City of Reading

City Council

Policy & Operations

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Table of Contents

- Introduction
- Purpose
- Council's Structural Evolution
- Charter Amendments
- Charter Review Commission Process
- Inauguration Policy
- Oath of Office
- Compensation of Elected Officials
- Vacancies
- Policy on Filling Vacancies
- Procedure – Contacting the Administration
- Procedure – Citizen Issues and Complaints
- Proclamations & Commendations
- Procedure – BCTV Programming
    - Program Guidelines
- Procedure – District or Town Meetings
- Council Policy – District Events
- Council Policy – City Clerk's Office and Meeting Room Access
- Employment of Council Solicitor
- City Code of Ordinances
- Council Regular Business Meetings
- Procedure - Policy on Meeting and Agenda Setting
- Procedure - Meeting Quorum & Parliamentary
- Council Policy & Procedure – Approval of Meeting Minutes and Summaries
- Procedure - HARB Appeal Hearing
- Zoning
- Procedure - Conditional Use Hearing
- Tax Sale Process
- Procedure – Repository Bid Process
- Procedure – Liquor License Transfer
- Procedure – Property Tax Exoneration
- Police Disciplinary Appeal Process
- Redistricting Process
- Adoption & Amendment of Plans Policy
    - Comprehensive Plan
    - Park and Open Space Plan

    - Procedure - Plan Development
- Administrative Departments
- Council Policy - Appointment of Directors and Solicitor
- Purchasing Policy and Procedures
- Revenue Sources
- Finance and Budgets
    - CDBG Budget
    - Council Policy - CDBG Budget Adoption (Action Plan)
    - General Fund and Capital Budgets
- Borrowing
- Council Policy - Bond and Debt Financing Approval
- City Fund Balance Policies
- Citizen's Rights and Participation
- Boards and Commissions
- Council Representation on Boards, Authorities, and Commissions
- Permit Requirements
    - One Stop Shop
    - Building Permits
    - Zoning Permits
    - Special Event Permit
    - Shade Tree Permit
    - HARB Certificate of Appropriateness
    - Business Permit
    - Solicitation Permit

INTRODUCTION

This document will serve as a handbook for the responsibilities undertaken by the City Council, the legislative branch of the City of Reading. The information in this document will serve merely as an overview to provide the reader with knowledge about Council duties. In cases of conflict between the language of this document and language of the Home Rule Charter or the language of any City of Reading ordinance, the language of the Charter and the language of the ordinance applies, with the language of the Charter taking first priority. (Return to Table of Contents)

PURPOSE

City Council's main purpose is to enact responsible legislation for the prudent, efficient and ethical operation of the City Government, to assist in the planning of the City's revitalization and future, and to maintain free and open discussions with the City Administration and City residents to ensure democracy and good government for the City of Reading, Pennsylvania.

The City Council establishes City policy to provide for the exercise of all duties and obligations imposed upon the City by the Home Rule Charter and applicable State and Federal laws and to secure the general health, safety and welfare of the City and its citizens. The Council adopts resolutions and enacts ordinances as necessary to execute any of the City's powers.

The City Clerk acts as the director of the legislative branch. The City Clerk, along with the Deputy Clerk and other support staff, performs general oversight and coordination of the legislative action of City Council and makes recommendations to City Council on policy, regulations, practices and issues concerning the City of Reading.

The City Council approves the appointment of the City Clerk, additional Council staff, the Council Solicitor and the Mayor's appointments of the Managing Director, Department Directors and the City Solicitor. Council also makes appointments to the City's Boards, Authorities and Commissions, as specified by the Home Rule Charter, the Third Class City Code, and the enabling legislation. Council is also responsible for the enactment of the City's annual operating budget, capital program with the accompanying ordinances and approving the hiring and promotion of police and fire fighters.

(Return to Table of Contents)

Council's Structural Evolution

In January 1996, the City of Reading made the transition from the Commission form of government to a Home Rule Charter Mayor/Council form of government. The process to change the form of government began with the election of a Government Study Commission in 1991 by a 2:1 vote. The new form of Government was approved by voter referendum on November 7, 1993. *(Note: There were two unsuccessful attempts to change to a Home Rule Charter Council-Manager form of government in the 1960s and 1970s)*

Under the Home Rule Charter, the City of Reading is divided into six Council districts, with each district electing one Council member. District-elected Council members are to represent the voice of their constituents and act as a body to make decisions in the best interest of the entire City. The President of Council is elected at-large. The President of Council is the presiding officer of Council and has the same voting powers as the other six Council members. The President interacts with the Mayor and other governmental entities and represents the voice of Council.

When the Home Rule form of government began in 1996, Council received administrative support from the City Clerk's Office. In addition to general administrative support, the City Clerk assists Council with the drafting of legislation, legal research, and public relations. The City Clerk's office is also responsible for the City's document management and retention system, keeps a database of all City contracts and manages the appointment process for the Boards, Authorities, and Commissions. After evaluating the needs of the seven member Council and the staffing of other Council offices, Council moved to add the functions of policymaking to the administrative duties of the City Clerk and moved to add 2 additional employees to the staff.

In 1998, City Council elected to use the Committee structure. The Administrative Code provides for six Council Committees – Finance, Public Property/Public Works, Public Safety, Administrative and Land Use, Research and Rules. Council currently operates with four committees – Standards of Living, Finance, Strategic Planning and Nominations and Appointments. Committees meet on the 1st and 3rd Mondays of each month. Committee of the Whole meetings are held on the 2nd and 4th Mondays prior to the start of the regular business meetings. Three Council members serve on the Nominations & Appointments Committee but the meeting is structured to allow all members of Council to participate as they desire. Committee meetings and Committee of the Whole meetings are advertised and open to the public, however public comment is prohibited.

(Return to Table of Contents)

Charter Amendments

The City's Home Rule Charter can be amended via Council ordinance, an ordinance(s) referred by the Charter Review Commission (which must be empaneled every 3-5 years) or by Citizen Initiative through the Berks County Elections Office. Changes to the form of government require the use of the Government Study Commission process that begins with the election of a Government Study Commission.

Council established the first Charter Review Commission (CRC) in November of 2001, a group of 12, to review the Charter and make recommendations on amendments. The City of Reading Home Rule Charter mandates that the CRC report to Council and the Mayor within 6 months of their formation. This group returned a report suggesting two amendments.

1. Changing the Mayor/Council government structure to a Manager/Council structure.
2. The creation of a Transition Committee and a Charter Review Board that would assist the Administration and Council with interpretations on gray areas of the Charter and provide for enforcement of Charter violations.

The amendments went on the General Election Ballot in November 2002. Only the second amendment was approved by the voters.

In 2014, the second CRC was convened. The CRC recommended six amendments:

- Clarifying acts of Council and establishing an Administrative Manual
- Requiring a CRC at least every five years but no sooner than three years and specifying who may serve on the CRC
- Clarifying that the annual position ordinance be included as part of the budget process
- Removing the requirement of the City Auditor to be a Certified Public Accountant
- Clarifying the roles of the Mayor and the Managing Director
- Allowing citizens to serve on two City boards or commissions concurrently

All ballot questions passed with the exception of the amendment allowing citizens to serve on two City boards or commissions concurrently.

A citizens group also worked to add the following seventh ballot question to require the City to place on the ballot any sale or lease of City property worth over $10,000,000, which was approved by the electorate:

Water

7. Should the City of Reading Home Rule Charter be amended to require whenever there is a proposal to sell, lease or enter into a concession agreement, for a period longer than 10 years, other than to or with a municipal authority created by the City, with respect to any City asset or combination of assets with a market value that is, or may be, in excess of $10,000,000, Council shall submit the proposal to citizen initiative at the next election legally possible?

In September 2019, a third CRC was convened and the group referred five referendum questions to the 2020 Primary Ballot which were approved by the electorate:

1. Term limits for City elected officials
2. Eliminating the Administrative Services Department and returning to individual Finance and Human Resources Departments as was in the original Charter
3. Allowing City Council to hire their own staff
4. Allowing the City Auditor to hire his/her own staff
5. Providing City Council with the ability to retain their own Solicitor as defined in the annual budget

The next CRC was empaneled in 2025.

Charter Amendments Referred to Referendum by Council Ordinance

November 2007 — Adding the definition of "Residency" to § 105(d) and amending § 902 by changing the submission date of the budget from 60 days prior to the ensuing fiscal year (November 1) to 90 days prior to the ensuing fiscal year (October 1).

November 2008 — Eliminating the link between the salary of the Mayor and Auditor, by removing the requirement for the Auditor's salary to be increased when the Mayor's salary is increased (§ 502).

May 2010 — Combining the Departments of Finance and Human Resources and calling it the Department of Administrative Services. Also replacing all references to the Director of Finance and Director of Human Resources with Director of Administrative Services in the City of Reading Home Rule Charter (§§ 607 and 705).

November 2014 — Eliminating the requirement for the City Auditor be a CPA with a minimum of five years' experience in business administration, accounting, management or municipal government (§ 502).

November 2020- Amending Home Rule Charter Section 705 to eliminate the residency requirement for the heads of its departments, offices, and agencies.

November 2020- Amending Home Rule Charter Section 705 to eliminate the residency requirement for the Managing Director.

May 2021- Eliminating the Recall Section 1110 of the Reading Home Rule Charter as it is inconsistent with the removal provisions of Article VI, Section 7 of the Pennsylvania Constitution.

May 2021- Correcting Section 1204.a by replacing the Charter Citizen Initiative process with the correct citation to State Statute Title 53, Subchapter C Amendment of Existing Charter or Optional Plan 9 through the County Board of Elections

March 2022 — Amending Council Districts in Section 1312 as recommended by the Redistricting Advisory Commission.

May 2022 — Amending Home Rule Charter to eliminate Section 907 Appropriation and Revenue due to the limitations imposed on Home Rule Municipalities.

November 2022 — Amending Home Rule Charter Section 912 by allowing the capital budget public hearing to be held on the same date as the operating budget public hearing.

November 2022 — Amending Home Rule Charter Sections 1102 and 1103 and repealing and reserving Sections 1104 through 1109 re Initiative and Referendum.

November 2023 — Amending Home Rule Charter Section 606 to eliminate the requirement for the Public Works Director to be a professional civil engineer registered in Pennsylvania and instead create a requirement that the City designate an employee in its public works department who is a professional civil engineer registered in Pennsylvania licensed engineer to be the City Engineer

(Return to Table of Contents)

CHARTER REVIEW COMMISSION PROCESS

Home Rule Charter § 1203. Requires the appointment of a Charter Review Commission at least every five years, but no sooner than every three years. City Council and the Mayor shall appoint a Charter Review Commission composed of 11 members. To avoid conflict of interest, no elected City official or employee shall serve on the Charter Review Commission. Nothing herein shall preclude such officials from attending or participating in the actions of the Commission. Seven members of this Commission shall be appointed by City Council and four members shall be appointed by the Mayor. All appointees shall be current residents and registered voters of the City.

The Charter Review Commission shall review the current Charter, submit a report to the City Council, the Mayor, and the citizens of the City, within six months of its appointment, and recommend any proposed amendments to the Charter. City Council and the Mayor, by ordinance, shall place all proposed amendments on the ballot no later than the next municipal election. City Council shall provide appropriations for the reasonable expenses incurred by the Charter Review Commission.

(Return to Table of Contents)

COUNCIL ORGANIZATION AND PROCEDURE

The main duties and function of City Council is located within the Charter and City Code Chapter 5, Part 2.

COUNCIL POLICY - INAUGURATION

Members of Council are elected during the General Municipal Election. By Charter, the terms of Council begin at noon on the first Monday in January. Following tradition, this first Monday is a day of inaugural celebration. The following procedures guide the event:

- Immediately following the election, the Councilors-elect will work with the City Clerk and other Council Staff to make event arrangements, in coordination with the Mayor-elect and Auditor-elect during that election cycle.
- All current members of Council and Councilors-elect shall provide the City Clerk with the names, addresses and emails of guests they wish to invite no later than the fourth week in November. Invitations are mailed out by the City by the second week in December.
- Councilors-elect will need to provide the name of the official they would like to have administer the oath of office. Officials eligible to administer the oath are any elected judge, Magisterial District Judge or notary public.

(Return to Table of Contents)

OATH OF OFFICE FOR ELECTED OFFICIALS

- As part of the process to qualify to take office, all elected Council member commencing a new term must take and subscribe to the oath of office pursuant to 53 Pa.C.S. § 1141 (relating to form of oaths of office) at the inauguration, at the Council organization meeting or within 14 days of the date of the Council organization meeting. Failure to take the oath of office within 14 days of the organization meeting shall result in ineligibility to qualify to take office and cause the seat to be declared vacant and filled by Council in accordance with Charter Section 207. Any person appointed to fill a vacancy and succeed the term of a current Council member, shall take and subscribe to the oath of office within 14 days of the appointment.
- As part of the process to qualify to take office, a Mayor, and City Auditor newly elected or commencing a new term, must take and subscribe to the oath of office pursuant to 53 Pa. C.S. § 1141 (relating to form of oaths of office) within 14 days of the date of the first Monday in January after the election. Failure to take the oath of office within 14 days of the first Monday in January after the election shall result in ineligibility to qualify to take office and cause the seat to be declared vacant and filled by Council in accordance with Charter Section 304

Vacancy. Any person appointed to fill a vacancy and succeed the term of the current Mayor, shall take and subscribe to the oath of office within 14 days of the appointment.

(Return to Table of Contents)

COMPENSATION OF ELECTED OFFICIALS

Compensation. *204 of the City Charter and §91-101 Codified Ordinances*
The initial salaries of the elected officials were defined by Charter Sections 204, 307 and 502. Charter Section 204 requires City Council to adopt ordinances to increase these salaries. Increases will only apply to those officials elected at the next municipal election, provided that the ordinance is adopted at least 6 months prior to that election.

City Council adopted ordinances to increase the salaries of the mayor and auditor in 2007. Council also referred a referendum question to the electorate which eliminated the original link between the salary of the mayor and auditor in May 2008.

In 2022, City Council adopted ordinances to increase the salaries of the mayor, auditor and City Council by Bills 140, 141 and 145, respectfully as listed below.

A. Mayor. The Mayor of the City of Reading shall be compensated:

For the period beginning the first Tuesday in January 2024, and capping the salary for each year thereafter at $90,750.

B. City Auditor. The City Auditor of the City of Reading shall be compensated:

For the period beginning the first Tuesday in January 2024, and capping the salary annually for each year thereafter at $78,750.

C. City Council. The City Council members shall be compensated:

D. President of Council. The City Council President for the City of Reading shall be Compensated for the period beginning the first Tuesday in January 2024, and capping the salary annually for each year thereafter at $6,875.00.

E. Councilperson. The District Councilpersons for the City of Reading shall be compensated for the period beginning the first Tuesday in January 2024, and capping the salary annually for each year thereafter at $6,250.00

The changes to the Council salaries will apply to those elected to Districts 1, 2, 3, 5 and 6. The change to the District 4 Council member will be effective the first Monday in January 2026.

