



# **CITY COUNCIL**

## **Meeting Agenda**

**REGULAR MEETING  
COUNCIL CHAMBERS**

**MONDAY, FEBRUARY 14, 2011  
7:00P.M.**

*The Regular Meetings of City Council are filmed and can be viewed  
LIVE during the meeting or at your convenience at any time after  
the meeting on the City's website at [www.ReadingPa.gov](http://www.ReadingPa.gov),  
under Info and Downloads/Meetings and Agendas*

### **1. OPENING MATTERS**

#### **A. CALL TO ORDER**

**B. INVOCATION:** Pastor Cindy Carr, Bethel AME

#### **C. PLEDGE OF ALLEGIANCE**

#### **D. ROLL CALL**

### **2. PROCLAMATIONS AND PRESENTATIONS**

- Recognizing Black History Month, accepted by Frank Gilyard NAACP Executive Committee member
- Recognizing the African American Coalition of Reading, accepted by Ed Terrell

### **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. MINUTES:** Council meetings of January 10 and January 24, 2011

**B. AGENDA:** Council meeting of February 14, 2011

#### **5. Consent Agenda Legislation**

**A. 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**) ***Tabled at the Jan 24 regular meeting***

**B Award of Contract** - for the Laboratory Services RFP for the Wastewater Treatment Plant MJ Reider, 107 Angelica Street, Reading, PA 19611, for a total submitted price of approximately \$57,511.00 (**Purchasing**)

**C. Resolution** - affirming the blight certification approved by the City of Reading Blighted Property Review Committee and Planning Commission (**Council Staff**)

**D. Resolution** - supporting the desire of the College Heights Community Council area to apply for and be designated as “The Heights” Historic District with the Pennsylvania Historic Museum Commission (**Council Staff**)

**E. Resolution** - authorizing the disposition of the following public records from the Police Department dated prior to January 1, 1991 (**Council Staff/Police**)

#### **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. 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; Tabled at the Jan 24 regular meeting*

**B. Bill No. 5-2011** - 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)**  
*Introduced at the Jan 24 regular meeting*

**C. Bill No. 6-2011** - 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)**  
*Introduced at the Jan 24 regular meeting*

**D. Bill No. 7-2011** - 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)** *Introduced at the Jan 24 regular meeting*

**E. Bill No. 8-2011** - 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; Advertised December 27, 2010 and January 3, January 12 and January 18, 2011 Public hearing held Jan 26; Re-advertised February 4, 2011.*

**10. INTRODUCTION OF NEW ORDINANCES**

**A. 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 specify the appointments and term expiration **(Law)**

**B. Ordinance** - amending the Quality of Life Violation Ticket Process by amending Chapter 5 – Code Enforcement of the City of Reading Codified Ordinances Part 14 by adding Sections 112 Collections and 113 Liens and renumbering Sections 112 and 113 to 114 and 115 Nonexclusive Remedies and Severability **(Law)**

**C. Ordinance** – amending the Salary Rage Ordinance by creating the salary range for the Director of Administrative Services and amending the salary range of the Fire and Rescue Services Chief and the salary range of the Police Chief **(Man Dir)**

**D. Ordinance** – setting the salary of the Director of Administrative Services **(Man Dir)**

**E. Ordinance** - amending the City of Reading Organizational Chart as follows: Transferring the Property Maintenance Division from the Police Department to the Department of Community Development **(Man Dir)**

<p><b>Pending Legislation</b></p> <p><b>Ordinance</b> – vacating Sheridan Street <b>(Housing Authority)</b> <i>Introduced at the Jan 10 regular meeting</i></p> <p><b>Ordinance</b> - establishing a four-way stop intersection at N. 13<sup>th</sup> St and Richmond St in the City of Reading, Pennsylvania <b>(Public Works)</b> <i>Introduced at the Jan 10 regular meeting</i></p> <p><b>Ordinance</b> - establishing a four-way stop intersection at North 13th Street and Elm Street in the City of Reading, Pennsylvania <b>(Law/Public Works)</b> <i>Introduced at the Jan 10 regular meeting</i></p> <p><b>Ordinance</b> - 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 <b>(Waltman/Council Staff)</b> <i>Introduced at the Jan 10 regular meeting</i></p>
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## **11. RESOLUTIONS**

**A. Resolution** – appointing Michael Leifer to the Main Street Board (**Admin Oversight**)

**B. Resolution** – reappointing John Hefferon to the Disruptive Conduct Review Board (**Admin Oversight**)

**C. Resolution** – appointing Matthew Griffith as an alternate to the Zoning Hearing Board (**Admin Oversight**)

**D. Resolution** – appointing Eron Lloyd to the Water Authority (**Admin Oversight**)

**E. Resolution** – appointing Barry Unger to the Plumbing Board (**Admin Oversight**)

**F. Resolution** – reappointing Susan Gibson to the Charter Board (**Admin Oversight**)

## **12. PUBLIC COMMENT – GENERAL MATTERS**

## **13. COUNCIL BUSINESS / COMMENTS**

## **14. COUNCIL MEETING SCHEDULE**

### **Monday, February 14**

*Committee of the Whole – Council Office – 5 pm*

*Regular Meeting – Council Chambers – 7 pm*

### **Monday, February 21**

*\*\*City Hall Closed – President’s Day\*\**

### **\*\*Tuesday, February 22\*\***

*Public Works Committee – Council Office – 5 pm*

*Finance Committee – Council Office – 5 pm*

*Work Session – Penn Room – 7 pm*

### **Monday, February 28**

*Committee of the Whole – Council Office – 5 pm*

*Regular Meeting – Council Chambers – 7 pm*

## **15. BAC AND COMMUNITY GROUP MEETING SCHEDULE**

### **Monday, February 14**

Fire Civil Services Board – Penn Room – 4 pm

6<sup>th</sup> & Amity Neighborhood & Playground Assn – 6<sup>th</sup> & Amity Fieldhouse – 6:30 pm

### **Tuesday, February 15**

Charter Board – Penn Room – 7 pm

HARB – Planning Conference Room – 7 pm

### **Wednesday, February 16**

Officers and Employees Pension Board – Penn Room – 1:30 pm

Diversity Board – Penn Room – 4:30 pm

Redevelopment Authority – Redevelopment Authority Office – 5:30 pm

Centre Park Historic District – Member’s Home – 7:30 pm

### **Thursday, February 17**

Dare 2 Care – Bethel AME – 5:30 pm

Blighted Property Review Committee – Council Chambers – 6 pm

Southeast People’s Voice – St John’s UCC – 6 pm

Mulberry & Green Citizens Committee – St. Luke’s Lutheran Church – 6:30 pm

### **Friday, February 18**

Fire Pension Board – Penn Room – 10 am

### **Monday, February 21**

Park and Recreation Advisory Committee – Pendorra Park Fieldhouse – 11 am

Library Board – 113 S 4<sup>th</sup> St – 4 pm

### **Tuesday, February 22**

Housing Authority Workshop – WC Building

Housing Authority Meeting – WC Building

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 Common Neighborhood Group – Penn Common Meeting Room – 7 pm

