



COMMITTEE of the WHOLE

CITY COUNCIL

SUMMARY
May 16, 2022
5 pm
Hybrid Meeting

COUNCIL MEMBERS PRESENT:

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

OTHERS PRESENT:

L. Kelleher, J. Stoudt, J. Kelly, F. Denbowski, F. Lachat, M. Rodriguez, A. Shuman – in person and , C. Geltz, M. Gombar and S. Smith - virtually

Ms. Cepeda-Freytiz called the meeting to order at 5:03 pm.

I. Planning Process Alteration on Zoning Decisions

Mr. Shuman explained that a radical alteration is now included in some zoning decisions forces some redevelopment projects through an excessive Planning Commission (City and County) review process and excessive plan review fees when those steps were unnecessary. He stated that over the past weeks he made a number of attempts to schedule a meeting with the mayor to discuss these changes and their impact on development projects. He either received no response to his meeting requests or the scheduled meetings were cancelled.

Mr. Shuman stated that during the small business tour with the DCED Secretary a few weeks ago he explained this process alteration to some of the Council members who attended the tour and they suggested scheduling some time at a COW for a discussion with Council and the administration.

The Zoning decision conditions now send some redevelopment projects through an extensive Planning Commission review process when there are no changes to the exterior footprint or the appearance of the building. In addition to slowing projects down and increasing the cost of the project upward of \$10K, this change to some Zoning decisions also bogs down the City Planning Commission.

Mr. Shuman stated that he learned from former City CD Directors David Hunter (also former City Planning Manager) and Pam Shupp who currently work for the County that Reading is the only municipality in PA that applies this process to some projects. He called Council's attention to the documents attached to the agenda – a letter from Mr. Hunter explaining why applying this condition to some redevelopment projects is unnecessary and two (2) zoning decisions one for the Madison Building at 400 Washington Street and one for the former Meridian Building at 35 N 6th Street – similar parcels undergoing the same type of development projects.

- The **Zoning decision for 35 N 6th Street** requires Preliminary Land Development plans, Final Land Development plans, a revised site plan and the requirement for the applicant to create a Land Development plan that addresses pedestrian and vehicular accessibility, off-street parking and loading, stormwater management, landscaping and buffer areas, refuse collection, etc.
- However, the **Zoning decision for the Madison Building** does not include those conditions and only requires a Final Land Development plan if necessary.

Ms. Goodman-Hinnershitz expressed the belief that applying different conditions to similar projects creates barriers for development projects for some developers, but not others. She stated that the same process should be applied to all.

Mr. Daubert inquired if this change was approved by Council.

Mr. Shuman stated that the change was not approved by Council and he stated that these conditions are not announced by the Zoning board when decisions are approved or when the application is under consideration.

Mr. Gombar stated that Council has no control over the conditions applied to zoning decisions approved by the Zoning Hearing board. He noted that the Zoning board meets between hearings to discuss applications and the testimony from the hearings.

In response to a question from Ms. Reed, Mr. Shuman explained why the conditions applied to the decision for 35 N 6th Street drive the project cost higher, noting that the delay of the completion of the project also drives up the project cost.

Ms. Reed questioned why the mayor never met with Mr. Shuman about this issue. Mr. Denbowski stated that he just learned about this issue earlier today and he opined that the meetings were probably not conducted to prevent the illusion of a conflict as Mr. Shuman has made a submission for the Penn Square properties. He stated that he has access to the mayor's calendar and will contact Mr. Shuman tomorrow to make meeting arrangements.

Ms. Cepeda-Freytiz inquired when this change occurred and Ms. Kelleher inquired when Mr. Shuman became aware of this change. Mr. Shuman stated that he became aware of the change 12-18 months ago.

Ms. Goodman-Hinnershitz and Ms. Cepeda-Freytiz suggested that Council discuss this issue with the Zoning board.

II. Statement from Elected Auditor regarding Bill 44-2022

Ms. Rodriguez noted that the newspaper article about Bill 44-2022 which prohibits elected officials from utilizing a city-owned car or gas card was misleading causing various individuals to question her about her use of a city-owned vehicle. She clarified by announcing that she has not used and will not ever use a city-owned vehicle, gas card or credit card.

- **Bill 44-2022** – 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 *Introduced at the April 25 regular meeting*

III. Penn Square Properties Update

Chief Building Official Chris Geltz introduced himself noting that he has been with the City for approximately 9 weeks and that prior he held a similar position in Harrisburg. He stated that the exploration of the damage to these properties started with the discovery of an exposed, leaning wall at the property near the roof.

Mr. Geltz went through a PowerPoint about the conditions at the properties. He explained the need to retain and preserve the façade at this building, noting that it was relocated to this building from another location. He stated that the façade was examined by professionals who determined that the façade is supported on all three levels and that it can stand on its own.

Mr. Geltz stated that the walls that face the corridor between the building and the Alvernia property show that the top level that connects with the roof is leaning in, which makes the building an unsafe structure as a portion of the wall may become detached. He stated that there is no damage to the Court Street side of the building.

Mr. Geltz stated that an examination of the roof shows the front portion of the roof is bowed due to water infiltration. He noted that the steel beams supporting the roof may also be compromised by the water infiltration. Some top panels will be removed to allow an inspection.

Mr. Geltz noted that the interior also has evidence of water infiltration and he described the plan to remove the subfloors to allow an examination of the exterior walls and shore up areas with damage and ensure that the floors are attached properly to the walls to prevent them from collapsing.

Mr. Geltz stated that there is currently work to locate the plans for the building and to focus on phase one to make the building water tight.

Ms. Reed explained that the façade was originally on the corner property on the North 5th Street side and relocated to this building when Meridian applied to install a stone mural on the 5th Street side of the building in 1985. She explained that preserving this façade is required by the PHMC.

Mr. Geltz stated that as building professionals have determined that the façade can stand on its own, they will be able to work around the façade while making the repairs to the building.

Ms. Cepeda-Freytiz questioned if the conditions at some of the Penn Square properties had an impact on responses to the RFQ.

Mr. Denbowski stated that the respondents to the RFQ were informed of the conditions at the buildings and none made changes to their proposals. He stated that further discussions about this issue must take place in executive session due to the proposed sale of the properties. Mr. Lachat agreed.

Ms. Goodman-Hinnershitz expressed concern about the preservation and retention of the façade of the building located next to the Alvernia property. Mr. Lachat and Mr. Denbowski stated that an engineer and an architect from Muhlenberg-Greene Architects examined the façade and provided recommendations.

Mr. Geltz disconnected from the meeting.

IV. Other

Ms. Cepeda-Freytiz and Mr. Butler asked that a breakdown of the services and fees included on the RAWA bill be added to the COW Topic list.

V. Executive Session

Mr. Gombar noted the need for an executive session about litigation, real estate and personnel.

All but Ms. Reed, Ms. Goodman-Hinnershitz, Mr. Daubert, Ms. Cepeda-Freytiz, Mr. Butler, Mr. Gombar, Ms. Kelleher, Mr. Kelly, Ms. Smith, Mr. Denbowski and Mr. Lachat were excused when an executive session on real estate began at 5:40 pm.

Mr. Denbowski and Mr. Kelly were excused when the executive session on litigation began at 6:15 pm, followed by an executive session on personnel at 6:30.

The executive session concluded and the meeting adjourned at approximately 7:08 pm.

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