



CITY COUNCIL

Meeting Agenda

**REGULAR MEETING
COUNCIL CHAMBERS**

**MONDAY, JANUARY 24, 2011
7:00P.M.**

1. OPENING MATTERS

A. CALL TO ORDER

B. INVOCATION: Rabbi Lipsker, Congregation Shomrei Habrith

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

2. PROCLAMATIONS AND PRESENTATIONS

- None

3. PUBLIC COMMENT – AGENDA MATTERS:

Citizens have the opportunity to address the Council, by registering with the City Clerk before the start of the meeting. All remarks must be directed to Council as a body and not to any individual Council member or public or elected official in attendance. Any person making personally offensive or impertinent remarks or any person becoming unruly while addressing Council may be called to order by the Presiding Officer and may be barred from speaking before Council, unless permission to continue speaking is granted by the majority vote of Council.

All comments by the public shall be made from the speaker's podium. Citizens attending the meeting may not cross into the area beyond the podium. Any materials to be distributed to Council must be given to the City Clerk before the meeting is called to order.

Those commenting on agenda business shall speak at the beginning of the meeting and shall limit their remarks to 5 minutes. Those commenting on general matters shall speak after the legislative business is concluded and shall limit their remarks to 3 minutes. No comments shall be made

from any other location except the podium, and anyone making "out of order" comments may be subject to removal. There will be no demonstration at the conclusion of anyone's remarks. Citizens may not ask questions of Council members or other elected or public officials in attendance.

4. APPROVAL OF AGENDA

A. AGENDA: Council meeting of January 24, 2011

5. Consent Agenda Legislation

A. Award of Contract - Jottan, Inc. of 61 Cathy Lane, Florence, NJ 08518 for the Library Roof Improvements Project at the Main Branch, Southeast Branch, Northeast Branch and Northwest Branch for the Departments of Public Works and Community Development (**Purchasing**)

B. Award of Contract – to Hess Embroidery, 513 Reading Avenue, West Reading, PA 19611, who is the low bidder, at a total bid price of \$195,742.50 for police uniforms (**Purchasing**)

C. Resolution - That the Mayor of the City of Reading is authorized to file an application for HRA funds/grant in the amount of \$300,000 dollars for the “Goggle Works Apartments” project and to execute any and all necessary documents and to carry out all procedures as required by the Commonwealth of Pennsylvania and/or the Department of Community and Economic Development (DCED) (**Redevelopment Auth**)

6. ADMINISTRATIVE REPORT

7. REPORT FROM OFFICE OF THE AUDITOR

8. REPORT FROM DEPT. DIRECTORS, BOARDS, AUTHORITIES, & COMMISSIONS

9. ORDINANCES FOR FINAL PASSAGE

A. Bill No. 1-2011 - amending the City of Reading Codified Ordinances Chapter 1 Administration, Part 5 Boards Departments Commissions Committees and Councils, Section E Citizens Advisory Board (CAB) to increase the number of members from 15 to 21 (**Council Staff/Law**) *Introduced at the Jan 10 regular meeting*

B. Bill No. 2-2011 - amending the Quality of Life Violation Ticket Process by amending Chapter 5 – Code Enforcement of the City of Reading Codified Ordinances by part 14 section 111 appeal **(Law) Introduced at the Jan 10 regular meeting**

C. Bill No. 3-2011 - ordering an investigation under the authority of the Home Rule Charter Section 210, regarding the use of sewer funds **(Council Members) Introduced at the Jan 10 regular meeting**

D. Bill No. 4-2011 - setting forth the salary of the Managing Director at \$95,550.00 per annum **(Mayor) Introduced at the Jan 10 regular meeting**

10. INTRODUCTION OF NEW ORDINANCES

A. Ordinance - revising, permanently, the traffic pattern and regulations of the City of Reading to restrict direction of travel for traffic on Klein Avenue to one-way travel, eastbound, from/ between 17th Street to/and 18th St **(Law/Public Works)**

B. Ordinance - that the City of Reading hereby adopts the provisions set forth in Pennsylvania Statutes 21 P.S. Sect. 611 to and including 21 P.S. Sect. 615 regarding the use of properties in violation of zoning laws (as attached hereto) **(Law)**

C. Ordinance - setting forth its intent to issue a series of federally-taxable general obligation notes of the City in the aggregate principal amount not to exceed sixteen million dollars (\$16,000,000) **(Finance)**

Pending Legislation

Ordinance - amending the City of Reading Zoning Ordinance codified as Chapter 27 of the City of Reading ordinances to correct typographical errors, adjust and clarify the zoning ordinance adopted July 2010 and to establish requirements for nonconforming use, permit auto repair and car washes as a permitted by right use in the manufacturing-commercial zoning district, to reduce the maximum square foot of a garage /carport in the r-1a zoning district to 600 square feet, to increase the maximum square footage of a garage/carport in a r-1 zoning district to 600 square feet, establish additional requirements for newly built or placed dwelling unit in r-1 zoning district, provide for a maximum percentage of land for parking in front yard in r-2 zoning district, amend hours of operation for a social club as well as establish minimum lot area, provide maximum number of children in a day care home with lot size of less than 2500 square feet, add laundromats and personal service businesses by right in c-h zoning district, establish access requirements for multiple occupancy building, limit yard sales to four times per year per lot and two days, authorize council to make modifications of listed requirements through conditional use process, add requirements for operation of a day care, clarify measurements for fence and wall construction, limiting two access

driveways, require minimum of five parking spaces for restaurants, taverns and nightclubs, and add definitions **(Law) Introduced at the 12/27/10 regular meeting**

Ordinance – vacating Sheridan Street **(Housing Authority) Introduced at the Jan 10 regular meeting**

Ordinance - establishing a four-way stop intersection at N. 13th St and Richmond St in the City of Reading, Pennsylvania **(Public Works) Introduced at the Jan 10 regular meeting**

Ordinance - establishing a four-way stop intersection at North 13th Street and Elm Street in the City of Reading, Pennsylvania **(Law/Public Works) Introduced at the Jan 10 regular meeting**

Ordinance - amending the City of Reading Codified Ordinances Chapter 1 Administration and Government, Section 186 Fiscal Provisions by providing clarifying language regarding Council approval of transfers to and from all City fund accounts **(Waltman/Council Staff) Introduced at the Jan 10 regular meeting**

11. RESOLUTIONS

A. Resolution – appointing Carl Geffken as Managing Director **(Mayor)**

B. Resolution - upholding and affirming the termination of Officer Ronald Miko, #602, as attached in the Findings of Fact and Conclusion of Law **(Council Staff/Law)**

C. Resolution - approving the Conditional Use application submitted by Denise Miller requesting a zoning permit for a two (2) unit conversion at 1051 Chestnut Street with conditions as expressed in the attached Findings of Fact, Conclusions of Law and Decision **(Council Staff/Law)**

12. PUBLIC COMMENT – GENERAL MATTERS

13. COUNCIL BUSINESS / COMMENTS

14. COUNCIL MEETING SCHEDULE

Monday, January 24

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

Tuesday, January 25

Conditional Use Hearings – Council Chambers - 5 pm

Wednesday, January 26

Zoning Amendment Hearing – Council Chambers - 5 pm

Saturday, January 29

Core Services - Penn Room – 9 am

Monday, January 31

Core Services – Council Office – 5 pm

Monday, February 7

Administrative Oversight Committee – Council Office – 5 pm

Public Safety Committee – Council Office – 5 pm

Monday, February 14

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

15. BAC AND COMMUNITY GROUP MEETING SCHEDULE

Monday, January 24

DID Authority – Reading Eagle 3rd Floor Conference Room – noon
BARTA – BARTA Office – 3 pm

Tuesday, January 25

Housing Authority Workshop – WC Building – 4 pm
Housing Authority – WC Building – 5 pm
Environmental Advisory Council – Council Office – 5:30 pm
Planning Commission – Penn Room – 7 pm
District 7 Crime Watch – Holy Spirit Church – 7 pm
Penn's Commons Neighborhood Group – Penn's Commons Meeting room – 7 pm

Wednesday, January 26

Human Relations Commission – Penn Room – 5:30 pm
Parking Authority – Parking Authority Office – 5:30 pm
Outlet Area Neighborhood – St. Mark's Lutheran Church – 6:30 pm
18th & Cotton Community Crime Watch – St. Matthew's UM Church – 7 pm
Stadium Commission – Stadium RBI Room – 7:30 pm

Thursday, January 27

Water Authority – Penn Room – 4 pm

Monday, January 31

District 7 Crime Watch – Holy Spirit Church – 7 pm

Tuesday, February 1

Charter Board – Penn Room – 7 pm

Wednesday, February 2

Reading Elderly Housing Crime Watch – Front & Washington Sts – 2:30 pm
Board of Health – Penn Room – 6 pm
District 2 Crime Watch – St. Paul's Lutheran Church – 6:30 pm

Thursday, February 3

Police Civil Service Board – Penn Room – noon
Glenside Community Council – Christ Lutheran Church – 6:30 pm
District 3 Crime Watch – Calvary Baptist Church – 7 pm

Monday, February 7

Centre Park Artifacts Bank – 705 N 5th St – noon

Shade Tree Commission – Planning Conference Room – 6 pm

Tuesday, February 8

Airport Authority – Airport Authority Office – 8:15 am

Water Authority Workshop – Penn Room – 4 pm

District 11 Crime Watch – Orthodox Presbyterian Church – 7 pm

Wednesday, February 9

Zoning Hearing Board – Penn Room – 5:30 pm

Center City Community Organization – Holy Cross Church – 6 pm

Thursday, February 10

Police Pension Board – Penn Room – 10 am

Legislative Aide Committee – Penn Room – 7:30 pm

Sunday, February 13

College Heights Community Council – Nativity Lutheran Church – 7 pm

Monday, February 14

Fire Civil Services Board – Penn Room – 4 pm

6th & Amity Neighborhood & Playground Assn – 6th & Amity Fieldhouse – 6:30 pm



AGENDA MEMO

DEPARTMENT OF ADMINISTRATIVE SERVICES

TO: City Council
FROM: Tammi Reinhart, Purchasing Coordinator
PREPARED BY: Tammi Reinhart, Purchasing Coordinator
MEETING DATE: January 24, 2011
AGENDA MEMO DATE: January 10, 2011
RECOMMENDED ACTION: Awarding of Contract for the various Library Roof Improvement Projects.

RECOMMENDATION

The recommendation is to award the contract to Jottan, Inc. of 61 Cathy Lane, Florence, NJ 08518 for the Library Roof Improvements Project at the Main Branch, Southeast Branch, Northeast Branch and Northwest Branch for the Departments of Public Works and Community Development.

BACKGROUND

Bids for Roof Improvement Project for the Departments of Public Works and Community Development were received on December 22, 2010. The bid award is based on the roof improvement project for the various Library roofs.

A copy of the Schedule of Bids is attached for your review.

BUDGETARY IMPACT

The Departments of Community Development and Public Works and Accounting have confirmed that there are funds sufficient for this contract in the HUD-CDBG funding.

PREVIOUS ACTION

None

SUBSEQUENT ACTION

Formal action by Council is needed to award the contract at the January 24, 2011 meeting.

RECOMMENDED BY

Mayor, Managing Director, Directors of Administrative Services, Community Development and Public Works.

RECOMMENDED MOTION

Approve/Deny the recommendation for the Library Roof Improvement Projects in order that the contract may be awarded to Jottan, Inc.

cc: File

January 4, 2011

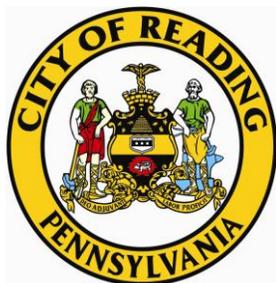
To the Mayor
City Hall
Reading, PA

The following bids were opened and scheduled, with a Contract to be awarded or the bids rejected.

