



CITY COUNCIL

Public Works Committee

Tuesday, February 17, 2009

Agenda

4:30 p.m.

Committee Members: M. Goodman-Hinnershitz Chair, D. Sterner, S. Fuhs

EXECUTIVE SESSION - Litigation & Personnel

4:30 p.m.

I. Update on Capital Projects

II. Federal Stimulus Package - Priority of City Infrastructure Projects

Clean Water

· **Clean Water State Revolving Fund:** \$6 billion for loans to help communities upgrade wastewater treatment systems. EPA estimates a \$388 billion funding gap. The Association of State and Interstate Water Pollution Control Administrators found that 26 states have \$10 billion in approved water projects.

· **Drinking Water State Revolving Fund:** \$2 billion for loans for drinking water infrastructure.

EPA estimates there is a \$274 billion funding gap. The National Governors Association

reported that there are \$6 billion in ready-to-go projects, which could quickly be obligated.

· **Rural Water and Waste Disposal:** \$1.5 billion to support \$3.8 billion in grants and loans to help communities fund drinking water and wastewater treatment systems. In 2008, there were \$2.4 billion in requests for water and waste loans and \$990 million for water and waste grants went unfunded.

III. East Ends Contract - Update

IV. Bernhart's Park & Dam

- Remediation of the Park property
- DEP order to drain the lake

V. Define Goals for 2009

COMMITTEE OF THE WHOLE

Removal of Bushong Mill Dam

6:30 p.m.

Tuesday, January 20, 2009
Meeting Report

Committee Members Attending: D. Sterner; S. Fuhs

Others Attending: L. Kelleher; C. Younger, M. Vind, R. Hottenstein, C. Jones

East Ends Contract

Mr. Hottenstein requested Council input on the negotiation options on the East Ends contract. He noted the opportunity to either consider preparing an RFP seeking a new use for the building or to modify the existing agreement with East Ends.

Mr. Fuhs and Mr. Sterner noted that that East Ends has used the building since 1937 and that they have been good tenants. Mr. Fuhs suggested reviewing their membership requirements to make sure they are not discriminatory. Mr. Sterner inquired about their membership numbers. Mr. Younger stated that membership has been declining.

Mr. Hottenstein again suggested putting an RFP out to find the highest and best use for the property, noting that developers would find the property desirable due to its water front exposure and park-like surroundings.

Ms. Kelleher suggested negotiating with East Ends before considering a new tenant, as East Ends has been located in the building since 1937. She suggested a substantial rent increase, noting that the rent has not been raised since 1996 to \$500 per month. She added that in 2002 their requirement to pay property taxes was removed as the City agreed to make the property exempt from property taxes. She also suggested requiring improvements to the facility.

Mr. Fuhs inquired about the condition of the building and its mechanicals. He also inquired when the last property maintenance inspection occurred. Mr. Hottenstein stated that he would check with Codes and report back.

Teleminder

Ms. Kelleher stated that Teleminder is a robo-call system that was purchased by the Police Department when Chuck Broad was Chief. She explained that several people were trained but the system was never used. Years later when they tried to use the system a glitch was discovered. The Teleminder company would like to make the repair via remote access but IT is concerned that our system could be breached.

Mr. Sterner stated that this system could be used to inform residents about changes in programs such as street sweeping. Ms. Kelleher stated that the system could be used to promote public

hearings, etc.

Mr. Hottenstein stated that this is on the Police Departments "To Do" list but is not a priority. He stated that the Police Department believes that the system can only be used to announce emergency information. Ms. Kelleher stated that Ms. Butler determined that the City could use it to make public service announcements on a limited basis.

CIP

Mr. Hottenstein distributed copies of the CIP projects planned for 2009:

• Baer Park Renovation	\$ 50,000
• Firing Range Classroom Addition	252,000
• Front End Loader	175,000
• Street Sweeper	300,000
• Bridge Repairs	450,000
• Bandshell	80,000
• City Park Rehabilitation	1,500,000
• City Hall Security Improvements	<u>75,000</u>
• TOTAL	\$2,882,000

Mr. Hottenstein explained that some projects originally planned for 2009 were either eliminated or moved to future years.

Ms. Kelleher noted the absence of the improvements to Council Chambers and the Penn Room, budgeted at \$250,000 were approved when Council enacted the 2009 CIP. She stated that she has been working to obtain estimates for web casting, which should cost approximately \$50,000. Mr. Hottenstein stated that the project was moved into 2010. Ms. Kelleher stated that after discussing this issue with Council they decided to keep the project in the 2009 CIP. Mr. Hottenstein agreed to move the project back into the 2009 calendar year. Ms. Kelleher noted the need to request an amendment to the CIP if changes are desired.

Mr. Fuhs inquired if capital projects are broken out on a quarterly schedule. Mr. Hottenstein stated that projects are broken out in the departmental work plans.

Mr. Sterner inquired about the money allocated for Bridge repairs. Mr. Jones stated that these repairs are focused on small bridges like the small bridges in Angelica Park and on Upland Street.