### **Wednesday, February 23**

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  
18<sup>th</sup> & Cotton Community Crime Watch – St. Matthew’s Church – 7 pm  
Stadium Commission – Stadium RBI Room – 7:30 pm

**Thursday, February 24**

Water Authority – Penn Room – 4 pm

**Monday, February 28**

DID Authority – Reading Eagle 3<sup>rd</sup> Floor Conference Room – noon

BARTA – BARTA Office – 3 pm

District 7 Crime Watch – Holy Spirit Church – 7 pm

**City of Reading City Council  
Regular Business Meeting  
Monday, January 10, 2011**

Vaughn D. Spencer, President of Council, called the meeting to order.

The invocation was given by Reverend Danny Moore of the Holy Trinity Church of God.

Council President Spencer asked all to continue standing for a moment of silence for those involved in the tragic event in Arizona, over the past weekend.

All present pledged to the flag.

**ATTENDANCE**

Council President Spencer  
Councilor Acosta, District 1  
Councilor Goodman-Hinnershitz, District 2  
Councilor Sterner, District 3  
Councilor Marmarou, District 4  
Councilor Reed, District 5  
Councilor Waltman, District 6  
Interim Managing Director C. Geffken  
City Auditor D. Cituk  
City Clerk L. Kelleher  
City Solicitor C. Younger  
Mayor T. McMahon  
Business Analyst D. Kersley  
Sergeant at Arms Captain R. Schaeffer

**PROCLAMATIONS AND PRESENTATIONS**

There were no proclamations or presentations issued at this evenings meeting.

**PUBLIC COMMENT**

Council President Spencer announced that two (2) citizens are registered to address Council on non-agenda matters. He inquired if any Councilor objected to suspending the rule requiring non-agenda comment at the conclusion of the legislation on the agenda. As no one objected the rule requiring non-agenda comment at the end of the

meeting was suspended. Council President Spencer reminded those registered to speak of the remaining public speaking rules.

Angel Figueroa, of Penn Street, was not present.

Ernie Schlegel, of Pear Street, expressed his belief in the skill and experience of the Interim Managing Director. He accused Council members of playing politics with the appointment of the Managing Director.

## **APPROVAL OF THE AGENDA & MINUTES**

Council President Spencer called Council's attention to the agenda for this meeting, including the legislation listed under the Consent Agenda and the minutes from the December 27<sup>th</sup> Regular meeting of Council. He announced the need to amend the agenda by adding the following legislation:

- Introduction of ordinance setting the salary of the Managing Director
- Consent Agenda Award of Contract to Big Star Construction.

**Councilor Sterner moved, seconded by Councilor Waltman, to approve the minutes from the December 27<sup>th</sup> Regular meeting of Council and the agenda, as amended, including the legislation listed under the Consent Agenda heading. The motion was approved unanimously.**

### Consent Agenda Legislation

**A. Resolution 1-2011** adopting and submitting to the Department of Environmental Protection for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above referenced Sewage Facilities Planning Module for the development and construction of the Sylvania Homes II – Accessible Housing **(Public Works)**

**B. Resolution 2-2011** adopting and submitting to the Department of Environmental Protection for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above referenced Sewage Facilities Planning Module for the development and construction of the Amanda Stout Elementary School Renovations **(Public Works)**

**C. Resolution 3-2011** authorizing the disposition of the 2003 Financial Interest Statements **(Council Staff)**

**D. Resolution 4-2011** Big Star Construction for roofing for the Fire and EMS buildings at a totaled bid price of \$86,470.

**E. Award of Contract** - to Big Star Construction for the replacement of roofing at fire stations.

## **ADMINISTRATIVE REPORT**

Mayor McMahon read the report distributed to Council at the meeting covering the following:

- Citizen's Services Center is operational in Room 1-27, City Hall
- The start of the quality of life ticketing

## **BUSINESS ANALYST REPORT**

Business Analyst Kersley read the report distributed to Council at the meeting covering the following:

- Overview of the role of Business Analyst
- Overview of Six Sigma and Quality Improvement initiative
- Overview of Six Sigma training for employees

Councilor Waltman commended the Administration for undertaking this process improvement. He noted the need to improve many of the processes used at City Hall.

Councilor Goodman-Hinnershitz also commended the Administration for undertaking this effort. She also requested that the Business Analyst prepare an action plan to accompany all proposed legislation to aide in its implementation.

Councilor Goodman-Hinnershitz encouraged the Administration begin Codes ticketing with enforcement of snow removal on Wednesday. Mayor McMahon replied that the Administration is currently field testing the quality of life ticketing and is using January as the warning period.

Councilor Waltman agreed with the need for the Administration to develop work plans to drive the implementation of legislation.

## **AUDITOR'S REPORT**

City Auditor Cituk read the report distributed to Council at the meeting, covering the following:

- Report on the Police, Fire, and Officer's and Employees Pension Board meetings
- Update on the 2010 TRAN

## ORDINANCES FOR FINAL PASSAGE

There were no ordinances eligible for final passage at this meeting.

## INTRODUCTION OF NEW ORDINANCES

Council President Spencer read the following ordinance into the record:

**A. 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 **(Council Staff/Law)**

**B. Ordinance** - 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)**

**C. Ordinance** – vacating Sheridan Street **(Housing Authority)**

**D. Ordinance** - establishing a four-way stop intersection at N. 13<sup>th</sup> St and Richmond St in the City of Reading, Pennsylvania **(Public Works)**

**E. Ordinance** - ordering an investigation under the authority of the Home Rule Charter Section 216, regarding the use of sewer funds **(Council Members)**

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

**G. 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)**

**H. Ordinance** – setting the salary of the Managing Director at \$95,500

## RESOLUTIONS

A. Resolution 4-2011 – **denying the Conditional Use application submitted by Fredi Sarmiento requesting a zoning permit for a two (2)**

**unit conversion at 245 South 4th Street and orders that the property be de-converted to a one unit single family property within six (6) months of the date this order (Council Staff/Law)**

**Councilor Reed moved, seconded by Councilor Marmarou, to approve Resolution No. 4-2011.**

Council President expressed that the denial is based on the fact that the applicant failed to show up for the hearing and did not make contact with any City office regarding his inability to attend the hearing. He stated that the denial is also based on the historical lack of housing or rental registration permits at this property.