Note: City Council currently does not receive any other compensation such as an automobile, laptop, individual office space or individual administrative support. However, individual Councilors may request the use of a City issued cell phone and City email address. Individual Councilors also have the option to purchase insurance benefits through the City through Human Resources.

When preparing the Council Office Budget, Council can budget for laptops or other equipment Council deems necessary to enhance their delivery of service. Business cards and some other office supplies are provided by Council Staff. Before taking office newly elected officials must complete new employee paperwork in the Human Resources Department. Council Staff can assist in making those arrangements.

(Return to Table of Contents)

VACANCIES

The Charter requires City Council to make appointments to fill elected City offices that become vacant upon death of the member, resignation, or removal from office in any manner authorized by law or forfeiture of office. If the Council fails to act within 30 days following the occurrence of the vacancy, the Court of Common Pleas of Berks County shall, upon petition of three members of Council or 10 qualified voters of the City, fill the vacancy in such office by the appointment of a qualified resident of the City. In the case of a vacated district seat, the person appointed to fill that seat either by Council itself or the Court of Common Pleas must be a resident of the district. (*Charter*, 11/3/1993, §205 and 207). The appointment will be effective until the next municipal election. Those appointed must be a City resident.

Note: *Charter Section 206 states that Councilors who fail to attend three consecutive meetings of Council without being excused shall forfeit their office. In 2018 Council adopted Resolution 34 clarifying that:*

> Any absence by an expectant mother or a mother who has recently delivered a child within six months of birth, who is an elected City Council member shall be deemed an excused absence and any absence that would be considered leave under the FMLA shall also be deemed to be an excused absence, as per Section 206 (c) of the City of Reading Home Rule Charter.

(Return to Table of Contents)

COUNCIL POLICY - FILLING OF VACANCIES

- Notification of a vacancy in Council, the Mayor or the Auditor will be provided to the body of Council in writing and to the public and media.
- City Council will advise Council Staff of the process they wish to follow to fill the

vacant position which may include the preparation of an application form, similar to that used for the Boards, Authorities and Commissions, and an ad to run in the local newspaper and on the City's web site.

- Council Staff will work with the President of Council, or the Vice President in the event of the Council President's resignation, to determine when the application period will end and set the interview schedule.
- Applicant interviews will occur in a public session. Each applicant will be interviewed individually. Applicants waiting for their interview shall wait in a location away from the interview area.
- Council Staff shall prepare the appointment resolution to be adopted by Council at a Regular Meeting or Special Session before the close of the 30-day period prescribed by the Charter. The oath of office will be administered by the City Clerk after the appointment resolution is adopted.

(Return to Table of Contents)

PROCEDURE – COMMUNICATIONS BETWEEN CITY COUNCIL

Generally speaking, correspondence/communication should be to and with all of Council unless it is specific questions from Council members to other Council members or to the Council Staff or Solicitor. The intent for communication/correspondence outside of a public meeting should be limited to posing questions or requests for assistance or other requests for action allowable under this Handbook

PROCEDURE – CONTACTING THE ADMINISTRATION

The Charter clearly separates the function and duty of the legislative and executive branches of government. Charter Section 209 Prohibitions states:

> (d) Except for the purpose of inquiry, the Council and its members shall deal with all departmental and bureau employees through the Mayor or the Managing Director.
>
> (e) Neither the Council nor any of its members shall in any manner dictate the appointment or removal of any City administrative offices or employees whom the Mayor or subordinates of the Mayor are empowered to appoint except as otherwise provided in this Charter.

City Council members do not have the ability to direct members of the administration. When making contact with City administrative employees, Council is free to ask questions about city-related issues only. If some type of action is required such as resolving a constituent issue, scheduling a meeting, performing a task, etc. please go through the Managing Director's office.

(Return to Table of Contents)

PROCEDURE - CITIZEN ISSUES AND COMPLAINTS

The ultimate purpose of city government is to provide efficient public services to citizens. When service is not provided in a timely manner, or to the level expected, it is the responsibility of citizens to report the problem. The Administration makes every effort to provide efficient public services. Breakdowns in communications between citizens and the administrative offices can occur and citizens often call their elected City Councilors to intervene.

- When complaints are received, they should be forwarded to Council Staff.
- The complaint will be recorded in the complaint log, a database accessible to the Council Office and used to track the complaints received.
- The complaint is then forwarded either to the Citizen Services Center and/or to the appropriate department either by e-mail or memorandum.
- If resolution isn't obtained in a timely manner reminders are sent.
- Council Staff provides updates on the complaint as information is received from the applicable department.
- Once a complaint has been satisfied, the date and time are noted in the database.

(Return to Table of Contents)

PROCLAMATIONS AND COMMENDATIONS

Citizens, businesses, and organizations can be honored with a Proclamation or Commendation at Council Meetings or by Councilors at events.

Proclamations are formal public statements or announcements and are generally issued by the Mayor. (Proclaiming the month of February to be Black History Month)

Commendations are official awards given to show high approval or expressing favorable opinion and are generally given by Council. Proclamations can also be issued by Council if they are adopted by resolution.

- Council staff keeps a schedule of Commendations and Proclamations that are regularly presented by Council.
- Staff can easily prepare others to help you honor people, businesses, events, etc.

Please try to provide at least two week's notice and the information listed on the application form posted on the website.

(Return to Table of Contents)

PROCEDURE - BCTV PROGRAMMING

Each member of Council participates in programs aired on the BCTV Municipal Access Channel (MAC) Channel 99. "In Your District" is aired each Thursday of the month, beginning at 8:00 p.m. These programs are pre-recorded. All programming is also available on BCTV's YouTube channel.

- Members of Council must contact BCTV staff directly to schedule a recording date and time.
- Each member of Council may determine in advance the length of the program; either a half hour or a full hour.
- Programs are prerecorded at a time arranged with BCTV staff.
- When "In Your District" is done in an interview format, a member of the community that you select will serve as host and ask you questions about topical issues.
- Out of studio tapings on location are also available and must be coordinated with BCTV staff.
- You can also choose to invite people to discuss programs, issues, etc.

This is your opportunity to educate the public about whatever you choose.

(Return to Table of Contents)

BCTV PROGRAM GUIDELINES

- Programs shall be informational and educational only
- Non-governmental agencies may participate at the invitation of the City Councilor
- Producers bear sole responsibility for the content and material used in all programs, live or prerecorded
- The following are PROHIBITED
    - Comment or advertising on behalf of or opposing a political candidate, measure on a ballot, measure proposed by an agency under consideration by City Council, negotiations between the City and another party
    - Any for-profit commercial materials
    - Solicitation of funds or other things of value
    - Any information concerning any lottery, gift enterprise, or other similar promotion offering prizes based on chance
    - Any material that constitutes libel, slander, invasion of privacy, violation of trademark or copyright, or which may violate local, state, federal or FCC laws or regulations
    - An elected official or member of the City administration may not

moderate candidates' debates or forums.

(Return to Table of Contents)

COUNCIL PROCEDURE - DISTRICT OR TOWN MEETINGS

Councilors should try to hold at least one District meeting each year. These meetings help keep Councilors in touch with the pulse of the community and encourage communication. These meetings can be used to address specific community concerns or to highlight new city programs. District meetings are usually held in a building convenient to the targeted community, such as a church, a school, a field house, etc. Council staff can assist in making the necessary arrangements, advertisements and coordination with the Administration.

(Return to Table of Contents)

COUNCIL POLICY – DISTRICT EVENTS

Resolution 71-2023 establishes Council's policy on holding events within the six (6) Council Districts and the policy limits the annual allocation to $15,000 or $2,500 per district.

- Each Councilor shall be permitted to expend from his/her allotment such amounts deemed necessary (provided that it complies with this Policy) on any equipment, supplies, food/drink, entertainment, programs, educational materials, rentals, marketing (including mailers, postcards or other similar flyers and postage therefor) and similarly related expenditures to conduct a District Event / Community Promotion.
- To the extent possible, such District Event / Community Promotion shall be conducted in public areas or City-owned properties to avoid the need to rent/lease space from a third party. Additionally, the obtaining of sponsorships or in-kind donations from local vendors is strongly encouraged to limit the amount of City funds expended hereunder.
- In order for payments to be approved, a receipt identifying the amount due, the vendor and the services/goods supplied must be submitted to City Clerk for payment to be issued. The City Clerk shall retain a ledger or other account to determine the total expenditures per year permitted to be made by each Council member. Procurements shall otherwise comply with all applicable City of Reading rules and regulations.
- Any unused or unspent portion of each Councilor's annual allotment shall be computed in the aggregate during the budget process and said amount shall then be included in the line item entitled "Council District Events - Group" on the Council budget for the following fiscal year. Said monetary allotment for "Council District Events – Group" shall be shared equally amongst each

Council member and the pro-rata amount then added to each Council member's $2,500 per year allotment for that fiscal year.

- A District Event / Community Promotion hosted and paid for hereunder shall be subject to the following rules/regulations:
  - The event shall be open to the public at-large without restriction.
  - No illegal activities shall be conducted as part of the event.
  - The event shall not, under any circumstances, include the promotion, canvassing and/or lobbying of political candidates and/or political advocacy groups (including the posting of political signs and/or the distribution of any political materials) provided that this shall not be construed to prohibit a political candidate or attendee from wearing a shirt, hat, button or other common paraphernalia on their person promoting the candidacy.
  - The event shall not, under any circumstances, infringe upon the personal or constitutional rights of any City resident or taxpayer.
  - The event shall not be used for the private or personal gain of a Councilor or his/her family member(s).
  - The event shall not be used to promote or endorse any specific for-profit business or service or similar matter that is not, by its nature, designed for an inclusive gathering of all City residents.
  - No fundraising activities of any kind shall be conducted during or as part of the event for political or charitable or other purposes.
  - An event shall not be conducted between the hours of 9pm – 7am.
  - Alcohol and/or illegal drugs shall be strictly prohibited.
  - The City Police/Fire/EMS shall either be present or on-call for all such events.
  - The City Public Works Dept shall be scheduled to conduct all clean-up activities necessary immediately following the event.
- Any necessary permits or approvals shall be obtained to close streets or use public property for an event. Initial permit request must be submitted to RPD Traffic Office. Permit fees and costs of City services necessary for an event or required as part of the permit process can be paid from the allotment hereunder.
- Each Council member shall comply with and cause all persons assisting in a District Event / Community Promotion hereunder to comply with this policy, the City Ethics Code and the PA Ethics Act, along with all similar applicable laws. The investigation, adjudication and enforcement of a violation hereof shall be conducted by the City Ethics Board.

(Return to Table of Contents)

COUNCIL POLICY – CITY CLERK'S OFFICE AND MEETING ROOM ACCESS

Resolution 81-2026 establishes a policy regarding City Clerk office keys and City Hall meeting space access.

(a) No Councilmember, at any time, shall have exclusive possession or use of a key to the City Clerk's office under any circumstances except as otherwise expressly permitted in this policy.

(b) It is recognized that a Councilmember may need access to the City Clerk's office from time to time while conducting City-related business in the Councilmember's elected official capacity including, but not limited to, the use of the office space to meet with constituents or other City officials/employees or other invitees to conduct City-related business only.

(c) When a Councilmember needs space within City Hall to meet with constituents or other City officials/employees or other invitees to conduct City-related business only the Councilmember shall contact the City Clerk's office to check on the availability of the public meeting spaces and reserve the space if it is available. The Councilmember shall utilize the following areas of City Hall in the following order of priority:

   a. The City Council Chambers on the 2nd floor of City Hall;
   b. If that is not available, the Penn Room on the 1st floor of City Hall;
   c. If both are not available, the conference room on the 3rd floor of City Hall; and
   d. If all of those spaces are simultaneously not available, the City Clerk's office on the 2nd floor of City Hall subject to compliance with the procedures set forth in subsection (d) below.

(d) In the event that a Councilmember desires to access and use the City Clerk's office for a meeting as set forth in subsection (c) above, the Councilmember shall provide reasonable advance written notice to the City Clerk of the date, time and attendees of the meeting. If the meeting will occur during normal business hours of City Hall when a staff member of the City Clerk's office will be present, the meeting may be held without further requirements. If the meeting will occur outside of normal business hours of City Hall and/or when a staff member of the City Clerk's office will not be present for the entire portion of the meeting, the meeting may still occur but, in order to gain access to the City Clerk's office, the Councilmember must obtain a key to the office from the Reading Police Desk Sergeant on the 1st floor of City Hall. The City Clerk's office shall first notify Police Command and the Desk Sergeant in writing of the planned meeting. The Desk Sergeant shall then be authorized to provide the key to the Councilmember at the scheduled date and

time conditioned upon the Desk Sergeant receiving from the Council member a written list of the name(s), address(es) and phone number(s) of all attendees of the meeting. Upon completion of the meeting, the Councilmember shall immediately lock the door(s) to the City Clerk's office and return the key to the Desk Sergeant, ensuring that all attendees have exited the building.

(e) In the event that a Councilmember desires to access the City Clerk's office for any reason related to City and/or Council business other than for a meeting as outlined in subsections (c) and (d) above, such access shall be available during the normal business hours of City Hall when a member of the City Clerk staff is physically present in the office and it is open. In the event that access is desired or needed outside of normal business hours or if none of the City Clerk staff are present at the office during normal business hours, access shall be permitted only in the event of an emergency upon receipt of prior written approval from the City Council President or the City Managing Director and, in such event, the Reading Police Desk Sergeant shall provide the key after being provided with the written approval from the Council President or Managing Director for access on the as-needed basis and the key must be immediately returned.

(f) While having access to the City Clerk's office hereunder, a Councilmember and the approved invitees (whom the Councilmember is responsible for insuring the compliance by the invitees with this policy) shall respect the privacy of the City Clerk staff with respect to their personal belongings in the office and shall not move or remove items. Under no circumstances shall a Council member access a computer and/or remove any documents or records located in the office without the consent of the City Clerk, unless such document or record is in the Councilmember's mail bin or is otherwise clearly marked for the Councilmember to have possession of. (Note: The Administration provides employees with individual access codes for the copier)

(g) The use and access of the City Clerk's office as contained in this policy shall be limited to use for City and/or Council related business only and not for any personal or non-City related business or other matters.

(h) In the event of a breach or violation of this policy by a Councilmember, the City Council by a majority vote at a public meeting of City Council may remove this privilege and restrict access by the violating Councilmember to City Clerk's office for any and all reasons for a period of time to be determined by the City Council.

(i) Nothing contained in this policy shall be construed to limit the ability of City of Reading employees or staff including, but not limited to, the Managing Director,

Human Resources and/or janitorial service to access the City Clerk's office to conduct official City business during normal City business hours.