BID NO. 1102-10 FOR THE ROOF PROJECT AT THE NORTHWEST, NORTHEAST, SOUTHEAST AND MAIN BRANCH LIBRARIES FOR THE DEPARTMENT OF PUBLIC WORKS, CITY OF READING, PENNSYLVANIA.

| BIDDER | TOTAL BID |
|---|------------------|
| Jottan, Inc. 61 Cathy Lane Florence, NJ 08518 | \$83,951.00 |
| Atlantic Roofing Corporation 5001 Commerce Drive P.O. Box 720 Green Lane, PA 18054 | \$84,900.00 |
| Big Star Construction 270 Lawrence Road Lawrence, NJ 08648 | Withdrew |
| Salata Construction 310 Church Lane Reading, PA 19606 | Withdrew |

TAMMI REINHART
Purchasing Coordinator



AGENDA MEMO

DEPARTMENT of ADMINISTRATIVE SERVICES

TO: City Council
FROM: Tammi Reinhart, Purchasing Coordinator
MEETING DATE: January 24, 2011
AGENDA MEMO DATE: January 19, 2011
RECOMMENDED ACTION: Awarding of Contract for Police Uniforms for the Police Department, City of Reading.

RECOMMENDATION

The recommendation is to award the contract to Hess Embroidery, 513 Reading Avenue, West Reading, PA 19611, who is the low bidder, at a total bid price of \$\$195,742.50.

BACKGROUND

Bids for Police Uniforms for use by the Reading Police Department were received November 23, 2010.

A copy of the Schedule of Bids is attached for your review.

BUDGETARY IMPACT

The Police Department and Accounting have confirmed that funds sufficient for this contract have been included in Budget Account Code 01-08-30-4504.

PREVIOUS ACTION

None.

SUBSEQUENT ACTION

Formal action by Council is needed to award the contract at the January 24, 2011, meeting.

RECOMMENDED BY

Mayor, Interim Managing Director, Director of Administrative Services, Chief of Police, and Purchasing Coordinator.

RECOMMENDED MOTION

Approve/Deny the recommendation to award the contract to Hess Embroidery for the purchase of Police Uniforms.

cc: File

FIRST YEAR OF CONTRACT

| ITEM | FIRST PRECINCT | HESS EMBROIDERY | ATLANTIC TACTICAL |
|---|-----------------------|------------------------|--------------------------|
| Long Sleeve Zipper Front Shirt - Model #544 | \$17,200.00 | \$18,000.00 | \$17,000.00 |
| Short Sleeve Zipper Front Shirt - Model #5544 | \$16,000.00 | \$16,600.00 | \$16,200.00 |
| Trousers w/Lintrak - Model #E8600 | \$16,000.00 | \$13,080.00 | \$10,680.00 |
| Cargo Trousers - Model #E8875 | \$15,800.00 | \$12,400.00 | \$15,520.00 |
| Pershing Hats - Model #9811 | \$1,050.00 | \$1,500.00 | \$870.00 |
| Featherweight Raincoats - Model GTX9690 | \$3,700.00 | \$3,180.00 | \$4,300.00 |
| Clip On Ties | \$100.00 | \$87.50 | \$62.50 |
| Name Plates | \$400.00 | \$400.00 | \$325.00 |
| Long Sleeve Perfection Model #3045DN | NO BID | \$18,000.00 | NO BID |
| Short Sleeve Perfection Model #3345DN | NO BID | \$16,600.00 | NO BID |
| Pocket Trousers - Model #3625 | NO BID | \$16,800.00 | NO BID |
| Cargo Trousers - Model #3775 | NO BID | \$22,800.00 | NO BID |
| TOTAL | \$70,250.00 | \$65,247.50 | \$64,957.50 |

SECOND YEAR OF CONTRACT

| ITEM | FIRST PRECINCT - 3% | HESS EMBROIDERY - NO INCREASE | ATLANTIC TACTICAL |
|---|----------------------------|--------------------------------------|--------------------------|
| Long Sleeve Zipper Front Shirt - Model #544 | \$17,716.00 | \$18,000.00 | NOTHING NOTED |
| Short Sleeve Zipper Front Shirt - Model #5544 | \$16,480.00 | \$16,600.00 | NOTHING NOTED |
| Trousers w/Lintrak - Model #E8600 | \$16,480.00 | \$13,080.00 | NOTHING NOTED |
| Cargo Trousers - Model #E8875 | \$16,274.00 | \$12,400.00 | NOTHING NOTED |
| Pershing Hats - Model #9811 | \$1,081.50 | \$1,500.00 | NOTHING NOTED |
| Featherweight Raincoats - Model GTX9690 | \$3,811.00 | \$3,180.00 | NOTHING NOTED |
| Clip On Ties | \$103.00 | \$87.50 | NOTHING NOTED |
| Name Plates | \$412.00 | \$400.00 | NOTHING NOTED |
| Long Sleeve Perfection Model #3045DN | NO BID | \$18,000.00 | NO BID |
| Short Sleeve Perfection Model #3345DN | NO BID | \$16,600.00 | NO BID |
| Pocket Trousers - Model #3625 | NO BID | \$16,800.00 | NO BID |
| Cargo Trousers - Model #3775 | NO BID | \$22,800.00 | NO BID |
| TOTAL | \$72,357.50 | \$65,247.50 | \$0.00 |

THIRD YEAR OF CONTRACT

| ITEM | FIRST PRECINCT - 3% | HESS EMBROIDERY - NO INCREASE | ATLANTIC TACTICAL |
|---|----------------------------|--------------------------------------|--------------------------|
| Long Sleeve Zipper Front Shirt - Model #544 | \$18,247.48 | \$18,000.00 | NOTHING NOTED |
| Short Sleeve Zipper Front Shirt - Model #5544 | \$16,974.40 | \$16,600.00 | NOTHING NOTED |
| Trousers w/Lintrak - Model #E8600 | \$16,974.40 | \$13,080.00 | NOTHING NOTED |

| | | | |
|---|--------------|--------------|---------------|
| Cargo Trousers - Model #E8875 | \$16,762.22 | \$12,400.00 | NOTHING NOTED |
| Pershing Hats - Model #9811 | \$1,113.95 | \$1,500.00 | NOTHING NOTED |
| Featherweight Raincoats - Model GTX9690 | \$3,925.33 | \$3,180.00 | NOTHING NOTED |
| Clip On Ties | \$106.09 | \$87.50 | NOTHING NOTED |
| Name Plates | \$424.36 | \$400.00 | NOTHING NOTED |
| Long Sleeve Perfection Model #3045DN | NO BID | \$18,000.00 | NO BID |
| Short Sleeve Perfection Model #3345DN | NO BID | \$16,600.00 | NO BID |
| Pocket Trousers - Model #3625 | NO BID | \$16,800.00 | NO BID |
| Cargo Trousers - Model #3775 | NO BID | \$22,800.00 | NO BID |
| TOTAL | \$74,528.23 | \$65,247.50 | \$0.00 |
| TOTAL THREE YEAR SUM | \$217,135.73 | \$195,742.50 | |
| 10% Local Business | \$19,574.25 | 0 | |
| TOTAL | \$197,561.48 | \$195,742.50 | |

RESOLUTION NO. _____

WHEREAS, the Housing and Redevelopment Assistance (HRA) Program supports local initiatives that promote the growth and stability of neighborhoods and communities; and

WHEREAS, the City of Reading has identified the acquisition and redevelopment of a certain area situate in the vicinity of Second and Washington Streets, Reading, Berks County, Pennsylvania, and known as the “Goggle Works Apartments” project, as eligible for such HRA assistance; and

WHEREAS, the “Goggle Works Apartments” project of Goggle Works Apartments, LLC, a subsidiary of Our City Reading, Inc., will provide employment opportunities, promote economic development in the City of Reading and have a regional, multi-jurisdictional impact therein.

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

That the Mayor of the City of Reading is authorized to file an application for HRA funds/grant in the amount of \$300,000 dollars for the “Goggle Works Apartments” project and to execute any and all necessary documents and to carry out all procedures as required by the Commonwealth of Pennsylvania and/or the Department of Community and Economic Development (DCED).

Adopted by Council _____, 2011

President of Council

Attest:

City Clerk

Bill NO. _____ - 2011

AN ORDINANCE AMENDING THE CITY OF READING CODIFIED ORDINANCES CHAPTER 1 ADMINISTRATION, PART 5 BOARDS DEPARTMENTS COMMISSIONS COMMITTEES AND COUNCILS, SECTION E CITIZENS ADVISORY BOARD (CAB) TO INCREASE THE NUMBER OF MEMBERS FROM 15 TO 21

NOW, THEREFORE, THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Amending the City of Reading Codified Ordinances Chapter 1 Administration, Part 5 Boards, Departments, Commissions Committees and Councils, Section E Citizens Advisory Board (CAB) as follows:

The CAB shall consist of ~~15~~ *twenty-one (21)* voting members all of whom shall be residents of the City.

A quorum of no less than ~~eight~~ *eleven (11)* members shall be necessary to make any formal recommendations to the Mayor and Council.

SECTION 2. All other parts of the Ordinance remain unchanged.

SECTION 3. This Ordinance shall be effective in ten (10) days, in accordance with Charter Section 219.

Adopted _____, 2011

Council President

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

E. Citizens Advisory Board (CAB).

§1-551. Creation and Name.

Council hereby establishes and creates a Citizens Advisory Board to be known and referred to herein as the CAB.

§1-552. Purpose and Functions.

1. The purpose of the CAB is to advise the Mayor and Council on City-wide policies and plans as they relate to the community development and overall economic development programs as well as assisting in an advisory capacity with any other community issues or programs which the Mayor and Council deem citizen participation necessary and beneficial.
2. The CAB shall formally replace the Mayor's Policy Advisory Board established by Res. 79-1974 in conjunction with the Reading Model Cities Program.

§1-553. Membership.

1. The CAB shall consist of ~~15~~ **twenty-one (21)** voting members all of whom shall be residents of the City.
2. The Board shall maintain a broad-based representation reflecting the overall population of the City.
3. All Board members shall be appointed to the committee by the Mayor and Council with consideration being given to nominees recommended by the overall Board membership. Final responsibility of dismissing Board members shall lie with Council in accordance with subsection (8) hereof.
4. The term of each member shall be for a period of 3 years excepting those staggered terms hereinafter provided at the inception of the Advisory Board.
5. Each member shall continue to serve until a successor is duly appointed or until some other formal action is taken by Council.
6. Members may be reappointed upon expiration of their terms.
7. A quorum of no less than ~~eight~~ **eleven (11)** members shall be necessary to make any formal recommendations to the Mayor and Council.

8. Any member absent from three consecutive regularly scheduled meetings shall be recommended to Council for formal dismissal.

§1-554. Meetings.

All CAB meetings shall adhere to State regulations as defined in the Act of June 3, 1986, P.L. 388, No. 84, known as the "Sunshine Act," 53 P.S. §271 et seq.

§1-555. Organizational Procedures.

1. The CAB shall hold annual elections to select Board officers including a President, Vice President and Secretary.
2. Parliamentary procedures shall be governed by Robert's Rules of Order.
3. The CAB may adopt organizational by-laws consistent with the provisions detailed in this Part.

BILL NO. _____-2011

A N O R D I N A N C E

**AMENDING THE QUALITY OF LIFE VIOLATION TICKET PROCESS BY AMENDING
CHAPTER 5 – CODE ENFORCMENT OF
THE CITY OF READING CODIFIED ORDINANCES
BY PART 14 SECTION 111 APPEAL**

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1: Chapter 5 – Code Enforcement of the City of Reading Codified Ordinances Part 14 Quality of Life Ticket Section 111 Appeal is hereby amended as follows:

§14-111 APPEAL – A person in receipt of a violation ticket may appeal to the **Property Maintenance Division** ~~Property Maintenance / Codes Administrator~~ by filing a request in writing within fifteen (15) calendar days of date of the violation ticket.

