



CITY COUNCIL

Work Session

**WORK SESSION
PENN ROOM**

**TUESDAY, FEBRUARY 20, 2007
7:00 P.M.**

- I. Call To Order 7:00 p.m.
- II. Managing Directors Report 7:05 p.m.
- III. Annual Report from the Board of Health 7:15 p.m.
-Report to be presented by Dr. Jeffery Hassle
- IV. Charter Amendments 7:30 p.m.
-Review and Discuss Priority Tabulation
-Agree on Cycle of Amendment Introduction
- V. Review of Loading Zone Policy 8:30 p.m.

2006
Annual Report to Council

The Board of Health meets the first Wednesday of most months at 6 pm in the Penn Room. These meetings are advertised and open to the public. Eight meetings were held in 2006.

The Board of Health underwent tremendous transition in 2006. The qualifications of membership were revised. The Board worked with the Legislative Aide Committee as well as City Council to restructure their duties and responsibilities. From these discussions, the Citizen Inspector Program was initiated. And the focus of the Board moved from property maintenance and codes issues to public health issues.

The Board of Health discussed the following topics:

- **Mold and its effects on health** – The Board encouraged State Legislators to continue studying this issue as it is becoming a large concern.
- **Emergency Management** – The Board reviewed the City's Emergency Management Plan and how it corresponded with the County and Federal recommendations. The Board learned that they play no role in the Emergency Management Plan and were encouraged to volunteer with other organizations if they were interested in having a role.
- **West Nile Virus** – The Board created a flyer in both English and Spanish to be distributed to all students in the Reading School District and to all City residents in the water bill. Due to budgetary restraints, this was not completed in 2006. It will be completed in the spring of 2007.
- **Clean Indoor Air** – The Board of Health worked in conjunction with Councilor Goodman-Hinnershitz in drafting and reviewing a Clean Indoor Air Ordinance for the City of Reading. The Board encouraged Council to enact this Ordinance; however, the issue remains in Council Committee. The Board also encouraged State Legislators to consider this issue on a State level.
- **Relocation of St. Joseph Hospital** – The Board continues to monitor the delivery of healthcare to City residents, especially since the relocation of St. Joseph Medical Center to Bern Township.

At this time, the Board is currently in need of members. There are two vacancies and an alternate vacancy. In addition, one member is serving on an expired term. The Board would ask for the assistance of Council in filling these positions.

The Board works with City liaisons Dr. Jeffrey Hassel, City Health Officer; Jatinder Khokhar, Property Improvement Division Manager; Brad Reinhart, Codes Administrator; Michelle Mayfield, Legal Specialist; and Shelly Katzenmoyer, Council staff. Their continued support and professionalism is greatly appreciated.

The Board will continue to monitor the above issues and hopes to develop educational flyers on other health issues in the near future.

City of Reading Loading Zone Policy

PURPOSE AND INTENT:

It is the purpose of this policy to require all commercial vehicles, conducting deliveries within residential areas to display loading zone permits. This permit is to limit use of loading zones in residential areas to commercial delivery vehicles conducting deliveries to registered business owners. The intent is to ensure proper and frequent parked vehicle turnover, while discouraging illegal parking that contributes to safety hazards and violations of other City ordinances, such as: double parking, parking on sidewalks, blocking driveways and other points of access and parking at yellow or red fire lanes.

Parking in a loading zone shall be restricted to persons who need to load or unload goods, merchandise, etc. that is too large or cumbersome so as to prohibit conveyance over long distances.

Loading zones have time restrictions. All types of vehicles, for all types of reasons will use a loading zone spaces throughout the day. Violating the loading zone privilege (parking longer than the posted time permits) or not displaying the proper permit will result in a fine. **Because of this it is important to understand what a loading zone is not:**

1. A convenience for shopping or business patronizing;
2. A convenient personal parking space (this also applies to business, who should not encourage clients or customers to utilize loading zones).