**Resolution No. 4-2011 was adopted by the following vote:**

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer, President – 7**

**Nays: None– 0.**

**B. Resolution 5-2011- appointing Zane Collings to the Main Street Board (Admin Oversight)**

**C. Resolution 6–2011 - appointing Brian Fichtorn to the Main Street Board (Admin Oversight)**

**D. Resolution 7–2011 - appointing Rene Placido to the Main Street Board (Admin Oversight)**

**E. Resolution 8-2011 – appointing Craig Weisman to the HVAC Board (Admin Oversight)**

**F. Resolution 9–2011 appointing William Harst to the Zoning Hearing Board (Admin Oversight)**

**G. Resolution 10–2011 reappointing Kathryn Amaker to the Human**

## **Relations Commission (Admin Oversight)**

**The Administrative Oversight Committee moved to adopt Resolutions 5-2011 – 10-2011 making appointments and reappointments to the Boards and Commissions.**

Councilor Marmarou stated that the City is blessed and proud to have these skilled, experienced applicants.

**Resolution No. 5-2011 – 10-2011 was adopted by the following vote:**

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer, President – 7**

**Nays: None– 0.**

### **COUNCIL COMMENT**

Councilor Sterner thanked Mr. Schlegel for his remarks; however, he expressed the belief that the appointment of the Managing Director was not, at all, political but an appointment that requires careful consideration. He expressed his belief in the healthy process used to build a consensus with Council members.

Council Sterner congratulated the Hillside Playground Association on another successful holiday light display. He noted the drive of the Hillside members to serve the greater Reading community.

Councilor Marmarou expressed his belief in the skill of Interim Managing Director Geffken.

Councilor Marmarou also reported on the College Heights meeting and noted their need to seek donations to assist their fight against Orangestone.

Councilor Marmarou excused himself for a conflicting appointment.

Councilor Goodman-Hinnershitz thanked all for their work to produce a family fun and no cost event on New Year's Eve at the Pagoda. She noted the value of assistance provided by Fire, Police, and Public Works personnel.

Councilor Goodman-Hinnershitz noted the need for timely removal of snow to provide pedestrian safety.

Councilor Reed also noted the great success of the New Year's Eve event at the Pagoda, which was attended by approximately 400 people.

Councilor Reed also noted the skill of Interim Managing Director Geffken and the alternative District 5 candidate for the Managing Director position. She expressed the belief that the process used was not political and expressed her hope that the alternative candidate will step forward and serve the City in another fashion.

Councilor Reed expressed sympathy to those involved in the Arizona incident over the past weekend.

Councilor Acosta recognized Oakbrook and the Council President for their assistance in celebrating the Three Wise Men celebration on January 6<sup>th</sup>.

Councilor Acosta also expressed his belief in the skill of Interim Managing Director Geffken and noted his hope for continued improvement.

Councilor Waltman stated that he and Council President Spencer are beginning their 12<sup>th</sup> year on City Council. He noted the great amount of time involved in performing the various duties and serving the community. He stated it is his privilege to serve his Council colleagues and Reading citizens.

Councilor Acosta also noted the success of the Latino Chamber of Commerce in honoring the owner of Su Casa, Mi Casa restaurant.

Council President Spencer took exemption to the statement made by Mr. Schlegel inferring that Council was playing politics with the Managing Director appointment. He explained the Charter issues involved in the appointment and Council's effort to seek advice from the Charter Board. He stated that the decision that will be made by the consensus of Council.

Council President Spencer reviewed the upcoming meeting schedule.

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Acosta, to adjourn the regular meeting of Council.**

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

**City of Reading City Council  
Regular Business Meeting  
Monday, January 24, 2011**

Vaughn D. Spencer, President of Council, called the meeting to order.

The invocation was given by Rabbi Lipsker of the CHABAD of Berks County.

All present pledged to the flag.

**ATTENDANCE**

Council President Spencer  
Councilor Acosta, District 1  
Councilor Goodman-Hinnershitz, District 2  
Councilor Sterner, District 3  
Councilor Marmarou, District 4  
Councilor Reed, District 5  
Councilor Waltman, District 6  
Interim Managing Director C. Geffken  
City Auditor D. Cituk  
City Clerk L. Kelleher  
City Solicitor C. Younger  
Mayor T. McMahon  
Sergeant at Arms Captain R. Schafer  
Police Chief W. Heim  
Public Works Director C. Jones  
Mayor's Assistant F. Denbowski

**PROCLAMATIONS AND PRESENTATIONS**

There were no proclamations or presentations issued at this evening's meeting.

**PUBLIC COMMENT**

Council President Spencer announced that two (2) citizens were registered to address Council on agenda matters. He informed those registered to speak about the remaining public speaking rules.

Steve Burgoon, of North Eighth Street, described his dissatisfaction with the bidding process for Police Department uniforms and the lack of proper accreditation by the company receiving the award of contract.

Ernie Schlegel, of Pear Street, spoke in opposition to the proposed salary for the Managing Director due to the City's financial distress and in comparison with the salaries paid to similar positions in other mid-sized Pennsylvania cities. He expressed the belief that upper management is overpaid which hinders the City's ability to hire proper support staff.

## **APPROVAL OF THE AGENDA & MINUTES**

Council President Spencer called Council's attention to the agenda prepared for this meeting, including the legislation listed under the Consent Agenda. He noted the need to make the following additions:

- Add fifteen (15) resolutions hiring Police Officers under the Consent Agenda heading
- Remove the award of contract to Hess Embroidery for separate consideration

### **Consent Agenda Legislation**

**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**)

**Resolution 11-2011** – authorizing the 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**)

**Resolution 15-31 – 2011** – hiring fifteen (15) Police Officers.

**Councilor Sterner moved, seconded by Councilor Acosta, to approve the agenda, as amended, including the legislation listed under the Consent Agenda heading. The motion was approved unanimously.**

**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**)

**Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to table the Award of Contract to Hess Embroidery.**

**The contract for Hess Embroidery was tabled by the following vote:**

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer, President – 7**

**Nays: None– 0.**

### **ADMINISTRATIVE REPORT**

Interim Managing Director Geffken read the report distributed to Council at the meeting covering the following:

- Notification that quality of life ticketing will begin in February
- Announcing the State of the City address on January 31<sup>st</sup> at 7pm in Council Chambers
- Highlighting the Property Maintenance Divisions abilities as prepared by the Business analyst.

Councilor Goodman inquired if goals have been set for the Property Maintenance Division. Interim Managing Director Geffken stated that the goals are under development.

### **POLICE CHIEF REPORT**

Chief Heim stated that the Reading Police Department has been using a crime reduction strategy which includes Community Oriented Policing methodology. He noted the success of the Department in reducing Part One crimes such as homicide by forty-seven percent (47%), shootings by thirty percent (30%), and Property crime by eighteen percent (18%). He stated that the Department continues to have problems with youth violence and described the difficulties in dealing with the broader issues of youth violence.

