



CITY COUNCIL

Meeting Agenda

**REGULAR MEETING
COUNCIL CHAMBERS**

**MONDAY, DEC. 16, 2013
7:00 P.M.**

The Regular Meetings of City Council are filmed and can be viewed LIVE while the meeting is taking place or at your convenience at any time after the meeting on the City's website at www.ReadingPa.gov, under Info and Downloads/Meetings and Agenda. All electronic recording devices must be located behind the podium area in Council Chambers and located at the entry door in all other meeting rooms and offices, as per Bill No. 27-2012.

1. OPENING MATTERS

A. CALL TO ORDER

B. INVOCATION: Fr. John Gibbons, St. Margaret's RC Church

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

2. PROCLAMATIONS AND PRESENTATIONS

- None

3. PUBLIC COMMENT – AGENDA MATTERS:

Citizens have the opportunity to address the Council, by registering with the City Clerk by 5 pm on the day of the scheduled Council 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: Regular Meeting of December 9, 2013

B. AGENDA: Regular Meeting of December 16, 2013

5. Consent Agenda Legislation

A. Resolution

B. Award of Contract - for the Fire Fighting Protective Gear to Reading Fire Equipment, Reading, PA. (**Purchasing Mrg**)

C. Award of Contract - for the 11th and Pike Renovation Project to Uhrig Construction, 1700 North 5th Street, Reading, PA with total price of \$228,490.00. (**Purchasing Mrg**)

6. ADMINISTRATIVE REPORT

7. REPORT FROM OFFICE OF THE AUDITOR

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

None

9. ORDINANCES FOR FINAL PASSAGE

A. Bill No. 76-2013 - amending the Administrative Code, Exhibit A Purchasing Policies And Procedures, Section 11 Bid Evaluation, Parts 11.4.5 And 11.4.6, by reducing the amount required for contract approvals to \$10,000 (**Council Staff**) *Introduced at the Nov 12 regular meeting; tabled at the Dec 9 regular meeting*

B. Bill No. 77-2013 - amending the Administrative Code, Section 5-806 Fiscal Provisions by Reducing the amount of expenditures and allocations requiring Council's approval from \$25,000 to \$10,000. (**Council Staff**) *Introduced at the Nov 12 regular meeting; tabled at the Dec 9 regular meeting*

C. Bill No. 78-2013 - amending the City Code Chapter 212 Fee Schedule by making additions and corrections (**Council Staff/Business Analyst**) *Introduced at the Nov 12 regular meeting; Advertised on Nov 25th; tabled at the Dec 9 regular meeting*

D. Bill No. 79-2013 - authorizing the transfer of \$250,000.00 from Contingency to Charter Board for legal fees (**Adm Services**) *Introduced at the Nov 12 regular meeting; tabled at the Dec 9 regular meeting*

E. Bill No. 83-2013 - Amending the City of Reading Zoning Ordinance by making corrections and clarifications throughout (**Council Staff/Bus Analyst**) *Introduced at the Oct 14 regular meeting ; Advertised Oct 21st and 28th, Reintroduced on Nov 12th;*

Re-advertised on Nov 20th and 27th; Public Hearing Dec 2nd at 5:00 pm; Eligible for enactment 12-09-13; tabled at the Dec 9 regular meeting

10. INTRODUCTION OF NEW ORDINANCES

None

11. RESOLUTIONS

A. Resolution -

12. PUBLIC COMMENT – GENERAL MATTERS

Please see public speaking rules on first page

13. COUNCIL BUSINESS / COMMENTS

14. COUNCIL MEETING SCHEDULE

*****Monday, December 16**

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

Tuesday, December 17

Conditional Use hearings – 34 N 6th St and 918 Lancaster Av – Council Chambers – 5 pm

Monday, December 23

No COW or Regular Business Meetings due to the holidays

Wednesday, December 25

City Hall Closed

Wednesday, January 1

City Hall Closed

Monday, January 6

Inauguration at the Lincoln Hotel – 6 pm

Monday, January 13

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

15. BAC AND COMMUNITY GROUP MEETING SCHEDULE

Monday, December 16

Library Board – 113 S 4th St – 4 pm

Tuesday, December 17

Planning Commission – Penn Room – 7 pm

HARB – Planning Conference Room – 7 pm

Charter Board – Penn Room – 8 pm

Wednesday, December 18

Parking Authority – Parking Authority Office – 5:30 pm

Redevelopment Authority – Redevelopment Authority Office – 6:30 pm

Monday, December 23

DID Authority – 645 Penn St 5th floor – noon

Monday, December 30

District 7 Crime Watch – Holy Spirit Church – 7 pm

Thursday, January 2

Police Civil Service Board – Penn Room – noon

Glenside Community Council – Christ Lutheran Church – 6:30 pm

District 3 Crime Watch – Calvary Baptist Church – 7 pm

Monday, January 6

Shade Tree Commission – Public Works building – 6 pm

Tuesday, January 7

Board of Health – Penn Room – 4 pm

Charter Board – Penn Room – 7 pm

Wednesday, January 8

Zoning Hearing Board – Penn Room – 5:30 pm

Center City Community Organization – Holy Cross Church – 6 pm

Thursday, January 9

Police Pension Board – Penn Room – 10 am

Outlet Area Neighborhood – St Mark's Lutheran Church – 6:30 pm

Sunday, January 12

College Heights Community Council – Nativity Lutheran Church – 7 pm

Monday, January 13

Fire Civil Service Board – Penn Room – 4 pm

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

**City of Reading City Council
Regular Business Meeting
Monday, December 9, 2013**

Council President Francis Acosta called the meeting to order.

The invocation was given by Councilor Corcoran.

All present pledged to the flag.

ATTENDANCE

Council President Acosta
Councilor Corcoran, District 1
Councilor Goodman-Hinnershitz, District 2
Councilor Sterner, District 3
Councilor Marmarou, District 4
Councilor Reed, District 5
Councilor Waltman, District 6
City Auditor D. Cituk
City Solicitor C. Younger
City Clerk L. Kelleher
Managing Director C. Snyder
Mayor V. Spencer

PROCLAMATIONS AND PRESENTATIONS

None.