In order for an appeal to be deemed valid and a hearing date/time to be set, the following must be performed by the alleged violator requesting the appeal within fifteen (15) calendar days

1. All paperwork, including the appropriate appeal form, for the appeal must be submitted and complete within fifteen (15) calendar days that the Quality of Life Ticket was issued.
2. Payment of the fine must be in full which will be refunded within thirty (30) calendar days should the alleged violator win their appeal.

The appeal hearing will be before the **Manager/Administrator of the Property Maintenance Division or the Director of the Dept of Community Development or their designee** ~~Property Maintenance/Codes Administrator or his/her designee~~. The **Manager/Administrator of the Property Maintenance Division** ~~Administrator or his/her designee~~ **or the Director of the Dept of Community Development or their designee** ~~Administrator or his/her designee~~ may uphold the appeal, deny the appeal, or may modify the violation ticket and/or any associated costs, fines or penalty amounts as s/he sees appropriate.

SECTION 2. All relevant ordinances, regulations and policies of the City of Reading, Pennsylvania not amended per the attached shall remain in full force and effect.

SECTION 3: If any section, subsection, sentence or clause of this ordinance is held, for any reason, to be invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.

SECTION 4: This Ordinance shall become effective in ten (10) days, in accordance with Charter Section 219.

Enacted _____, 2011

Council President

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

BILL NO. _____-2011
A N O R D I N A N C E

IN ACCORDANCE WITH THE CITY OF READING HOME RULE CHARTER SECTION 210 - INVESTIGATIONS, CITY COUNCIL AUTHORIZES AN INVESTIGATION, AUDIT, AND STUDY OF THE UNAUTHORIZED USE OF SEWER FUNDS BY THE CITY ADMINISTRATION.

THE CITY OF READING CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

Section 1. In accordance the City of Reading Home Rule Charter Section 210 – Investigations, City Council hereby authorizes an investigation as follows:

1. That an independent investigation of the City of Reading Mayor’s Office, Managing Director’s office, the Finance Department, and all other city and non-city entities or persons who may have used, or collaborated on the use, of the City of Reading sewer funds, the planning on the use of those funds, and the longer term strategies regarding explanation and/or payment options to the City of Reading residents and City Council. The scope should include but not be limited to determining the following:
 - a. Who(m) ultimately directed the use of the sewer funds outside of the governing laws of the City of Reading?
 - b. Who(m) decided and collaborated not to include City Council in the financial decision making process?
 - c. What criteria were used to determine the funds should be taken?
 - d. What budget amendments were suggested to address the related financial concerns?
 - e. Why no efforts were made to meet with City Council to discuss more appropriate actions?
 - f. What entities or organizations (internal and external) were utilized for guidance in the decisions?
 - g. What controls existed in the spending of those dollars?
 - h. What analysis was done to identify the original revenue weaknesses?
 - i. Who, if anyone, provided any legal guidance to those involved?

- j. What financial trail exists to determine the dollars were appropriately spent?
 - k. Was there in any way a deliberate and conspiring effort to not inform City Council of the actions that were being taken?
 - l. What was the complete financial impact/exposure to the City of Reading due to loss revenue, lack of budget adjustments, legal and financial costs, interest payments on replacement costs, and any and all other related costs to this matter.*
 - m. What, if any, actions could be taken to remedy any losses, liabilities and costs that were a result of any inappropriate, illegal, or malfeasant behavior(s) that may be determined.*
 - n. What systemic changes could be taken to assure the general public any inappropriate, illegal, or malfeasant behaviors that may be found could be implemented.*
2. That City Council agrees to retain an independent individual and/or investigative organization to conduct the investigation of the use of the City of Reading sewer funds and to determine any and all City of Reading Charter violations or violations of law.
 3. That all powers provided by Section 210 of the City of Reading Home Rule Charter be utilized as necessary to obtain a sufficient investigation.
 4. That all City of Reading employees cooperate with the investigation.

SECTION 2: Also in accordance with the City of Reading Home Rule Charter Section 210 – Investigations, City Council authorizes the expenditure of City funds to undertake the investigation of the use of Sewer Funds as set forth herein.

SECTION 3: This Ordinance shall become effective in ten (10) days, in accordance with Charter Section 219.

Enacted _____, 2011

President of Council

Attest:

City Clerk

(Members of Council)

B I L L N O._____

A N O R D I N A N C E

AN ORDINANCE OF THE CITY OF READING SETTING FORTH THE SALARY OF THE MANAGING DIRECTOR.

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

SECTION 1. The salary of the Managing Director shall be NINETY-FIVE THOUSAND FIVE HUNDRED FIFTY DOLLARS (\$95,550.00) per annum, payable in equal bi-monthly installments, or as otherwise provided for by ordinance.

SECTION 2. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION 3. This Ordinance shall become effective ten (10) days after its adoption in accordance with Sections 219 & 221 of the City of Reading Home Rule Charter.

Enacted by Council_____, 201__

President of Council

Attest:

City Clerk

AN ORDINANCE

REVISING, PERMANENTLY, THE TRAFFIC PATTERN AND REGULATIONS OF THE CITY OF READING TO RESTRICT DIRECTION OF TRAVEL FOR TRAFFIC ON KLEIN AVENUE TO ONE-WAY TRAVEL, EASTBOUND, FROM/ BETWEEN 17TH STREET TO/AND 18TH STREET

WHEREAS, City of Reading Codified Ordinance Section 15-102 requires all permanent traffic regulations occur by Ordinance;

WHEREAS, Klein Avenue located between 17th Street and 18th Street presently permits traffic to travel two ways, Eastbound and westbound;

WHEREAS, the Department of Public Works of the City of Reading has recommended that direction of traffic on Klein Avenue between 17th Street and 18th Street be restricted to one-way, Eastbound; and

WHEREAS, the Department of Public Works of the City of Reading makes the aforesaid recommendation to restrict travel of traffic on Klein Avenue from / between 17th Street to/and 18th Street in the City of Reading.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The direction of travel of traffic on Klein Avenue from / between 17th Street to/and 18th Street is hereby restricted to one way, Eastbound, direction of travel. Travel of traffic on Klein Avenue from / between 17th Street to/and 18th Street shall permanently be altered to restrict travel of traffic to Eastbound. Said alteration shall restrict travel of traffic to Eastbound on Klein Avenue in its entirety between 17th Street and 18th Street. The City of Reading traffic regulations are hereby changed to restrict travel of traffic on Klein Avenue from / between 17th Street to/and 18th Street to one-way Eastbound only in the City of Reading.

SECTION 2. The Department of Public Works and the City of Reading Engineer or his designee is hereby authorized and directed to take such further steps as may be necessary to carry out the provisions of this Ordinance including but not limited to preparing plans for said alteration of traffic pattern on Klein Avenue from / between 17th Street to/and 18th Street, applying to and obtaining approval from the Commonwealth of Pennsylvania Department of Transportation, if necessary, and installation of appropriate signage change. The Department of Public Works and the City of Reading Engineer or his designee is hereby further authorized and directed to make any signs, signals, etc. changes as may be necessary and as approved by the Commonwealth of Pennsylvania Department of Transportation, as may be necessary, to restrict the direction of travel on

Klein Avenue from / between 17th Street to/and 18th Street in the City of Reading to one-way, Eastbound.

SECTION 3. All Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

SECTION 4. This Ordinance will become effective in ten (10) days, in accordance with Charter Section 219.

Enacted _____, 2011

President of Council

Attest:

City Clerk

Submitted to Mayor: _____
Date: _____

Received by the Mayor's Office: _____
Date: _____

Approved by Mayor: _____
Date: _____

Vetoed by Mayor: _____
Date: _____

BILL NO. _____-2011

A N O R D I N A N C E

**ADOPTING PROVISIONS SET FORTH IN PENNSYLVANIA STATUTES
21 P.S. SECT. 611 TO AND INCLUDING 21 P.S. SECT. 615**

WHEREAS, the City of Reading recognizes that many city property owners are using such properties in violation of city zoning and other ordinances; and

WHEREAS, the City of Reading recognizes that many purchasers of city properties are unaware of illegal uses and/or other violations until they have entered into agreements of sale or have consummated the purchases; and

WHEREAS, City of Reading finds that Pennsylvania Statutes 21 P.S. Sect. 611 to and including 21 P.S. Sect. 615 provide certain requirements to address the illegal use of city property as well as provide penalties for violations thereof.

**NOW, THEREFORE THE COUNCIL OF THE CITY OF READING HEREBY
ORDAINS AS FOLLOWS:**

SECTION 1. That the City of Reading hereby adopts the provisions set forth in Pennsylvania Statutes 21 P.S. Sect. 611 to and including 21 P.S. Sect. 615 (attached hereto).

SECTION 2. This Ordinance shall be effective ten (10) days after passage and approval by the Mayor or as set forth in City of Reading Home Rule Charter Section 221.

Enacted _____, 2011

President of Council

Attest:

City Clerk

21 P.S. § 611

PENNSYLVANIA STATUTES, ANNOTATED BY LEXISNEXIS(R)

* THIS DOCUMENT IS CURRENT THROUGH ACT 17 OF THE 2010 LEGISLATIVE
SESSION *

*** APRIL 30, 2010 ANNOTATION SERVICE ***

PENNSYLVANIA STATUTES
TITLE 21. DEEDS AND MORTGAGES
CHAPTER 1. DEEDS AND GENERAL PROVISIONS
USE REGISTRATION PERMITS

21 P.S. § 611 (2010)

§ 611. Legislative findings

(a) The General Assembly finds that in municipalities throughout the Commonwealth many owners of properties are using such properties in violation of the **zoning** ordinances and regulations of such municipalities, and are maintaining such properties in violation of housing, building, safety, and fire ordinances and regulations, and are offering such properties for **sale** without revealing such illegal use or the receipt of notice of the existence of housing, building, safety and fire violations. Many innocent purchasers of such properties are not aware of the illegal use or the existence of the nature of violations until they have entered into agreements of **sale** or have consummated the purchase.

(b) In order to prevent undue hardships and losses imposed on such innocent purchasers by owners who have failed to reveal the illegal use of the property being conveyed or who have made misrepresentations in that regard, the General Assembly finds and declares that in cities of the first class, cities of the second class and in cities of the second class A, cities of the third class, boroughs, towns, townships of the first class and townships of the second class adopting the provisions of this act, all sellers of property shall be required to advise the purchaser of the legal use of such property, and to deliver to the purchaser not later than at the settlement held for such property a use registration permit showing the legal use and **zoning** classification for such property.

(c) In order to prevent undue hardship and losses imposed on an innocent purchaser by an owner who has failed to disclose to a prospective purchaser of property that a notice has been received that such property is in violation of housing, building, safety or fire ordinances or regulations, the General Assembly finds and declares that all sellers of property shall be required to advise purchasers of any notice received by the owners of any violation of any housing, building, safety or fire ordinance or regulation with respect to the property to be sold.

(d) The provisions of this act may apply to cities of the second class A, cities of the

third class, boroughs, towns, townships of the first class and townships of the second class only if the governing bodies of such municipalities so elect.

21 P.S. § 612

PENNSYLVANIA STATUTES, ANNOTATED BY LEXISNEXIS(R)

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21 P.S. § 612 (2010)

§ 612. Definitions

(a) "OWNER" means any person, co-partnership, association, corporation or fiduciary having legal, or equitable title, or any interest in any real property. Whenever used in any clause, prescribing or imposing a penalty, the term owner, as applied to co-partnerships and associations, shall mean the partners, or members thereof, and as applied to corporations, the officers thereof.

(b) "PROPERTY" means any building or structure situate in any city of the first class or situate in any city of the second class, or situate in any other municipality eligible and electing to adopt the provisions of this act, except buildings or structures used, designed or intended to be used, exclusively, for single family or two-family occupancy, churches or other places of religious worship, except that for the purpose of certification or statements regarding notices of housing, building, safety or fire violations, the word "property" shall include all buildings or structures.

(c) "AGREEMENT OF SALE" means any agreement, or written instrument, which provides that title to any property shall thereafter be transferred from one owner to another owner, and shall include inter alia written leases which contain options to purchase the leased property, and leases which provide that the lessee of the property shall acquire title thereto after the payment of a stipulated number of regular rent payments or after a stipulated period of time.