Chief Heim stated that the Police Department has been reduced in size by forty (40) officers, and credited the officers on staff for their success in reducing crime. He noted that the Department's crime statistics are ahead of similar sized cities.

Chief Heim stated that sixty-nine (69) Reading Police officers have passed the twenty (20) year service mark and are eligible for retirement. He also stated that the Department is currently testing for inter-department promotions to prepare for the

expected retirements in command staff. He described the activities of officer's assigned to special units and added that all six (6) canine officers and dogs are deployed. He also described the upgrade to the security camera system.

Councilor Goodman-Hinnershitz inquired about the Department's strategic plan to address juvenile crime. Chief Heim replied that the Department is using a holistic approach including working with the School District, Probation, etc.

Councilor Marmarou inquired about the Department's plan in case of vast retirements. Chief Heim expressed the belief that keeping a current civil service list will help the Department keep pace with retirements.

Interim Managing Director Geffken noted that the City's also working with PFM to develop a strategic plan to address this issue.

Councilor Sterner noted the Department's success of making quick arrests the majority of the time. He inquired about the stability of the grants that support the various special units.

Chief Heim stated that the majority of the grants are fairly solid and renewable, such as Community Development Block Grant funding, the Reading School District and the Housing Authority.

Councilor Acosta expressed his belief in the need for a Rec program to provide a positive counter to juvenile crime.

Councilor Reed noted the need for citizens to offer private surveillance videos and other information to assist the Department with investigations.

Councilor Waltman described his personal experience with crime noting the lack of understanding individuals have on how committing crime can affect the rest of their lives.

## **AUDITOR'S REPORT**

City Auditor Cituk read the report distributed to Council at the meeting, covering the following:

- Year-end 2010 Admissions Tax Collection
- Year-end 2010 Transfer Tax Collection
- Update on snow and ice grant funds for 2010

Councilor Acosta noted the need to setup a work session with the Auditor to discuss the Auditor's role and duties.

## **ORDINANCES FOR FINAL PASSAGE**

**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*

**Councilor Goodman-Hinnershitz** moved, seconded by **Councilor Acosta**, to enact **Bill No. 1-2011**.

**Bill No. 1-2011** was enacted by the following vote:

**Yeas:** Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer, President – 7

**Nays:** None– 0.

**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*

**Councilor Acosta** moved, seconded by **Councilor Goodman-Hinnershitz**, to enact **Bill No. 2-2011**.

**Bill No. 2-2011** was enacted by the following vote:

**Yeas:** Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer, President – 7

**Nays:** None– 0.

**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*

Councilor Reed moved, seconded by Councilor Acosta, to table Bill No. 3-2011.

Bill No. 3-2011 was tabled by the following vote:

Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer, President – 7

Nays: None– 0.

**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*

Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 4-2011.

Bill No. 4-2011 was enacted by the following vote:

Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer, President – 7

Nays: None– 0.

## INTRODUCTION OF NEW ORDINANCES

Council President Spencer read the following ordinance into the record:

**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**)

## RESOLUTIONS

**Resolution 12-2011 – appointing Carl Geffken as Managing Director (Mayor)**

**Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to adopt Resolution No. 12-2011.**

**Resolution No. 12-2011 was adopted by the following vote:**

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer, President – 7**

**Nays: None– 0.**

**Resolution 13-2011- upholding and affirming the termination of Officer Ronald Miko, #602, as attached in the Findings of Fact and Conclusion of Law (Council Staff/Law)**

**Councilor Sterner moved, seconded by Councilor Acosta, to adopt Resolution No. 13-2011.**

Council President Spencer stated that the Resolution contains the findings of fact and the conclusions of law which were determined after Council’s consideration of the testimony provided at the two (2) hearings.

**Resolution No. 13-2011 was adopted by the following vote:**

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer, President – 7**

**Nays: None– 0.**

**C. Resolution 14–2011 - 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)**

**Council President read the conditions contained in the findings of fact and conclusions of law attached to the Resolutions.**

**Councilor Reed moved, seconded by Councilor Acosta, to adopt Resolution No. 14-2011.**

**Resolution No. 14-2011 was adopted by the following vote:**

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer, President – 7**

**Nays: None– 0.**

### **COUNCIL COMMENT**

Councilor Sterner announced the Weed & Seed meeting scheduled for Saint Mark's Church at 10<sup>th</sup> and Windsor Streets this Wednesday at 6pm.

Councilor Marmarou questioned the maximum age for incoming Police Officers. Captain Schaeffer stated that there are no age limitations due to federal law. Ms. Kelleher noted that all candidates must meet the physical agility levels for various age groups.

Councilor Goodman-Hinnershitz announced the upcoming Groundhog Day event at the Pagoda on February 2<sup>nd</sup>.

Councilor Goodman-Hinnershitz noted the difficulty East Reading residents experience during the winter months caused by the unfinished UGI project on Cotton Street.

Ms. Reed encouraged all citizens to attend this week's Public Hearing to amend the Zoning Ordinance.

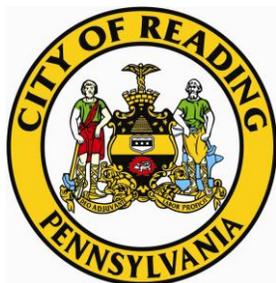
Council Members congratulated Interim Managing Director Geffken on his appointment to Managing Director.

Council President Spencer noted the unmet recreation needs for specific juvenile demographics.

Council President Spencer reviewed the upcoming meeting schedule.

**Councilor Sterner moved, seconded by Councilor Marmarou, to adjourn the regular meeting of Council.**

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



# 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**

<b>ITEM</b>	<b>FIRST PRECINCT</b>	<b>HESS EMBROIDERY</b>	<b>ATLANTIC TACTICAL</b>
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
<b>TOTAL</b>	<b>\$70,250.00</b>	<b>\$65,247.50</b>	<b>\$64,957.50</b>

**SECOND YEAR OF CONTRACT**

<b>ITEM</b>	<b>FIRST PRECINCT - 3%</b>	<b>HESS EMBROIDERY - NO INCREASE</b>	<b>ATLANTIC TACTICAL</b>
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
<b>TOTAL</b>	<b>\$72,357.50</b>	<b>\$65,247.50</b>	<b>\$0.00</b>

**THIRD YEAR OF CONTRACT**

<b>ITEM</b>	<b>FIRST PRECINCT - 3%</b>	<b>HESS EMBROIDERY - NO INCREASE</b>	<b>ATLANTIC TACTICAL</b>
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
<b>TOTAL</b>	\$74,528.23	\$65,247.50	\$0.00

<b>TOTAL THREE YEAR SUM</b>	\$217,135.73	\$195,742.50	
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<b>10% Local Business</b>	\$19,574.25	0	
<b>TOTAL</b>	\$197,561.48	\$195,742.50	



# AGENDA MEMO

FINANCE DEPARTMENT

**TO:** City Council  
**FROM:** Tammi Reinhart, Purchasing Coordinator  
**PREPARED BY:** Tammi Reinhart, Purchasing Coordinator  
**MEETING DATE:** February 14, 2011  
**AGENDA MEMO DATE:** February 9, 2011  
**RECOMMENDED ACTION:** Awarding of Contract for the Laboratory Services RFP for the Wastewater Treatment Plant.