PUBLIC COMMENT

Council President Acosta reviewed the public speaking regulations and stated that five (5) individuals are registered to address Council this evening on agenda matters and two (2) individuals are registered to address Council on non-agenda matters. He inquired if anyone objected to suspending the rule requiring non agenda comment at the end of the meeting. As no one objected, the rule was suspended. He reviewed the remaining public speaking rules.

Lee Olsen, of Bernville Road, stated that he is speaking as President of the Pagoda Foundation and he asked Council to support the Memorandum of Understanding (MOU) between the City and the Pagoda Foundation. He stated that the Foundation began forming approximately five (5) years ago to provide ongoing care and economic vitality for the Pagoda. He described the activities occurring at the Pagoda initiated by the Foundation, which includes an annual New Year's Eve event. He

stated that an external audit of the Foundation's finances was completed showing no findings or issues. He noted the need for the creation of a strategic plan.

Mike Reinert, of Pinewood Road, stated that he is speaking as the President of Pagoda Skyline and as a member of the Foundation. He encouraged Council to adopt the MOU. He stated that Pagoda Skyline also supports the MOU. He stated that the Pagoda is and always has been a destination in Reading. He described the various partnerships that create events that highlight the City and the Pagoda.

Corrie Crupi, of Orchard Court, stated that she is speaking as a member of Pagoda Skyline and a volunteer for the organization for over 25 years. She noted the need for the MOU to be in place to protect the Pagoda. She asked Council to support the MOU.

Fred Moreadith, of Glenside Drive, described the Berks Mountain Biking Association and the organization's work to improve the trails on Mt. Penn and around Antietam. He stated that this is a great riding area. He described the organization's work to market this trail system nationally. He stated that the trail system in this area is quite impressive when compared to other locations. He expressed appreciation for the Public Works Department and the great working relationship they have with Operations Division Manager Dave Ruyak.

Tom McMahon, of the Goggleworks Apartments, noted that prior to the Foundation's existence, the Pagoda attracted approximately 30,000 visitors per year. He stated that number has tripled since the Foundation was formed. He described the volunteer work to keep the facility open as a destination. He described the symbolism of the Pagoda as a community landmark. He noted the legitimacy of the Foundation, which was created when he was Mayor. He stated that the Foundation was patterned after the Museum Foundation.

Steve Gill, of Limerick, stated that he is the owner of 332 North 5th Street and he was surprised when his HARB appeal was denied by Council. He stated that due to the vandalism and problems with tenants it does not make sense to replace these expensive windows in the manner expected by HARB. He expressed the belief that the cost is unrealistic. He suggested an amendment of HARB's requirements. He again described the problems with broken windows that plagues the property. He asked Council to reconsider their denial and work with him to find a compromise.

The City Clerk stated that the decision was written to deny the appeal and to remand the issue back to HARB; therefore Mr. Gill needs to work with HARB to find a compromise.

Elpidio DeJesus Batista, of South 7th Street, through translation provided by Council President Acosta, stated that RAWA continues to charge him late fees. He stated that he has attempted to address the situation with RAWA unsuccessfully. He explained that his Social Security check comes after the RAWA due date, therefore he cannot pay before the late fee is assessed.

APPROVAL OF THE AGENDA & MINUTES

Council President Acosta called Council's attention to the agenda for this meeting and the minutes for the November 25th Regular Meeting of Council. He noted the need to add a resolution to the consent agenda regarding the transfer of the Navy Marine Center to Mary's Shelter.

Councilor Waltman asked that Resolutions C, D and E be addressed separately.

Councilor Marmarou moved, seconded by Councilor Sterner, to approve the minutes from the November 25th Regular Meeting of Council and the agenda for this meeting, as amended. The motion was approved unanimously.

Consent Agenda

A. Resolution 101-2013 – authorizing the City to obtain reimbursement for costs associated with obtaining financing for improvements to the Wastewater Treatment Plant and Collection System (Adm Services Dir)

B. Resolution 102-2013 – authorizing the contract award for the Biosolids Removal Project in connection with the disposal of sewage sludge and biosolids generated by the Wastewater Treatment Plant to Advanced Disposal Services Shippensburg, LLC, in an amount equal to \$897,963.25, subject adjustment based on the proposed unit prices (Purchasing)

F. Resolution 108-2013 – authorizing a 50% reduction in the amount of transfer taxes for Mary's Shelter for the Navy Marine Center (Man Dir)

Council President Acosta inquired if any Councilor objected to taking Resolutions 103 and 104 together as they both deal with traffic issues in the Goggleworks area. No one objected.

C. Resolution 103-2013 – authorizing the submission of an Application for Traffic Signal Approval for 2nd and Penn Streets to PennDOT and to sign said Application on behalf of the City of Reading (Law)

D. Resolution 104-2013 – authorizing the submission of an Application

for Traffic Signal Approval at 2nd and Washington Streets to PennDOT and to sign said Application on behalf of the City of Reading (Law)

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to adopt Resolution No. 103 and 104-2013.

Councilor Waltman expressed the belief that these traffic changes will not reduce pedestrian problems at 2nd and Washington and 2nd and Penn Streets. He expressed the belief that these changes will not calm pedestrian issues and will create distractions for drivers

Resolutions No. 103 and 104-2013 were adopted by the following vote:

Yeas: Corcoran, Goodman-Hinnershitz, Reed, Sterner - 4

Nays: Marmarou, Waltman, Acosta, President - 3

E. Resolution 105-2013 – authorizing the execution of a General Reimbursement Agreement for Federal-Aid Highway Projects for the River Road Extension on behalf of the City of Reading. Said Agreement (Law)

Councilor Reed moved, seconded by Councilor Marmarou, to adopt Resolution No. 105-2013.

Councilor Waltman stated that he is not sold on the need to spend \$8M on this road project. He stated that he needs to understand the full intent of the project before he can consider it.

Councilor Reed stated that she supports the project as it will increase the viability of the industrial track in the area. She noted that the creation of this new roadway will protect the surrounding residential neighborhood from any increase in truck traffic that could go along with the development of the industrial area.

Councilor Goodman-Hinnershitz stated that this money has been earmarked for this specific project by the State and the money cannot be used to address other road issues.

Councilor Corcoran expressed the belief that the creation of the roadway will attract development.

Councilor Waltman asked Council to consider delaying the project and to obtain additional information. He again expressed the belief that the project needs reconsideration.

Councilor Acosta stated that this area and others have a myriad of traffic issues that should be reviewed and considered.