21 P.S. § 613

PENNSYLVANIA STATUTES, ANNOTATED BY LEXISNEXIS(R)

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PENNSYLVANIA STATUTES
TITLE 21. DEEDS AND MORTGAGES
CHAPTER 1. DEEDS AND GENERAL PROVISIONS
USE REGISTRATION PERMITS

21 P.S. § 613 (2010)

§ 613. Certificates

(a) In any city of the first class, any city of the second class or in any city of the second class A, city of the third class, borough, town, township of the first class or township of the second class which has adopted the provisions of this act it shall be unlawful for any owner to sell his property, or any interest therein, unless the owner shall first deliver to the purchaser at or prior to the time for settlement a certification of the District classification, issued by the appropriate municipal officer indicating the zoning classification and the legality of the existing use of the property to be sold.

(b) It shall be unlawful for an owner to sell his property, or any interest therein, unless the owner shall first deliver to the purchaser at or prior to the time for settlement a certificate issued by the appropriate municipal official disclosing whether there exists any notice of an uncorrected violation of the housing, building, safety or fire ordinances.

21 P.S. § 613.1

PENNSYLVANIA STATUTES, ANNOTATED BY LEXISNEXIS(R)

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PENNSYLVANIA STATUTES
TITLE 21. DEEDS AND MORTGAGES
CHAPTER 1. DEEDS AND GENERAL PROVISIONS
USE REGISTRATION PERMITS

21 P.S. § 613.1 (2010)

§ 613.1. Agreements of sale

(a) Every owner shall insert in every agreement for the sale of property a provision showing the zoning classification of such property, and stating whether the present use of the property is in compliance with or in violation of zoning laws and ordinances, and every owner shall insert in every agreement for the sale of property a provision disclosing whether there exists any notice of an uncorrected violation of the housing, building, safety or fire ordinances.

(b) If any owner fails to include any provision required by this act in an agreement for the sale of property, then in any action, at law or in equity, instituted by a purchaser against an owner, it shall be conclusively presumed that the owner at the time of the signing of such agreement, represented and warranted to the purchaser that such property was being used in compliance with the then existing zoning laws and ordinances, and that there was no uncorrected violation of the housing, building, safety or fire ordinances.

21 P.S. § 614

PENNSYLVANIA STATUTES, ANNOTATED BY LEXISNEXIS(R)

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CHAPTER 1. DEEDS AND GENERAL PROVISIONS
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21 P.S. § 614 (2010)

§ 614. Non-conforming uses

A certificate from the appropriate municipal officer certifying that the property has been approved or designated as a non-conforming use shall be deemed compliance with this act.

21 P.S. § 615

PENNSYLVANIA STATUTES, ANNOTATED BY LEXISNEXIS(R)

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*** APRIL 30, 2010 ANNOTATION SERVICE ***

PENNSYLVANIA STATUTES
TITLE 21. DEEDS AND MORTGAGES
CHAPTER 1. DEEDS AND GENERAL PROVISIONS
USE REGISTRATION PERMITS

21 P.S. § 615 (2010)

§ 615. Penalties

Any owner who violates the provisions of section 3 of this act shall be guilty of a

misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine of not more than one thousand dollars, or undergo imprisonment for not more than one year, or both.

CITY OF READING
COUNTY OF BERKS
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. _____
ENACTED: _____, 2011

AN ORDINANCE OF THE COUNCIL OF THE CITY OF READING, BERKS COUNTY, PENNSYLVANIA, SETTING FORTH ITS INTENT TO ISSUE A SERIES OF FEDERALLY-TAXABLE GENERAL OBLIGATION NOTES OF THE CITY IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED SIXTEEN MILLION DOLLARS (\$16,000,000) PURSUANT TO THE ACT OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, 53 PA.C.S. CHAPTERS 80-82, AS AMENDED, REENACTED AND SUPPLEMENTED, KNOWN AS THE LOCAL GOVERNMENT UNIT DEBT ACT (THE "ACT"); FINDING THAT A PRIVATE SALE BY NEGOTIATION IS IN THE BEST FINANCIAL INTERESTS OF THE CITY; DETERMINING THAT SUCH NOTES SHALL EVIDENCE NONELECTORAL DEBT OF THE CITY; SPECIFYING THAT SUCH INDEBTEDNESS IS TO BE INCURRED TO PROVIDE FUNDS FOR CERTAIN PROJECTS OF THE CITY WHICH INCLUDE THE FOLLOWING: (1) THE CURRENT REFUNDING OF THE CITY'S OUTSTANDING FEDERALLY-TAXABLE GENERAL OBLIGATION VARIABLE RATE DEMAND BONDS, SERIES E OF 2008; AND (2) PAYING THE COSTS AND EXPENSES OF ISSUANCE OF THE NOTES; SETTING FORTH THE REASONABLE ESTIMATED USEFUL LIVES OF THE CAPITAL PROJECTS THAT ARE TO BE REFINANCED BY THE NOTES; ACCEPTING A PROPOSAL FOR THE PURCHASE OF SUCH NOTES AT PRIVATE SALE BY NEGOTIATION; PROVIDING THAT SUCH NOTES, WHEN ISSUED, SHALL CONSTITUTE A GENERAL OBLIGATION OF THE CITY; FIXING THE DENOMINATIONS, DATED DATE, INTEREST PAYMENT DATES, MATURITY DATES, INTEREST RATES, REDEMPTION PROVISIONS, MANDATORY REDEMPTION PROVISIONS (IF APPLICABLE) AND PLACE OF PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SUCH NOTES; AUTHORIZING SPECIFIED OFFICERS OF THE CITY TO CONTRACT WITH THE PAYING AGENT FOR ITS SERVICES IN CONNECTION WITH THE NOTES; SETTING FORTH THE SUBSTANTIAL FORM OF THE NOTES EVIDENCING THE DEBT; AUTHORIZING EXECUTION AND ATTESTATION OF SUCH NOTES; PROVIDING COVENANTS RELATED TO DEBT SERVICE APPLICABLE TO SUCH NOTES TO THE EXTENT REQUIRED BY THE ACT AND PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE CITY IN SUPPORT THEREOF; CREATING A SINKING FUND IN CONNECTION WITH SUCH NOTES, TO THE EXTENT REQUIRED BY THE ACT; DESIGNATING THE PAYING AGENT TO BE THE SINKING FUND DEPOSITARY; PROVIDING A COVENANT TO INSURE PROMPT AND FULL PAYMENT FOR SUCH NOTES WHEN DUE; SETTING FORTH REGISTRATION AND TRANSFER PROVISIONS WITH RESPECT TO SUCH NOTES; AUTHORIZING THE EXECUTION OF ONE OR MORE INVESTMENT AGREEMENTS BY SPECIFIED OFFICERS OF THE CITY

(IF APPLICABLE) AND THE PURCHASE OF CERTAIN U.S. TREASURY OBLIGATIONS OR ANY OTHER SECURITIES OR INVESTMENTS IN CONNECTION WITH THE PROJECT; AUTHORIZING AND DIRECTING SPECIFIED OFFICERS OF THE CITY TO DO, TO TAKE AND TO PERFORM CERTAIN SPECIFIED, REQUIRED, NECESSARY OR APPROPRIATE ACTS TO EFFECT THE ISSUANCE OF THE NOTES, INCLUDING, WITHOUT LIMITATION, THE PREPARATION OF A DEBT STATEMENT AND BORROWING BASE CERTIFICATE, AND THE FILING OF SPECIFIED DOCUMENTS WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, ALL AS REQUIRED BY THE ACT; DECLARING THAT THE DEBT TO BE EVIDENCED BY SUCH NOTES, TOGETHER WITH ALL OTHER INDEBTEDNESS OF THE CITY, WILL NOT BE IN EXCESS OF ANY APPLICABLE LIMITATION IMPOSED BY THE ACT; AUTHORIZING PROPER OFFICERS OF THE CITY TO DELIVER THE NOTES UPON THE APPROVAL OF THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT; AUTHORIZING THE PURCHASE OF BOND INSURANCE (IF APPLICABLE); SETTING FORTH THE PROVISIONS, IF ANY, REQUIRED TO BE INCLUDED BY THE BOND INSURER; AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE CERTIFICATE AND COVENANTING TO COMPLY WITH THE PROVISIONS THEREOF; PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE; PROVIDING FOR SEVERABILITY OF PROVISIONS; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INsofar AS THE SAME SHALL BE INCONSISTENT HERewith.

WHEREAS, the City of Reading, Berks County, Pennsylvania (the “City”), was incorporated under the laws of the Commonwealth of Pennsylvania; and

WHEREAS, the City, in contemplation of the issuance and sale its Federally-Taxable General Obligation Notes in an aggregate principal amount not to exceed Sixteen Million Dollars (\$16,000,000), to provide funds for and towards certain projects of the City, has determined that the Notes (hereinafter defined) shall be offered for sale at a private sale by negotiation pursuant to the provisions of the Local Government Unit Debt Act of the Commonwealth, as re-enacted and amended (the “Act”) and has determined that a private sale by negotiation is in the best financial interests of the City; and

WHEREAS, the Council of the City of Reading (the “Council”) has determined that such Notes will be designated generally as “City of Reading, Berks County, Pennsylvania, Federally-Taxable General Obligation Notes, Series of 2011” (the “Notes”) or such other name or designation as shall be selected by the Mayor of the City upon delivery of the Notes in accordance with Section 7 hereof; and

WHEREAS, the Notes shall be issued in the aggregate principal amount not to exceed Sixteen Million Dollars (\$16,000,000); and

WHEREAS, the Council has determined to accept the proposal of Wells Fargo Bank, National Association (the “Purchaser”), for the purchase of the Notes, such sale to be conditioned upon, among other things, the receipt of approval from the Department of

Community and Economic Development of the Commonwealth (the “Department”) relating to the issuance of the indebtedness to be evidenced by the Notes; and

WHEREAS, the City has heretofore issued its Federally-Taxable General Obligation Variable Rate Demand Bonds, Series E of 2008 in the original principal amount of \$13,175,000 (the “2008 Bonds”); and

WHEREAS, the City desires to authorize the refunding of the 2008 Bonds for the purpose of substituting bonds for notes; and

WHEREAS, the Notes which are being issued to refund the 2008 Bonds will not be outstanding through a maturity date that could not have been included in the issue of the 2008 Bonds; and

WHEREAS, the Council has determined to and desires to accept the proposal of the Purchaser and to incur nonelectoral debt in the aggregate principal amount not to exceed Sixteen Million Dollars (\$16,000,000) to be issued from time to time to fund certain projects (hereinafter described) of the City pursuant to the provisions of the Act.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF READING, BERKS COUNTY, PENNSYLVANIA HEREBY ORDAINS AS FOLLOWS:

Pursuant to the provisions of this Ordinance, the Council hereby authorizes and directs the issuance of a series of Notes in the aggregate principal amount not to exceed Sixteen Million Dollars (\$16,000,000) to be designated generally as “City of Reading, Berks County, Pennsylvania, Federally-Taxable General Obligation Notes, Series of 2011” or such other name or designation as shall be selected by the Mayor of the City upon delivery of the Notes in accordance with the requirements of Section 7 hereof. The Notes shall be issued and sold in accordance with the provisions of the Act by private sale by negotiation. In connection therewith, the Council hereby finds and determines that a private sale by negotiation is in the best financial interests of the City.

The Council determines that the debt to be incurred pursuant to this Ordinance, and which will be evidenced by the Notes, shall be nonelectoral debt of the City.

A brief description of the project (the “Project”) to be funded with, among other things, the proceeds of the Notes to be issued from time to time pursuant to this Ordinance is as follows: (1) the current refunding of the 2008 Bonds; and (2) paying the costs and expenses of issuance of the Notes.

The remaining realistic estimated useful lives of the capital projects originally financed by the 2008 Bonds and to be refinanced by the Notes are at least 20 years.