## RECOMMENDATION

The recommendation is to award the contract to MJ Reider, 107 Angelica Street, Reading, PA 19611, for a total submitted price of approximately \$57,511.00.

## BACKGROUND

The City employed a three-member evaluation team that considered criteria including, but not limited to, responsiveness, experience, stability, MWE/MBE, and price. The responses to the requests for proposals were evaluated independently by the members of the RFP selection review committee. All three evaluators of the proposals recommend MJ Reider's appointment. MJ Reider is a business that is located within the City limits.

## BUDGETARY IMPACT

The services will be \$52,400.

## PREVIOUS ACTIONS

None.

## SUBSEQUENT ACTION

Formal action by Council is needed to award the contract at the February 14, 2011 meeting.

## RECOMMENDATION

The recommendation is that City Council approve the recommendation of the Administration to employ MJ Reider for the Laboratory Services RFP for the Wastewater Treatment Plant.

**RECOMMENDED BY**

Mayor, Managing Director, Director of Administrative Services, Wastewater Superintendent, Public Works Director and Purchasing Coordinator.

**RECOMMENDED MOTION**

To approve/deny Administration's recommendation that MJ Reider be retained for the Laboratory Services on behalf of the City of Reading.

cc: File

RESOLUTION NO. \_\_\_\_\_ 2011

**AFFIRMING THE BLIGHT CERTIFICATION APPROVED BY THE CITY OF  
READING BLIGHTED PROPERTY REVIEW COMMITTEE AND PLANNING  
COMMISSION**

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

Affirming the blight certification for the following properties approved by the City of Reading Blighted Property Review Committee and Planning Commission and referring the properties for eminent domain proceedings to the Reading Redevelopment Authority.

- 217 North 2nd Street... (Planning Commission Resolution 55-2010)
- 243 North 4th Street... (Planning Commission Resolution 56-2010)
- 517 North 4th Street... (Planning Commission Resolution 57-2010)
- 1237 Buttonwood Street... (Planning Commission Resolution 58-2010)
- 161 Clymer Street... (Planning Commission Resolution 59-2010)
- 146 Elm Street... (Planning Commission Resolution 60-2010)
- 153 Elm Street... (Planning Commission Resolution 61-2010)
- 305 Locust Street... (Planning Commission Resolution 62-2010)

Adopted by Council \_\_\_\_\_, 2011

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
City Clerk

RESOLUTION NO. \_\_\_\_\_ 2011

**SUPPORTING THE DESIRE OF THE COLLEGE HEIGHTS COMMUNITY COUNCIL AREA TO APPLY FOR AND BE DESIGNATED AS "THE HEIGHTS" HISTORIC DISTRICT WITH THE PENNSYLVANIA HISTORIC MUSEUM COMMISSION.**

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

**Whereas,** The City of Reading is filled with many historically significant commercial and residential buildings, that tell the story of Reading's past and as such City Council has supported the creation of Historic Districts in four areas of the City; and

**Whereas,** residents of the College Heights Community area have expressed the desire to apply to the Pennsylvania Historic Museum Commission for designation as "The Heights" Historic District as this designation will support their desire to preserve the many architecturally and historically significant buildings; and

**Whereas,** the establishment of historic districts in the City of Reading has helped properties retain their values and encourages vibrancy that attracts home ownership.

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

To support the application for the creation of a new locally designated historic district called "The Heights" in the College Heights Community Council area and ask the Pennsylvania Historic Museum Commission to approve this new historic district.

Adopted by Council \_\_\_\_\_, 2011

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
City Clerk

(Council Staff)

RESOLUTION NO. \_\_\_\_\_

Whereas, by virtue of Resolution 134-2009, adopted December 14, 2009, the City of Reading declared its intent to follow the procedures for the disposition of records set forth in the Retention and Disposition Schedule for Records of Pennsylvania Municipalities issued in 2009; and

Whereas, in accordance with Act 428 of 1968 (as amended) each individual act of disposition shall be approved by resolution of the governing body of the municipality:

**NOW THEREFORE, the Council of the City of Reading hereby resolves as follows:**

In accordance with the above cited schedule, Council hereby authorizes the disposition of the following public records from the Police Department dated prior to January 1, 1991:

Animal Law Enforcement Records
Bicycle Registration
Traffic Citations
Non Traffic Citations
Community Relations Files
Daily Activity Records
Daily Bulletins/Blotters/Logs
Dispatcher's Log Book
Accident Reports (motor vehicle)
Parking Tickets
Towing Records
Calibration Records
Community Relations Files
Complaints, Incident Reports
Court Orders
Summary Cases
All Other Cases
Criminal History Dissemination Records
Firearms and Ammunition Records
Hunting Accident Reports
Internal Affairs Case Files
K-9 Corps Records
Master Name Index
Missing Persons File

Motor Vehicle Accident Reports
Parking Violations
Abandoned or Impounded Vehicles
Recommendations for Special Driver's Exams
PA Uniform Crime Reporting Worksheets
Permits and related applications
Property Records
Temporary Detention Reports
Detention Inspection Reports
Tow Truck Operators Schedule
Training Records
Vacant Home Check Record
Video/Audio Tapes
Waivers/Release Forms

Adopted by Council on \_\_\_\_\_

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
City Clerk

*Council Staff & Police Department*

**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)

**BILL NO. \_\_\_\_\_-2011**

**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 17<sup>TH</sup> STREET TO/AND 18<sup>TH</sup> STREET**

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

**WHEREAS**, Klein Avenue located between 17<sup>th</sup> Street and 18<sup>th</sup> 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 17<sup>th</sup> Street and 18<sup>th</sup> 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 17<sup>th</sup> Street to/and 18<sup>th</sup> 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 17<sup>th</sup> Street to/and 18<sup>th</sup> Street is hereby restricted to one way, Eastbound, direction of travel. Travel of traffic on Klein Avenue from / between 17<sup>th</sup> Street to/and 18<sup>th</sup> 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 17<sup>th</sup> Street and 18<sup>th</sup> Street. The City of Reading traffic regulations are hereby changed to restrict travel of traffic on Klein Avenue from / between 17<sup>th</sup> Street to/and 18<sup>th</sup> 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 17<sup>th</sup> Street to/and 18<sup>th</sup> 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 17<sup>th</sup> Street to/and 18<sup>th</sup> 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)

\* 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. § 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)

\* 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. § 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)

\* 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. § 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)

\* 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. § 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)

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

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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>
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\* 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 McMahon, 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)

**BILL NO. \_\_\_\_\_-2010**

**AN ORDINANCE**

**AN 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**

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

SECTION 1. The Zoning Ordinance of the City of Reading is amended as follows 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

§ 27-301.A. regarding zoning permits, add the following: “3. If a property with a non-residential use changes ownership, the new owner shall submit a form to the City to transfer the zoning permit. Such form shall be completed to describe whether the new owner intends to continue the existing use, or make any changes to the use. 4. See also the requirements of the City’s Housing Ordinance, including but not limited to requirements for the designation of a local agent if the owner does not live locally.”