(Return to Table of Contents)

EMPLOYMENT OF COUNCIL SOLICITOR

A referendum question referred by a Charter Review Commission and approved at the June 2nd Primary Election authorized Council to appoint a Council Solicitor who shall be a member of the Bar of the Supreme Court of Pennsylvania and experienced in municipal law. The Council Solicitor shall serve as legal advisor to City Council. Council's Solicitor shall perform professional legal services for City Council. The primary responsibility of the position of Council Solicitor is to advise City Council on questions of law. City Council's Solicitor shall have his or her own legal secretary to assist in the preparation of all opinions, memorandums, and whatever other correspondence is required in the performance of the Council Solicitor's duties. Compensation shall be fixed as Council, by budgetary provisions, provides, and who, in all other respects, shall be considered employees of the City.

The current Council Solicitor was appointed in December 2021 and is under contract for a two (2) year term, expiring on December 31, 2023. This Contract shall be automatically renewable for two (2) year terms subject to Contract Section 1(b).

Section 1(b) - In the event that either party desires to not renew the Contract prior to the expiration of the initial or any renewal term, either party shall provide written notice of non-renewal to the other party at least 60 days prior to the expiration date. In such event, the Solicitor shall not be entitled to any further compensation or benefits as of the date of expiration of the then current term. In the absence of any timely written notice of non-renewal, this Contract shall automatically renew as aforesaid on the same terms and conditions.

The annal salary of the Council Solicitor covers the following:

Council's Solicitor will perform professional legal services for City Council. The primary responsibility of the position is to advise City Council on questions of law and assist with legislative matters. Legal matters will be referred to the Council Solicitor by members of Council or the City Clerk. This position does not replace or usurp the City Solicitor and his role as the City's chief legal advisor and representative.

Provide legal services or assistance at Regular Meetings, Special Meetings, Committee of the Whole (COW) meetings and Legislative public hearings.

Provide legal services where City Council, as a body, is exercising adjudicative or quasi-judicial functions including, but not limited to, conditional use hearings, HARB appeal hearings, tax exoneration hearings, liquor license hearings and personnel hearings.

The Council Solicitor shall receive the hourly rate of $200 for adjudicative or quasi-judicial functions including, but not limited to, conditional use hearings, HARB appeal hearings, tax exoneration hearings, liquor license hearings, and personnel hearings, for Charter complaint representation or mediation and litigation beyond consultation services. The Council Solicitor may employ the assistance of other attorneys and staff of a law firm that Council Solicitor is an owner of, associated with or of-counsel with, at no additional cost to the City Council.

(Return to Table of Contents)

CITY CODE OF ORDINANCES

The City Code of Ordinances or City Code is a collection of laws passed by a local City Council. These laws cannot amend the Charter and cannot conflict with the State or Federal law. The online Code book is updated as legislation is adopted.

The growth of the City of Reading has created the need for new and more detailed legislation for the proper function of the government and the community. The recording of local law is an aspect of municipal history, and as the community develops and changes, review and revision of old laws and consideration of new laws, in the light of current trends, must keep pace. Amendments to the City Code occurs by ordinance which can be referred by City Council, the Administration, the Council Solicitor, the City Clerk or citizens through the Initiative & Referendum process covered in Charter Chapter XI.

The orderly collection of these records is an important step in this ever-continuing process. Legislation must be available, logically arranged for convenient use and must be kept up-to-date. The City Clerk is responsible for overseeing the codification of ordinances and updating of the City Code.

(Return to Table of Contents)

COUNCIL REGULAR BUSINESS MEETINGS

Organization Meeting; Presiding Officer of Council. *§5-203 of the Codified Ordinances.* The organization meeting of the Council shall be the first regular meeting in each year following a municipal election. Council must elect a Vice President per Administrative Code Section 203.B.

Public Notice. Provisions governing public notice of meetings shall be provided by

Sunshine Act of 1986, P.L. 38, No. 84, as amended.

Effective August 29, 2021 Senate Bill 554 amended the Sunshine Act by requiring that agendas for all public meetings are posted on the website and at the meeting site at least 24 hours in advance. It also requires that agendas be available to the public in attendance at the meeting itself. The agenda must include all issues to be deliberated and any planned official actions. Once posted, only de minimus (minor) changes may be made to the agenda and changes involving expenditure of funds or entering contracts may not be added. In November 2023, a divided Commonwealth Court concluded that the recently enacted Section 712.1 of the Sunshine Act does not permit local government bodies to amend meeting agendas other than to add emergency or de minimis business matters.

If Council amends the agenda, in accordance with Sunshine Act Section 712.1, by majority vote during the meeting after announcing the need for the change, the amended agendas must be posted on the City's website within 24 hours after the meeting and the meeting minutes must reflect the change.

Note: Council Staff prepares an annual meeting notice covering regular business meetings and committee meetings for the new fiscal year. Notices for Special Meetings, Public Hearings, and any other meetings where a majority of the body of Council is present are prepared by Council Staff and advertised on an as needed basis at least 24 hours before such meeting is held, in accordance with the Sunshine Act.

Regular Meeting. Council shall hold a regular meeting at least twice each month in the evening on a day and place as the Council may prescribe by rule.

Note: Councilors who are absent from a regular business meeting may participate by telephone or connect virtually to vote on legislation only if they join the meeting prior to the start of the public comment period on agenda matters.

Special Meetings. Special meetings may be called by the President of Council or upon the written request of a majority of the members of the Council. Notice shall be delivered to each Council member at least 24 hours before a special meeting is held. Special meetings may also be called by citizens' petition as referenced in the Charter.

Emergency Meetings. The Mayor may call a special meeting of Council for the purpose of taking action on an emergency provided a quorum of Council is present as provided in the Charter. In the event five council members determine that the emergency meeting is unnecessary, the meeting shall not be held and/or shall be adjourned without any action.

Executive Sessions. The Council may hold executive sessions as permitted by law. No official action shall be taken by the Council on any matter in executive session as provided for by the Sunshine Act of 1986, P.L. 388, No. 84, as amended.

Note: Executive Sessions may only be called for the following reasons:

1. *To discuss any matter involving employment, appointment or termination of employment, terms and conditions of employment, evaluation of performance, promotion, or disciplinary action. Executive sessions cannot occur during the appointment or selection process to fill a vacancy in a publicly elected office.*
2. *To discuss matters related to collective bargaining agreements, labor relations and arbitrations.*
3. *To consider the purchase or lease of property.*
4. *To consult with an attorney or other advisor regarding ongoing litigation or with issues on which litigation is expected to be filed.*
5. *To review or discuss business which, if conducted in public, would violate a lawful privilege or lead to the disclosure of information related to: investigations, litigation or violations of the law.*
6. *To discuss, plan, or review matters and records that are deemed necessary for emergency preparedness, protection of public safety and security of all property in a manner that if disclosed would be reasonably likely to jeopardize or threaten public safety or preparedness or public protection.*

Note: All topics and discussions in executive session are confidential and shall not be disclosed to the public or discussed outside of executive session.

Citizens' Right to be Heard. *§213 of the Charter.*
Public comment is permitted at the regular meetings of Council which occur on the second and fourth Mondays of each month. Public comment is not permitted at the City Council Committee of the Whole or committee meetings.

Note: Public Comment is divided into two components - comment on agenda matters and comment on non-agenda matters. Comment on agenda matters is limited to 5 minutes at the beginning of the meeting before any legislative action and comment on non-agenda matters is limited to 3 minutes at the end of the meeting. Council may suspend the public speaking rules to allow all public comment at the beginning of the meeting.

Citizens desiring to address the Council at its regular meetings may do so by registering with the City Clerk any time before 5 pm on the day of the scheduled meeting or by legibly printing their name, address and the subject matter to be discussed on a sign-up sheet found on the podium in Council Chambers between 5 pm and 7 pm on the day of

the scheduled meeting. Citizens also have the ability to register to address Council via email using the City's website. In order to speak at a special meeting or public hearing, citizens must register with the City Clerk or print their name on the sign-up sheet prior to the start of the meeting. Citizens may also choose to submit written public comment via letter or email by sending a letter or email clearly marked "public comment" by 4 pm on the day of the regular meeting, special meeting or public hearing.

All remarks must be made from the speaker's podium and be directed to Council as a body and not to any Council member or public or elected official in attendance. Any person making personally offensive or impertinent remarks or who shall become unruly while addressing Council may be called to order by the Presiding Officer, and may be either removed from the meeting or may be barred from speaking before Council, unless permission to continue speaking is granted by a majority vote of Council. There will be no demonstration at the conclusion of anyone's presentation.

Citizens may not ask questions of Council members or other elected or public official in attendance. Council members, elected or public officials may respond to comments made by citizens at the conclusion of the public comment period or during the Council comment period. ***For the complete public speaking rules please see City Code Section 5-209 Public participation.***

Committees of the Council. *§5-210 of the Codified Ordinances.*

Committees of Council may include:

1 Finance, Budget and Audit, to include community development funds, capital improvements, audits and budget.
2 Public Property/Public Works to include parks, buildings, vehicles, streets and sewage.
3 Public Safety to include fire, police, codes, health and traffic.
4 Nominations and Appointments to interview and place applicants to the City's boards, authorities and commissions.
5 Research to research issues requested by Council.
6 Rules to establish rules of conduct for Council.

Note: Council currently uses only the Nominations & Appointments Committee.

Ad-hoc committees may be appointed from time to time by motion of Council. The number of committee members and its duties shall be stated in the motion of appointment. [*Ord. 7-2001*]

(Return to Table of Contents)

COUNCIL POLICY - MEETING & AGENDA PROCEDURE

The body of Council meets in some form every Monday evening using the following schedule:

First Monday:	Nominations & Appointments 4 p.m. Strategic Planning 5 p.m.
Second Monday:	Committee of the Whole 5 p.m. Regular Business Meeting 7 p.m.
Third Monday:	Nominations & Appointments 4 pm Finance and Standards of Living 5 p.m.
Fourth Monday:	Committee of the Whole 5 p.m. Regular Business Meeting 7 p.m. *Note: During December, the 2nd regular business meeting may not be held during the 4th week of December due to the holiday season. Council Staff will make the necessary arrangements for this 2nd regular business meeting.*

Council can elect to take a short recess during the summer months, when legislation is generally light. It is suggested that this recess occur during the last 2 weeks in July.

The regular business meetings on the second and fourth Mondays are televised on the BCTV MAC Channel 99 and streamed live on the Facebook page. Business attire is suggested. *NOTE: Televised meetings are replayed many times throughout the month to provide Reading citizens with ample opportunity to be informed and educated on Council's activities.*

On average there are four or five months per year that have 5 Mondays. These extra Mondays can be used to either "catch-up" on issues that need additional attention or to schedule special meetings. However at times, Council elects to take the extra Monday off.

Meeting agendas define the work plan for meetings and hearings and provide all of the available support documentation and legislation. Council staff makes every effort to provide a comprehensive document, which presents the best information available in a meaningful way.

Agendas are prepared every week and posted on the City website no later than the Thursday prior to the Monday meeting.

Full paper copies of the agendas are not provided. Instead, Council, the public, and the Administration are expected to view the full agenda including the legislation and support documentation posted on the website. Council can also review the agenda legislation and reports/plans by visiting the FTP drive. The meetings, Council and the public are provided with only copies of the agenda headings without the attachments.

The procedures to set agendas are similar for all types, with some differences noted below.

◊ **Committee Agenda Procedure*:***

1. Issues and legislation that require the attention of the Committees are referred to a Committee member, the President of Council, City Clerk or Managing Director no later than the Wednesday at noon before the meeting is scheduled to occur.
2. Scheduling is arranged by the City Clerk.

◊ **Committee of the Whole Agenda Procedure:**

1. Issues and legislation that require the attention of the body of Council are referred to the Committee of the Whole by the President of Council, City Clerk or Managing Director no later than the Wednesday at noon before the meeting is scheduled to occur
2. Final approval is at the discretion of the President of Council subject to inclusion of an issue that is to be reviewed for the Regular Meeting agenda to override a denial of the Council President.
3. If the President of Council approves or the issue involves consideration of an item to override a denial of the Council President for a Regular Meeting agenda item, he or she will instruct the City Clerk to place the item on the agenda where appropriate. The City Clerk will schedule the issue or legislation as quickly as possible.
4. Any speaker(s) or presenter(s) on a topic for a COW agenda matter shall be identified in writing on the agenda or identified at the beginning of the meeting.

◊ **Regular Meeting Agenda Procedure:**

1. Issues and legislation must be approved by the Council President before they are placed on the regular meeting agenda. The Council President's approval must be obtained no later than the Wednesday at noon before the meeting is scheduled to occur.
2. Final approval is at the discretion of the President of Council or a majority of Council (4 or more members) as set forth in section 3 below.
3. If the President of Council withholds approval, the issue can be forwarded to the

Committee of the Whole for consideration and a majority of Council can then approve a matter to be placed on the Regular Meeting agenda.

4. If the President of Council approves or if the President's denial is overridden, he or she will instruct the City Clerk to place the item on the meeting agenda where appropriate. The City Clerk will schedule the issue or legislation as quickly as possible.

Consent Agenda

The Consent Agenda is designed to provide efficient approval of non-controversial legislation that does not require discussion/debate by acclimation when the meeting agenda is approved. Consent Agenda legislation will pertain to housekeeping matters such as contract awards (approved by motion) or resolutions that have minimal overall impact. There is no financial threshold for items listed as part of the Consent Agenda.

The President of Council will call Council's attention to the list of Consent Agenda legislation at the meeting before action is taken, which allows Council to remove a piece of legislation for separate consideration. The President of Council will read the items aloud after the Consent Agenda is adopted.

1. Legislation placed on the Consent Agenda will be adopted when the meeting agenda and minutes are approved by affirmation.
2. Any member of Council may request an item be removed from the Consent Agenda for further discussion. If an item is removed, it will be treated as a resolution and acted upon during the appropriate part of the agenda.

(Return to Table of Contents)

PROCESS FOR REVIEW AND APPROVAL OF MINUTES OF MEETINGS AND PUBLIC HEARINGS – Resolution 125-2026

(a) The City Clerk's Office shall prepare the initial draft of minutes of all committee of the whole (COW), committee(s) of Council, regular and special meetings of City Council and all public hearings. The minutes must include the date, time, place, names of members present, substance of all official actions, votes cast, and a summary of comments, testimony and discussions, as required by § 706 of the Pennsylvania Sunshine Act. Minutes are not intended to be a verbatim transcript of the meeting. Minutes shall state actions, procedural events, and material summaries in a neutral manner and include a level of detail reasonably necessary to document compliance with applicable law, preserve the action taken, and allow the public to understand the business conducted, without converting the minutes into a transcript.

(b) Audio or video recordings are supplemental and do not replace the written

minutes required by law.

(c) The draft minutes from the previous meeting(s) and/or hearing(s) shall be circulated by the City Clerk's Office via email to the Council Members and Council Solicitor for their review as soon as available. If the minutes are not able to be prepared within 48 hours of 1:00pm on the Wednesday prior to the next meeting and submitted to Council due to staffing limitations, other work priorities or other legitimate reason(s), the minutes shall not be placed on the next meeting agenda unless and until the Council has a minimum 48-hour period to review the draft meeting minutes prior the deadline for responses set forth in subsection (e) below. The minutes shall be reviewed for possible corrections, deletions or additions.