Councilor Sterner noted his agreement with the merits of the project.

Resolution No. 105-2013 was adopted by the following vote:

Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner - 5

Nays: Waltman, Acosta, President - 2

ADMINISTRATIVE REPORT

Mayor Spencer called Council's attention to the report distributed at the meeting in summary:

- Completion of Phase 2 of the Video Surveillance project
- Updates on CRIZ, Dana South and the Redesigning Reading CDC

AUDITOR'S REPORT

City Auditor Cituk stated that he would prepare a written report for the December 16th meeting. He noted that due to the timing of this meeting the accounting information he needs to prepare the report was not available.

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

None.

ORDINANCES FOR FINAL PASSAGE

Withdrawn by the Administration due to the Court Ruling on the Commuter Tax

A. Bill No. 65-2013 – Resident Home Rule EIT; a tax of one and five tenths percent (1.5%) (Reduction of 0.1%) **(Law) Introduced at the Sept 16th Special Mtg; Advertised Sept 30th, Oct 7th and Oct 14th; Tabled at the Nov 25 regular meeting – WITHDRAWN BY THE ADMINISTRATION**

B. Bill No. 66-2013 – Commuter EIT; a tax of up to a maximum of one and two tenths percent (1.2%) (Reduction of 0.1%) **(Law) Introduced at the Sept 16th Special Mtg; Advertised Sept 30th, Oct 7th and Oct 14th; Tabled at the Nov 25 regular meeting- WITHDRAWN BY THE ADMINISTRATION**

C. Bill No. 68-2013 – Commuter EIT; a tax of up to a maximum of one and three tenths percent (1.3%) **(Law) Introduced at the Nov 25 regular meeting; Advertised on 12-2**

Councilor Marmarou moved, seconded by Councilor Reed, to enact Bill No. 68-2013.

Managing Director Snyder stated that the Commuter EIT rate will remain at the 2013 rate, due to the Court of Common Pleas decision.

Bill No. 68-2013 was enacted by the following vote:

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner,
Waltman, Acosta, President - 7
Nays: None - 0**

D. Bill No. 69-2013 - Amending Chapter 576, Part 8 Entitled "Impounding And Booting Of Vehicles" by amending section 576-811 Definitions to restate in its entirety the definition for unsettled parking violations and amending and restating in its entirety section 576-812 Boot Installation **(RPA) Introduced at the Nov 25 regular meeting; Advertised on 12-2**

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to enact Bill No. 69-2013.

Bill No. 69-2013 was enacted by the following vote:

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner,
Waltman, Acosta, President - 7
Nays: None - 0**

E. Bill No. 70-2013 - Amending the Code of Ordinances by amending Chapter 496 Solid Waste Part 1 Dumpster Placement by setting the set out time at 5:00 pm and correcting the snow removal requirements **(Council Staff) Introduced at the Nov 25 regular meeting; Advertised on 12-2**

F. Bill No. 71-2013 - Amending the Code of Ordinances by amending Chapter 496 Solid Waste Part 2 Storage and Collection by setting the set out time at 5:00 pm **(Council Staff) Introduced at the Nov 25 regular meeting; Advertised on 12-2**

G. Bill No. 72-2013 - Amending the Code of Ordinances by amending Chapter 180 Construction Codes Part 12 Property Maintenance Rules and Regulations by setting the set out time at 5:00 pm **(Council Staff) Introduced at the Nov 25 regular meeting; Advertised on 12-2**

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to enact Bills No. 70, 71, and 72-2013.

Council President Acosta stated that these ordinances can be enacted with one motion, as they all relate to municipal waste set out.

Bills No. 70, 71, and 72-2013 were enacted by the following vote:

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner,
Waltman, Acosta, President - 7
Nays: None - 0**

H. Bill No. 73-2013 – Amending the Code of Ordinances Chapter 251 Food Code Part 9 Administration Section 0901.03 Permit/License by removing references to small processing and large processing **(Council Staff) Introduced at the Nov 25 regular meeting; Advertised on 12-2**

Councilor Reed moved, seconded by Councilor Corcoran, to enact Bill No. 73-2013.

Bill No. 73-2013 was enacted by the following vote:

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner,
Waltman, Acosta, President - 7
Nays: None - 0**

I. Bill No. 74-2013 – Amending the Code of Ordinances Chapter 508 Street Cuts by adding an inspection fee, modifying the re-pavement requirements, modifying the permit and application requirements and making other clarifications. **(Bus Analyst Work Group) Introduced at the Nov 25 regular meeting; Advertised on 12-2**

Councilor Goodman-Hinnershitz moved, seconded by Councilor Corcoran, to enact Bill No. 74-2013.

Managing Director Snyder described the terms of these new requirements for utility providers and those who perform street cuts.

Councilor Goodman-Hinnershitz thanked the Managing Director and the Work Group for addressing the problems associated with street cuts and the damage they do to the street system. She stated that the new ordinance provides much needed oversight and enforcement.

Bill No. 74-2013 was enacted by the following vote:

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner,
Waltman, Acosta, President - 7
Nays: None - 0**

J. Bill No. 75-2013 – Memorandum of Understand (MOU) regarding the Pagoda (Law and Council Office) *Introduced at the Nov 25 regular meeting*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to enact Bill No. 75-2013.

Councilor Sterner thanked those who spoke in support of the MOU and he noted his agreement with the intent of the agreement.

Councilor Goodman-Hinnershitz stated that the MOU provides a bridge for the much needed planning for the future of the Pagoda. She stated that the agreement protects the City and the Foundation. She noted that the agreement can be amended. She noted the joint agreement by the Administration to work with the Foundation on a strategic plan for the Pagoda. She stated that with the enactment of the MOU various issues surrounding the Pagoda can move forward.

Councilor Corcoran noted his agreement with the benefits of public/private partnerships.

Councilor Reed stated that the Pagoda is a community touchstone. She described the book drafted during the centennial celebration of the Pagoda approximately five (5) years ago. She stated that although the Pagoda is loved by the community it has never been a City priority. She described the Pagoda Pennies fundraising, started under Mayor McMahan. She expressed the belief that those who have contributed to the Pagoda have ownership of it.

Councilor Waltman expressed his support for the Pagoda but noted the need for a broader strategic plan that includes all of the Mount Penn area, which is a City jewel.