§ 27-304B.1. regarding revocation of permits: subsection f. shall be deleted.

§ 27-607.D. regarding nonconformities, add the following: “9. When a new nonconforming use is proposed, the Zoning Administrator may require that the applicant describe in writing the proposed operations to allow a review of the intensity of the new use vs. the previous use.”

§ 27-607.F. regarding nonconformities, add the following: “5. If a zoning permit or zoning approval is revoked by the City for good cause, and if the applicant does not bring the property and use into compliance with this Ordinance within 120 days, then the City may consider a nonconforming use to have been abandoned.”

§ 27-607.G. regarding nonconformities, add the following: “In order to claim that a nonconforming use that has been discontinued for more than 12 months has not been abandoned, a valid zoning permit shall have had been issued for the previous use, unless the applicant shows that a lawful use was on the premises that pre-dated a requirement for a zoning permit.”

§ 27-801.2.b. regarding garages/carports, change “700” to “600” square feet.

§ 27-802.2.b., 27-803.2.b., 27-804.2.b. and 27-806.2.b. regarding garages/carports, change “500” to “600” square feet.

§27-802, add a new subsection as follows: “4. Additional Requirements. Each newly built or placed dwelling unit shall have: a) a minimum dwelling unit width and length of 18 feet, and b) a permanent foundation or an enclosure around the base of the dwelling that has the appearance of a permanent foundation. If a lot is to be served by a mound on-lot septic system that is a raised above the ground level, it shall be located outside of the required front and side yard setbacks,

unless the applicant proves to the satisfaction of the Zoning Officer and Sewage Enforcement Officer that such placement is infeasible.”

§ 27-803., for the R-2 district, add a new subsection as follows: “4. A maximum of 60 percent of the land area between the front of each residential use and the street right-of-way line shall be used for vehicle parking and driveways. See also Section 27-1602.B. regarding parking locations.”

§ 27-804.3.c., for the R-3 district, add the following: “See also Section 27-1602.B. regarding parking locations.”

§ 27-808.2.a. regarding Social Clubs and Associations, change “2 AM and 6 AM” to “Midnight and 11 AM” and add the following “, and provided there is a 5,000 square feet minimum lot area.”

§ 27-809.2.a. regarding the CN district, after “Day Care Home”, add the following: “, provided that a maximum of 4 persons shall be cared for (in addition to sons or daughters of the caregiver) on a residential lot of less than 2,500 square feet. If a day care home is proposed on a residential lot, it shall also meet the provisions of this Section 27-1202.D.1.”

§ 27-810.2.a. in C-H district: add “Laundromats” and “Personal Service Businesses” as permitted by right uses.

§ 27-811.2.a. in the M-C district, add “Auto Repair and Car Washes, in compliance with Section 27-1105.”

§ 27-903 regarding Multiple Occupancy, add the following: “If a building includes multiple indoor retail sales businesses, each retail sales business shall have its own pedestrian access onto a street, sidewalk or hallway, and shall be separated from other retail sales businesses by a wall, unless the use is specifically approved as a kiosk, farmer’s market, flea market or antique mall .”

§ 27-916.A., after “garbage” add the words “(includes refuse)”.

§ 27-918A.1., change “another district” to “all other districts”.

§ 27-1006.A.7, at the end add: “, as each is defined by Federal regulations.”

§ 27-1006.B. delete subsection 3.

§ 27-1008, regarding parking, change “C-R” to “C-C” and “808” to “807.2”.

§ 27-1011 regarding Yard and Garage Sales, change “dwelling unit on the same” to “residential”. Replace A. with the following: “Yard and garage sales in residential districts shall not occur more than four times per year per lot, and

each sale shall not exceed 2 days.”

§ 27-1107, remove the quotation marks.

§ 27-1201 regarding Conditional uses, add the following: “D. Modification. Where an application is submitted for conditional use approval, the City Council shall also have the authority as part of the conditional use approval to approve a modification of specific parking, landscaping, buffer strip and/or dimensional provisions of this Ordinance. Such modification shall only be approved if all requests are made in writing by the applicant as part of the conditional use application. Such modification shall only be allowed if the applicant proves to the satisfaction of City Council that an alternative standard will be applied as a condition upon approval, and that the alternative standard would be more in the public interest than the existing requirement.”

§ 27-1202.A. regarding Adaptive Reuse, in the second sentence, add “commercial,” before “institutional”.

§ 27-1202.D. regarding day care:

-Add a new 1(d) as follows: “In a residential district, the use shall not operate in a manner perceptible to the neighbors between 11 PM and 6 AM.”

-Add a new 2(c) as follows: “A minimum of 400 square feet of fenced outdoor play area shall be provided, unless the facility is within 500 feet of a public playground that is available for use of the children.”

-In 3(b), replace the words after “such” with the following: “plus parking required by Section 1603.A.9.”

-Add a new 3(c) as follows: “The Zoning Hearing Board shall consider the proximity of other day care facilities on the same block in order to review the availability and demand of parking. In considering the suitability of the property, the Zoning Hearing Board may also consider the total number of children who will be cared for at one time in a dwelling.”

§ 27-1203.D. regarding Conversions, add the following: “5. See also the requirements of the City’s Housing Ordinance, including but not limited to requirements for the designation of a local agent if the owner does not live locally.”

§ 27-1301 regarding fences and walls, add the following after the first sentence: “The height of fences and walls shall be measured based upon the total height above the ground, such as if a 2 foot tall fence is constructed on top of a 2 foot tall wall, the structure shall be considered 4 feet high.”

§ 27-1401 regarding buffer strips, change “commercial or industrial” to “non-residential”.

§ 27-1504 regarding access driveways, replace the first sentence with the following: “Each lot shall not have more than two access driveways onto any one street, unless specifically approved otherwise by: a) PennDOT along a State road or b) by the City as part of a subdivision or land development.”