(d) In accordance with the Pennsylvania Sunshine Act, as amended, Council, as a group or quorum (4 or more), shall not discuss or deliberate the contents of the draft meeting minutes via email or otherwise outside of the public meeting forum. Individual Council member(s), but specifically not more than three (3) collectively at the same time, may discuss or deliberate the contents of the draft meeting minutes via email or other written medium outside of the public meeting forum but such conduct is strongly discouraged to avoid creating record(s) subject to disclosure under the Right to Know Law, as amended.

(e) A request for corrections, deletions or additions shall be submitted via email back to the City Clerk's office no later than 1:00 P.M. on the Wednesday prior to the next meeting when the subject minutes will be on the agenda for approval.

(f) The City Clerk's office shall have the discretion to make requested corrections, deletions or additions as timely requested by Council Member(s) that are of a clerical nature to address typographical errors, procedural inaccuracies or omissions, or similar mistakes but not corrections, deletions or additions of a substantive nature. The City Clerk may consult with the Council Solicitor and the Council President in determining whether requested corrections, deletions or additions are of a clerical nature or of a substantive nature.

(g) In the event that the requested corrections, deletions or additions are of a substantive nature, the City Clerk shall respond in writing via email to inform the requesting Council Member(s) of the determination that the requested corrections, deletions or additions will not be included in the draft meeting minutes submitted for approval at the next meeting.

(h) At the regular voting meeting of City Council, the draft meeting minutes will be a part of the Consent Agenda for approval and any requested corrections, deletions

or additions of a substantive nature (or clerical if not identified prior to the meeting) may be made by a Council Member through a formal motion to amend the meeting minutes in accordance with applicable law and meeting procedure. If corrections are approved, the minutes shall be approved "as corrected or amended."

(i) Corrections to minutes shall be limited to making the minutes accurately reflect what occurred. The correction process shall not be used to reconsider, revise, expand, or contradict an action previously taken.

(Return to Table of Contents)

MEETING QUORUM & PARLIAMENTARY PROCEDURE

In the absence of the President, the Vice President shall exercise the duties of the President. In the absence of both the President and the Vice President, the Council President shall appoint a President pro-temp who shall have all the powers of the President.

In the event a regular or special meeting needs to be postponed because of a weather emergency or similar circumstances, the Council President may determine the date and time of the rescheduled meeting or the Council President may decide to change to a virtual meeting. Reasonable efforts to fulfill the notice requirements shall be made but broadcast announcements and communication with members shall be deemed to meet minimum requirements. (*§5-204 of the Admin Code*)

A quorum of Council is four (4) members including those participating remotely. Council members may participate in regular business meetings remotely up to four (4) times per year. The Council President can authorize additional remote participation for one or more of the following reasons:

- Illness or disability of the member of Council
- Care for the ill or child in the member's immediate family
- Emergency or inclement weather
- Family or business travel
- Schedule conflicts

Council members who cannot attend a scheduled meeting or hearing must provide notice to the Council President, City Clerk and Council Solicitor by noon on the day of the meeting or hearing.

Note: There is no limit on Council's ability to participate remotely in Committee meetings or other sessions.

Rules of Procedure. *§5-208 of the Codified Ordinances*.
The standard reference of Council shall be Robert's Rules unless stated differently by Council. Business is conducted by acting on motions. Once a matter has been moved and seconded, no other matter shall be taken up until action has been taken on the main issue except a motion to amend.

- **Rule No. 1. Disclosure of Interest**. A member who has personal or private interest in any question, measure, or bill proposed or pending before the Council shall disclose that fact to Council and shall vote thereon on the advice of the Council Solicitor. If such interested person shall vote without disclosing his interest in such question, measure, or bill, Council may avoid the enactment or transaction or not, as it deems best. Please refer to the City's Code of Ethics, Section 6 Prohibitions, Conflict of Interest.

Note: The conflict shall be submitted in writing to the City Clerk on the prescribed conflict of interest form before the vote explaining the rationale of the abstention.

- **Rule No. 2. Proposed Amendments to These Rules**. Amendments to these rules must be presented in writing at a non-legislative meeting of the Council held at least 1 week prior to the date when the same are to be finally considered. Amendments shall be adopted by the affirmative vote of the majority of all members of Council.

- **Rule No. 3. Suspension of Rules**. These rules may be suspended by the affirmative vote of the majority of all members of Council present, but the suspension shall not extend beyond the adjournment. No rule of Council, which is also subject of legislative enactment, shall be suspended.

- **Rule No. 4. Legislation**. No rule, matter, bill or resolution shall be considered by Council unless a written memorandum, brief, resolution or bill is delivered to the City Clerk before noon on the Wednesday preceding the meeting where the matter or legislation is to be considered, introduced or enacted/adopted by Council. The City Clerk shall furnish to the Mayor and all members of Council copies of all proposed resolutions and ordinances by posting the agendas on the website.

- **Rule No. 5. Duties of the Presiding Officer**. The President of Council shall decide all questions subject to appeal by any two members of Council and have general supervision of the meeting. The President of Council shall be the designated representative of the body and shall communicate the intentions of Council, with respect to professional service, contracts, legislative action and

other matters, as needed.

- **Rule No. 6. Reconsideration**. A motion to reconsider a question shall be entertained only at the next legislative meeting following the one at which the vote was taken. No second motion to reconsider the same motion shall be entertained.

- **Rule No. 7. Motions to be Entertained**. All motions must be moved and seconded. When a question (or main motion) is under consideration, no motion shall be entertained except for:

1 Adjournment.
2 Previous question (2/3 vote).
3 Lay on the table.
4 To postpone.
5 To commit.
6 To amend.
7 End debate.
8 Call for the question.

- **Rule No. 8. Rules of Debate**. Prior to debate, a bill or resolution must be placed on the table by a first and second motion of the body. The sponsor of the bill or the referring committee will have the first opportunity to make a statement. After which, each member of Council shall be entitled to make one statement on the proposed legislation. The President of Council may also invite the Mayor and / or Managing Director to comment. All first statements shall be no longer than 3 minutes in length.

- Second statements or comments shall be entertained after each member present has been given the opportunity to speak one time and shall be no longer than 2 minutes in length. In the event no other Council member wishes to address the issue and no one moves to end debate or call for the question, debate will be allowed to continue.

- In general, it is expected that the body will make their remarks concise and focused on the matter or issue proposed. Amendments or statements not relating to the question shall not be made. All such matters not relating to agenda items will be entertained after the Council business portion of the agenda.

- The President of Council or presiding officer may, at his/her discretion, choose to limit debate time on each agenda item to 10 minutes, as stated in Roberts' Rules of Order.

- Members wishing to speak shall request recognition from the presiding officer, at which time other Council members shall not engage in dialogue or interrupt except for the following:
    1 Call for the order of the day (when they are not being conformed to).
    2 Raising a question of privilege.
    3 Point of order (calling the member who has the floor to order or calling his attention to the fact that he is not observing the rules).
    4 Call for a separate vote on one or more subjects that are included in a single motion.
    5. Request or inquiry that requires an immediate response. [*Ord 7-2001*]

- The body may override the presiding officer's decision on any procedural rule through the passage of a motion. [*Ord. 7-2001*]

The President shall deal firmly with enforcing these rules and the rules guiding participation including, but not limited to, commotion, frivolous behavior or delaying debate and motions. The President shall see that Council debate is confined to the merits of the question and that personal comments and/or statements are avoided. [*Ord. 7- 2001*]

Action Requiring an Ordinance. In addition to requirements provided by law or the Charter, §215 through 224, acts of the Council shall be by ordinance which:

1 Adopt or amend the codes or establish, alter, or abolish any unit of the City.
2 Provide for a fine or other penalty or establish a rule or regulation for which a fine or other penalty is imposed.
3 Levy taxes and provide for service charges, permit fees and assessments.
4 Grant, renew or extend a franchise.
5 Adopt and amend the annual budget and capital program budget (see Charter, §905, §912 and §913).
6 Repeal or amend any ordinance.
7 Adopt procedures for purchasing of products, goods, or services, for the making of contracts and for the sale or lease of personal or real property of the City. (See Charter, §915).
8 Adopt other actions which are legislative in nature.
9 Authorize the borrowing of money.
10 Purchase, convey or lease lands or buildings.
11 Adopt zoning, subdivision or other land use controls.

Ordinance Requiring Prior Public Notice and Hearing. No final action shall be taken

on the following types of ordinances and amendments thereto without public hearing thereon and at least 10 days published notice in a newspaper of general circulation in the City unless State law requires a different advertisement schedule:

1 Adoption of the zoning ordinance, zoning map and amendments thereto. Municipalities Planning Code
2 Subdivision regulations.
3 Land development and land use regulations. Municipalities Planning Code Section 504 (a)
4 New taxes, or increases in the rate of existing taxes. PA Act 511 Section 306
5 Adopt and/or amend the annual budget and capital program. Charter Section 905

(Return to Table of Contents)

PROCEDURE - HARB APPEAL HEARINGS

The Historic Architectural Review Board (HARB) meets on the third Tuesday of the Month to consider applications for exterior improvements to properties located within the City's 5 historic districts: Centre Park, Callowhill, Prince, Penn's Commons, and The Heights.

HARB has the power and duty to approve or deny the appropriateness of the erection, reconstruction, alteration, restoration, demolition or razing of any building in whole or in part, which can be seen from a public street or way within the historic districts. Alteration of buildings within historic districts is prohibited until a certificate of appropriateness is obtained. The Pennsylvania Historic and Museum Commission and the US Secretary of the Interior mandate the guidelines for preservation. HARB must make decisions based on those guidelines. If the property owner does not agree with the decision of HARB, they may appeal to the body of Council.

- The appeal process begins with a letter to the property owner informing him/her of the time and location of the hearing, arranged by the Historic Preservation Specialist and the City Clerk.
- The property owner must then contact the City Clerk and express his/her desire to move forward with the appeal.
- After proper advertisement, Council holds an appeal hearing.
    - The Historic Preservation Specialist provides support documentation regarding the decision made by HARB.
    - Testimony is taken from the Historic Preservation Specialist, the property owner and any other parties having interest in the property.
- Council then considers the adoption of a resolution at their next business

meeting that will either uphold, or overturn the decision made by HARB or remand the issue to HARB.

- HARB Appeal decisions are appealable to the Court of Common Pleas.

(Return to Table of Contents)

ZONING

Zoning Ordinance

The City of Reading Zoning Ordinance works to foster improved living conditions and quality of life; it helps maintain and establish the desired character of neighborhoods and provides for the preservation of natural resources and needed recreational open space. Zoning plays many roles in the development of a community which cumulatively results in the protection of the health, safety and general welfare of all residents within the community. Zoning is intended as a regulatory arm of the local government regarding land use, building intensity, and population density. It is not used to regulate the social, economic, or religious composition of the community. Zoning does not enforce private deed restrictions nor restrict or regulate land ownership.

Under the Zoning Ordinance, City Council hears applications for uses falling under the Conditional Use section. Conditional uses are those uses which require individual review of their location, design, and intensity in order to ensure their appropriateness on a particular parcel of land, the compatibility of the use with adjacent uses, and the neighborhood. The Zoning Hearing Board hears all other zoning related cases and all zoning decisions, including Conditional Uses, are appealable to the Court of Common Pleas.

§600-1201. Criteria and Limitations.

No conditional or special exception use shall be permitted if it:

A. Substantially increases traffic congestion along a street or creates a traffic safety hazard.
B. Creates an undue concentration of population.
C. Impairs an adequate supply of light and air to adjacent property.
D. Creates a significant threat to the public health and safety.
E. Is detrimental to the appropriate use of adjacent property through the generation of significant nuisances or hazards.
F. Does not meet the requirements of this chapter.

(Return to Table of Contents)

PROCEDURE - CONDITIONAL USE HEARINGS

The following are Conditional Uses

1. Adult Businesses -book and video stores, movie theaters, cabarets and massage parlors.
2. Boarding, Rooming and Lodging Houses.
3. Bottle Clubs.
4. Conversions of single family dwellings to multi-family use
5. Fire and ambulance stations
6. Bus shelters
7. Junkyards.
8. Public Utilities.
9. Residential Care Facility including group care facilities and group care institutions,
10. Sexually Oriented Businesses
11. Student homes
12. Taverns, Bars, and Pubs
13. Treatment centers

- Applications for Conditional Uses are handled by the Zoning Administrator. The $1,000 application fee covers the cost of the advertisements, stenographer, translator, and staff time.
- The Zoning Administrator works with the City Clerk to arrange a Conditional Use Hearing date. The hearing must be held no later than 45 days after the application is received.
- The Zoning Administrator forwards the Conditional Use application to the City Planning Commission for their review and subsequent recommendation.

At the Conditional Use Hearing,

- Council takes testimony from the applicant, the Zoning Administrator, the City Planner, and other interested parties.
- Council will make their ruling by passing a resolution at a regular or special meeting of Council within 45 days of the hearing.
- This ruling must be based on and contain rationale from the Zoning Ordinance §600-1201. General Criteria and Limitations above.

Before approving a Conditional Use application Council should consider

- if the location is appropriate and not in conflict with the Comprehensive Plan,
- that the public health, safety, morals, and general welfare will not be adversely affected,
- that adequate off-street parking facilities will be provided,
- that necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values.

These conditional uses or temporary zoning instances protect the integrity of the underlying zoning while permitting certain land uses that otherwise would not be allowed. For example: If the underlying zoning of a particular neighborhood is residential, the conditions should be justifiable to protect against the intrusion that a nonresidential use will create. Once the specific conditions of the use are established, their purpose should be to protect the primary use of the neighborhood by limiting the use.

(Return to Table of Contents)

Tax Sale Process

- As soon as the property tax is unpaid for a billing year it is deemed delinquent and the 'tax sale process' begins. The property owner is informed via notices, filings and postings. *For example: 2020 bill – Delinquent Jan 2021 – Liens filed May 2021 – Upset Sale Sep 2022 – Judicial Sale Jun 2023 – Repository list July 2023*
- Upset and Judicial Sales get confirmed by the courts after the sale. Confirmations are typically filed with the Court 30 days after the sale. Tax Claim must also receive court approval to hold the Judicial Sale.

STEP ONE: THE UPSET TAX SALE – September the year after the delinquency occurs

The first time a property with a delinquent real estate tax is exposed to tax sale is at the Upset Tax Sale. The minimum bid required to sell the property is back taxes, current taxes and all bureau costs. These properties are subject to all liens, encumbrances and mortgages. The Tax Claim Bureau makes no representations about the property, or offer any warranty or guarantee. You buy the property at your own risk. The sale is confirmed by the Court.

STEP TWO: THE JUDICIAL TAX (aka Free & Clear) SALE – June the year following the Upset Sale

If a property does not sell at the Upset Tax Sale, it is exposed for sale again at the Judicial Tax Sale. Minimum bid is Bureau costs only. At this sale all taxes, liens, encumbrances and mortgages are wiped clean from the property. As with the Upset Sale properties, the Tax Claim Bureau makes no representations about the property, or offer any warranty or guarantee. You buy the property at your own risk. The sale is confirmed by the Court.