ESTABLISHMENT OF LOADING ZONES:

1. Requests for the installation of loading zones shall be submitted in writing to the Traffic Engineer.
2. The Traffic Engineer will have the authority to approve requests for the installation of loading zones.
3. A loading zone will be defined as any two consecutive spaces, adjacent to the curb, reserved for the exclusive use of vehicles during the loading or unloading of material related to the pursuit of commerce.
4. No more than one loading zone will be permitted in any one block in the R1, R2 and R3 zones, unless otherwise approved by City Council.
5. If the Traffic Engineer should deny the application for the installation of a loading zone, the applicant may appeal the denial to City Council. At a meeting called for that purpose, City Council may overturn the decision of the Traffic Engineer.
6. The establishment of any more than one loading zone in a block will require the approval, by Resolution, of City Council.
7. Traffic Engineering will prepare a map of the City of Reading, clearly identifying the location of all loading zones; this map will be updated as zones are added or

removed. A copy of the map will be provided to the Reading Parking Authority, Reading Police Department and be placed on file in the Traffic Engineering Office and Office of the City Clerk.

LOADING ZONE PERMIT POLICY AND PROCEDURES:

1. Only properly identified and registered business operating in the City of Reading are eligible to apply for and obtain a loading zone permit.
2. Permit applications will be prepared by the Traffic Engineer and returned to Traffic Engineering for review and approval.
3. A separate permit is required for each vehicle using a loading zone. Permits can be transferred from one registered vehicle to another, provided that only one vehicle occupies a loading zone at a time and the issuing business authorizes the transfer.
4. The maximum number of permits issued shall not exceed three for any one business.
5. The fee for each loading zone permit is \$75.00 per calendar year. These fees are nonrefundable. Permits must be renewed annually, no later than January 31st. The fee will be prorated quarterly for new applicants.
6. Vehicles must obey the posted time limit in each loading zone. Permits must be displayed in the bottom driver side corner of the front windshield so as to be visible from the sidewalk.
7. Loading zone permits are only valid in properly designated loading zones. They may not be used to justify double parking, parking on sidewalks or other illegal parking.
8. The loss or theft of a permit should be immediately reported to the Traffic Engineer. The fee to replace a lost or stolen permit is \$20.00. Should the reported permit be found on another vehicle belonging to permit holder, all permits held by the holder in question will be revoked.

PROCEDURES FOR PERMIT REVOCATION:

It will be the responsibility of each business to track all permits issued to them. Permits will be numbered to facilitate tracking and will be issued sequentially. Four or more parking citations issued in conjunction with using a loading zone permit will result in the following revocation process:

1. Citations issued to violators of this policy by any organization with the authority to do so, will be forwarded to the Traffic Engineer.
2. After the issuance of four or more citations, a notice will be sent to the permit holder indicating the intent of the City of Reading to revoke all permits issued to the permit holder.

3. Reinstatement of the permit(s) will be subject to the final adjudication of all violations by the District Justice. A \$75.00 fee per permit will be required prior to reinstatement.
4. Upon reinstatement, continued loading zone violations as outlined above will result in further revocation. Following a second revocation and adjudication by the District Justice, a \$200.00 per permit fee will be required prior to reinstatement.

Charter Amendment Poll

Staff has tabulated the priority responses submitted by Council. The prioritization reflected by the poll was arrived at by determining the number of like occurrences