Mr. Sterner inquired about the purchase of a street sweeper and front end loader. Mr. Jones stated that these are replacement items.

Ms. Kelleher questioned if the allocation for the fire training classroom was for the existing facility at the airport or the new one at Fritz Island. Mr. Hottenstein stated that the funds will create a new facility at Fritz Island. Ms. Kelleher stated before construction can begin the zoning ordinance must be amended to allow this use. She noted that the Council staff has been waiting for Ms. Mayfield to complete this amendment for almost a year. Mr. Jones explained that the delay was caused by the need for a survey of the area to be completed by those designing the Wastewater Treatment Plant. The survey has just been completed and the zoning amendment can now move

forward.

Mr. Sterner questioned the Bandshell project. Mr. Hottenstein stated that the RFP was opened today, with 25 companies responding. Construction is slated to begin at the end of February but a recommendation for an award of contract will probably not come before Council until March. He stated that this project will handle mostly cosmetic improvements as last year the majority of the structural issues like leak repairs and the electrical upgrades were completed.

Ms. Kelleher inquired if the security improvements in the CIP are those recommended by Chief Heim and include the Council Office. She noted Chief Heim's statement that the Council Office has the highest security risks in the building. Mr. Hottenstein stated that the improvements were recommended by Chief Heim and include the Council Office.

Mr. Sterner asked Mr. Jones how often the street sweeping schedule is changed or disrupted. Mr. Jones stated the sweeping program has not been disrupted often. He stated that disruptions are often caused by sweeper equipment breakdowns, personnel shortages, etc.

Bernhart's Park and Dam

Mr. Jones stated that the department will be obtaining proposals to open the valves soon. Discussions continue with the State and the valve opening is planned for early spring.

Ms. Kelleher stated that Kai Doa from the EPA sent Ms. Hoag an e-mail in late December announcing the EPA's plan to perform more soil testing in the Park. However, when Ms. Hill from Blank Rome followed up with the EPA's legal counsel, they knew nothing of the plan to perform additional soil testing.

Ms. Kelleher stated that the City has still not received the report generated after the fall walk around by the ATSDR and the PaDOH.

Storm Water Utility Fees

Mr. Jones stated that the field of consultants has been narrowed to two. The department is waiting for a response to additional questions that were raised. A recommendation to Council is expected in either February or March.

Mr. Jones stated that although Reading is the first Pennsylvania city to move in this direction, several smaller municipalities have undertaken this project due to new storm water requirements by the PaDEP.

Mr. Fuhs noted the hit businesses like car dealerships will take when this is started. Mr. Jones explained that residential properties will pay less and properties with large areas of impervious surface will pay more. He stated that these funds will be directed at the storm water program and include things like street sweeping, catch basin cleaning and repair, etc.

Mr. Jones noted that the consultant selected will assist with the educational process, which will include meetings with the business community.

Mr. Spencer and Mr. Fuhs inquired about the savings realized through the Honeywell project. Mr.

Hottenstein stated that improvements to the lighting systems have been completed and upgrades to the phone system will start soon. He noted the problems regulating the heat and air conditioning in the City Hall building. He added that savings reconciliation will be prepared in 12 months.

The Public Works Committee adjourned at approximately 6:40 p.m.

Respectfully submitted by Linda A. Kelleher CMC, City Clerk

Follow-up Issues:

- Update East Ends Lease Negotiation
- Amendment to CIP reflecting the changes proposed by the Administration
- Update and audit for capital projects
- Report from PaDOH and ATSDR re: tour of Bernharts Park
- Update of draining of Bernhart's Lake
- Storm Water Utility Fee Update



CITY OF READING,
PENNSYLVANIA

M E M O R A N D U M

TO: Managing Director
FROM: Vaughn D. Spencer, President of Council
Public Works Committee
DATE: October 2, 2008
SUBJECT: East Ends Lease Agreement

At their September 15th meeting the Public Works Committee discussed the current lease arrangement with the East Ends Association. The contract expired a few years ago and the Committee and I request that you and the Solicitor immediately begin to renegotiate this lease agreement. A copy of the brief prepared by Council staff is attached along with the Public Works meeting report. We ask that you be prepared to provide reports on the negotiation process at each Public Works Committee meeting.



LEASE AGREEMENTS: Our records show the first formal lease agreement with East Ends ran from 1974 through 1979 and the second running from 1996 through 2001.

The **1974-79 lease agreement** contained provisions for monthly rental payments of \$125 and required payment of utilities and real estate taxes. Through conversations with former City officials we learned that utility costs were billed to the City and forwarded to and paid by East Ends. The City paid the property taxes but it is uncertain if East Ends ever reimbursed the City.

During **the 1996 negotiations** it was discovered that utility payments were not always reimbursed by East Ends and that the City still provided trash collection. It was also discovered that the property taxes paid by the City were not reimbursed by East Ends. During negotiations the City made it clear that East Ends needed to have the utilities switched over to their organization. East Ends was also advised that maintenance of the facility and trash collection was their responsibility.