STEP THREE: THE REPOSITORY SALE – July following the Upset Sale

If a property does not sell at the Judicial Sale, it goes on the Repository List. The Repository list can be viewed at the Tax Claim Bureau. All taxes, liens, encumbrances and mortgages are wiped clean from the property. The Tax Claim Bureau makes no representations about the property, or offers any warranty or guarantee. You buy the property at your own risk. Repository bids may be made at any time to the Tax Claim Bureau. The Bureau submits the bids to the three taxing bodies for review and approval/rejection. Any taxing body may not unreasonably withhold its consent to the sale of the property. The sale is approved the date the last taxing authority executes the bid form.

The provisions of the Real Estate Tax Sale Law limit the persons to whom the Tax Claim Bureau may sell properties to.

- The delinquent taxpayer-owner of the property to be sold is disqualified from purchasing the property.
- A successful bidder must, within twenty (20) days after the sale, provide an affidavit that he or she does not owe
    - (1) any delinquent real estate taxes; and
    - (2) any municipal or utility charges that are more than one year in arrears.
- Failure to provide the affidavit will disqualify a purchaser.

Note: For properties sold at Judicial (aka Free & Clear) and Repository Sale, title insurance will generally not be available for 1 year following the sale, as there may be a challenge filed in the Court system. The buyer has the option to seek Quiet Title through the Court system. A quiet title action is a special legal proceeding to determine rightful, legal property ownership. It is often a preventative or "friendly" lawsuit to ensure that no other parties have conflicting claims to a title, or to resolve an ambiguity.

In General

- A property owner can always pay a delinquent balance to stop the sale; however, once a property is sold, that option is no longer available.
- There is no redemption period for tax sales and the new owners are deemed the 'owners' as soon as the gavel strikes. If the original owner wants his property back after the fact, objections must be filed in the courts and considered by a judge who can set the sale aside.
- Repository sales are similar in that a property can always be removed from the sale if the delinquent balance is paid.
- In owner occupied properties. The owners are never removed from the property during the sale process. Once the property sells, new owners have to start the eviction process and follow all applicable statutes accordingly. They are not granted anything just because they purchased the property through a tax sale.

(Return to Table of Contents)

PROCEDURE – REPOSITORY BID PROCESS

Administrative Code § 5-810 defines the process to approve or reject Repository sale bids. The "Real Estate Tax Sale Law," Act No. 542 of 1947, P.L. 1368 as amended, requires that bids made at the Berks Tax Claim Repository Sale must be approved by the taxing district - the County, the School District and the City - which can allow property to be conveyed to a new owner and eliminates the taxing district's property interest in those properties. City Council shall adopt a resolution authorizing the Solicitor to accept or reject a repository sale bid, after inviting input from the Mayor at a Council meeting or session, within 60 days of receipt from the County Tax Claim Director or his or her designee.

On receipt of Repository Bid notices from the County Tax Claim Bureau, the City Clerk provides notice to the Reading Parking Authority, Habitat for Humanity, NHS and the Berks County Conservation District to see if they are interested in acquiring the property. If one of the organizations is interested, the bid is rejected by Council resolution. If there is no interest Council can either approve or deny the bid by Council resolution.

The three taxing bodies must approve the Repository sale bid.

- The Tax Claim Bureau notifies the Law Department and the City Clerk when a Repository bid is made.
- Repository Sale bids must be approved/rejected by Council resolution.
- If the bid is rejected the taxing body must convey the rationale to the Tax Claim Bureau.
- If one of the taxing bodies wishes to purchase the property the sale must be approved by the remaining taxing bodies.

Upon successful sale, the property will be conveyed to the purchaser upon payment of the agreed price, free and clear of all tax and municipal claims, mortgages, liens, and charges and estate of whatsoever kind, except ground rent separately taxed. It is the responsibility of the Tax Claim Bureau to have the deed recorded at the expense of the purchaser.

Sheriff's Sale

A sheriff's sale is different from a Tax Sale. A sheriff's sale is a type of public auction where interested buyers can bid on foreclosed properties. In a sheriff's sale, the property owner is unable to make their mortgage payments or some other type of fee attached to the property and the lender/fee originator usually attempts to take title and then attempts to sell the property to recover some, if not all, of the outstanding mortgage or fee balance.

Sheriff's sales take place locally and are conducted at the County Courthouse on a schedule determined by the County Sheriff. A sheriff's sale is open to the public. Properties available for purchase are advertised in the local newspaper about a month before the actual sale date. Each property will include a docket number. It will name the plaintiff in the foreclosure action and the defendant. It will include the property address and a description of the property, as well as the debt amount or "upset price." The upset price is the minimum amount that the plaintiff (typically the lender) will accept for the property. The property won't be sold if bids don't meet this amount. The upset price might be lower or higher than the actual judgment amount, the amount of money the lender is entitled to recover to cover its losses. The plaintiff's attorney or another representative will often bid on the property to try to drive the price up.

To prepare for the sale, an interested party should do a full coverage title search in advance on all properties that may be bid on to find out if there are any liens against the property at either the state or federal level. This can include tax liens placed by the Internal Revenue Service or local taxes or even water charges. It can be a judgment lien placed by another of the property owners' creditors. You might be responsible for paying any of these liens that were not wiped out during the foreclosure court proceedings. Also contact the City to find out if there are any open permits on the property, as they must be closed out as well.

(Return to Table of Contents)

PROCEDURE – LIQUOR LICENSE TRANSFER

An inter-municipal transfer of a license or issuance of a license for economic development under the Liquor Code must first be approved by the governing body of the receiving municipality when the total number of existing restaurant liquor licenses and eating place retail dispenser licenses in the receiving municipality equal or exceed one license per three thousand inhabitants.

- Upon request for approval of an inter-municipal transfer of a license or issuance of an economic development license by an applicant, at least one public hearing shall be held by the municipal governing body for the purpose of receiving comments and recommendations of interested individuals residing within the municipality concerning the applicant's intent to transfer a license into the municipality or acquire an economic development license from the PA Liquor Control Board and the impact that transfer will have on the safety and character of the neighborhood.
- The City Clerk receives notice of the pending transfer from the PA LCB.
- The transfer information is researched and forwarded to Police Command staff and the Zoning office.

- When the transfer request is received from the applicant, an application form is transmitted to the applicant
- The required hearing is scheduled.
- The meeting date and completed application is sent to Police Command and the Zoning office.
- The applicant and a representative of the Police Department testify at the hearing.

The governing body shall, within forty-five (45) days of a request for approval, render a decision by ordinance or resolution to approve or deny the applicant's request for an inter-municipal transfer of a license or issuance of an economic development license. The governing body can deny the application if they determine that approval will negatively impact the neighborhood. The municipality may approve the request. A decision by the governing body of the municipality to deny the request may not be appealed. A copy of the approval must be submitted with the license application.

(Return to Table of Contents)

PROCEDURE – PROPERTY TAX EXONERATION

Occasionally a property owner applies for exoneration from property taxes. The tax exemption for a property does not automatically transfer when the property title changes; the tax exemption is eliminated. People purchasing tax exempt properties are usually not aware of the need to reapply to the County Assessment Appeals Board to obtain a new tax exemption. When they receive their tax bill, they usually assume that they are not responsible to pay the taxes and the delinquency problem begins, creating the need for the property tax exoneration process.

- This request is usually made to the Finance Director and Managing Director and then forwarded to the Council Office.
- The applicant must
    - complete the Tax Exoneration application form and
    - provide a copy of his tax exemption certificate from the County Assessment Office
    - provide exoneration approvals from the School District and County and
    - other documents required by the application.
- The Administration will provide documentation on
    - the affected parcels,
    - their assessed value, and
    - the tax assessed,
    - along with the total of delinquent taxes.

- This information will be included with the agenda if a hearing is recommended by Council Staff or the Administration.
- At the hearing,
    - Council will take testimony from the property owner and the Administration.
    - Council will approve or deny the application for exoneration at a subsequent regular business meeting.

Note: Reading School District policy is to exonerate taxes for only the year or years following the time an exemption application is filed with the Berks County Assessment Board.

(Return to Table of Contents)

POLICE DISCIPLINARY APPEAL PROCESS

The FOP Collective Bargaining Agreement provides the following procedure to address disciplinary matters for the Department's sworn officers:

Section 2. Before any officer is suspended or discharged, he shall be provided with an explanation of the allegations against him and be given an opportunity to respond to them in a pre-disciplinary conference to be conducted by the Chief of Police or his designee. The officer shall have the right to be accompanied at the pre-disciplinary conference by a representative of the FOP. The Chief or his designee shall give advance notice of the conference to the FOP.

Section 3. Following the conclusion of the pre- disciplinary conference, and the completion of his investigation, the Chief of Police, or his designee, shall forward his recommendation with regard to any suspension or discharge to the Mayor. The officer and the FOP shall receive a copy of the recommendation.

Section 4. Following the Chief's recommendation to the Mayor, the officer shall have an opportunity to request a hearing before the Mayor, in cases of suspensions of less than 10 days, or City Council, in cases involving suspension of more than 10 days or discharge. The hearing shall be promptly scheduled before the Mayor or City Council, as the case may be, and a decision shall be rendered within 10 days of the close of the hearing. The officer may be represented at the hearing by counsel or by a representative of the FOP.

Section 5. The officer may appeal the Mayor's or Council's decision to step 3 of the grievance procedure in Article VI, or file an appeal in the Court of Common Pleas consistent with the provisions of the Third Class City Code and the Local Agency Law. The officer must elect his remedy, however, and shall not be permitted to pursue an appeal both in the grievance procedure and under the provisions of the Third Class City Code and the Local Agency Law. If the officer appeals the matter to the grievance procedure, it shall constitute an express waiver of his right to appeal the suspension or discharge to the Common Pleas Court under the Third Class City Code and the Local Agency Law. If the officer files his appeal in the Common Pleas Court under the applicable provisions of the Third Class City Code and the Local Agency Law, it shall constitute an express waiver of his right to have the matter heard in grievance arbitration.

If the Police Chief's disciplinary recommendation is for a suspension of more than 10 days or a discharge, the officer can appeal this recommendation to City Council. The Police Chief's Office sends the appeal request to the City Clerk, who coordinates with the Council Solicitor to make the arrangements for the evidentiary appeal hearing.

At the evidentiary appeal hearing, the Police Chief and FOP may be represented by legal counsel, and each will present their case to City Council. Both parties also can have witnesses testify to support their case. City Council can ask questions about the incident to both parties.

City Council is required to render a decision within 10 days after the hearing concludes.

(Return to Table of Contents)

REDISTRICTING PROCESS

Redistricting Process. *§5-214 of the Codified Ordinances.*
After each decennial census Council shall, within 60 days after the receipt of the census information from the Federal Government, appoint a Redistricting Advisory Commission. Each Council member shall appoint one person from his/her respective district. The President of Council shall select one member to represent the at-large community. The Planning Commission will be asked to assign two current members to the Advisory Commission. The Berks County Planning Commission may also be asked to assist.

This Redistricting Advisory Commission shall

- Review and compare the new and old census information with the current Council District configuration.
- Prepare and present a redistricting proposal(s) to the full body of Council in no less than 120 days after their appointment.

The district proposals shall give strong consideration to the combination of neighborhoods that are continuous but that share similar quality of life issues. This configuration will support the principle of electing representatives that can easily represent the voice of the community they represent. The Advisory Commission shall also consider the Federal and State redistricting laws.

- Council shall hold a minimum of one public hearing to get public input on the redistricting proposal(s), within 45 days of their receipt of the proposals from the Redistricting Advisory Commission
- Shall adopt by ordinance a redistricting plan, either new or status quo, at their

next regular business meeting. (Ord. 17-1996, 6/24/1996; as added by Ord. 23-2002, 5/28/2002, §2)

(Return to Table of Contents)

COUNCIL POLICY - ADOPTION & AMENDMENT OF PLANS

Comprehensive Plan and Park and Open Space Plan Amendment
The Comprehensive Plan and Park and Open Space Plan are strategic documents, drafted to serve as formal statements of policies regarding the City of Reading's future. They are intended to provide a framework for discussion, both public and private on a wide range of issues, including: resource allocation, neighborhood stability, health and safety, economic development, park use, recreational maintenance and improvement. The intent of both documents, as stated in their respective opening paragraphs, is to serve as a guide to address the changing human and physical environments of the community.

◊ Comprehensive Plan

The Comp Plan is an extremely important planning document, setting forth land use policies, storm water management plans, energy conservation guidelines, and a host of other policies, which serve to direct the development of the community over the length of the plan. While a municipality is not legally obligated to follow the Plan (the Plan can be amended or outright disregarded at the whim of decision makers), every effort should be made to adhere to the Plan. Failure to do so, inevitably leads to haphazard planning and a lack of needed continuity. The Pennsylvania Municipal Planning Code (MPC) is the governing legislation, by which a Comp Plan is prepared, adopted, and amended.

The MPC requires

- a review of the Comp Plan at least every ten years.
- The Comp Plan shall be sent to the governing bodies of contiguous municipalities, as well as the County Planning Commission for review and comment.
- As the Comp Plan is required to be reviewed every ten years, assessing the Plan and work on amendments should begin by year eight of the Plan's ten year cycle.
- Council, as the governing body, is responsible for adopting the Plan.
- Council shall adopt and may amend the Comp Plan in whole or in part.
- By law, Council will be required to hold one public meeting on the adoption of the Comp Plan.
- Throughout the review, Council should consider the comments made by all relevant parties: Administration, City and Berks County Planning Commissions, School District, and Citizens.
- Adoption and amendment is by resolution.

The plan is composed of chapters, each providing analysis and recommendations on specific issues. The chapters cover:

1. Objectives concerning future development
2. Land Use
3. A plan to meet the current and future housing needs of residents
4. Transportation
5. Community Services and Facilities
6. Statement of the interrelationships among the various plan components
7. Discussion of short-term and long-term implementation strategies
8. Statement that the existing and proposed development is compatible with contiguous municipalities
9. A plan to protect natural and historic resources
10. A plan for the reliable supply of water
11. Energy Conservation

◊ **Park and Open Space Plan**

The City of Reading Park and Open Space Plan (POS) was initiated by the Recreation Commission and was developed by a consultant, utilizing site surveys, demographic information, industry trends, focus groups, and input from key community leaders and residents to provide direction and recommendations for future park improvements for the next 10 years. The POS plan was developed to:

1. Provide a detailed inventory of City parks, playgrounds, open space areas and facilities.
2. Identify service areas for each of the City's parks and playgrounds based on the proximity of sites to neighborhoods.
3. Identify improvements of existing park areas and recreation facilities and potential locations for acquisition of additional park land.
4. Offer a ten year plan and budget to complete identified improvements.
5. Provide recommendations for development and expansion of recreation programs.
6. Evaluate the staffing and the allocation of funds for the park operation and maintenance functions and provide recommendations for improving operational efficiency.
7. Provide potential trail and greenway opportunities.
8. Identify outside revenue sources to augment recreation programs budgets.
9. Identify partnership opportunities with regional entities.