Council President Acosta stated that the Pagoda means something different to everyone. He described his initial visit to the building. He stated that the MOU is a first step toward taking this building seriously and securing its future.

Bill No. 75-2013 was enacted by the following vote:

Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta, President - 7
Nays: None - 0

K. Bill No. 76-2013 – amending the Administrative Code, Exhibit A Purchasing Policies And Procedures, Section 11 Bid Evaluation, Parts 11.4.5 And 11.4.6, by reducing the amount required for contract approvals to \$10,000 (**Council Staff**) *Introduced at the Nov 12 regular meeting*

L. Bill No. 77-2013 - amending the Administrative Code, Section 5-806 Fiscal Provisions by Reducing the amount of expenditures and allocations requiring Council's approval from \$25,000 to \$10,000. **(Council Staff) Introduced at the Nov 12 regular meeting**

Council President Acosta stated that as these ordinances both deal with the dollar amount requiring Council approval, they can be considered with one motion.

Councilor Sterner moved, seconded by Councilor Goodman-Hinnershitz, to table Bills No. 76 and 77-2013.

Bills No. 76 and 77-2013 were tabled by the following vote:

Yeas: Marmarou, Sterner, Waltman, Acosta, President - 4

Nays: Corcoran, Goodman-Hinnershitz, Reed - 3

M. Bill No. 78-2013 - amending the City Code Chapter 212 Fee Schedule by making additions and corrections **(Council Staff/Business Analyst) Introduced at the Nov 12 regular meeting; Advertised on Nov 25th**

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to table Bill No. 78-2013.

Bill No. 78-2013 was tabled by the following vote:

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

Nays: None - 0

N. Bill No. 79-2013 - authorizing the transfer of \$250,000.00 from Contingency to Charter Board for legal fees **(Adm Services) Introduced at the Nov 12 regular meeting**

Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 79-2013.

Councilor Waltman expressed the need for a thorough review of the bills associated with this transfer. He noted the need to contain these expenses.

Councilor Goodman-Hinnershitz noted the need to amend the ordinance to add language requiring opposing parties to find compromise during the complaint process.

There was question if some or all Councilors had the ability to vote on this issue due to an apparent conflict as some or all Councilors are impacted by Charter complaints at some level. The Solicitor will research the matter.

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to table Bill No. 79-2013.

Bill No. 79-2013 was tabled by the following vote:

Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta, President - 7
Nays: None - 0

O. Bill No. 80-2013 - authorizing the transfer of \$215,000.00 from Contingency 01-14-91-4739 to Public Works 01-07-14-4501 \$175,000, fuel and 01-07-74-4216 \$40,000 dam assessment reviews. **(Adm Services) Introduced at the Nov 12 regular meeting**

Q. Bill No. 82-2013 - authorizing the transfer of \$21,000.00 from Building and Trades Salaries 01-10-38-4000 to Building and Trades Contracted Services; and \$29,170.00 from Zoning Contracted Services to Building and Trades Contracted Services **(Bus Analyst) Introduced at the Nov 12 regular meeting**

Council President Acosta stated that as both these ordinances refer to transfers, they can be addressed with one motion.

Councilor Corcoran moved, seconded by Councilor Marmarou, to enact Bills No. 80 and 82-2013.

Bills No. 80 and 82-2013 were enacted by the following vote:

Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta, President - 7
Nays: None - 0

P. Bill No. 81-2013 - amending the City Code, Chapter 467 Sewers And Sewage Disposal, Part 3 Sewer Service Rental, Sections 467-103 And 467-104 to establish sewer service rentals, and such sewer service rental shall be effective until amended **(Pub Works) Introduced at the Nov 12 regular meeting; Advertised Nov 25th**

Councilor Corcoran moved, seconded by Councilor Reed, to enact Bill No. 81-2013.

Bill No. 81-2013 was enacted by the following vote:

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner,
Waltman, Acosta, President - 7**
Nays: None - 0

R. Bill No. 83-2013 – Amending the City of Reading Zoning Ordinance by making corrections and clarifications throughout **(Council Staff/Bus Analyst) Introduced at the Oct 14 regular meeting ; Advertised Oct 21st and 28th, Reintroduced on Nov 12th; Re-advertised on Nov 20th and 27th; Public Hearing Dec 2nd at 5:00 pm**

Councilor Goodman-Hinnershitz moved, seconded by Councilor Corcoran, to table Bill No. 83-2013.

Bill No. 83-2013 was tabled by the following vote:

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner,
Waltman, Acosta, President - 7**
Nays: None - 0

S. Bill No. 84-2013 – Amending the Act 47 Recovery Plan by retaining the 2013 Commuter EIT rate. **(Law & PFM) Introduced at the Nov 25 regular meeting**

Councilor Corcoran moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 84-2013.

Bill No. 84-2013 was enacted by the following vote:

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner,
Waltman, Acosta, President - 7**
Nays: None - 0

INTRODUCTION OF NEW ORDINANCES

None.

RESOLUTIONS

A. Resolution 106-2013 – appointing Wynton Butler to the Diversity Board **(Nom & Appts)**

B. Resolution 107-2013 – reappointing Carl Herbein to the Berks County Convention Center Authority **(Nom & Appts)**

Councilor Marmarou moved, seconded by Councilor Reed, to adopt Resolutions No. 106 and 107-2013.

Resolutions No. 106 and 107-2013 were adopted by the following vote:

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

Nays: None - 0

Councilor Marmarou moved, seconded by Councilor Reed, 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
PREPARED BY: Tammi Reinhart, Purchasing Coordinator
MEETING DATE: December 16, 2013
AGENDA MEMO DATE: December 11, 2013
RECOMMENDED ACTION: Awarding of Contract for the Fire Fighting Protective Gear

RECOMMENDATION

The recommendation is to award the contract for the Fire Fighting Protective Gear to Reading Fire Equipment, 2200 Perkiomen Avenue, Reading, PA.