The **1996-2001 lease agreement** raises the monthly rent payment to \$500, payable to the Finance Director's Office or his designee. This agreement also requires the Lessee to promptly remit property taxes levied on the property. The lease also requires the Lessee to maintain, repair and plow the access road from the point depicted on Exhibit A.

The lease, which expired in 2001, contains an optional 5 year renewable clause that was not exercised by the City or East Ends. The lease also allows the City to terminate the lease by providing 180 day notice if the City "decides in its sole discretion that the premises are needed for or to further the exercise of its municipal powers for the benefit of the public." It also provides that if any term of the lease is in arrears, is unpaid, or if the said Lessee underlets or stops using the premise for a private club without obtaining written consent from the City, the City may file eviction proceedings with the Courts.

The lease also states that "all goods on the premise shall be liable to distress in the event rent, utilities, property taxes are unpaid and if rubbish, trash are not removed from the premise and grounds and for non-fulfillment of and covenants herein contained. In the event the Lessee desires an assessment appeal, the Lessor will provide legal assistance with any and all costs reimbursed."

UTILITY & OTHER PAYMENTS: RAWA confirmed that East Ends pays their monthly water/sewer bills. Public Works has confirmed that the electric service has been changed to East Ends. Tax confirmed that East Ends has a business license and remits proper payments. Codes confirmed that East Ends has a current Health Permit.

ATTACHMENTS: 1974-79 and 1996-2001 Lease Agreements; Park and Rec Plan information on property

R E S O L U T I O N N O. _____

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:

Authorizing the submission of the attached PaDEP Grantee Agreement for Bushong Mill Dam, across the Tulpehocken Creek, upstream from the confluence with the Schuylkill River,

Adopted by Council on this _____ day of February, 2009

President of Council

Attest:

Linda A. Kelleher
City Clerk

**FY 2008
GOALS AND OBJECTIVES**

GOAL 1: REVIEW AND RECOMMEND FOR ADOPTION A STORMWATER MANAGEMENT ORDINANCE TO COMPLY WITH PADEP REGULATIONS.

GOAL 2: EVALUATE CONTRACTS FOR LINE PAINTING AND TRAFFIC SIGNAL AND STREETLIGHT MAINTENANCE.

- Ensure the Public Works Department prepares specifications and awards contracts to the lowest responsible bidders, for the maintenance of essential operations.
- Develop areas, based on concerns related to individual Council Districts, requiring streetlight maintenance.

GOAL 3: REPAVE/RECONSTRUCT CITY STREETS/MAINTAIN CURBING AND SIDEWALKS

- Determine the most effective method of developing and implementing a citywide street reconstruction and repaving program.
- Develop priorities for street repaving and reconstruction.
- Identify, based on Council Districts, in need of infrastructure improvements.

GOAL 4: COMPLETE ENGINEERING PLAN REVIEWS FOR PROPOSED DEVELOPMENT SITES.

- Ensure the Public Works Committee receives regular updates regarding development projects.

GOAL 5: ADDRESS THE CLEANLINESS OF CITY STREETS

- Evaluate current sweeping program procedures in an attempt to improve operations.

GOAL 6: BEAUTIFICATION/MAINTENANCE/EXPANSION OF THE PARKS SYSTEM

- Identify necessary, amongst the existing park system, necessary aesthetic improvements and prioritize improvements.
- Receive regular updates on the implementation of the City Park Master Plan and improvements to the Pagoda.

GOAL 7: RENOVATIONS TO CITY FACILITIES.

- Ensure improvements to City facilities are completed in a timely manner.

GOAL 8: ENSURE TIMELY IMPLEMENTATION OF CAPITAL IMPROVEMENTS PLAN PROJECTS

- Monitor CIP projects and receive regular status report from Public Works Director and Managing Director.

GOAL 9: STRENGTHEN RECREATION ACTIVITIES AND PROGRAMS AS A WHOLE.

- Improve, through amendment, the existing Park and Recreation Advisory Council ordinance.
- Discuss opportunities of expanding recreation opportunities through partnering with other organizations and the community.
- Work with other external recreation providers to coordinate programs and activities
- Identify more effective methods of providing recreation opportunities to a larger segment of the community.
- Consider expanding the Park Security Program.

GOAL 10: RECEIVE REGULAR UPDATES ON COMPLIANCE WITH ALL WASTE WATER PERMIT REQUIREMENTS (NPDES AND Air Quality) AND WASTE WATER TREATMENT PLANT OPERATIONS.

GOAL 11: REVIEW CONSENT ORDER AND OPERATION AND MAINTENANCE PLAN SCHEDULE

- Begin and continue reviewing the implementation of the wastewater treatment plant design and schedule including periodic updating of financial estimates.
- Approve Consent Decree timeline.
- Receive regular and complete financial updates

GOAL 12: CREATE STORMWATER UTILITY

- Review financial impact analysis.
- Develop legislation for review and adoption by City Council.

GOAL 13: MONITOR SOLID WASTE AND RECYCLING OPERATIONS

- Determine if improvements to the existing ordinance are necessary.
- Assist with the development of an education and enforcement campaign for all city residents on proper set out requirements for all municipal solid waste and recyclables.