Stated installments or maturities of principal of the issue of Notes will not be deferred beyond the later of one year after the estimated date for the completion of the construction portion of the Project, if any, or two years from the date of issue of the Notes.

The City hereby finds and certifies that realistic cost estimates have been obtained for the costs of the Project from financial analysts, registered architects, professional engineers or other persons qualified by experience to provide such estimates.

In connection with the issuance and sale of the Notes, the Council, as required by the provisions of the Act, hereby finds, determines and states (a) that the purpose of the refunding of the 2008 Bonds is to substitute bonds for notes; and (b) that the refunding of the 2008 Bonds is authorized and permitted under and pursuant to the provisions of Section 8241 of the Act. The Council further finds and determines that the final maturity date of the Notes issued to effect the refunding of the 2008 Bonds does not extend to a date that could not have been included in the 2008 Bond issue.

The Council of the City hereby authorizes and directs its proper officers, agents and employees to execute all documents and take all actions necessary in connection with accomplishing the refunding of the 2008 Bonds, including, but not limited to providing notice to the Paying Agent for the 2008 Bonds, and to call the 2008 Bonds for optional redemption in full on the first date the 2008 Bonds are eligible to be called for optional redemption. In accordance with Section 8246 of the Act, it is the intent of the Council that the 2008 Bonds shall no longer be outstanding from and after the date of the issuance of the Notes.

Subject to the approval of the Department, as required by the provisions of the Act, the Council shall and does hereby accept the proposal of the Purchaser, for the purchase of the Notes in accordance with the terms and conditions of this Ordinance and the Purchaser's proposal, dated _____, 2011 (the "Proposal"). The sale of the Notes shall be for an aggregate purchase price of not less than 97.0% nor more than 105.0% of the par amount of the Notes issued by the City, exclusive of any original issue discount and any original issue premium, plus accrued interest, if any, from the date of the Notes to the date of delivery thereof. The Mayor is hereby authorized and directed to accept and to execute the Proposal in the name and on behalf of the City, and the City Clerk is hereby authorized and directed to attest to such acceptance and execution. A copy of the Proposal, as presented to the Council and accepted by this Ordinance, is incorporated herein by reference and shall be attached to this Ordinance and maintained with the minutes of this meeting. The bid security, if any, accompanying the Proposal shall be held and shall be applied as provided by the Act; provided, however, that no allowance for interest shall be made by the City with respect to such bid security, except as provided by the Act.

Upon final pricing of the Notes, the Purchaser will present to the City an Addendum to the Proposal setting forth the final terms and conditions for the Notes, including the final principal amount, interest rates, redemption provisions and purchase price for the Notes (the "Addendum"). As long as the terms and conditions set forth in the Addendum satisfy the parameters set forth in this Ordinance, the Mayor is hereby authorized and directed to accept and to execute the Addendum in the name and on behalf of the City.

The Notes, when issued, will be a general obligation of the City.

The Notes shall be fully registered, without coupons, in denominations of \$5,000 or any integral multiple thereof, in substantially the form hereinafter set forth in Section 10. The Notes shall be dated as set forth in the definitive Notes as delivered to the Purchaser in

accordance with the provisions hereof, and shall bear interest from that date at the applicable rates per annum as set forth in Section 8, payable in accordance with the provisions of the Notes and this Ordinance, semiannually on May 1 and November 1 (each an "Interest Payment Date") in each year, commencing with the May 1 or November 1 following the delivery of the Notes, until maturity or prior redemption.

The Notes shall bear interest at rates not to exceed the maximum rates of interest and shall mature, whether by maturity or mandatory sinking fund redemption on the dates and in the amounts not to exceed the maximum amounts as set forth on Exhibit A attached hereto.

The Notes shall be subject to optional and mandatory sinking fund redemption as set forth in the definitive Notes as delivered to the Purchaser in accordance with the provisions hereof.

In lieu of such mandatory redemption, the Paying Agent, on behalf of the City, may purchase, from money in the Sinking Fund, or the City may tender to the Paying Agent, all or part of the Notes subject to mandatory redemption in any such year.

If a Note is of a denomination larger than \$5,000, a portion of such Note may be redeemed. For the purposes of redemption, such Note shall be treated as representing that number of Notes which is obtained by dividing the principal amount thereof by \$5,000, each \$5,000 portion of such Note being subject to redemption. In the event of a partial redemption of a Note, payment of the redemption price shall be made only upon surrender of such Note in exchange for Notes of authorized denominations in an aggregate principal amount equal to the unredeemed portion of the principal amount thereof.

Any redemption of Notes shall be upon notice effected by mailing a copy of the redemption notice by first-class mail, postage prepaid, such notice to be sent not less than thirty (30) days nor more than sixty (60) days prior to the date fixed for redemption, addressed to the registered owners of Notes to be redeemed at their addresses shown on the registration books kept by the Paying Agent (hereinafter defined) as of the date the Notes are selected for redemption; provided, however, that failure to give such notice by mailing, or any defect therein or in the mailing thereof, shall not affect the validity of any proceeding for redemption of other Notes called for redemption as to which proper notice has been given.

If at the time of mailing of the notice of redemption the City shall not have deposited with the Paying Agent moneys sufficient to redeem all the Notes called for redemption, such notice may state that it is conditional, that is, subject to the deposit of the redemption moneys with the Paying Agent no later than the opening of business on the redemption date, and such notice shall be of no effect unless such moneys are so deposited.

On the date designated for redemption, notice having been provided as aforesaid, and money for payment of the principal and accrued interest being held by such Paying Agent, interest on the Notes or portions thereof so called for redemption shall cease to accrue and such Notes or portions thereof shall cease to be entitled to any benefit or security under this Ordinance, and registered owners of such Notes shall have no rights with respect to such Notes,

except to receive payment of the principal of and accrued interest on such Notes to the date fixed for redemption.

If the redemption date for any Notes shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the Commonwealth are authorized by law or by executive order to remain closed, then the payment of such principal and interest upon such redemption need not be made on such date, but may be made on the next succeeding day which is not a Saturday, Sunday, legal holiday or day on which such banking institutions are authorized to remain closed, with the same force and effect as if made on the nominal date of redemption, and no interest shall accrue after such date.

The proper officers of the City are hereby authorized, empowered and directed to contract with a bank or bank and trust company authorized to do business in the Commonwealth of Pennsylvania and who has an office in the Commonwealth of Pennsylvania (the "Paying Agent"), for its services as paying agent and sinking fund depository in accordance with the terms and conditions of the Proposal, this Ordinance and the Act. Payment of the principal of and interest on the Notes shall be made, when due, in accordance with the provisions of the Notes, at the corporate trust office of the Paying Agent in lawful money of the United States of America.

The Notes shall be in substantially the form set forth in Exhibit "B". The form of the Notes as submitted to the City is hereby approved in substantially such form, with such changes, insertions and variations as are necessary or appropriate to reflect the final terms, including, but not limited to, the name or designation and the final redemption provisions, of the Notes as specified to the City in the delivery instructions of the Purchaser and such other changes as the Mayor may approve upon advice of counsel to the City, such approval to be evidenced by such officer's execution and delivery of the Notes.

The Notes shall be executed in the name and on behalf of the City by the true or facsimile signature of the Mayor of the City and the true or facsimile official seal of the City shall be affixed thereunto, duly attested by the true or facsimile signature of the City Clerk. Said officers are authorized and directed to execute and attest the Notes. The execution and delivery of the Notes shall constitute conclusive proof of the approval of the final terms and provisions of the Notes by the City.

No Note constituting one of the Notes shall be entitled to any benefit under this Ordinance nor shall it be valid, obligatory or enforceable for any purpose until such Note shall have been registered and authenticated by the Certificate of Authentication endorsed thereon duly signed by the Paying Agent; and the Paying Agent is authorized to register and authenticate the Notes in accordance with the provisions hereof.

The Notes shall initially be issued in the form of one fully-registered Note for the aggregate principal amount of the Notes of each maturity, which Notes shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC"). The Notes issued in the name of Cede & Co. in accordance with the provisions of this Section may be issued in typewritten form satisfactory to DTC. Except as provided below all of the Notes shall be registered in the registration books kept by the Paying Agent in the name of Cede & Co., as

nominee of DTC; provided that if DTC shall request that the Notes be registered in the name of a different nominee, the Paying Agent shall exchange all or any portion of the Notes for an equal aggregate principal amount of Notes registered in the name of such nominee or nominees of DTC. No person other than DTC or its nominee shall be entitled to receive from the City or the Paying Agent either a Note or any other evidence of ownership of the Notes, or any right to receive any payment in respect thereof unless DTC or its nominee shall transfer record ownership of all or any portion of the Notes on the registration books maintained by the Paying Agent, in connection with discontinuing the book-entry system as below or otherwise.

So long as the Notes or any portion thereof are registered in the name of DTC or any nominee thereof, all payments of the principal or redemption price, if any, of or interest on such Notes shall be made to DTC or its nominee. Each such payment to DTC or its nominee shall be valid and effective to fully discharge all liability of the City or the Paying Agent with respect to the principal or redemption price of or interest on the Notes to the extent of the sum or sums so paid.

The City and the Paying Agent shall treat DTC (or its nominee) as the sole and exclusive registered owner of the Notes registered in its name for the purposes of payment of the principal or redemption price of or interest on the Notes, selecting the Notes or portions thereof to be redeemed, giving any notice permitted or required to be given to registered owners of the Notes, registering the transfer of the Notes, obtaining any consent or other action to be taken by registered owners of the Notes and for all other purposes whatsoever; and neither the City nor the Paying Agent shall be affected by any notice to the contrary. Neither the City nor the Paying Agent shall have any responsibility or obligation to any participant in DTC, any person claiming a beneficial ownership interest in the Notes under or through DTC or any such participant, or any other person which is not shown on the registration books of the Paying Agent as being a registered owner, with respect to: (1) the Notes; (2) the accuracy of any records maintained by DTC or any such participant; (3) the payment by DTC or any such participant of any amount in respect of the principal or redemption price of or interest on the Notes; (4) any notice which is permitted or required to be given to registered owners of the Notes; (5) the selection by DTC or any such participant of any person to receive payment in the event of a partial redemption of the Notes; or (6) any consent given or other action taken by DTC as the registered owner of the Notes.

So long as the Notes or any portion thereof are registered in the name of DTC or any nominee thereof, all notices required or permitted to be given to the registered owners of the Notes under this Ordinance shall be given to DTC.

In connection with any notice or other communication to be provided to registered owners of the Notes pursuant to this Ordinance by the City or the Paying Agent with respect to any consent or other action to be taken by registered owners of the Notes, DTC shall consider the date of receipt of notice requesting such consent or other action as the record date for such consent or other action, provided that the City or the Paying Agent may establish a special record date for such consent or other action. The City or the Paying Agent shall give DTC notice of such special record date not less than 10 calendar days in advance of such special record date to the extent possible.

The book-entry system for registration of the ownership of the Notes may be discontinued at any time if: (1) after notice to the City and the Paying Agent, DTC determines to resign as securities depository for the Notes; (2) after notice to DTC and the Paying Agent, the City determines that continuation of the system of book-entry transfers through DTC (or through a successor securities depository) is not in the best interests of the City or the beneficial owners of the Notes. In any such event, unless the City appoints a successor securities depository, the Notes shall be delivered in registered certificate form to such persons, and in such maturities and principal amounts, as may be designated in writing by DTC, but without any liability on the part of the City or the Paying Agent for the accuracy of such designation. Whenever DTC requests the City and the Paying Agent to do so, the City and the Paying Agent shall cooperate with DTC in taking appropriate action after reasonable written notice to arrange for another securities depository to maintain custody of certificates evidencing the Notes.