BACKGROUND

Proposals for this project were received on November 8, 2013. Reading Fire Equipment is not the lowest bidder. The Reading Fire Chief took exceptions to various items. Reading Fire Equipment took only one exception to the entire protective ensemble. Below are the exceptions:

1. The 1st exception taken by the low bidder is concerning: 41.0 Suspenders: The 2 tone with Scotchlite trim provides added safety on the scene if the firefighter removes their turnout gear.
2. Another concerning exception is 47.0 Pant Custom Options to be provided: Our spec called for a bi-flex heat channel knees sewn on Kevlar/Nomex EWR black Arashield reinforcement in the center. The concern here is the type of knee spec was for the very reason that the Reading Fire Department has been using this type of knee protection with impeccable success for over 15 years. Fire departments across the nation endure many heat related knee injury/burns and our injury record is all but nonexistent. I am not willing to field test something different, with this grant that we have received.
3. 69.0 Warranty: The low bidder gave 5 years on the shell of the helmet, and life time (10 years on parts). When the bid spec called

for a lifetime warranty against defects and workmanship with bid package.

4. 57.0 Design concept and construction for gloves: The style glove that is in the spec is an all-in-one type with the user having a choice to roll back over the glove for added protection or not. Again, the low bidder did not offer this as per specification.
5. 59.3 Thermal barrier : The elk back and palm is less likely to stay flexible with heat and wet exposure, when the material called for in our spec, is of kangaroo which will maintain repeated exposure to heat and wet, keeping it's dexterity longer.
6. 77.0 Composite Shell: Although not a safety issue, the low bidder took an exception to this stating that blue is only available in gloss.
7. 80.0 Face shield: The low bidder took an exception to this because of the type of helmet that they would offer, does not have NFPA compliant Bourke shields and goggles provided in their spec. I have serious concerns that they wouldn't hold up after one fire event.

The low bidder took 8 exceptions compared to the 1 that Reading Fire Equipment took.

BUDGETARY IMPACT

The Department of Community Development and the Grants Coordinator has confirmed there are sufficient funds to cover the project.

PREVIOUS ACTION

None

SUBSEQUENT ACTION

Formal action by Council is required to award the contract at the December 16, 2013 meeting.

RECOMMENDED BY

Mayor, Managing Director, Director of Administrative Services, Director of Community Development, Fire Chief, Controller and Purchasing Coordinator.

RECOMMENDED MOTION

Approve/Deny the recommendation for the Reading Fire Fighter Gear in order that contract may be awarded to Reading Fire Equipment, Reading, PA.

cc: File

To the Mayor
City Hall
Reading, PA

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

BID NO. 2013-24 FOR THE FIREFIGHTING PROTECTIVE GEAR, DEPARTMENT OF FIRE

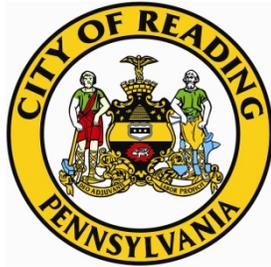
911 Safety Equipment
329 E Main Street
Norristown, PA 19401

Reading Fire Equipment Inc.
2200 Perkiomen Avenue
Reading, PA 19606

Mid Atlantic Fire & Air Corp.
1050 Weiser Street
Reading, PA 19601

Name of Company	Per Unit Cost – Coat	Per Unit Cost – Pants	Per Unit Cost – Gloves	Per Unit Cost – Boots	Per Unit Cost – Helmets	Per Unit Cost - Hoods
Reading Fire Equipment	\$995.00	\$865.00	\$69.00	\$307.00	\$197.00	\$39.00
911 Safety	\$850.90	\$715.00	\$63.20	\$254.50	\$199.55	\$26.97
Mid Atlantic	\$944.74	\$927.40	NO BID	\$281.42	NO BID	\$45.00

TAMMI REINHART
Purchasing Coordinator



AGENDA MEMO

DEPARTMENT OF ADMINISTRATIVE SERVICES

TO: City Council
FROM: Tammi Reinhart, Purchasing Coordinator
PREPARED BY: Tammi Reinhart, Purchasing Coordinator
MEETING DATE: December 16, 2013
AGENDA MEMO DATE: December 11, 2013
RECOMMENDED ACTION: Awarding of Contract for the 11th and Pike Field House Renovation Project

RECOMMENDATION

The recommendation is to award the contract for the 11th and Pike Renovation Project to Uhrig Construction, 1700 North 5th Street, Reading, PA with total price of \$228,490.00.

BACKGROUND

Proposals for this project were received on November 20, 2013. The project entails the upgrade of the existing HVAC controls, system testing balancing and adjusting, installation of new electric heat, installation of new packaged through the wall heat pump (for the computer room), demolition and modifications to existing ductwork, associated control wiring and power wiring and system checkout.

BUDGETARY IMPACT

The Department of Community Development has confirmed there are sufficient funds to cover the project.

PREVIOUS ACTION

None

SUBSEQUENT ACTION

Formal action by Council is required to award the contract at the December 16, 2013 meeting.

RECOMMENDED BY

Mayor, Managing Director, Director of Administrative Services, Director of Community Development, Controller and Purchasing Coordinator.

RECOMMENDED MOTION

Approve/Deny the recommendation for the 11th and Pike Park Field House Renovation Project in order that contract may be awarded to Uhrig Construction, Reading, PA.

cc: File

BID OPENING RESULTS

11th & Pike Field House Renovations

Contract	Base Bid	ALTERNATE #1	ALTERNATE #2	ALTERNATE #3	ALTERNATE #4	ALTERNATE #5	ALTERNATE #6
General		RTU1 & RTU2	RTU3 & RTU4	Kitchen Items	Duct Insulation	Gymnasium Floor	Gymnasium Netting
Anthony Biddle Const.	NO BID						
DESCCO Design & Const	NO BID						
Edward A. Reider	144,300	86,000+	91,000+	16,900+	4,900+	41,500+	17,500+
Uhrig Construction	*48,750+	*85,000+	*89,000+	*11,300+	*4,750+	38,700+	13,800+
Spotts Bros	49,450+	92,800+	*89,000+	*11,300+	6,000+	*21,900+	*6,350+
* = Low Bid							
= Total for Project Priorities							

BILL NO. ____-2013

AN ORDINANCE AMENDING THE CITY OF READING CODE OF ORDINANCES CHAPTER 5 ADMINISTRATIVE CODE, EXHIBIT A PURCHASING POLICIES AND PROCEDURES, SECTION 11 BID EVALUATION, PART 11.4.5 AND 11.4.6, BY REDUCING THE AMOUNT REQUIRED FOR CONTRACT APPROVALS.