1	Residency requirement for Department Heads, Managing Director and City Clerk & other management employees – Include definition of residence (Section 706)
3	Restrict Initiative and Referendum to matters not relating to public health and safety matters
	Remove or amend the 105% limitation imposed on tax collection (Section 907)
	Remove Mayor’s ability to terminate department employees/directors , falling under the Managing Director or Department Director’s control. (remove Section 308 m and reword 603 b)
5	Remove Recall Section, as it has been ruled unconstitutional by the Supreme Court (Section 1110)
	Amend to require Mayoral approval of ordinances in 5 days (Charter currently has a 10 day approval period) (Section 221)
4	Change Presentation of Budget from November 1 – 90 days – <i>to</i> October 1 – 120 days (Section 902)
2	Neutrality of Solicitor and/or independent Solicitor representing Mayor, Council and Auditor (Section 801)
	Require a super majority vote to increase any of the City’s taxes.
6	Disentangle compensation packages for Mayor and Auditor – <i>salaries should be independent not tied together</i> (Section 307 and 502)

arter Amendment Priorities

1. Residency requirement for Department Heads, Managing Director and City Clerk & other management employees - Include definition of residence (Section 706)

2. Definition of issues which *cannot* be put to referendum.

The Third Class City Code restricts initiative and referendum on tax levies, appropriations, Eminent domain, ordinances relating to exercise of the police powers of the city to preserve public peace, health, morals and safety, construction of sewers and keeping the streets in passable condition, or any ordinance required by state law or a state agency. Under Home Rule, restrictions must be included in the Charter itself.

3. Remove Recall Section, as it has been ruled unconstitutional by the Supreme Court (Section 1110)

4. Compensation packages of Mayor and Auditor - *salaries should be independent not tied together* (Section 307 and 502)

5. Amend to provide the Mayor with 5 days rather than 10 to approve, veto or take no action on ordinances (Section 221)

6. Increase Taxes – require a super majority vote to increase any of the City's taxes.

7. Allow Public Hearings for Capital and General Fund Budgets to be held on the same night (Section 905 and 912)

8. Change Presentation of Budget from November 1 - 90 days - to October 1 - 120 days (Section 902)

9. Distinguish responsibilities for Mayor and Managing Director (Section 308 and 406)

10. Remove or amend limitation imposed on tax collection (Section 907)

11. More at large representation on City Council (Section 201)

12. Remove Mayor's ability to terminate departmental employees/directors, falling under the Managing Director or Department Director's control. (remove Section 308 m and reword 603 b)

13. Initiative and Referendum amendment to remove the suspension of an ordinance before voter referendum and reduce the time limit (currently 2 years) for adopting or modifying an ordinance adopted pursuant to initiative.(Section 1109)

14. Neutrality of Solicitor and/or independent Solicitor representing Mayor, Council and Auditor (Section 801)
15. Addition of Solicitors in the Law Department (section 801)
16. Define interaction between Managing Director and City Council (Section 406)
17. Define Mayor's responsibility, interaction, communication with Council (Section 308)
18. Add all City Departments to Charter (Article VII)
19. List qualifications for Human Resources Director (Section 705)
20. Improve bidding incentives for local firms (Section 915 d)
21. Section 914 Independent Audit – define role of Council (Section 914)
22. Increase time for City Clerk to certify Initiative and Referendum petitions by 5 days or make City's certification period 20 business days. (Section 1105)
24. Council Meetings – amend to allow Council to cancel one of the two required meetings, in the event the President of Council determines that a second meeting is not needed (Section 212)
25. Amend to define malfeasance and nonfeasance
26. Add specific responsibilities/duties for the City Auditor

Allentown Home Rule Charter (initially adopted 1997) Listing of Amendments Proposed/Adopted

Since the adoption of the Charter, the following questions have been proposed as amendments. The adopted amendments have been incorporated into the Charter.