The City covenants to and with the registered owners from time to time of the Notes that the City (i) shall include in its budget in each fiscal year the amount of the debt service for each fiscal year of the City in which such sums are payable, (ii) shall appropriate from its general revenues in each such fiscal year the amount required to pay debt service on the Notes for such year, and (iii) shall duly and punctually pay or cause to be paid from its sinking fund or any other of its revenues or funds the principal amount of the Notes and the interest due thereon at the dates and place and in the manner stated therein, according to the true intent and meaning thereof. For such budgeting, appropriation and payment, the City shall and does pledge, irrevocably, its full faith, credit and taxing power. As provided in Section 8104 of the Act, the foregoing covenant of the City shall be enforceable specifically.

The City hereby covenants to create and there is hereby created, pursuant to Section 8221 of the Act, a sinking fund for the Notes, to be known as “Sinking Fund - City of Reading, Berks County, Pennsylvania, Federally-Taxable General Obligation Notes, Series of 2011” (the “Sinking Fund”) or such other name or designation as selected by the proper officers of the City from time to time shall be established with the Paying Agent and administered in accordance with applicable provisions of the Act and this Ordinance.

The Paying Agent shall be the “sinking fund depository” with respect to the Sinking Fund created pursuant to Section 13. The City covenants and agrees to deposit in the Sinking Fund, on or before each Interest Payment Date, an amount which shall be sufficient to permit the Paying Agent to pay on such Interest Payment Date all principal and accrued interest becoming due with respect to the Notes. After such deposit, the Paying Agent shall, without further authorization or direction from the City or any of its officials, upon proper and timely presentation, execution and surrender of the Notes, with respect to the payment of principal of the Notes, or at the Interest Payment Date, with respect to the payment of interest on the Notes, withdraw moneys from the Sinking Fund and apply such moneys to the prompt and full payment of such obligations in accordance with the terms thereof, the terms and conditions of this Ordinance and the provisions of the Act.

Each Note shall bear interest from the Interest Payment Date next preceding the date of registration and authentication of such Notes, unless (a) such Notes are registered and authenticated as of an Interest Payment Date, in which event such Notes shall bear interest from said Interest Payment Date; or (b) the Notes are registered and authenticated after a Record Date

(hereinafter defined) and before the next succeeding Interest Payment Date, in which event such Notes shall bear interest from such Interest Payment Date, or (c) the Notes are registered and authenticated on or prior to the Record Date preceding the first Interest Payment Date, in which event such Notes shall bear interest from the dated date thereof, or (d) as shown by the records of the Paying Agent, interest on such Notes shall be in default, in which event such Notes shall bear interest from the date on which interest was last paid on such Notes. Interest shall be paid semiannually on May 1 and November 1 of each year, commencing with the May 1 or November 1 following the delivery of the Notes, until the principal sum is paid. Interest on the Notes is payable by check drawn on the Paying Agent, which shall be mailed to the registered owner whose name and address shall appear, at the close of business on the fifteenth (15th) day next preceding each Interest Payment Date (the "Record Date"), on the registration books maintained by the Paying Agent, irrespective of any transfer or exchange of the Notes subsequent to such Record Date and prior to such Interest Payment Date, unless the City shall be in default in payment of interest due on such Interest Payment Date. In the event of any such default, such defaulted interest shall be payable to the person in whose name the Notes are registered at the close of business on a special record date for the payment of such defaulted interest established by notice mailed by the Paying Agent to the registered owners of the Notes not less than ten (10) days preceding such special record date. Such notice shall be mailed to the persons in whose names the Notes are registered at the close of business on the fifth (5th) day preceding the date of mailing.

If the date for payment of the principal of or the interest on any Notes shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the Commonwealth are authorized by law or executive order to remain closed, then the payment of such principal or interest need not be made on such date, but may be made on the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to remain closed, with the same force and effect as if made on the nominal date of redemption, and no interest shall accrue after such date.

The City and the Paying Agent shall not be required: (i) to issue or to register the transfer of or exchange any Notes then considered for redemption during a period beginning at the close of business on the fifteenth (15th) day next preceding any date of selection of Notes to be redeemed and ending at the close of business on the day on which the applicable notice of redemption is given, or (ii) to register the transfer of or exchange any portion of any Note selected for redemption, in whole or in part until after the date fixed for redemption. Notes may be exchanged for a like aggregate principal amount of Notes of other authorized denominations of the same maturity and interest rate.

The Notes shall be transferable or exchangeable by the registered owner thereof upon surrender thereof to the Paying Agent, at its principal corporate trust office, accompanied by a written instrument or instruments in form, with instructions, and with guaranty of signature satisfactory to the Paying Agent, duly executed by the registered owner thereof or his attorney-in-fact or legal representative. The Paying Agent shall enter any transfer of ownership of the Notes in the registration books of the City maintained by the Paying Agent and shall authenticate and deliver in the name of the transferee or transferees new fully registered Notes of authorized denominations of the same maturity for the aggregate amount which the transferee or transferees are entitled to receive at the earliest practicable time.

The City and the Paying Agent may deem and treat the persons in whose names the Notes shall be registered on the registration books of the City maintained by the Paying Agent as the absolute owners thereof for all purposes, whether such Notes shall be overdue or not, and payment of the principal of and/or interest on the Notes shall be made only to or upon the order of the registered owners thereof or their legal representatives, but such registration may be changed, as herein and in the Notes provided. All such payments shall be valid and effectual to satisfy in full and discharge the liability of the City upon the Notes so paid, to the extent of the sum or sums so paid, and neither the City nor the Paying Agent shall be affected by any notice to the contrary.

The City shall cause to be kept, and the Paying Agent shall keep, at the principal corporate trust office of the Paying Agent, books for the registration, exchange and transfer of Notes in the manner provided herein and therein so long as the Notes shall remain outstanding. Such registrations, exchanges and transfers shall be made without charge to noteholders, except for actual costs, including postage, insurance and any taxes or other governmental charges required to be paid with respect to the same.

If necessary, the City hereby approves the execution of one or more investment agreements, the purchase of certain U.S. Treasury obligations or any other securities or investments (the "Investments") for investment of the proceeds of the Notes in connection with the Project and the refunding of the 2008 Bonds. The City hereby authorizes and directs the Mayor to execute and the City Clerk to attest any investment agreement on behalf of the City, in the form approved by the Solicitor and Bond Counsel of the City. The Investments shall be limited to those authorized under law for proceeds of the Notes.

The Mayor is hereby authorized and directed, in the name and on behalf of the City: (a) to prepare, execute and certify the debt statement and borrowing base certificate required by the Act; (b) to prepare, execute and file with the Department, as required by Section 8111 of the Act, a duly attested copy of this Ordinance, with proofs of proper publication, the accepted Proposal of the Purchaser and a complete and accurate transcript of the proceedings relating to the incurring of the debt to be evidenced by the Notes, including the debt statement and borrowing base certificate; (c) to pay or to cause to be paid to the Department all proper filing fees required by the Act in connection with the foregoing; (d) to pay or cause to be paid from proceeds of the Notes or otherwise, all costs and expenses incurred by the City in connection with the issuance of the Notes; (e) to advertise the enactment of this Ordinance, as required by the Act; and (f) to take any and all other action, and to execute and deliver any and all documents and other instruments, required or permitted by the Act or by the Proposal of the Purchaser, or which they, in their sole discretion, may deem necessary, proper or desirable to effect the issuance of the Notes, to the extent not inconsistent with this Ordinance or applicable law.

It is hereby declared that the debt to be evidenced by the Notes, together with all other indebtedness of the City, is not in excess of any applicable limitation imposed by the Act upon the incurring of debt by the City.

The proper officers of the City are hereby authorized and directed to deliver the Notes as and when issued to the Purchaser, upon due registration and authentication thereof as

provided for herein, upon receipt of full and proper payment of the purchase price therefor, provided, however, that such delivery shall be effected only after the Department has certified its approval pursuant to Section 8204 of the Act.

The Council hereby authorizes and directs the purchase of a municipal bond insurance policy or policies (the “Municipal Bond Insurance Policy”) to be issued by a municipal bond insurer acceptable to the Purchaser and the Mayor insuring the payment when due of the principal of and interest on the Notes as provided therein. Proper officers of the City are authorized and directed to take all required, necessary and/or appropriate action with respect to such insurance, including the payment of the premium thereof. Proper officers of the City are also authorized and directed to execute any and all documents or agreements with respect to such insurance, as may be required by the insurer.

With regard to the Notes, the proper officers of the City are hereby authorized to execute a Continuing Disclosure Certificate (hereinafter defined) on behalf of the City and the City hereby covenants and agrees that it will comply with and carry out all of the provisions of such Continuing Disclosure Certificate as required by applicable law. Notwithstanding any other provision of this Ordinance, failure of the City to comply with the Continuing Disclosure Certificate shall not be considered an event of default; however, any Noteholder or Beneficial Owner may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this Section.

As used herein, the term “Continuing Disclosure Certificate” shall mean one or more Continuing Disclosure Certificates to be executed by the City in order to comply with Securities and Exchange Commission Rule 15c2-12, and dated the date of issuance and delivery of the Notes from time to time, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

As used herein, the term “Beneficial Owner” shall mean any person which has or shares the power, directly or indirectly, to make investment decisions concerning ownership of any Notes (including persons holding Notes through nominees, depositories, or other intermediaries).

In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of the City that the remainder of this Ordinance shall remain in full force and effect.

All ordinances or parts of ordinances, insofar as the same shall be inconsistent herewith, shall be and the same expressly hereby are repealed.

This Ordinance shall be effective in accordance with Section 8003 of the Act.

[Remainder of Page Intentionally Left Blank]

DULY ENACTED, THIS ____ DAY OF _____, 2011, BY THE COUNCIL OF THE CITY OF READING, BERKS COUNTY, PENNSYLVANIA, IN LAWFUL SESSION DULY ASSEMBLED.

Attest:

CITY OF READING
Berks County, Pennsylvania

By: _____
Linda A. Kelleher CMC, City Clerk
Council

Vaughn D. Spencer, President of

(SEAL)

MAXIMUM DEBT SERVICE SCHEDULE

NOTE FORM

REGISTERED

Number ____

REGISTERED

\$_____

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation (“DTC”) to the Issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

CITY OF READING, BERKS COUNTY,
PENNSYLVANIA

FEDERALLY-TAXABLE
GENERAL OBLIGATION NOTE, SERIES OF 2011

| <u>INTEREST RATE</u> | <u>MATURITY DATE</u> | <u>DATED DATE OF SERIES</u> | <u>CUSIP</u> |
|--------------------------|----------------------|---------------------------------|--------------|
| | November 1, ____ | _____, 2011 | |

REGISTERED OWNER CEDE & CO.

PRINCIPAL AMOUNT \$_____

The City of Reading, Berks County, Pennsylvania (the “City”), a City existing under the laws of the Commonwealth of Pennsylvania (the “Commonwealth”), for value received, hereby acknowledges itself to be indebted and promises to pay to the order of the Registered Owner hereof, or registered assigns, on the maturity date stated hereon (or upon prior redemption, as hereinafter provided), upon presentation and surrender hereof, the Principal Amount shown above and to pay semiannually on May 1 and November 1 of each year prior to maturity or redemption (each an “Interest Payment Date”), beginning _____, 20__, to the registered owner hereof, interest on such principal sum, at the rate per annum stated hereon, from the Interest Payment Date next preceding the date of registration and authentication of this City of Reading, Berks County, Pennsylvania, Federally-Taxable General Obligation Note, Series of 2011 (the “Note”), unless (a) this Note is registered and authenticated as of an Interest Payment Date, in which event this Note shall bear interest from such Interest Payment Date, or (b) this Note is registered and authenticated after a Record Date (hereinafter defined) and before the next

succeeding Interest Payment Date, in which event such Note shall bear interest from such Interest Payment Date, or (c) this Note is registered and authenticated on or prior to the Record Date preceding _____, 2011, in which event such Note shall bear interest from _____, 2011, or (d) as shown by the records of _____, as paying agent, at its offices located in _____, Pennsylvania, or its successor (the "Paying Agent"), interest on such Note shall be in default, in which event such Note shall bear interest from the date on which interest was last paid on such Note. Interest on each Note is payable by check drawn on the Paying Agent, which shall be mailed to the registered owner whose name and address shall appear, at the close of business on the fifteenth (15th) day next preceding each Interest Payment Date (the "Record Date"), on the registration books maintained by the Paying Agent, irrespective of any transfer or exchange of the Note subsequent to such Record Date and prior to such Interest Payment Date, unless the City shall be in default in payment of interest due on such Interest Payment Date. In the event of any such default, such defaulted interest shall be payable to the person in whose name the Note is registered at the close of business on a special record date for the payment of such defaulted interest established by notice mailed by the Paying Agent to the registered owners of Notes (hereinafter defined) not less than ten (10) days preceding such special record date. Such notice shall be mailed to the persons in whose names the Notes are registered at the close of business on the fifth (5th) day preceding the date of mailing.