The Council of the City of Reading hereby ordains as follows:

Section 1. Amending the Code of Ordinances, Chapter 5 Administrative Code, Exhibit A Purchasing Policies And Procedures, Section 11 Bid Evaluation, Part 11.4.5 And 11.4.6, by reducing the amount required for contract approvals as follows:

Section 11 Bid Evaluation and Award

11.4 Bid Award.

11.4.1 It is the policy of the City to make awards to the vendor who meets the specifications for the items or services to be purchased at the lowest cost. Factors such as delivery time, quality, operating and maintenance costs, service, etc., as well as initial price, should be taken into consideration in determining the lowest cost vendor.

11.4.2 The department director shall review all bids and make a recommendation to the purchasing manager by completing the "Recommendation to Award Contract" form.

If the purchasing manager does not agree with the recommendation of the department director, the award will be referred to the purchasing committee for determination.

11.4.3 The Director of Finance shall review the recommendation to ensure an award is compatible with the budget.

11.4.4 The Managing Director shall approve all recommendations.

11.4.5 The Mayor shall have final approval of contract under ~~\$50,000~~ **\$10,000**.

11.4.6 City Council shall award or reject all contracts ~~exceeding \$50,000~~ **that are \$10,000 or more**.

11.4.7 A purchase order shall be initiated after the contract award; however, it shall not be issued until the contract documents have been finalized.

11.4.8 The successful vendor, after receiving the contract documents, has 10 working days to sign and return with the necessary bonds.

11.4.9 If the selected vendor fails to deliver a bond or items bid within the time limits specified, the purchasing manager may choose to recommend rescinding the award and readvertise for bids. In such event, the delinquent bidder shall be responsible for the costs of rebidding and the amount of any increase in the contract

price thereby resulting. The purchasing manager shall properly document the action, the reasons for the action and retain the vendor bid surety not as a penalty, but as liquidated damages for inability to comply with the contractual agreement.

Section 2. This ordinance shall become effective ten (10) days after its adoption in accordance with Sections 219 and 221 of the City of Reading Home Rule Charter.

Section 3. Any and all ordinances which are contrary to the amendment are hereby repealed.

Enacted by Council _____, 2013

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: _____

ORDINANCE NO. ____-2013

AN ORDINANCE AMENDING THE CITY OF READING CODE OF ORDINANCES CHAPTER 5 ADMINISTRATIVE CODE, SECTION 5-806 FISCAL PROVISIONS BY REDUCING THE AMOUNT OF EXPENDITURES AND ALLOCATIONS REQUIRING COUNCIL'S APPROVAL FROM \$25,000 TO \$10,000.

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

SECTION ONE. Amending the City of Reading Code of Ordinances Chapter 5 Administration and Government, Section 5-806 Fiscal Provisions, Part C.7 by reducing the amount of expenditures and allocations requiring council's approval from \$25,000 to \$10,000 as follows:

Fund Accounts. §5-806. Fiscal Provisions.

C. Regulations concerning appropriations and transfers.

[Amended 4-11-2011 by Ord. No. 17-2011; 2-27-2012 by Ord. No. 14-2012]

1. The authorization and expenditure of all funds and preparation of department budgets shall be in accordance with a policy adopted by the Council and a financial procedures manual to be prepared and periodically reviewed and updated by the Administrative Services Department. Expenditures shall be executed in a uniform manner for every City Department.

2. The Administrative Services Director shall prepare and submit a monthly report to the Mayor, the Managing Director, and Council. This monthly report shall include all expenditures, borrowing, or any use for each City department and each City Fund account, and status reports comparing those expenditures with the adopted budget, as well as any Department justification of transfer, borrowing, or any use of funds within departments, between departments and within or between City Funds account.

3. In order to allow flexibility in the administration of the City's business, Departments may transfer money between line items within the department. A majority of Council, in response to any monthly report, may place a limit on the amount of additional excess expenditure allowed for any program or line item. This is not intended to restrict unduly the Mayor's ability to manage and administer the budget.

4. Justification for transferring, borrowing or any use of funds between departments and/or City Fund accounts must be presented to and approved by Council. The financial procedures manual will stipulate the following:

- (a) Expenditure procedures.
- (b) Justification procedures for transferring money between line items.
- (c) Justification procedures for transferring money between departments.

(d) Administration of petty cash funds.

(e) Justification procedures for transferring, borrowing, or any use of money between City Fund accounts.

5. Requiring an amendment to the City's annual Budget Ordinance authorizing the transfer, borrowing, or any use of all monies including, but not limited to, transfers, borrowing, or any use of funds between departments, and transfers, borrowing, or any use of funds in and out of any City Fund account, account or line item either attached in part or unattached to a departmental budget. The City Funds include all general, operating, capital and enterprise funds. The request for a budget amendment must be submitted to City Council with an agenda memorandum explaining the justification for transfer, borrowing, or any use of funds and the proposed use for the funds transferred at least two weeks before the transfer is required.

6. Requiring an amendment to the City's annual Budget Ordinance to authorize any cumulative modification to any departmental overall budget or line item exceeds \$10,000. The request for a budget amendment must be submitted to City Council with an agenda memorandum explaining the justification for transfer and the proposed use for the funds transferred, borrowed or used at least two weeks before the transfer is required.

7. Requiring City Council approval, via ordinance, for the following:

- a. Salary increases that were not approved in or included in the budget for the fiscal year and fall outside the labor contract for union employees.
- b. All expenditures not approved and listed in the operating or capital budgets for the fiscal year prior to those expenditures occurring.
- c. All expenditures and allocations of ~~\$25,000~~ **\$10,000** or more from and to any and all agency funds and any and all line items falling in the Departmental and Nondepartmental area of the General Fund.

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

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

Enacted by Council _____, 2013

President of Council

Attest:

City Clerk

(Council Staff)

ORDINANCE _____ - 2013

AN ORDINANCE OF THE CITY OF READING AMENDING THE CODE OF ORDINANCES CHAPTER 212 FEES AS ATTACHED

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

SECTION 1: The Code of Ordinances of the City of Reading Chapter 212 Fees is hereby amended as attached.

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 after passage.

Enacted _____, 2013

Council President

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

§ 212-101. Alarm systems.