The POS plan is an excellent planning and reference tool. It provides a complete inventory of the City's park and recreation facilities. A detailed description of each

park or facility is provided, noting: facility name, adjacent properties, landmarks and land uses; types of possible facility uses and facility condition. Each facility is evaluated, with positive as well as negative attributes being noted and then prioritized in terms of need.

As with the Comp Plan the document is not binding, but should be followed in the interest of maintaining continuity.

During the formulation of the Capital Budget, the POS plan should be one of the primary references, as the plan has outlined the physical condition of the City's recreation facilities and has prioritized their need.

- Like the Comp plan, the POS plan is a ten year plan, which Council adopts by Resolution.

(Return to Table of Contents)

PROCEDURE FOR PLAN(S) DEVELOPMENT:

Both the Comp plan and POS plan are decennial documents; however, due to their length, the time involved in their revision is extreme. As such, the review and revision process should start approximately two years prior to the expiration of the plan. It is the responsibility of Council to initiate the review:

1. Two years before the expiration of the plan Council will adopt, by Resolution, the necessary directives to the appropriate commissions, agencies, authorities, departments and staff, to prepare amendments to the Comp and POS plans.
2. While it will be the responsibility of the respective staffs to develop a plan for review and amendment, this plan shall be submitted to Council for approval.
3. Council can create Advisory Committees to undertake the review processes and assure the needs of the community are satisfied through the review. The Advisory Committee would work with various City staff to facilitate the development of a review and amendment plan. The committee shall consist of six members: three appointed and approved by Council and three appointed by the Mayor.
4. After approval of the Plan by Council, progress reports will be provided to Council by the appropriate staff, at a schedule to be determined by Council.
5. Council will approve both final Plans by Resolution.

(Return to Table of Contents)

ADMINISTRATIVE DEPARTMENTS

The Administrative branch of City government has 7 Departments. The following departments are mandated by the Charter: 1) Department of Public Works 2) Department of Finance 3) Department of Human Resources. The following departments are created and authorized by the Administrative Code: 1) Department of Police, 2) Department of Community and Economic Development, 3) Department of Fire and Emergency Services and 4) Department of Law.

***Note**: Council must approve the hiring, firing and promotion of Police Officers and Fire Fighters.*

- Acting Department Directors appointed by the Managing Director may serve no more than 180 days.
- Council may agree to extend said term for an additional 90-day period by resolution upon request by the Mayor and upon satisfactory proof that the Mayor and/or Managing Director have made a diligent effort to recruit and hire a Department Director.

An Acting Department Director who has been appointed to serve as Department Director but who fails to be confirmed by vote of Council shall continue to serve as Acting Director no longer than a period of 30 days from the date of the negative vote by Council, unless Council agrees to extend for another 90 day period(s) as set forth in the preceding subsection.

No appointed person shall serve as Acting Department Director or Temporary Manager unless employed by the City of Reading prior to such appointment or approved by City Council resolution. Council shall, within 30 days, approve the Acting Director/Manager appointment or the appointment shall be deemed approved.

Whenever the Acting Department Director or Temporary Manager is absent due to vacation, illness or injury, the person filling that position shall designate a qualified employee from the existing department staff to head the department until the Acting Department Director or Temporary Manager returns to duty. (See also §70-708, "Temporary Reassignment.")

Whenever the Department Director position is vacant due to removal, resignation, retirement, permanent disability or death, the Managing Director shall appoint a qualified employee from the department [to] the Acting Director position, as is required in §5-401(F) of this Chapter, until such time as the Mayor nominates a replacement to City Council and City Council approves the nomination. (See also §70-708, "Temporary Reassignment.")

- All Department Directors shall have an annual performance review within 45 days of their anniversary date, or 1 year after their previous increase date, completed by the Managing Director and reviewed by the Mayor.
- No Director will receive more than one pay increase per year in any calendar period.
- The performance evaluations shall be made available for Council Members to review.
- Any salary increase for Department Directors shall be based on the performance evaluations and the criteria specified in the salary range policies, where applicable, for each position.
- The Solicitor shall have an annual performance review completed by the Mayor and Members of Council.
- Any salary increase for the Solicitor shall be based on the performance review and the criteria specified in the salary range for the Solicitor position. [*Ord. 15-2002*]

(*Ord. 17-1996*, 6/24/1996, §8.03; as amended by *Ord. 51-1996*, 1/13/1997, §1; and by *Ord. 24-2000*, 11/27/2000, §1; by *Ord. 38-2001*, 11/13/2001, §1; and by *Ord. 15-2002*, 4/22/2002, §2)

Note: Salary ranges for Department Directors and the Managing Director are set by Ordinance; salaries of all Directors are approved by ordinance within the ranges approved in the Salary Range Ordinance. Salaries and annual salary increases for other City employees are defined in the fiscal year budget.

Salary increases for Department Heads are covered in Personnel Code § 70-701. Salary administration, Parts G and H

City Code Section 70-701 H, adopted in Bill 12-2023, states that the following are the salary ranges for the starting salary for each Department Director and the Managing Director. These ranges shall apply regardless of whether the individual appointed to each position is already a City employee. Directors that have served in their position for at least 6 months may exceed the salary range if that salary is approved by City Council through the adoption of an ordinance.

The current salary ranges are:

a) Managing Director – annual salary of no less than $90,000 and no more than $150,000.
b) Chief of Fire and Rescue Services –an annual salary of no less than $60,000 and no more than $110,000.

c) Chief of Police – annual salary of no less than $120,000 and no more than $175,000.
d) Public Works Director – annual salary of no less than $118,000 and no more than $150,000.
e) Director of Finance - annual salary of no less than $75,000 and no more than $110,000.
f) City Solicitor – annual salary of no less than $85,000 and no more than $110,000.
g) Community Development Director – annual salary of no less than $75,000 and no more than $130,000.
h) Human Resources Director – annual salary of no less than $75,000 and no more than $110,000.

City Council must, by ordinance, approve any salary increase that has not been approved in or included in the budget for the fiscal year and falls outside the labor contract for union employees. [*Ord. 11-2001*]

Removal. The Mayor shall have the power at any time to remove the head of any department, office or agency immediately under the Managing Director's direction and supervision, but the Mayor shall, within 14 days, notify City Council in writing of the removal and the reason for it.

Note: The exception to this removal process is the City Solicitor who can only be removed by super majority vote (5 votes) of City Council. (Administrative Code, Chapter 5, Part 8)

(Return to Table of Contents)

COUNCIL POLICY – APPOINTMENT OF DIRECTORS AND CITY SOLICITOR

Council is responsible for confirming, by resolution, the hiring of the Managing Director, City Solicitor, and all Department Directors. As such it is the duty of the Mayor and Managing Director to bring forward their candidates for Council consideration. If Council fails to confirm or reject the candidate within sixty (60) days, the candidate will assume the position.

- Upon the selection of a candidate, the Managing Director (or Mayor for appointment of a Managing Director) notifies the Council Office and provides the office with copies
  - of the candidate's resume, references, letters of recommendation and all other relevant supporting material,
  - a written explanation as to why the candidate was selected,
  - the proposed level of compensation the candidate will receive,
  - a copy of any contractual agreements offered to the candidate;
- Council staff will be responsible for scheduling the candidate to appear before all

of Council for an interview. Staff will coordinate the interview with the Managing Director;
- The interview may be conducted in an executive session setting, during which time each member of Council will be provided an opportunity to ask questions of the candidate;
- Council shall not take action on any confirmation until at least the first regular meeting following the interview.

The interview is intended to provide Council with the opportunity to discuss a candidate's paper qualifications and gauge his/her effectiveness, interpersonal skills, organizational fit, willingness to adhere to the Home Rule Charter and commitment to the City of Reading.

Appointing a new director is a significant responsibility as the new director will head one of the City's operating departments.

Members of Council have an obligation to their constituents to ask insightful, probing questions of a candidate and be willing to reject a candidate if they fail to meet the highest professional and personal standards.

Possible questions to ask a candidate during the interview:

1 Why are you thinking of leaving your current position?
2 What are some of your professional goals?
3 How do you plan on achieving these goals?
4 How do you evaluate your success?
5 What qualities do you feel a successful manager should possess?
6 How familiar are you with our community? Its strengths? Its weaknesses?
7 If hired will you agree to become a resident of the City of Reading as required by the Home Rule Charter?
8 What do you see as Council's role in the governing process?
9 Tell us 3 things you have achieved or programs you have started in your current position.

(Return to Table of Contents)

PURCHASING POLICY AND PROCEDURES

The complete Purchasing Policies can be found in the online City Code at § 5-809. Purchasing Policy and Procedure.

Dollar Limits Covering Vendor Solicitation. The purchasing manager will follow these guidelines concerning the dollar limits covering vendor solicitation.

1 Purchases up to $4,000 - one verbal or written quote. A written record of quotes will

be maintained.
2 Purchases between $4,001 and $9,999 – three verbal or written quotes. A written record of quotes will be maintained.
3 Purchases of $10,000 and higher - a formal solicitation through advertising which requires vendors to submit sealed bids accompanied by a bid surety (see Administrative Procedure "Bid Solicitation, Evaluation & Award Procedure"). It shall be the option of the Executive Branch to advertise for bids to purchase those items that may be exempted under the City Charter Section 915 and the Administrative Code *Chapter 5 Part 8 Section 809 Section 6 listed above.*
4 Both the Mayor and Managing Director shall have final approval of contracts below $35,000.
5 City Council shall award or reject all contracts exceeding $34,999.99 through an Award of Contract motion under the Consent Agenda.

Note: Emergency Purchasing procedures are detailed in the Administrative Code Chapter 5 Part 8 Section 809 Section 3.

(Return to Table of Contents)

REVENUE SOURCES

There are three main streams of revenue to generate the needed funds to operate municipal governments and provide services to citizens (local taxes, intergovernmental revenues and internal operational revenue). Taxes are "enforced contributions" for municipal services which cannot be rationally allocated to individual users. These include services like police and fire protection, parks and general administration. Such services benefit the entire community and are paid for by all local taxpayers in a tax system somewhat scaled to the ability to pay.

An equitable tax or charge applies equally to all persons subject to the tax or charge. Real estate taxes are sometimes inequitable because the assessed valuations (and therefore, taxes) for a house built ten years ago is often lower than the assessed valuation for an equivalent house built today. Although the tax rate may be equal, the base on which the tax rate is applied is not uniform. Unequal enforcement of tax collection also represents a way a revenue program may be inequitable. Following through with all measures allowed by law to collect unpaid taxes is essential to a tax program which treats all citizens of the municipality equally.

A tax program should be set up to automatically benefit from growth. As your municipality grows or needs change, higher levels of municipal services are usually required. A desirable tax structure results in the new growth paying its own way by bringing in increased revenues as the value of real estate, incomes and population

increase.

School districts, counties, and municipalities (cities, boroughs and townships) are not allowed to make up their own taxes; they are only allowed to choose between the taxes authorized for them by the Commonwealth. The number (and usefulness) of the taxes authorized varies across the different jurisdiction types.

Local taxes are authorized for local jurisdictions under several different laws; each jurisdiction has its own legal code that outlines how it operates, how it is governed, and which taxes it can levy. The City of Reading falls under the parameters for Third Class Cities and the Tax Enabling Act, also known as Act 511.

Act 511 authorizes a variety of different taxes for municipalities and school districts. These include the earned income tax, amusement tax, mercantile tax, per capita tax, occupation tax, and local services tax. Many of these Act 511 taxes often are referred to as "nuisance taxes," typically because individually they don't generate much revenue, and they are a nuisance to collect (and a nuisance for taxpayers to understand and not confuse).

Most of the Act 511 taxes have to be shared equally between school districts and municipalities if both levy it. For example, the maximum earned income tax rate for school districts and municipalities is 1 percent. If only the local school district levies the earned income tax, the school district can collect the entire 1 percent. If only the municipality levies the earned income tax, the municipality gets to collect the entire 1 percent. But if *both* the school district and municipality levy the earned income tax, they are required to *share* the 1 percent-- they each get 1/2 percent. Under Home Rule, any City increase does not need to be shared with the School District. Home Rule municipalities are also able to increase tax rates beyond Act 511 caps.

It is interesting to note that several local taxes are authorized both under the jurisdictional code, and under Act 511, *with different tax rates.* School districts and municipalities can choose under which law they want to levy the tax, and thus which tax rate cap they are subject to. If a borough, for example, levies the occupation tax under the borough code, the maximum tax rate for the occupation tax is 30 mills. If a borough levies the occupation tax under Act 511, the maximum tax rate is $10 (if they choose to levy it as a "flat rate"), or *no limit* if they choose to levy it as a millage.

E. THIRD CLASS CITIES

Potential Tax Sources	**Legal Limit[(4)]**
GENERAL PURPOSE TAX LEVIES	
Real Estate	25 mills[(5)]

Residence	$5
License	$100
Act 511 Taxes Per Capita Occupation (Flat Rate) Occupation (Millage) Occupational Privilege Earned Income Deed Transfer Mechanical Devices Amusement Business Gross Receipts	 $10 $10 no limit $10 1 percent 1 percent no limit 10 percent 1 mill wholesale 1 ½ mills retail no limit other businesses
SPECIAL PURPOSE TAXES	
Bonded Debt and Sinking Fund	no limit
Recreation	no limit
Library	no limit
Shade Trees	1/10 mill
Support Bureau of Charity	10 mills
Community Colleges	(6)
Distressed Pension System Recovery Program	no limit
Municipalities Financial Recovery Program	no limit

1. Home rule municipalities may set rates higher than the limits provided in state law for property taxes and for personal taxes levied on residents. They may not create new subjects for taxation. Third class cities adopting home rule charters include: Allentown, Altoona, Carbondate, Chester, Clarion, Coatsville, Easton, Farrell, Franklin, Greensburg, Hermitage, Johnstown, Lebanon, McKeesport, Nanticoke, Pittston, Reading, St. Mary's, Sharon, Warren and Wilkes-Barre.
2. Home Rule governments may govern themselves (except where expressly *forbidden* by state law), and are governed according to their unique home rule charter rather than one of the above codes. While most home rule charter municipalities continue to reference their previous forms of government in their corporate names, they may also adopt a new corporate name that references a different form of government, or that omits the form from the name altogether.

5. Five additional mills available with court appeal.

6. Local sponsors may levy any tax permitted by law to support a community college. The tax cannot exceed 5 mills of the market value of real estate, except for first class cities and first class school districts where it cannot exceed one mill of the market value of real estate.

Current City taxes rates (2023) are:

- Earned Income Tax – City 2.1% + School District 1.5% - total 3.6%
- Per Capita Tax – City $20 + School District $10 – total $30
- Local Services Tax - $52 per year
- Real Estate Transfer Tax –1.5 mils by the School District and 3.5 mils by the City – total 5 mils
- Real Estate Tax - .019261 mils or $19.261 per $1,000

- .3% of the real estate tax is set aside for Shade Trees
- .2% of the real estate tax is set aside for the Reading Public Library

The Finance Director in conjunction with the Managing Director shall calculate a suggested real estate tax rate. The Finance Director and the Managing Director shall present this suggested real estate tax rate to the Mayor for his/her review. The approved real estate tax rate and any other tax, fine and fee adjustments will be presented in the annual budget for Council approval.

