



# ***COMMITTEE of the WHOLE***

## ***CITY COUNCIL***

**SUMMARY**  
**August 22, 2022**  
**5:00 P.M.**  
**Hybrid Meeting**

**COUNCIL MEMBERS PRESENT:**

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

**OTHERS PRESENT:**

L. Kelleher, M. Gombar, M. Rodriguez, J. Kelly, J. Stoudt, W. Heim, F. Lachat, E. Moran (in person), S. Smith, K. Zeiber, M. Oppenheimer, M. Lynch, BCTV (virtually)

The meeting was called to order at 5:06 pm by Mr. Gombar. He explained that Council President Cepeda-Freytiz is absent this evening and Council has not yet selected a Vice President. He stated that Ms. Cepeda-Freytiz has recommended Ms. Reed chair this evening's meeting. Council agreed.

**I. Flag Policy**

Ms. Kelleher stated that Ms. Cepeda-Freytiz requested that this topic be delayed until she can participate.

Ms. Goodman-Hinnershitz stated that Reading is not the only PA municipality considering a flag policy. She stated that York has done legal research on the issue.

Ms. Reed requested that Ms. Goodman-Hinnershitz provide this research to Ms. Kelleher so it can be shared with all of Council.

**II. ARPA Next Steps**

Ms. Reed stated that an ARPA meeting will be held on Wednesday, August 24 at 5 pm. She noted the need for voting to be efficient and funding to be awarded fairly.

Mr. Butler stated that the applicants want to understand what budget information needs to be submitted. Mr. Kelly stated that a budget template will be included in the grant funding

agreement. He stated that the budget information must be submitted and the agreement signed before funds will be released.

Ms. Goodman-Hinnershitz stated that Council will vote on the allocation and the Administration will complete the paperwork. She noted the need to be clear when making comments and that Council should not speak on behalf of the Administration. Mr. Lachat agreed. He stated that Council will authorize the allocation and the consultant will manage the agreements.

Ms. Reed questioned if there is a clause in the ordinances stating that release of the funds is contingent upon the receipt of the budget information. Mr. Gombar stated that this is not specifically stated but that the ordinances can be amended to add this clause. He stated that the grant agreement must be signed prior to the release of the funding.

Mr. Kelly stated that Section Four of the ordinances notes the pre-requisites to receive the funding. He expressed the belief that the language Ms. Reed recommended is contained in the pre-requisites and will also be part of the grant funding agreement.

Ms. Rodriguez questioned what information is required of applicants to be in compliance. Mr. Kelly stated that the applicant's project or purpose sets the terms of the grant agreement.

Ms. Rodriguez questioned what documentation is required. Mr. Kelly stated that a budget, the proposed use of the funding, and the grant agreement are required.

Ms. Goodman-Hinnershitz noted her concern with some organizations being able to spend the funding in a timely manner. She noted the need to clarify the amount of time in which to spend the funds and recommended a one year time period. Mr. Kelly agreed with a one year time period. He recommended January 1, 2023 through December 31, 2023 due to the timing of the grant award.

Ms. Goodman-Hinnershitz noted the importance of understanding if an organization will be able to successfully use the funding within one year. She questioned if a decision should be made now as to how to have the funds returned to the City and what the City should do with those unspent funds. Mr. Kelly suggested making this decision at a later time. He suggested that time extensions may be granted.

Ms. Goodman-Hinnershitz noted the need to base any time extensions on the organization's ability to complete the project.

Mr. Kelly stated that funding options will be reviewed at the meeting on Wednesday with Z & A.

Mr. Abodalo arrived at this time.

Mr. Butler questioned when organizations would receive the budget template. Mr. Kelly stated that it would be part of the grant agreement after the allocations are approved by Council.

Ms. Reed questioned if funds would be released if the organization does not complete the agreement. Mr. Kelly stated that funds would not be released until the agreement is completed.

Ms. Goodman-Hinnershitz stated that the allocation ordinances are being introduced this evening. She noted her concern that organizations will assume that the amount on the agenda is what they will receive. She stated that these amounts will likely be amended.

Ms. Reed noted the need for clear communication with the applicants. She stated that there has already been much confusion.

Mr. Kelly stated that the Administration has clearly stated to the applicants that nothing is finalized until Council approves the allocations.

Mr. Gombar noted the need for Council to be prepared to identify potential conflicts of interest at Wednesday's meeting.

Mr. Daubert stated that some Councilors have already submitted the required form.

Mr. Gombar stated that he and Mr. Lachat are currently reviewing the submitted forms. He stated that he and Mr. Lachat will provide input on Wednesday. He stated that Mr. Stock, the Board of Ethics solicitor, is also being consulted and there will be final determinations before any vote is taken.