§ 27-1602.B., regarding parking, add the following: “See also limitations on the amount of front yard parking in Section 27-803 for the R-2 district and in Section 27-804 for the R-3 district.”

§ 27-1603.A.9., add “Child” before “Day Care Center”.

§ 27-1603.A.14., regarding day care parking, after unit, add “(unless no parking exists on the lot for an existing dwelling unit)”.

§ 27-1603.A.32. regarding parking for restaurants, taverns and nightclubs, replace the last sentence with the following: “All restaurants shall provide an absolute minimum of 5 spaces.”

§27-1603.L., to correct a typo, change “407” to “505”.

§ 27-1712, add the following after the first sentence: “The following signs do not need a zoning permit, except for signs of more than 2 square feet each that are allowed by subsection “A.” below.”

§ 27-1712, add a new subsection as follows: “H. Murals. An artistic mural that does not serve a commercial purpose shall be allowed and shall not be regulated as a sign.”

§27-1721, replace “within a reasonable period of time” with “Depending upon the degree of danger, the Zoning Administrator may grant an extension, specifying a reasonable period of time to complete the repair or removal.”

§ 27-2104.C., change “junctions” to “functions.”

§ 27-2202, regarding definitions:

-in the definition of “Building”, delete the words “lunch wagons.”

-delete the definition of “Garage, Public” because the term is no longer used.

-in the definition of “Home Occupation” under “Minor Home Occupation” add “meets” before “all of the”.

-in the definition of “Mid-Rise Apartments”, add the word “originally” before “designed”.

-add the following new definition: “Reception Facility - Shall have the same meaning as “Banquet Hall.”

-add the following new definition: “Shed - A building that is used for indoor storage but is not used for storage of motor vehicles or hazardous or toxic materials, other than fuel for lawnmowers and appliances.”

-in the definition of Traffic Routes, replace (1) with “North Front Street” and replace (5) through (14) with the following: “(5) McKnight Street, (6) Meade Street, (7) Noble Street, (8) West Robeson Street, (9) Hancock Blvd., (10) River Road, (11) Lincoln Street, (12) CarTech Road, (13) Marion Street, (14) Weisser Street, (15) Gerry Street east of Hancock Blvd., (16) Liggest Av. east of Hancock Blvd.”

In the Index, add the following: “Adaptive Reuse - 27-1202, Auto Repair - 27-1105, Buffer Strips - 27-1401, Day Care Facilities - 27-1202.D., Day Care Home - 27-1202.D.1., Definitions - Part 22, Sexually Oriented Business - 27-1203.”

SECTION 2. SEVERABILITY. It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provisions of this Amendment to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Amendment shall continue to be separately and fully effective. The City Council hereby declares that it would have passed this Amendment and each section or part thereof, other than any part declared invalid, if it had advance knowledge that any part would be declared invalid.

SECTION 3. REPEALER. Any specific provisions of the City of Reading Zoning Ordinance, Subdivision and Land Development Ordinance or any other City Ordinance or resolution that is in direct conflict within this Zoning Amendment are hereby repealed..

SECTION 4. NUMBERING AND LETTERING. Should any number or letter assigned to an amendment set forth herein conflict with or been previously assigned under a prior amendment to the City of Reading Zoning Ordinance, then the number or letter herein shall be automatically amended when codified to reflect the next available number or letter.

SECTION 5. All other provisions of the City of Reading Zoning Ordinance, Section 27-101 et seq. of the City of Reading Codified Ordinances shall remain unchanged and in full force and effect.

SECTION 6. Effectiveness of Ordinance. This Ordinance will become effective in accordance with Charter Section 219.

Enacted \_\_\_\_\_, 2010

\_\_\_\_\_  
President of Council

Attest:

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City Clerk

(LAW DEPT.)

Submitted to Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Received by the Mayor's Office: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Vetoed by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

**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 TERM EXPIRATIONS OF MEMBERS. 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:

§1-553. Membership.

1. The CAB shall consist of 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.~~ ***Each City Council member, including Council President, will have two (2) appointments to CAB and the Mayor shall have seven (7) appointments to CAB.*** ~~Final~~ Responsibility of dismissing Board members shall lie with Council in accordance with subsection (8) hereof.
4. ***The initial terms shall be staggered as followed:***
  - a. ***The first set of seven (7) members appointed shall have a term that expires on December 31, 2013***
  - b. ***The second set of seven (7) members appointed shall have a term that expires on December 31, 2014***
  - c. ***The third set of seven (7) members appointed shall have a term that expires on December 31, 2015***
5. ***Members appointed or reappointed after the initial term period defined in section 4 herein, shall serve a four (4) year term.***
6. ***Each member shall continue to serve until a successor is duly appointed or until some other formal action is taken by Council.***
7. ***A quorum of no less than eleven (11) members shall be unnecessary 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.
9. Members may be reappointed upon expiration of their terms ***for a period of three (3) years.***

**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).<sup>1</sup>

§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 formerly 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 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.~~ ***Each City Council member, including Council President, will have two (2) appointments to CAB and the Mayor shall have seven (7) appointments to CAB.*** ~~Final~~ Responsibility of dismissing Board members shall lie with Council in accordance with subsection (8) hereof.
4. ***The initial terms shall be staggered as followed:***
  - a. ***The first set of seven (7) members appointed shall have a term that expires on December 31, 2013***
  - b. ***The second set of seven (7) members appointed shall have a term that expires on December 31, 2014***
  - c. ***The third set of seven (7) members appointed shall have a term that expires on December 31, 2015***
5. ***Members appointed or reappointed after the initial term period defined in section 4 herein, shall serve a four (4) year term.***
6. Each member shall continue to serve until a successor is duly appointed or until some other formal action is taken by Council.
7. Members may be reappointed upon expiration of their terms.
8. ***A quorum of no less than eleven (11) members shall be unnecessary to make any formal recommendations to the Mayor and Council.***

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<sup>1</sup> Open Meeting Law – see Act of June 3, 1986 (P.L. 388, No. 84), known as the “Sunshine Act,” 53 P.S. §271 et seq.

***9. 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 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 ENFORCEMENT OF  
THE CITY OF READING CODIFIED ORDINANCES  
PART 14 BY ADDING SECTIONS 112 COLLECTIONS AND 113 LIENS AND  
RENUMBERING SECTIONS 112 AND 113 TO 114 AND 115 NONEXCLUSIVE  
REMEDIES AND SEVERABILITY**

**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 is hereby amended as follows:

**§14-111 APPEAL** – A person in receipt of a violation ticket may appeal to the Property Maintenance Division 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. The Manager/Administrator of the Property Maintenance Division or the Director of the Dept of Community Development or their 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.