Note: The property tax rate must be adopted annually. All other taxes, fines and fees only need to be readopted if the rate changes.

The City also has various fines and fees for licenses, rentals, permits, etc. that contribute to the revenue stream such as trades permits and licenses, rental fees for the field houses and certain equipment, etc. The City also uses Enterprise Funds, which are funds established to account for operations that are financed and operated in a manner similar to private business enterprises, where the intent of the governing body is that the costs of providing goods and services to the general public on a continuing basis be financed or recovered primarily through user charges. The City currently has three Enterprise Funds - Sewer, Recycling/Solid Waste, and Waste Water Treatment.

(Return to Table of Contents)

FINANCE & BUDGETS

CDBG BUDGET

The Community Development Block Grant (CDBG) program is the primary component of the CDBG Action Plan. The Community Development Action Plan is as important to the City as the General Fund Budget. The plan budgets or allocates the City's portion of federal dollars for the year. The plan is developed by the Community Development Department in consultation with the Administration and the County CD Department and through solicitation of public input and internal and external agency funding requests. Funds are allocated according to strict national objectives and Department of Housing and Urban Development (HUD) guidelines. HUD provides separate allocations and caps for CDBG, HOME, ESG, and Administration.

The combinations of these program allocations make up the Action Plan that is approved by Council resolution on or before November 15 annually.

The following is a brief explanation of the program areas:

1. **CDBG-**Title 1 of the Housing and Community Development Act of 1974 created a system of unified block grants. Under the current system communities of over 50,000

residents are entitled to receive funding directly from HUD. The purpose of CDBG is to encourage broadly conceived community development projects benefiting low to moderate income residents.

2. **ESG**-The Emergency Shelter Grants are designed to provide homeless persons with shelter and basic support services. The grant may be used to assist with the operational costs of the shelter facility, and for the administration of the grant. ESG also provides short-term homeless prevention assistance to persons at imminent risk of losing their own housing due to eviction, foreclosure, or utility shutoffs.

3. HOME- Is a flexible block grant program intended to help communities expand the supply of decent, safe, affordable housing for primarily low income families. While not as large an allocation as CDBG, HOME monies play a crucial part in the development of Reading. One requirement of HOME monies is that at least fifteen percent (15%) must be provided to an acceptable CHDO (Community Housing Development Corporation); a private, non-profit development corporation that meets a series of qualifications prescribed in the HOME regulations and has been designated by the City. NHS is currently the City's CHDO organization.

4. **ADMINISTRATION**-Approximately four percent (4%) of the total CD allocation may be used to cover the administrative costs of programs. Salaries of Community Development Staff and monitoring activities are supported through this allocation.

The CDBG Action Plan must be adopted by Council at the first meeting in November, as the plan must be submitted to HUD by November 15.

It is important to keep in mind the CDBG Budget provides relief to the overly burdened General Fund by covering costs of City operations and programs where applicable. CDBG dollars can also be used to support fundable social service agencies. Before the change to the Home Rule form of government in 1996, a major part of the City's CDBG allocation was used to fund social service agencies that provide service to low/moderate areas of the City. In 1997 City Council directed the Administration to begin reducing allocations to social service agencies and begin funding eligible City programs and services such as community policing and codes enforcement. Council also directed the Administration to begin drafting the Action Plan in conjunction with the Berks County Office of Community Development. Collaboration between the County and City staff reduces the double dipping effect, whereby a fundable agency is supported by either City or County funds, not both.

COUNCIL POLICY - CDBG BUDGET ADOPTION (ACTION PLAN)

1. The Community Development Director in conjunction with the Managing Director will present the proposed budget in the form of an action plan to Council in August of each year. At the discretion of Council the Action Plan can be amended. Amendments should be discussed with the Community Development Director to determine their fundability.

2. Amendments should be presented by Council and the Administration at the beginning of October. Council staff will be available to provide whatever assistance is required. The Action Plan is adopted by Resolution, rather than by ordinance. The resolution must be adopted no later than the first regular meeting in November to comply with HUD's November 15th deadline.

3. Any part of the Action Plan (CDBG, HOME, ESG) is amendable at any time during the budget year. If an amendment is desired, the Community Development Director should be notified of the proposed amendment. The fundability of the amendment must be verified like any other CDBG program.

4. Unused CDBG funds are categorized as un-programed funds and may be reallocated to other qualified projects.

(Return to Table of Contents)

GENERAL FUND AND CAPITAL BUDGETS

City Council must adopt a General Fund and Capital budget annually. This is one of the most important duties of the Council. City offices and departments begin budget preparation during the summer months and the draft budgets are presented to Council on October 1st and introduced at a Special Meeting. The Position Ordinance and all required tax/fee change ordinances are also introduced at the Special Meeting. The Position Ordinance authorizes City employee positions and their salaries for the upcoming budget year. The City Clerk prepares the Charter required advertisements for the budgets, etc. and the required public hearings. The City Clerk also works with the Finance Director to schedule budget review sessions.

In the past Council would appoint a Budget Committee composed of three (3) members). However, currently Council reviews the budgets via the Committee of the Whole on Monday evenings and one other evening during the week. The review sessions continue as long as required. The budgets, position ordinance and all updated tax/fee ordinances must be approved by Council ordinance by December 15th annually. Any amendments to any budget related documents must be introduced a minimum of two (2) weeks prior to December 15th.

Budget Transfers

- During the course of each fiscal year, the transfer of all monies including, but not limited to, transfers between departments and transfers in and out of any City fund, account or line item either attached in part or unattached to a departmental budget, causing a modification of $10,000 or more, must be approved by Council ordinance.
- The ordinance must be submitted to City Council with an agenda memorandum explaining the justification for transfer and the proposed use for the funds transferred, within the time frame defined in the Agenda Packet Policy. [*Ord. 16-2001*]

(Return to Table of Contents)

BORROWING

The City of Reading may, by ordinance of City Council, borrow an amount of money in anticipation of current revenues *(TRAN - Tax Revenue Anticipation Note).* The amount borrowed may not exceed the amount of anticipated revenues. The anticipated revenues may be pledged to pay such loan or loans. The City will issue notes or other forms of obligation, executed by the Mayor and attested to by the City Clerk under the seal of the City of Reading to secure such loans. The revenue anticipation borrowing shall mature and be payable during the current fiscal year in which the money is borrowed. No such borrowing shall constitute an increase of indebtedness within the meaning of the State of Pennsylvania Constitution or any application law or the Charter. Such notes may be sold at either public or private sale under appropriate terms and conditions satisfactory to the City of Reading.

(Return to Table of Contents)

DEBT POLICY

One of the requirements of the City Act 47 Exit Plan was for the City to adopt a comprehensive debt management policy (the "Debt Policy").

- The City adopted the Debt Policy on July 25, 2022.
- The Debt Policy requires that the City Administration (with the assistance of the Financial Advisor) annually update City Council at a public meeting with a clear, concise non-technical summary of the City's outstanding debt, annual debt service payments and legal debt margin.
- Below are some selected highlights of the Debt Policy:
- The Debt Policy sets forth guidelines for the issuance of debt or derivatives (swaps) of the City. It is the objective of the policy that (1) the City obtains financing only when necessary and consistent with this policy, (2) the process for identifying the timing, structure and amount of debt financing or swap be efficient and transparent, and (3) result in favorable interest rates and terms being obtained;
- To enhance creditworthiness and prudent financial management, the City is committed to systematic capital planning, intergovernmental cooperation and coordination, and long-term financial planning. Evidence of this commitment to capital planning will be demonstrated through the Capital Improvement Program ("CIP"), cash flow analysis of its spending plans, and regular public reporting of information;
- The City Managing Director and Director of Finance are responsible for developing plans and proposals regarding the issuance of new debt and refinancing existing debt. Such proposals will be reviewed with the Mayor and in turn presented to the Finance Committee of City Council followed by City Council's regular review and approval processes;

- Debt will be issued and structured to match projected capital cash flow needs, minimize the impact upon future budgetary revenue enhancement needs, and maintain a relatively rapid payment of principal;
- Debt issues will be structured to generally seek level debt service schedules so as to minimize significant changes from year to year in overall debt repayments;
- The typical structure of debt will result in level principal and interest (combined) payments over the term of the debt. There shall be no "balloon" payments due at the end of the term;
- The City will typically seek fixed rate financings, especially in times of stable credit markets;
- Call provisions will typically be included in debt issues. The timing of the call provisions will be optimized to provide the City with maximum flexibility to manage the City's debt portfolio while taking into consideration the current market conditions;
- The City will seek to refund/refinance (current and/or advanced) its prior debt issues if favorable market conditions exist. A goal of achieving overall net present value savings of at least 3% net of issuance costs will be a guiding benchmark;
- The City recognizes the significant value of strong, investment grade credit ratings and will endeavor to protect these credit ratings in all of its debt, budgetary and financial management undertakings;
- The City will take all practical precautions to avoid any financial decision which will negatively impact its credit rating(s) on existing or future debt issues;
- The City, through its Director of Finance, shall fulfill all compliance practices including primary and secondary market disclosures and certifications, arbitrage rebate monitoring and filing, federal and state law compliance, and market and investor relations.

COUNCIL POLICY ON BOND & DEBT FINANCING APPROVAL

The purpose of establishing these guidelines is to improve the process for approving bond and debt financing and providing thorough information to City Council.

- At all times possible the Administration will present Council with proposed bond or debt financing sixty (60) to ninety (90) days prior to date of final approval.
- At that time the Administration will review the proposal and its impact on the City with the full body of Council.
- Over the next thirty (30) days Council will have the opportunity to ask any questions as a group or individually on the proposed bond or debt financing.

The Administration will answer questions or meet with Council, individually or as a body, as needed.

- Thirty (30) days prior to final approval the Administration and Council will discuss the bond or debt financing at a second meeting.

The Administration will take precautions to avoid beginning the bond or debt financing approval process during October and November, when Council is attending to the adoption of the General Fund, Capital and CDBG Budgets.

In the case where debt financing or refinancing will be required during or immediately after the budget cycle, the Administration will begin the approval process no later than September 1 to provide for the necessary adoption vote before November 1. The Administration shall also seek pre-approval from Council, when available. There may be times when budget deficits will be identified by the Administration during the Budget cycle which will cause the need to begin the debt approval process during budget discussions. *(Resolution 57-2007, approved on April 10, 2007)*

(Return to Table of Contents)

CITY FUND BALANCE POLICIES

Code of Ordinances, Chapter 5 Administrative Code, Part 8 Department Organization, Section 806 Fiscal Provisions

D. Reserve. [Added 12-18-2017 by Ord. No. 108-2017]

(1) The City's objective is to achieve and maintain a structurally balanced budget in all funds such that recurring revenues fund recurring expenditures. The City shall maintain a reserve containing a minimum of 20% of regular general fund operating expenditures based on the annual General Fund budget of City or a minimum of $22,000,000 whichever is higher to allow for:

(a) Proper cash flow to fund operations and to allow for monthly contributions to the pension fund.

(b) Worker Compensation Fund shall maintain the requirements established by the Pennsylvania Worker Compensation Fund plus $750,000 to manage catastrophic injuries.

(c) Insurance Casualty Fund shall maintain a minimum reserve of $1,000,000.

(d) City Healthcare Fund shall develop a reserve of $3,000,000 to allow for unexpectedly high claims during the budget year to allow a minimal drawdown on the General Fund. Each year any surpluses from the healthcare portion of the budget year shall be assigned to this fund.

(2) Should the level of the reserve fall below the value of two months of regular general fund operating expenditures, nonrecurring revenues and budget surpluses should replenish reserve levels to the above minimum level.

(3) Excess amounts above the minimum level may be used to pay down outstanding long-term debt and fund capital budget projects, in that order.

(4) The City Administration and the City Council will review these fund balance policies every five years to determine the need to amend these policies.

(5) To that end, the Director of Finance shall report to the Managing Director and City Council on the inclusion of any nonrecurring revenues in each budget, forecast or actual report of financial results. That report should include the amount and use of any nonrecurring revenues. For the purpose of this policy, nonrecurring revenues shall include land or asset sales, use of fund balance, transfers from other funds that exceed ongoing and sustainable levels, and transfers from other funds that exceed legal limits. Nonrecurring revenues also include any revenue that is anticipated to be received for only one year. **[Amended 10-12-2015 by Ord. No. 55-2015; 12-18-2017 by Ord. No. 108-2017]**

(Return to Table of Contents)

CITIZEN'S RIGHTS AND PARTICIPATION

Article XI of the Charter

The full details of initiative and referendum can be found in the Charter Article XI.

Note: amendments to the Home Rule Charter may be proposed through citizen initiative petition to the Berks County Board of Elections, as per the Home Rule Charter and Optional Plans Law, PA Title 53, Chapter 29, Subchapter C Amendment of Existing Charter or Optional Plan.

(Return to Table of Contents)

BOARDS AND COMMISSIONS

A complete listing of the City's Boards, Authorities and Commissions can be found on the City's website at https://www.readingpa.gov/boards-and-commissions and https://www.readingpa.gov/authorities. Citations to the enabling legislation is included in these areas.

Note: There are several Boards or Commissions that require members to have specific skills, qualifications or knowledge. It is not always possible to find a City resident to serve. Council Staff manages a database to track vacancies and membership terms. This information is posted on the City's website and is updated monthly. When a current member's term expires Council Staff notifies the member with a letter inquiring if the member is interested in seeking reappointment. When a vacancy occurs Council Staff notifies City Council, the Mayor and Managing Director and asks their assistance in finding a qualified replacement. Council Staff

also enlists the assistance of the various trades and professional union associations and various organizations to seek out applicants for the Boards, Authorities and Commissions. Council Staff also, at times, runs advertisements in the Reading Eagle to attract applicants.

- Board, Authority and Commission applicants are asked to complete a basic application form and submit it to the City Clerk's Office.
- When the application is received a basic background check is done to see if the applicant is free of fines, codes violations, delinquent taxes, and utilities.
- After this step is complete, the application is forwarded to the Mayor's Office for his recommendation.
- If the application receives the Mayor's recommendation, Council Staff schedules the applicant at the next Council Nominations and Appointments Committee.
- The Nominations and Appointments Committee conducts brief interview meetings with candidates and makes an appointment recommendation to the full body of Council.
- Appointments are approved by Council resolution at regular business meetings.
- In the event an applicant does not receive the Committee's endorsement, 3 members of Council can request that the appointment resolution be forwarded for Council action.
- After the appointment resolution is adopted, Council Staff contacts the applicant to congratulate them and informs them of the need to make arrangements with the City Clerk to take the Oath of Office.
- A copy of the appointment resolution, the Charter, Ethics Code and legislation on the appropriate board is also supplied. The database is updated.