Whenever the due date for payment of interest on or principal of the Notes or the date fixed for redemption of any Notes shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the Commonwealth are authorized by law or executive order to remain closed, then payment of such interest, principal, or redemption price need not be made on such date, but may be made on the next succeeding day which is not a Saturday, Sunday, legal holiday or a day upon which banks are authorized by law or executive order to remain closed, with the same force and effect as if made on the due date for payment of principal, interest or redemption price and no interest shall accrue thereon for any period after such due date.

This Note is one of a series of notes of the City known generally as "City of Reading, Berks County, Pennsylvania, Federally-Taxable General Obligation Notes, Series of 2011," dated as of _____, 2011 (the "Notes"), issued by the City in the aggregate principal amount of _____ Dollars (\$_____).

The Notes are in fully registered form, without coupons, and have been authorized and issued in accordance with the Local Government Unit Debt Act of the Commonwealth (the "Act"), without the assent of the electors, pursuant to an ordinance (the "Ordinance") of the Council duly enacted on _____, 2011. The terms and provisions of the Ordinance are hereby incorporated by reference as if set forth fully herein.

The City has covenanted in the Ordinance that it shall include in its budget the amount of the debt service for each fiscal year of the City in which principal and/or interest on the Notes is payable, that it shall appropriate from its general revenues any such sums for the payment of such debt service and that it shall duly and punctually cause to be paid when due principal and interest on the Notes.

This Note shall not be entitled to any benefit under the Ordinance nor shall it be valid, obligatory or enforceable for any purpose until this Note shall have been authenticated by the Paying Agent.

The Notes maturing on or after _____, shall be subject to redemption, prior to maturity, at the option of the City, in whole or in part, in any order of maturities, at any time on or after _____, at a price equal to 100% of the principal amount of the Notes to be redeemed and accrued interest thereon to the date fixed for such optional redemption. In the event that less than all Notes of a particular maturity are to be redeemed, the Notes of such maturity to be redeemed shall be drawn by lot by the Paying Agent.

The Notes stated to mature on _____, are subject to mandatory redemption prior to maturity on _____ of the years (at a price equal to the principal amount of the Notes called for mandatory redemption plus accrued interest thereon to the date fixed for such mandatory redemption) and in the principal amounts as set forth in the following schedule, as drawn by lot by the Paying Agent:

| <u>Year</u> | <u>Principal Amount</u> |
|-------------|-------------------------|
|-------------|-------------------------|

*

* at maturity

In lieu of such mandatory redemption, the Paying Agent, on behalf of the City, may purchase, from money in the Sinking Fund, or the City may tender to the Paying Agent, all or part of the Notes subject to mandatory redemption in any such year.

If a Note is of a denomination larger than \$5,000, a portion of such Note may be redeemed. For the purposes of redemption, such Note shall be treated as representing that number of Notes which is obtained by dividing the principal amount thereof by \$5,000, each \$5,000 portion of such Note being subject to redemption. In the event of a partial redemption of a Note, payment of the redemption price shall be made only upon surrender of such Note in exchange for Notes of authorized denominations in an aggregate principal amount equal to the unredeemed portion of the principal amount thereof.

Any redemption of Notes shall be upon notice effected by mailing a copy of the redemption notice by first-class mail, postage prepaid, such notice to be sent not less than thirty (30) days nor more than sixty (60) days prior to the date fixed for redemption, addressed to the registered owners of Notes to be redeemed at their addresses shown on the registration books kept by the Paying Agent (hereinafter defined) as of the date the Notes are selected for redemption; provided, however, that failure to give such notice by mailing, or any defect therein or in the mailing thereof, shall not affect the validity of any proceeding for redemption of other Notes called for redemption as to which proper notice has been given.

If at the time of mailing of the notice of redemption the City shall not have deposited with the Paying Agent moneys sufficient to redeem all the Notes called for redemption, such notice may state that it is conditional, that is, subject to the deposit of the redemption moneys with the Paying Agent no later than the opening of business on the redemption date, and such notice shall be of no effect unless such moneys are so deposited.

On the date designated for redemption, notice having been provided as aforesaid, and money for payment of the principal and accrued interest being held by such Paying Agent, interest on the Notes or portions thereof so called for redemption shall cease to accrue and such Notes or portions thereof shall cease to be entitled to any benefit or security under this Ordinance, and registered owners of such Notes shall have no rights with respect to such Notes, except to receive payment of the principal of and accrued interest on such Notes to the date fixed for redemption.

If the redemption date for any Notes shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the Commonwealth are authorized by law or by executive order to remain closed, then the payment of such principal and interest upon such redemption need not be made on such date, but may be made on the next succeeding day which is not a Saturday, Sunday, legal holiday or day on which such banking institutions are authorized to remain closed, with the same force and effect as if made on the nominal date of redemption, and no interest shall accrue after such date.

This Note may be transferred or exchanged by the registered owner hereof only upon surrender of this Note to the Paying Agent at its principal corporate trust office, accompanied by a written instrument or instruments of transfer in form, with instructions, and with guaranty of signature satisfactory to the Paying Agent, duly executed by the registered owner of this Note or his attorney-in-fact or legal representative. The Paying Agent shall enter any transfer of ownership of this Note in the registration books maintained by the Paying Agent and shall authenticate and deliver in the name of the transferee or transferees a new fully registered note or notes of authorized denominations of the same maturity and form for the aggregate amount which the transferee is entitled to receive at the earliest practicable time. The City and the Paying Agent may deem and treat the registered owner hereof as the absolute owner hereof (whether or not this Note shall be overdue) for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes, and the City and the Paying Agent shall not be affected by any notice to the contrary. All payments made to the registered owner of a Note, as herein provided, shall be valid and effectual to satisfy in full and discharge the liability of the City upon the Note as paid.

The City and the Paying Agent shall not be required: (i) to issue or to register the transfer of or exchange any Notes then considered for redemption during a period beginning at the close of business on the fifteenth (15th) day next preceding any date of selection of Notes to be redeemed and ending at the close of business on the day on which the applicable notice of redemption is given, or (ii) to register the transfer of or exchange any portion of any Note selected for redemption, in whole or in part until after the date fixed for redemption. Notes may be exchanged for a like aggregate principal amount of Notes of other authorized denominations of the same maturity and interest rate.

The City has caused CUSIP numbers to be printed on the Notes as a convenience to noteholders. No representation is made as to the accuracy of such numbers as printed on the Notes.

No recourse shall be had for the payment of the principal of or interest on this Note, or for any claim based hereon or on the Ordinance, against any member, officer or employee, past, present, or future, of the City or of any successor body, as such, either directly or through the City or any such successor body, under any constitutional provision, statute or rule of law, or by the enforcement of any assessment or by any legal or equitable proceeding or otherwise, and all such liability of such members, officers or employees is released as a condition of and as consideration for the issuance of this Note.

It is hereby certified that the approval of the Department of Community and Economic Development of the Commonwealth for the City to issue and deliver this Note has been duly given pursuant to the Act; that all acts, conditions and things required by the laws of the Commonwealth to exist, to have happened or to have been performed, precedent to or in connection with the issuance of this Note or in the creation of the debt of which this Note is evidence, exist, have happened and have been performed in regular and due form and manner as required by law; that this Note, together with all other indebtedness of the City is within every debt and other limit prescribed by the Constitution and the statutes of the Commonwealth; that the City has established with the Paying Agent, as Sinking Fund Depositary, a sinking fund for the Notes and shall deposit therein amounts sufficient to pay the principal of and interest on the Notes as the same shall become due and payable; and that for the prompt and full payment of all obligations of this Note, the full faith, credit and taxing power of the City are hereby irrevocably pledged.

IN WITNESS WHEREOF, the City of Reading, Berks County, Pennsylvania, has caused this Note to be signed in its name and on its behalf by the signature of the Mayor and its corporate seal to be hereunder affixed, duly attested by the signature of the City Clerk, as of the ____ day of _____, 2011.

CITY OF READING
Berks County, Pennsylvania

By: _____
Thomas McMahan, Mayor

Attest: _____
Linda A. Kelleher CMC, City Clerk

(SEAL)

(FORM OF PAYING AGENT'S CERTIFICATE)

CERTIFICATE OF AUTHENTICATION

Date of Authentication: _____

It is certified that this Note is a Note issued under the provisions of the within-mentioned Ordinance.

_____, as Pay
By _____
Authorized Officer

STATEMENT OF INSURANCE

TO BE PROVIDED UPON SELECTION OF BOND INSURER

(FORM OF ASSIGNMENT)

ASSIGNMENT

FOR VALUE RECEIVED, _____ (the "Transferror"), the undersigned, hereby sells, assigns and transfers unto

Name (the "Transferee")

Address

Social Security or
Federal Employer Identification
No.

the within Note and all rights thereunder, and hereby irrevocably constitutes and appoints _____ as attorney to transfer the within Note on the books kept for registration thereof, with full power of substitution in the premises.

Date: _____

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an approved eligible guarantor institution, an institution which is a participant in a Securities Transfer Association recognized signature guarantee program.

NOTICE: No transfer will be made in the name of the Transferee, unless the signature(s) to this assignment correspond(s) with the name(s) as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever and the Social Security or Federal Employer Identification Number of the Transferee is supplied. If the Transferee is a trust, the names and Social Security or Federal Employer Identification Numbers of the settlor and beneficiaries of the trust, the Federal Employer Identification Number and date of the trust, and the name of the trustee should be supplied.

(END OF NOTE FORM)

RESOLUTION NO. _____

APPOINTING CARL E. GEFFKEN AS MANAGING DIRECTOR OF THE CITY OF READING.

WHEREAS, City of Reading Mayor Thomas M. McMahon and City Council have agreed to the appointment of Carl E. Geffken as Managing Director; and

WHEREAS, Mayor Thomas M. McMahon and City Council are confident in the capabilities of Mr. Geffken and his ability to perform the duties and responsibilities as Managing Director;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:

That Carl E. Geffken be appointed as Managing Director of the City of Reading.

Passed Council _____, 2011

President of Council

Attest:

City Clerk

RESOLUTION NO. 2011

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

Upholding and affirming the termination of Officer Ronald Miko, #602, as attached in the Findings of Fact and Conclusion of Law.

Adopted by Council _____, 2011

Vaughn D. Spencer, President of Council

Attest:

Linda A. Kelleher CMC, City Clerk

**Termination Appeal Hearing
Officer Ronald Miko #602**

| | | |
|--------------------|---|-----------------|
| IN THE MATTER OF | § | BEFORE THE |
| | § | |
| THE APPEAL OF THE | § | CITY OF READING |
| TERMINATION | § | |
| | § | |
| FOR OFFICER RONALD | § | CITY COUNCIL |
| MIKO, #602 | § | |
| | § | |

**FINDINGS OF FACT, CONCLUSIONS OF LAW,
ORDER, AND AGREED RESOLUTION**

On Thursday, January 6 and Thursday, January 13, 2011 at 4:30 p.m. City Council held hearings in Council Chambers to hear the appeal of the termination of Officer Ronald Miko, #602. At the hearing, testimony from the Reading Police Department, represented by City Attorney Tonya Butler, and Officer Miko, represented by FOP Attorney Christina Fisher was presented.

