then there is no reimbursement of expenses. Ms. Rodriguez agreed that either one can be received but not both.

Mr. Gombar opined that the gas card prohibition should remain.

Ms. Goodman-Hinnershitz thanked all for the good discussion. She noted the need to do what is in the best interest of residents. She also noted the need to look for opportunities to have other types of vehicles to reduce the use of fossil fuels.

Mr. Moran stated that he is grateful to Council for being fiscally responsible. He again stated that he uses a vehicle for City business often. He noted the need to report mileage and to monitor vehicle use.

Mr. Kelly stated that the fleet foreman is currently training to repair and maintain hybrid vehicles. He stated that once this is complete, replacing the fleet with hybrid vehicles is high on the City's radar.

Ms. Cepeda-Freytiz requested a report on the number of City gas cards and the Departments they are assigned to. She requested a similar report for City credit cards. Mr. Kelly stated that he can easily supply the information on credit cards. He stated that the Fleet secretary can supply the information on gas cards.

IV. Executive Session

The six members of Council, Ms. Kelleher, Mr. Gombar, Mr. Denbowski, Mr. Moran, Mr. Kelly, and Mr. Lachat entered executive session at 6:29 pm to discuss litigation.

The executive session ended and the meeting adjourned at 6:55 pm.

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