(Return to Table of Contents)

COUNCIL REPRESENTATION ON BOARDS, AUTHORITIES, AND COMMISSIONS

Some BACs include members of Council as voting or liaison members. While the Charter prohibits City elected officials and City employees from being appointed to Boards and Commissions, unless the local legislation requires their membership, the State Authorities Act DOES allow City elected officials and City employees to be appointed to Authorities.

The BACs are described below:

Code and License Appeals Board - To serve as the Board of Appeals for decisions made regarding the conduct of renters and/or rental licenses as it relates to revoking a business license and hearing appeals of refusal of a business license or a cease operations order, appeals to the Property Maintenance Code, the Solid Waste Code, the Housing Ordinance including appeals to disruptive conduct reports, the Vending

Machine Ordinance, the revocation of a Business License, and the seizure and destruction of dirt bikes, minibikes and ATVs. The Board meets as needed usually during the business day. The Council member from the district the property is located within is invited to participate. If the District Council member is unable to attend the Council President or the City Clerk are asked to participate instead.

Environmental Advisory Council (liaison) - has the power to study environmental and sustainability issues at the request of City Council and make recommendations to Council on those issues. The EAC will work with City Council in an advisory capacity in an effort to help Council analyze environmental and sustainability issues, and when appropriate, issue recommendations on courses of action necessary to protect the health, safety and welfare of the residents of Reading and Berks County. Meets the 4th Tuesday of most months at noon virtually or in one of the City's parks. Meetings last approximately 90 minutes.

Diversity Board (liaison) - to serve in an advisory capacity to the Mayor and City Council by providing input on policy and processes that promote and facilitate active involvement and participation by diverse cultures such as of race, color, religion, ancestry, national origin, age, sex, familial status, and handicap within the Reading community and within City government. Meets quarterly at convenience of the membership.

Local Redevelopment Authority - to advise City Council about the best reuse of the military facility located on Kenhorst Boulevard and monitor the ongoing reuse of the decommissioned site to make sure the use is compliant with the adopted Reuse Plan. The LRA meets as needed to administer the BRAC process and has historically been filled by Council President, District 1, and District 4. The meeting length varies.

Blighted Property Review Committee - To implement provisions of the Urban Redevelopment Law of 1945, as amended by Act 94 of 1978, further amended by Act 113 of 2002, promoting reuse and reinvestment in properties in the City of Reading. The BPRC holds hearings to determine or certify properties as blighted to begin movement through the process to induce owners to make improvements but which may result in the City's taking of the property. Meets the first Thursday of the month at 6 pm four times per year. Hearings last approximately 60 minutes.

Recreation Commission - to provide a mechanism to adequately and efficiently maintain community recreation services and facilities and to organize, manage and supervise recreational and educational programs, with a primary focus and emphasis on programs for youth, within the political boundaries of the City and the School District. Inter-governmental board between the City and the School District. The

Commission employs an Executive Director and staff to oversee programming. The Rec Commission meets the 2nd Tuesday of every other month at 7 pm. Meeting length varies depending on topics for discussion. Two Council members are appointed to the Commission by Council.

Audit Committee - This Committee will provide independent review of the municipality's financial reporting processes, internal and external audits, formal responses to audits and oversight of City management's actions to achieve compliance. The Committee will ensure that City management property develops and adheres to standard operating procedures for its fiscal affairs, upholds the integrity of independent external audits and the objectivity and comprehensiveness of internal audits. The Audit Committee meets quarterly during the business day. Meetings generally last 90 minutes. Council is represented by the Finance Committee chair and the City Clerk.

Reading Area Transportation Study (RATS) Coordinating Committee – Metropolitan planning organization for transportation issues in Berks County. Meets monthly during the business day. Meeting length depends on topics for discussion. Council is represented by a Council member and one alternate.

Berks County Criminal Justice Advisory Board – discusses ongoing issues in the criminal justice field, best practices, grant opportunities, policy issues, etc. It is comprised of members of various law enforcement agencies, the DA's office, mental health, Judges, County detectives, the Warden, Public Defender, Probation officials, COCA, a few State officials, the Courts, etc. The Board meets on the last Thursday of every other month at 8:30 am.

Capital Improvement Program (CIP) Committee – Administration of the Capital Improvement Program – Review and make recommendations for proposed capital improvements and purchases. The Committee meets during the business day as needed to prepare the CIP budget.

Revenue Committee – meets to set the following budget year revenue projections. The Committee meets as needed during the budget process. Council is represented by the Finance Committee Chair.

Berks Community Action Program - reduce poverty by coordinating local, state, private, and federal resources to assist low-income individuals and families. BCAP meets the 2nd Tuesday of the month at noon at the BCAP office. Meeting length depends on topics for discussion.

Downtown Revitalization Public Private Partnership (P3) - The City of Reading (City) and the Greater Reading Chamber Alliance (GRCA) have agreed to partner in administering the Downtown Reading revitalization efforts, to operate and administer economic development initiatives and the Main Street Program. The P3 is composed of government officials, business leaders and organizations that have the vision to reshape the downtown into a vibrant destination for area residents and visitors. The P3 shall administer an economic development strategy and initiatives including but not limited to the Main Street Program that will 1) promote a sense of community and unified purpose, 2) assure the historic continuity of the City's architectural heritage, 3) improve the image and perception of the City to residents and visitors and 4) strengthen economic rejuvenation of property and commerce for the benefit of all. Meetings are held every other month beginning in January on the 3rd Friday of the month at 11:30 am at 606 Court St 3rd floor.

School District Work Group – Council President and Vice President or their designees shall work with School District leadership as necessary on joint projects and issues.

First Energy Stadium Commission (liaison) - promotes the City of Reading and Baseball, is a liaison between the Reading Fightin' Phils and the City of Reading and meets with other organizations who are interested in renting the stadium for charitable or profitable events. The Commission meets on the last Wednesday of January, March, June, July, August and October at 7:30 p.m. at the GPU Stadium RBI Room.

Shade Tree Commission (liaison) - regulates, maintains and promotes shade trees in the City of Reading. The Commission meets the 3rd Monday of the month at 6 p.m. in the Public Works Conference Room.

BCTV Board (liaison) – BCTV's mission is to enhance the unity and strength of the community by providing a medium for community dialogue and educational opportunities, a source of information of local, national and international origin and a forum for the exchange of ideas on issues and topics of community interest. Meets the first Monday of each month at the BCTV studio at 8:30 am.

Mt. Penn Preserve Partnership (MP3) – The MP3 is a Council of Government (COG) created by the enactment of ordinances by the governing bodies of the County, City, Alsace, Lower Alsace townships and the Mt. Penn Borough to foster a cooperative effort to explore and implement initiatives identified within the 2017 Mt. Penn Preserve Master Plan, and to implement and resolve regional initiatives, to determine policies and to formulate concepts and programs to meet the needs of the Preserve region. The MP3 meets the last Wednesday of every other month (beginning in January) at 6 pm at

the location selected and advertised by the MP3. The City is represented by a Council member and the City Clerk.

Human Relations Commission (liaison) - Prohibits discrimination in housing, employment, and public accommodation in accordance with the terms of the City's Human Relations Ordinance. Meets 2nd Wednesday of the month at 6:00 p.m. in the Human Relations Commission office.

Conversion Therapy Mental Health Services Appeals Board - monitors the prohibition, within the geographic boundaries of the City, of the use of conversion therapy with minors. Meets as needed.

Other Post-Employment Benefits (OPEB) Board - The OPEB Board shall enter into a written contract or agreement with each Investment Manager in connection with its appointment and such contract shall be subject to such terms and conditions and shall grant to the Investment Manager such authority and responsibilities as the OPEB Board deems appropriate under the circumstances. The OPEB Board shall not be responsible for any investment decision made by an Investment Manager unless the OPEB Board actually makes that decision. Any investment directions or notifications from an Investment Manager to the OPEB Board may be made orally or in writing, or in such manner as shall be agreed upon between the Investment Manager and the OPEB Board, provided, in the event the Investment Manager gives the OPEB Board oral recommendations, directions or notifications, the Investment Manager shall confirm such directions or notifications in writing immediately thereafter. Meets annually.

Youth Commission (liaison)– The Youth Commission shall serve as an advisory body to the Mayor, City Council, and Managing Director on issues of interest to youth and pertaining to youth in the City of Reading. Youth and young adults are impacted by the decisions of City officials, but seldom have the opportunity to directly participate in the process. Establishment of a Commission will facilitate the participation of youth and young adults in local government, as well as provide City officials an opportunity to hear and address their ideas and concerns.

Council Staff Evaluation Committee – Responsible for performing performance evaluations on City Council Staff. Three members of Council. On or before October 1st of each year, City Council shall appoint a Committee consisting of not more than three (3) members to perform evaluations of Council Staff on forms utilized by the City's Human Resources Department. City Council shall have the ability to adopt and utilize its own evaluation forms provided that the appraisal forms clearly provide performance ratings on categories involving essential job duties and general work ethic. City Council may delegate the City Clerk to perform the evaluations of staff serving under the City Clerk.

(Return to Table of Contents)

APPENDIX

A. PERMIT REQUIREMENTS

One Stop Shop Process

The City of Reading utilizes a one stop shop approach to permitting. All the necessary staff, resources and information necessary to begin work on a construction project in the City is available in one office. The one stop shop brings together Codes, Trades, Fire and Zoning enforcement. Under such a system the applicant benefits from a smooth interaction with the City, while the City benefits from improved communication and sharing of information between departments and offices responsible for the enforcement of important ordinances.

(Return to Table of Contents)

Building Permits

Any person or organization seeking to undertake new construction, or make alterations and additions to existing buildings must first receive a building permit. The applicant for a permit will provide an estimated project value at the time of application. Permit valuations must include the total value of work, including materials and labor, for which the permit is being issued.

(Return to Table of Contents)

Zoning

Any person or organization seeking to undertake new construction, or make alteration and additions to existing buildings, or operate any business must first consult with the City of Reading Zoning Office. Consultation will avoid unfortunate confusion and project delay by determining if the scope of work conforms to the City of Reading Zoning Ordinance. Consultation will be held with the Zoning Administrator, whose responsibility it is to verify conformity of plans and make suggestion as to what type of relief will be needed if plans fail to meet ordinance standards.

The Zoning Office has up to thirty (30) days to approve or deny a permit after the application is deemed complete. The Zoning Office strives to ensure permits are released as soon as possible, so citizens can complete projects in a timely manner. In the event an application is denied, the applicant may either modify the project proposal to conform to zoning regulations or appeal to the Zoning Hearing Board under the Zoning Ordinance. Various uses are designated as special exceptions or conditional use and are approved or denied by the Zoning Hearing Board or City Council respectively.

Zoning permits are required for:

- New construction and additions

- Fences, porches, sheds, garages, swimming pools, decks
- Driveways, paving and parking areas
- Signs (including temporary signs)
- Changing owner/lessee of a business or creating a new business
- Creating a home occupation
- Temporary uses
- Conversions of uses (owner occupied to rental, owner occupied to business, etc)
- Roommate housing arrangements
- Bottle clubs, taverns and bars
- Group homes and boarding houses
- Day cares
- Student homes

(Return to Table of Contents)

Special Event Permit

The City of Reading encourages events and celebrations of all types. To ensure an event is of sufficient merit and in keeping with the standards and morals of the community, Council has passed ordinances establishing event regulations, which are as follows:

- Any person wishing to hold a parade or event shall file an application with the Traffic Enforcement Division of the Police Department. Applications can be obtained at the Citizen Service Center and Traffic Enforcement office during normal business hours or on the City's website.
- A fee must be paid to cover the costs associated with processing the application. The fee for certified non-profits is $300 and for all others is $500. A security deposit is also required at the time of the application.
- Included with the permit application is a standard hold harmless agreement; the agreement must be signed by the applicant and notarized by a licensed notary.
- Final approval of the application rests with the Chief of Police.
- If the application is approved, City Risk and Safety will contact the applicant and verify the sponsoring organization is indemnified to a minimum of $1,000,000.00.

City resources such as police officers and fire department personnel can be requested. The cost of these services will be assessed to the event organizer.

(Return to Table of Contents)

Shade Tree Permit

No person shall plant, transplant, cut, trim or remove any shade tree, nor shall they cause to be planted, transplanted, cut, trimmed or removed, any shade tree without first obtaining a permit to do so. Nor shall any person fasten, or cause to be fastened, any sign, wire, rope or other materials, to, around or through any shade tree without first

obtaining a permit from the Shade Tree Commission. Nor shall any person deposit, place, store or maintain any stone, brick, sand, concrete or other material which may impede the free passage of water, air or fertilizer to the roots of any shade tree without first obtaining a permit to do so. Nor shall any person break, injure, mutilate, kill or in any other way harm any shade tree, nor move any building or other object on or over any public street or public right-of way in such a manner as to damage or injure any shade tree without first obtaining a permit to do so.

(Return to Table of Contents)

HARB (Historical Architectural Review Board) Certificate of Appropriateness

Founded in 1748 by the sons of William Penn, Reading's historic heritage holds an important place in Pennsylvania and the nation. This heritage is reflected in the many styles of period architecture located throughout Reading. To protect this heritage five distinct historic districts have been created: Prince, Callowhill, Penn's Commons, Centre Park and The Heights Conservation District**.** Construction, exterior alteration or modification of structures in a historic district is not permitted, unless a Certificate of Appropriateness is obtained from HARB. A Certificate of Appropriateness is an approval issued by HARB or by Council on appeal of a HARB decision, which when issued grants permission for the requested alterations in historic districts. Conservation Districts require a Certificate of Appropriateness only for demolition, new construction, and additions – certificates are not required for new roofs, new windows (unless the size of the window is modified), etc. The following steps must be followed to obtain a Certificate of Appropriateness:

- All applications for a Certificate of Appropriateness shall be in writing and submitted no later than ten days before the regularly scheduled HARB meeting.
- Applications must be submitted by the legal owner of the property, or his/her authorized designee.
- The Historic Preservation Specialist is available to provide information and other assistance during the application process.

HARB will consider applications and make determinations based on preservation guidelines, regulations and ordinances, promulgated by the Secretary of Interior, the PHMC and City Council. Should HARB deny a Certificate of Appropriateness, the applicant may appeal the decision to City Council.

(Return to Table of Contents)

Business Permit Application

Persons or businesses wishing to do business in the City of Reading, must first obtain a Business Permit from the Citizen Services Center. The cost of the permit is $55.00 annually. Before a permit is issued, the Citizen Services Center will verify if the proper zoning, building and health permits have been issued. Failure to obtain the proper

permits will result in the denial of a business permit and prompt investigation by Codes. Businesses are also required to file a business privilege tax return and pay the required tax annually.

(Return to Table of Contents)

Solicitation Permit

Anyone who wishes to go door to door in the City of Reading must first register with the Police Chief's office. There is no cost for the permit. Permits are not required for school and youth groups, religious organizations, or candidates for elected office.

(Return to Table of Contents)