Ms. Goodman-Hinnershitz stated that Councilors with conflicts of interest also cannot participate in discussions or deliberations. She noted the need for final determinations sooner. Mr. Gombar stated that any true conflict of interest will be identified before discussions occur. He stated that Councilors can be present during discussions but cannot participate.

Ms. Reed questioned if the conflicts of interest apply to Council only. Mr. Gombar stated that this is correct.

Mr. Kelly requested that Council check their email early Wednesday. He stated that he will be providing two grant agreement templates and the budget form. He requested that Council review the information prior to the start of Wednesday's meeting.

Ms. Ventura noted the possibility that funding amounts may be amended to stay within the total allocated amount for non-profit organizations.

Ms. Reed stated that this will be discussed in detail on Wednesday.

Mr. Daubert stated that Council has agreed to increase the total allocation to \$5.5 million.

Mr. Kelly stated that the \$5.5 million would include \$200,000 for Opportunity House and \$100,000 for RIZE. He stated that these allocations are also being introduced this evening.

Ms. Kelleher questioned if Council wished to categorize the allocations by type. Council stated that this is not necessary.

Ms. Goodman-Hinnershitz thanked the Administration for their work. She stated that Council's questions have been answered. She stated that the Administration and the consultant will enter into the grant agreements and monitor reporting and project process.

### **III. Agenda Review**

Mr. Gombar stated that he will open the meeting and read Ms. Cepeda-Freytiz's recommendation that Ms. Reed serve as President Pro Tem for this meeting. He noted the need for Council to make a motion appointing Ms. Reed and he will then turn the meeting over to her.

Mr. Daubert agreed to read the public speaking rules this evening.

Council reviewed this evening's agenda including the following:

- Award of Contract to Telco in the amount of \$69,900 to replace the existing light fixtures with LED in the City's fire stations and EMS garage bays

Chief Stoudt stated that this project is included in the Capital budget and will save on electricity costs.

- Bill 50-2022 amending the Charter Board Ordinance

Mr. Gombar stated that the Charter Board is preparing comments and amendments. He stated that this would remain pending until the Charter Board submissions are reviewed.

- Bill 75-2022 allocating \$5,197,000 in ARPA funding to non-profit organizations

Mr. Gombar stated that the ordinance making the allocations in one lump sum should be withdrawn.

- Ordinance transferring \$37,237 for EMS medical supplies

Chief Stoudt stated that this is grant funding.

- Ordinance allocating \$567,339 in additional ARPA funding for Public Works – Mt. Penn Trail Study \$115,000; Recreation Commission facilities / programming \$352,200; and Public Library equipment \$100,139

Mr. Kelly stated that these are pressing items to complete in 2022.

Ms. Reed questioned if the trail study is within the City. Mr. Zeiber stated that it is. He stated that the County has already completed the study of the trails outside Reading.

Ms. Goodman-Hinnershitz requested that Mr. Zeiber explain the challenges with the trails. Mr. Zeiber stated that people are making their own trails with jumps, etc. and this becomes a City liability. He stated that serious injuries can result.

- Ordinance allocating an additional \$1.5 million of ARPA funding to the Reading Fightin' Phils for use in the construction / renovations of the First Energy Stadium due to inflation

Mr. Daubert questioned if there has been assurance that this will be the final request for ARPA funding from the Reading Phillies. Mr. Kelly expressed the belief that this will enable the project to be completed. He stated that he is in final meetings with the Reading Phillies to release the funding.

Mr. Moran stated that he had the same question as Mr. Daubert. He stated that he was told this additional request is due to unforeseen inflation costs. He stated that the Phillies have reduced the size of the project to save money. He stated that the reduction still keeps the team in compliance with the MLB requirements.

Ms. Reed agreed that the size of the project has been reduced. She stated that the bids are out and that the revised plans are being reviewed by the Planning Commission. She expressed the belief that the team has acted in good faith and has done their due diligence.

Mr. Butler questioned if the team would leave Reading if the funding is not provided. Ms. Reed stated that the team did not threaten to leave Reading. She explained that the MLB would determine that the team could not stay if the improvements are not made. She stated that the MLB is reviewing the accommodations of all the teams.

Ms. Reed questioned if the County and State are also providing additional funding. Mr. Kelly stated that the County and State are not providing additional funding. He stated that the team owner is contributing additional funding along with the City.

Ms. Goodman-Hinnershitz noted her concern that additional leverage on teams by the MLB puts municipalities in a difficult position. She noted the need for additional discussion of the City subsidizing for-profit organizations.