Findings of Fact

1. At the hearing Members of Council heard testimony from the Chief of Police, the Deputy Chief of Police, several Reading Police Officers and two County Detectives about the off-duty and on-duty activities of Officer Miko.
2. The Chief of Police outlined the due process used prior to Officer Miko's termination
3. The Chief of Police stated that the Reading Police Department has a General Orders Policy and Procedure manual, which is a comprehensive document promulgated by the Police Chief and Mayor that provides guidance and direction to the Reading Police Officers about their duties and responsibilities as Reading Police Officers, both on and off-duty.
4. The Chief of Police stated that Officer Miko displayed on-duty and off-duty behavior and activities that are in violation of the Department's General Orders Section #0408, Disciplinary System & Schedule, and Part IV as follows:

- Section IV (A) (1) Conduct – *Violation of Rules*, which states, “Officers shall neither commit any acts nor omit any acts which constitute a violation of the rules, regulations, directives, orders, or policies of the Department.”
- Section IV (A) (3) Conduct - *Unbecoming Conduct*, which states, “Officers shall conduct themselves at all times, both on and off duty, in such a manner as to reflect favorably on the Department. Conduct unbecoming an officer shall include that which tends to bring the Department into disrepute or brings discredit upon the officer or the department and which affects the efficiency of the Department or the Officer.”
- 3Section IV (A)(6) Conduct - *Associations*, which states, “Officers shall neither associate with, be employed by, nor conduct business with persons who they know, or should know, are racketeers, sexual offenders, gamblers, suspected felons, persons under criminal investigation or indictment, or who have a reputation in the community for present involvement in felonious or criminal behavior, except as necessary to the performance of official duties or where unavoidable because the individual is a relative of the officer.”
- Section IV (C)(5) Insubordination – *False Testimony*, which states, “Officers shall not give false testimony in criminal or administrative investigations.”
- Section IV (A)(5) Visiting Prohibited Establishments, which states, “Officers shall neither knowingly visit, enter, nor frequent a house of prostitution, gambling house, nor establishment wherein the laws of the United States, the State, nor the local jurisdiction are regularly violated, except in the performance of duty or while acting under proper and specific orders from a superior officer.”
- Section IV (A)(15) Use of Force, which states, “Officers shall not use more force in any situation than is reasonably necessary under the circumstances.”

5. The Chief of Police and all witnesses presenting testimony at the hearing gave clear concise statements about their observations of Officer Miko violating the sections listed herein.

Conclusions of Law

After considering all testimony at the hearings held on Thursday, January 6 and Thursday, January 13, 2011, the City of Reading City Council has determined that Officer Ronald Miko was in violation of the General Orders as set forth herein.

Order and Agreed Resolution

The City of Reading City Council hereby upholds and affirms the termination of Officer Ronald Miko, #602 as set forth herein.

Right to Appeal

If you disagree with the decision of City Council you may file an appeal with the Court of Common Pleas of Berks County within 30 days after notice of the decision has been made or proceed under the grievance procedure set forth in the 2007 to 2011 Collective Bargaining Agreement between the City of Reading and the Fraternal Order of Police, Lodge #9 within the time restraints therein under Article VI Section 2.

YOU MUST ELECT WHICH APPEAL PROCEDURE TO PURSUE. YOU MAY NOT APPEAL BOTH IN THE GRIEVANCE PROCEDURE AND UNDER THE PROVISIONS OF THE THIRD CLASS CITY CODE AND THE LOCAL AGENCY LAW.

R E S O L U T I O N NO. _____

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

Approving the Conditional Use application submitted by Denise Miller requesting a zoning permit for a two (2) unit conversion at 1051 Chestnut Street with conditions as expressed in the attached Findings of Fact, Conclusions of Law and Decision.

Adopted by Council _____, 2011

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk

IN RE: APPLICATION OF : BEFORE THE CITY OUNCIL
DENISE MILLER : OF THE CITY OF READING,
FOR A CONDITIONAL USE : PENNSYLVANIA
PERMIT FOR A TWO UNIT :
CONVERSION AT 1051 CHESTNUT :
STREET, READING, BERKS COUNTY :
PENNSYLVANIA :
:

**DECISION OF THE CITY OF READING
CITY COUNCIL ON A CONDITIONAL USE APPLICATION**

AND NOW, this 24th day of January, 2011, hearings have been held on December 21, 2010, upon the application of Denise Miller, owner of 1051 Chestnut Street, notice of such hearing having been first sent, posted and advertised in accordance with the provisions of the Pennsylvania Municipalities Planning Code and the City of Reading Zoning Ordinance, as amended, the City of Reading City Council (hereinafter "Council") renders the following decision:

FINDINGS OF FACT

City Council finds the following facts:

1. The Applicant is Denise Miller, "Applicant" with a registered address of 920 Rebecca Lane, Orefield, Pennsylvania 18069.

2. Applicant is the fee simple owner of the property of 1051 Chestnut Street at the time of application and at the time of the hearing.

3. The Subject Property is located in the R-3 Zoning District as that term and district is defined by the City of Reading Zoning Ordinance, as amended, (hereinafter referred to as "Zoning Ordinance").

4. Applicant is seeking a Conditional Use for the conversion of a single family property to a two (2) unit property as per the City of Reading Zoning Ordinance per §27-1203.D.

5. The Applicant testified at the hearing that the subject property had been converted into a two (2) unit property when she purchased it in 2009 and was advertised as a two (2) unit by Sunrise Johnson Realty in the local multi-list book.

6. The Legal Specialist for the City entered the agenda and all attachments on to the record. She also stated that after reviewing the property file she found evidence that the property had been previously registered for rental use. She also stated that Recycling and Trash records also show evidence that the property was a two (2) unit before the Applicant purchased the property.

7. The Applicant testified that the property was marketed as a two (2) unit rental, was in severe disrepair, and had the copper piping removed. She also noted that there was evidence of squatters and illegal drug use at the property before she purchased and rehabbed the property.

8. Applicant testified that the Subject Property had major renovations such as a new roof, new plumbing and new electric without the required City Permits and without the required safety inspections. The Applicant agreed to allow a safety inspection from the required City inspectors.

9. Applicant testified that the Subject Property currently does not have off-street parking.

10. The Legal Specialist noted the need for each rental unit to have a minimum of 1 ½ off street parking spaces per unit. She inquired if the Applicant was willing to install off-street parking in the rear yard within three (3) months.

11. The Applicant stated that she is willing to add off-street parking at the rear of the property and lease additional off-street spaces.

12. Applicant testified that the Subject Property has one 2 bedroom unit and one 3 bedroom unit.

13. The Zoning Administrator testified that the 2 bedroom unit, having only 670 square feet, does not meet the required 700 square feet as required by the City Zoning Ordinance.

14. Applicant testified that she did not check the property's zoning or rental registration requirements before she purchased the property.

15. Applicant testified that the property will be managed by Sunrise Johnson Realty.

16. Applicant agreed to the application of several conditions, such as allowing an inspection and making repairs to make the building compliant with the Property Maintenance, Trades and Fire Codes.

17. Applicant consented to keep the record open to allow the insertion of the Planning Commission's recommendation after their meeting on December 28, 2010.

18. The City's Planning Commission approved Resolution 65-2010 which recommends that City Council's approve the conversion as an 'existing condition', and without requiring added parking. The Commission voted unanimously to recommend approval of the 1051 Chestnut Street application as an existing condition, without additional parking. **DISCUSSION**The Applicant is seeking a Conditional Use Permit to convert the building located at 1051 Chestnut Street to a two (2) unit property. The building is located in a R3 zoning district. The City of Reading Zoning Ordinance §27-1203.D Conversions provides that the following standards are met:

D. Conversions. This section applies to an existing building where it is allowed by the zoning district regulations to be converted into new dwelling units:

1. A site plan, drawn to the scale, showing the location and dimensions of all off-street parking, private entrances, walkways and landscaping, shall be submitted, as well as, architectural plans showing the dimensions and square footage of all rooms and storage spaces and indicating the intended use of all rooms.
2. The conversion shall have the minimum floor area as designated by the following schedule:

| Apartment Square Feet | |
|------------------------------|-------------|
| Efficiency or Studio | Not Allowed |

| | |
|-----------------------|-----|
| One Bedroom | 550 |
| Two Bedroom | 700 |
| Three or More Bedroom | 850 |

3. For each dwelling unit, there shall be a minimum 1.5 off-street parking spaces per unit.
4. Documents indicating to the City Codes Staff's satisfaction that all plumbing, heating and electrical equipment and facilities are adequate and appropriate for the proposed use. The entire building shall also be made available for a code inspection.

CONCLUSIONS OF LAW

1. The Subject Property is located in the R-3 Zoning District.
2. Hearing was held on December 21, 2010.
3. Applicant requests a Conditional Use for a conversion of the Subject Property to a two (2) unit property.
4. The burden of proof in an application for a Conditional Use is upon the Applicant.
5. City of Reading City Council is permitted to grant Conditional Uses and other relief as set forth in the Zoning Ordinance of the City of Reading and Pennsylvania Municipalities Planning Code upon compliance with the requirements therefore set forth in the Zoning Ordinance.
6. In order to grant the relief, Applicant must show that it has satisfied §27-1203.D of the City of Reading Zoning Ordinance and met the conditions applied by City Council.
7. At the hearing, Applicant testified that various building repairs and improvements were made without the required trades permits or safety inspections.
8. Applicant did not file an application for other relief from the City of Reading Zoning Hearing Board.

9. Applicant did provide sufficient proof that the existing facility conforms to the general character of other properties in the neighborhood and will not adversely affect the safety of the affected property owners. Applicant also agreed to provide off-street parking for three (3) vehicles as required by the City's Zoning Ordinance.

10. Applicant agreed to comply with the City Property Maintenance, Trades and Fire Codes and comply with the conditions applied by City Council.

DECISION

After reviewing the Applicant's request in detail and hearing testimony, City Council enters the following decision:

The application for a conditional use permit at 1051 Chestnut Street is hereby approved for Denise Miller after the following occurs:

1. Applicant will allow the City's Property Maintenance, Trades and Fire inspectors to conduct a safety inspection and the Applicant will make whatever corrections and repairs are identified before allowing the property to be rented. The Applicant will provide the Zoning Office with a copy of the certificate indicating that the Subject Property meets the required Property Maintenance, Trades and Fire regulations and that all requisite permits for any construction on the property were obtained in accordance with the City of Reading Codified Ordinances. The Applicant will continue to open the property for regular inspections as deemed necessary by the City of Reading.
2. Applicant will apply for a dimensional variance with the Zoning Hearing Board for two (2) off-street parking spaces at the rear of the property and obtain a lease for a third off street parking space within three (3) months of this decision. Upon receipt of approval form the Zoning Hearing Board, construction of said parking shall be completed within six (6) months of this decision. Alternatively, within two (2) months of this decision, Applicant will obtain a lease for three (3) off street parking spaces to be dedicated to this property within a reasonable distance from said property. Applicant is permitted to allow occupancy of the three (3) units for the three (3) months provided for to make application to the Zoning Hearing and/or obtain a lease for parking for the property. Should Applicant fail to comply with this condition, the occupants of the second unit shall be removed.
3. However, the zoning permit allowing two (2) rental units at 1051 Chestnut Street shall be revoked upon the issuance of any Disruptive Conduct Report by the City of Reading, if the current or future property owner fails to comply with the City's Property Maintenance regulations or if the current of

subsequent property owner fails to obtain a current housing permit or business license. If the current or subsequent property owner fails to meet the conditions ordered within this decision causing the revocation of the zoning permit for a two (2) unit rental, the property owner shall de-convert the property to a single unit within three (3) months.

The City of Reading City Council orders the above conditions to occur within six (6) months of the date this decision is approved.

This is the decision of the City of Reading City Council by a vote of ___ to ___.

CITY OF READING CITY COUNCIL

President of Council

Attest:

City Clerk