DELETION OF THE LAND VALUE TAX: Shall Section 807, Home Rule Charter, Revenue, be amended to delete Sections C, E and F, in effect deleting the Property Development Incentive Taxation System, commonly known as the Land Value Tax. (Defeated May 20, 1997 - 3,955 to 4,941)

INCREASE OF BIDDING LIMITS: Shall Section 815, Bidding Process, of the Home Rule Charter, be amended to increase the bidding limits for the purchase of goods or services (excluding personal or professional services) from Ten Thousand (\$10,000) Dollars to Twenty Thousand (\$20,000) Dollars and the purchase of personal or professional services (excluding those related to public debt offerings or other borrowing) to Twenty Thousand (\$20,000) Dollars? (Approved May 20, 1997 - 4,340 to 3,708)

EMERGENCY PURCHASES: Shall Section 815, Bidding Process, of the Home Rule Charter, be amended to allow for Emergency Purchases of Goods, Equipment or Services? An emergency purchase shall mean a purchase necessary for the public safety or to avoid a significant financial loss to the City. (Approved May 20, 1997 - 4,969 to 3,231)

LOCAL PREFERENCE: Shall Section 815, Bidding Process, of the Home Rule Charter, be amended to include a five (5%) percent local resident preference for resident businesses or products either manufactured in Allentown or manufactured by entities headquartered in Allentown, but the preference is not to exceed \$2,500 in awarding bids? A Resident Business means one which maintains its principal place of business in the City of Allentown or maintains an office which employs at least five (5) employees in the City of Allentown. (Approved November 4, 1997 - 7,957 to 3,371)

VOTES REQUIRED BY COUNCIL TO INCREASE TAXES AND FEES: Shall Section 807, D, Revenue, be amended to require five out of seven (rather than a majority plus two as in the original charter) Councilpersons to increase taxes and fees? (Approved, May 18, 1999 - 4,466 to 2,436)

COUNCIL AND CONTROLLER SOLICITOR: Shall Section 701 be amended so that City Council and the City Controller shall each have the power to independently obtain a specific legal opinion provided there is an appropriation from City Council, instead of receiving such legal services from the City Solicitor? (Defeated, November 2, 1999 - 4,092 to 4,339)

COUNCIL MEETINGS: Shall Section 212 (B) be amended to allow City Council to cancel one of its required two meetings per month in Council determines that the meeting is not necessary due to a lack of business? (Passed November 6, 2001 - 6,864 to 3,429)

MAYOR'S BUDGET VETO: Shall Section 221 be amended so that the Mayor has five days rather than ten days to approve, veto or take no action on the budget or levy ordinances. (Passed November 6, 2001 - 6,810 to 3,437)

INITIATIVE/REFERENDUM CLARIFICATION: Shall Article X be amended to clarify the initiative and referendum process, to prevent the filing of a petition for referendum on an ordinance from suspending the effect of an ordinance before voters approve the referendum, and to change the time limit as to how long City Council must wait before it repeals or substantively modifies an ordinance it adopted pursuant to initiative? (Passed November 6, 2001 - 5,678 to 3,683)

COUNCIL OPENING BUDGET: Shall Section 806 be deleted in its entirety so that City Council may not revise a budget and reduce tax levies in the year following an election? (Passed November 6, 2001 - 5,152 to 4,652)

ADVERTISING REQUIREMENTS: Shall Section 805 and 812 be amended to delete the advertising requirements, in effect, allowing the City to follow only state law requirements? (Passed November 6, 2001-5,626 to 4,185)

SOLICITOR'S QUALIFICATION: Shall Section 309(A) and 606 be amended to provide that the City Solicitor shall be either a resident or taxpayer of the City of Allentown prior to his or her appointment. (Passed November 5, 2002, 8,155- to 7,703)

TAX AND FEE AUTHORITY OF CITY COUNCIL: Shall sub-sections A and B of Section 807 of the Home Rule Charter be

deleted to remove the restriction against Council establishing a new tax and allow Council to raise rates of the deed transfer, earned income, business privilege, occupational privilege, amusement devices and resident taxes above their respective 1996 levels? (Failed November 5, 2002; 2,510 to 13,559)

VOTES ON FEES AND TAXES: Shall Sections 807(D) be amended to provide that Council may increase any tax or fee by a vote of four rather than five? (Failed November 5, 2002; 1,644 to 14,685)