**§14-112 COLLECTIONS – At the discretion of the City of Reading, all tickets for which payment is not received within forty-five (45) days of issuance of a ticket for which an appeal is not taken and forty-five (45) days from denial of appeal and monies paid by the City of Reading for abatement of a violation not paid within forty-five (45) days of billing, may be turned over by the City to a collections agency for receipt.**

**§14-113 LIENS – At the discretion of the City of Reading, liens may be placed upon a property against which tickets were issued for which payment is not received within forty-five (45) days of issuance of a ticket for which an appeal is not taken and forty-five (45) days from denial of appeal and monies paid by the City of Reading for abatement of a violation and not paid within forty-five (45) days of billing.**

**§14-112 §14-114 NONEXCLUSIVE REMEDIES.** The penalty, lien and collection provisions of this Section shall be independent, nonmutually exclusive separate remedies, all of which shall be available to the City of Reading as may be deemed appropriate for carrying out the purposes of this Part. The remedies and procedures provided in this Part for violation hereof are not intended to supplant or replace to any degree the remedies and procedures available to the City in the case of a violation of any other City of Reading Code or Codified Ordinances, whether or not such other code or ordinance is referenced in this Part and whether or not an ongoing violation of such other code or ordinance is cited as the underlying ground for a finding of a violation of this Part.

**§14-113 §14-115 SEVERABILITY** If any provision, paragraph, word, section or subsection of this Part is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, or subsection shall not be affected and shall remain in full force and effect.

**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. \_\_\_\_\_**  
**AN ORDINANCE**

**AN ORDINANCE AMENDING 1-271 OF THE CITY OF READING PERSONNEL CODE (Salary Administration) BY REMOVING THE SALARY RANGES FOR THE FINANCE DIRECTOR AND HUMAN RESOURCES DIRECTOR, ADDING THE SALARY RANGE FOR THE DIRECTOR OF ADMINISTRATIVE SERVICES, AND AMENDING THE SALARY RANGES OF THE CHIEF OF POLICE AND CHIEF OF FIRE AND RESCUE SERVICES.**

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

**SECTION 1.** Section 1-271 (8) of the City of Reading Codified Ordinances (Personnel Code) shall be amended to read as follows:

- a) Managing Director – the Managing Director of the City of Reading shall be compensated at an annual salary of no less than \$90,000 and no more than \$120,000.
- b) Chief of Fire and Rescue Services – the Chief of the Department of Fire and Rescue Services for the City of Reading shall be compensated at an annual salary of no less than \$60,000 and no more than **\$85,000**.
- c) Chief of Police – the Chief of Police for the City of Reading shall be compensated at an annual salary of no less than \$80,000 and no more than **\$120,000**.
- d) Public Works Director – the Director of the Department of Public Works of the City of Reading shall be compensated at an annual salary of no less than \$70,000 and no more than \$85,000.
- e) **Director of Administrative Services – the Director of Administrative Services of the City of Reading shall be compensated at an annual salary of no less than \$75,000 and no more than \$100,000.**
- f) City Solicitor – the Director of the Legal Department for the City of Reading shall be compensated at an annual salary of no less than \$60,000 and no more than \$75,000.
- g) Community Development Director – the Director of the Department of Community and Economic Development for the City of Reading shall be compensated at a salary of no less than \$55,000 and no more than \$85,000.

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

**SECTION 3.** This Ordinance shall become effective immediately.

Enacted by Council \_\_\_\_\_, 2011

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
City Clerk

**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 DIRECTOR OF ADMINISTRATIVE SERVICES.**

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

**SECTION 1.** The salary of the Director of Administrative Services shall be NINETY-ONE THOUSAND THREE HUNDRED FIFTY DOLLARS (\$91,350.00) 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

ORDINANCE NO. \_\_\_\_\_ 2011

**AN ORDINANCE AMENDING THE CITY OF READING ORGANIZATIONAL CHART AS FOLLOWS: TRANSFERRING THE PROPERTY MAINTENANCE DIVISION FROM THE POLICE DEPARTMENT TO THE DEPARTMENT OF COMMUNITY DEVELOPMENT.**

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

**SECTION 1.** The City of Reading Organizational Chart shall be amended to reflect the structure detailed in the attached Exhibit "A".

**SECTION 2.** This Ordinance shall become effective ten (10) days after its approval, in accordance with Section 221 of the City of Reading Home Rule Charter.

Passed Council \_\_\_\_\_, 2011

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
City Clerk

Submitted to Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Received by the Mayor's Office: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

R E S O L U T I O N N O. \_\_\_\_\_

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

That Michael Leifer is appointed to the Main Street Board with a term ending December 31, 2013.

Adopted by Council \_\_\_\_\_, 2011

\_\_\_\_\_  
Vaughn D. Spencer  
President of Council

Attest:

\_\_\_\_\_  
Linda A. Kelleher  
City Clerk

R E S O L U T I O N N O. \_\_\_\_\_

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

That John Hefferon is reappointed to the Disruptive Conduct Review Board with a term ending January 14, 2014.

Adopted by Council \_\_\_\_\_, 2011

\_\_\_\_\_  
Vaughn D. Spencer  
President of Council

Attest:

\_\_\_\_\_  
Linda A. Kelleher  
City Clerk

R E S O L U T I O N N O. \_\_\_\_\_

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

That Matthew Griffith is appointed as an alternate to the Zoning Hearing Board with a term ending January 1, 2016.

Adopted by Council \_\_\_\_\_, 2011

\_\_\_\_\_  
Vaughn D. Spencer  
President of Council

Attest:

\_\_\_\_\_  
Linda A. Kelleher  
City Clerk

R E S O L U T I O N N O. \_\_\_\_\_

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

That Eron Lloyd is appointed to the Water Authority with a term ending January 1, 2016.

Adopted by Council \_\_\_\_\_, 2011

\_\_\_\_\_  
Vaughn D. Spencer  
President of Council

Attest:

\_\_\_\_\_  
Linda A. Kelleher  
City Clerk

R E S O L U T I O N N O. \_\_\_\_\_

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

That Barry Unger is appointed to the Plumbing Board with a term ending December 31, 2017.

Adopted by Council \_\_\_\_\_, 2011

\_\_\_\_\_  
Vaughn D. Spencer  
President of Council

Attest:

\_\_\_\_\_  
Linda A. Kelleher  
City Clerk

R E S O L U T I O N N O. \_\_\_\_\_

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

That Susan Gibson is reappointed to the Charter Board with a term ending April 26, 2015.

Adopted by Council \_\_\_\_\_, 2011

\_\_\_\_\_  
Vaughn D. Spencer  
President of Council

Attest:

\_\_\_\_\_  
Linda A. Kelleher  
City Clerk