Ordinance No.	Description Code Citation	Fee		
	Permit application (nonrefundable)	fee \$50	126-1995	§ 120-104G
	Alarm business permit (annual)	\$50	126-1995	§ 120-105
	Alarm user permit fee	\$25	14-2001	§ 120-113
	Unnecessary/needless false burglary alarms. A service fee shall be charged for each unnecessary/needless false alarm in a calendar year, pursuant to the chart set forth below:		41-2010	§ 120-115

Alarm in Calendar Year

1	Free (no charge)
2	\$50
3	\$50
4	\$100
5	\$100
6	\$150
7	\$150
8	\$150
9	\$150
10	\$250
11	\$250
12	\$250
13	\$500

For each alarm 14 and greater (over 13) in a calendar year \$500 per alarm

~~Fire protection contractor false alarm – \$50 ————— ? ————— ?~~

212-104. Business licenses – annual license tax

Description	Fee	Ordinance	Code Citation
Solicitations (taking orders for goods)	\$80 \$30	60-1980	339-103
Pawnbroker	\$800 \$100	50-1954	339-103
Market house	\$800 \$100	50-1954	339-103
Express companies, power companies, communications	\$800 \$100	50-1954	339-103
Motor vehicles for hire (per vehicle)	\$800 \$100	50-1954	339-103
Motor buses (per vehicle)	\$800 \$100	50-1954	339-103
Motor buses (per vehicle) from the City to points with a radius of 10 miles	\$400 \$50	50-1954	339-103
Taxi	\$80 each not to exceed \$800 \$10 each not to exceed \$100	50-1954	339-103
Bowling alley, pool and billiard tables, gaming tables (per alley or table)	\$50 \$20	60-1980	339-103
Theaters with live performances, circuses	\$800 \$100	50-1954	339-103
Movie theaters (no stage production)	\$800 \$100	50-1954	339-103
Amusement devices	\$100 \$40	50-1954	339-103
Shuffleboard	\$100 \$20	50-1954	339-103
Juke box	\$100 \$40	60-1980	339-103
Coin-operated riding device	\$100 \$20	4-1961	339-103
Public dump or junkyard	\$800 \$100	50-1954	339-103
Newspaper vendor at sidewalk stands	\$10	60-1980	339-104
Business license fee (annual)	\$55	36-2009	339-205

212-105. Commercial laundries.

Description	Fee	Ordinance	Code Citation
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Commercial laundry establishment permit (annual)	\$50	19-2004; 40-2012 124-2012	173-106
Each washer and/or dryer	\$10 \$5 per unit	19-2004	173-106

212-108. Existing Building Code.

Description	Fee	Ordinance	Code Citation
Permit fee: (based on labor & materials)		96-2006	180-502
\$0 to \$250	\$50		
\$250.01 to \$500	\$70		
\$500.01 to \$1,000	\$90		
Excess of the first \$1,000 for each Additional \$1,000 or part thereof	\$15		
Administrative Fee	\$4	96-2006	180-502
Consultation Fee	\$50 per hour	96-2006	180-502
Removal of Placard	\$150	42-2011	180-502
<i>Accessibility Plan Review</i>	<i>2.5%</i>	<i>43-2011</i>	<i>180-902</i>

212-116. Housing permits.

Description	Fee	Ordinance	Code Citation
Adding:			
<i>Abandoned Real Property Registration</i>	<i>\$200</i>	<i>48-2013</i>	<i>308.303</i>

212-119. Miscellaneous.

Description	Fee	Ordinance	Code Citation
City of Reading Code	\$600 \$450	31-2002	N/A
Tax, water, and sewer certifications	\$35 \$25	54-2005	N/A
Dishonored check fee	\$35 \$32	53-2002	N/A
Payment in coin <i>surcharge</i>	20% \$10	53-2002	N/A
Law Dept: Lien statement request received by the City's Law Dept from individuals or entities, except requests from City employees in the course of their duties	\$25	41-2009	N/A

~~Handicapped permit~~ ~~\$0~~ ~~31-2009~~ ~~N/A~~

212-120 Parks and recreation.

Description	Fee	Ordinance	Code Citation
Chairs and tables	\$1/chair \$4/table \$4/bench \$25 deposit \$20 to activate electricity	20-2008	N/A
Small stage (per day)	\$175 Resident \$200 Non-resident \$200 deposit	20-2008	N/A
Large stage (per day)	\$275 Resident \$300 Non-resident \$250 deposit	20-2008	N/A
<i>Portable stage (per day)</i>	\$100 Resident \$150 Non-resident \$200 deposit		
Showmobile rental (per day)	\$350 \$300 deposit	20-2008	N/A
Barricades (per 4)	\$2.50 Resident \$3.50 Non-resident \$10 deposit \$100	20-2008	N/A
<i>Banners on light poles</i>	\$50 each		
<i>Banners across streets</i>	\$175		
<i>City Park Portable Potties</i>	\$50 each \$100 handicapped accessible		

Bingo cage	\$10 Resident \$15 Non-resident \$25 deposit	20-2008	N/A
PA system	\$50 Resident \$55 Non-resident \$100 deposit	20-2008	N/A
Picnic kit	\$20 Resident \$25 Non-resident \$25 deposit	20-2008	N/A
Small bleachers (per day)	\$100 Resident \$150 Non-resident \$100 Deposit \$150 Non-Resident deposit	20-2008	N/A
Large bleachers (per day)	\$200 resident \$200 resident deposit \$250 non-resident \$250 non-resident deposit \$100 deposit	20-2008	N/A
Popeorn machine	\$50 resident \$55 non-resident \$25 deposit	20-2008	N/A
Schlegel pool admission fee	\$2 for age 8—16 \$5 age 17 and up <i>3 and under free with paid adult</i> <i>\$5 for age 4 and older</i>		N/A
Schlegel pool membership fee	\$15 age 8—16 \$50 age 17—64 \$20 age 65 and older \$75 single family \$90 family w 3 or fewer children \$110 family w for or more children		N/A

\$40 age 4 – 9
\$65 age 10 – 61
\$40 age 62 and older
\$150 family of 4 (max 2 people over age 18)
\$25 each additional family member

Pool rental ————— \$40/hour + lifeguard fee ————— N/A
 \$30/hour Camp Lily (no lifeguards)

Lifeguard fee ————— \$8/hour — 2 lifeguards ————— N/A
 (under 30 people)
 \$8/hour — 3 lifeguards
 (30 people and over)

Pool Pavilion rental **\$50 per day + cost of admission**
(cost of admission not included in
rental fee)

212-121. Peddling and soliciting.