Mr. Moran stated that the City receives revenue from the Phillies and he reminded her that the City owns the stadium. He stated that the City has a vested interest in this case.

Mr. Daubert stated that it is important to him that the stadium is City property. He stated that otherwise he would not support providing this funding.

Ms. Reed stated that the new space will have many community uses. She stated that the Reading Phillies also sponsor Baseballtown Charities, the field at Lauer's Park and the facility for handicapped to play baseball. She noted her understanding of the concerns and noted her hope that the increased revenues will offset these costs.

- Ordinances allocating ARPA grant funding to individual organizations

Ms. Kelleher stated that two ordinances contain differing amounts. Mr. Kelly stated that these are typos and stated that the Goggleworks amount should be \$500,000 and the Reading Science Center amount should be \$20,000.

Mr. Gombar noted the need to read the ordinances into the record correctly and correct the items on the next agenda.

Ms. Reed stated that there are many items to discuss at the next meeting.

- Resolution forgiving the \$1,475,000 loan for River Oak Apartments

Mr. Gombar stated that this resolution should remain pending. He noted the need for an executive session to discuss this matter.

- Resolution authorizing the extension of Holly Guldin as Acting HR Director for an additional 90 days
- Resolution authorizing the extension of Kyle Zeiber as Acting Public Works Director for an additional 90 days

Ms. Reed questioned if this is allowed by the Charter. Mr. Gombar stated that the Administrative Code allows these extensions. Mr. Lachat agreed and stated that approving the extensions brings the City into compliance.

Ms. Ventura questioned if there was progress in filling these positions. Mr. Moran stated that an outside agency is now assisting to get these positions filled. Mr. Heim stated that he met with the agency last week. They are updating the job descriptions so the positions can be

advertised. He stated that they are also doing a salary comparison to ensure that the City is competitive.

- Resolution appointing the Council Vice President

Ms. Ventura stated that after last week's discussion she learned that Council had a policy to appoint a newer Councilor as Vice President. She stated that she is interested in serving as Vice President. She suggested tabling this resolution for additional discussions.

Ms. Reed stated that this is a very informal process and not an approved policy. She stated that she is still interested in serving as Vice President. She noted that she is not trying to be antagonistic.

Ms. Goodman-Hinnershitz stated that she has been approached about why she is not going to serve as Vice President. She stated that she already has much on her plate and is not able to take on the responsibility. She stated that it is important to support and nurture newer members to help them move into leadership roles.

Ms. Ventura noted her hope to grow and improve.

Ms. Reed stated that she served as Vice President in the past during a time of transition. She stated that additional transitions may occur in 2023. She stated that she also has a flexible schedule.

Mr. Butler stated that Ms. Cepeda-Freytiz also requested that this resolution be tabled. Ms. Reed agreed but stated that it is the will of the body.

Mr. Daubert questioned if the resolution should have remained on the agenda if Ms. Cepeda-Freytiz requested the delay. He stated that five votes would be needed to amend the agenda to move this forward. Ms. Reed stated that Ms. Cepeda-Freytiz did not request the resolution be removed.

Ms. Ventura stated that she will move to table the resolution.

Mr. Gombar reminded all that when the agenda is approved this evening that Bill 75-2022 will be withdrawn, Ordinance DD authorizing the sale of the Dana South property will not be introduced, and the two ARPA corrections will need to be made.

- Ordinance amending Code Chapter 36 Fire and Rescue Services to allow City EMS to have the right of first refusal to provide emergency services for events with a \$100 penalty and Chapter 212 Fee Schedule setting the fee for EMS standby services at \$150 per hour prorated to the nearest half hour

Chief Stoudt requested that the penalty be amended to \$300.

Mr. Lachat stated that the number of people to qualify for a large gathering also needs to be adjusted to 5,000.

#### **IV. Other Matters**

Mr. Kelly stated that the 2023 Capital Budget review will begin on September 7. He stated that a Zoom meeting will be held beginning at noon. He stated that a calendar invitation will be sent. He noted the need to plan the 2023 Budget Review schedule.

Ms. Reed questioned if Ms. Goodman-Hinnershitz should continue in her role in guiding the budget review process. Ms. Goodman-Hinnershitz stated that she is willing to continue in this role. Council agreed.

#### **V. Executive Session**

Mr. Gombar noted the need for an executive session on land acquisition.

The six members of Council, Mr. Gombar, and Mr. Moran entered executive session at 6:01 pm.

The executive session ended and the meeting adjourned at 7:00 pm.

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