Description	Fee	Ordinance	Code Citation
Transient retail merchants (monthly)	\$200 \$50	46-1976	410-108

212-133. Sewers and Sewage Disposal

Description	Fee	Ordinance	Code Citation
Sewer service rental	126%	102-2006	§ 467-103

Monthly Meter Service Charge

Water Meter Size	Monthly Volumetric Allowance (Gallons)	2014 Monthly Meter Service Charge	2015 Monthly Meter Service Charge	Monthly Meter Service Charge After 2015
No meter	N/A	150% of RAWA rates	150% of RAWA rates	150% of RAWA rates
5/8-inch	2,000	\$27.82	\$28.93	4% annual increase
3/4-inch	3,000	\$37.99	\$39.51	4% annual increase
1-inch	5,000	\$56.09	\$58.33	4% annual increase
1.25-inch	6,660	\$71.11	\$73.96	4% annual increase
1.5-inch	10,000	\$101.34	\$105.39	4% annual increase
2-inch	16,000	\$155.64	\$161.86	4% annual increase
3-inch	30,000	\$282.34	\$293.63	4% annual increase
4-inch	50,000	\$463.34	\$481.87	4% annual increase

				<i>increase</i>
<i>6-inch</i>	<i>100,000</i>	<i>\$915.84</i>	<i>\$952.47</i>	<i>4% annual increase</i>
<i>8-inch</i>	<i>160,000</i>	<i>\$1,458.84</i>	<i>\$1,517.19</i>	<i>4% annual increase</i>
<i>10-inch</i>	<i>230,000</i>	<i>\$2,092.34</i>	<i>\$2,176.03</i>	<i>4% annual increase</i>

Volumetric Service Charge

<i>Volumetric Rates Based on Customer Meter Size</i>	<i>2014 Monthly Volumetric Service Charge (per 1,000 gallons in excess of Volumetric Allowance)</i>	<i>2015 Monthly Volumetric Service Charge (per 1,000 gallons in excess of Volumetric Allowance)</i>	<i>Monthly Volumetric Service Charge After 2015</i>
<i>5/8-inch Uniform Rate</i>	<i>\$8.49</i>	<i>\$8.83</i>	<i>4% annual increase</i>
<i>For Meters Larger than 5/8-inch</i>			
<i>First 750,000 Gallons</i>	<i>\$9.05</i>	<i>\$9.41</i>	<i>4% annual increase</i>
<i>Next 3,000,000 Gallons</i>	<i>\$7.24</i>	<i>\$7.53</i>	<i>4% annual increase</i>
<i>Over 3,750,000 Gallons</i>	<i>\$6.83</i>	<i>\$7.10</i>	<i>4% annual increase</i>

Initial industrial waste discharge permit application for categorical industries, each site	\$500	17-1998	§ 467-215C
Reapplication or revision to and industrial waste discharge permit for categorical industries, each site	\$250	17-1998	§ 467-215C
Initial industry's waste discharge permit application for noncategorical industries, each site	\$100	17-1998	§ 467-215C
Reapplication or revisions to an industrial waste discharge permit for noncategorical industries	\$50	17-1998	§ 467-215C
Scheduled or industry requested sampling and analysis and/or inspection — minimum per site	\$300	17-1998	§ 467-215C
Sampling of multiple discharge points	\$300 for the first sample and \$250 for each additional sample	17-1998	§ 467-215C
Unscheduled sampling and analysis	\$300 per sample plus out-of-pocket expenses for testing	17-1998	§ 467-215C

and related costs
if there is a permit
exceedance

212-136. Solid Waste and Recycling.

Description	Fee	Ordinance	Code Citation
Recycling service fee (annual)	\$82.33	72-2011	496-203
Municipal waste collection and disposal service fee (annual)	\$212.65 \$203.65	72-2011	496-204
Administrative fee for an application for an appeal to the Solid Waste and recycling Appeals Board	\$25	43-2006	496-207
Trash/recycling certification	\$35 \$25	68-2002	N/A

212-140. Streets and sidewalks.

Description	Fee	Ordinance No.	Code Citation
Curb permit (feet)		31-2009	§ 508-301B
0 to 24	\$250		
25 to 49	\$300		
50 to 99	\$350		
100 to no limit	\$350 for every 100 feet plus \$3.50 per foot for every foot over 100 feet		
Street restoration		31-2009	§ 508-302A
1 foot wide	\$35/foot		
2 feet wide	\$70/foot		
Building line survey, first side (feet)		31-2009	§ 508-304B
0 to 49	\$200		
50 to 99	\$250		
Second, third or fourth sides	Repeat rates		
Residential driveway permit fee	\$400	31-2009	§ 508-305B
Commercial driveway permit fee	\$450	31-2009	§ 508-305B

Driveways spanning property line for joint use of abutting properties	\$250 for each user		
Reconstruction of driveway	\$50	31-2009	§ 508- 305B
Sidewalk occupancy <i>cut</i> permit	\$50 <i>\$100 per cut</i>	31-2009	
Street cut permit		31-2009	
0 to 5 square yards	\$150/sq. yard		
Over 5 square yards, per additional square yard	\$120/sq yard		
Vault, areaway, basement stairs or structure (each)			
Sidewalk vault fee	\$80	31-2009	§ 508-306A
Sidewalk repair construction permit	\$80	31-2009	§ 508-307A
Time limit extension	\$10	35-2008	§ 508-309A
Annual license for commercial parking lot	\$5 per space with \$25 minimum	35-2008	§ 508-403

Street occupancy permit \$10 35-2008 § 508-702

Street restoration fee 35-2008 § 508-702

Not to exceed five square yards \$150/square yard

Each additional square yard over five \$120/square yard

Street cut permit 31-2009

Street Cut Permit \$10 / permit

Street Cut Inspection Fee \$100 / street cut

0 to 5 square yards \$150/sq. yard 508-704

Over 5 square yards, per additional square yard \$120/sq. yard

For cuts on streets paved within 5 years of the application date, add 100% to the above fee.

For cuts on streets paved 6 – 10 years prior to the application date, add 80% to the above fee.

Bore hole fee \$5 per bore hole 35-2008 § 508-707A

Ahead of paving permit \$10 per block and/ or street intersection

Time extension fee \$10 per month or fraction thereof

212-146. Zoning.

Description	Fee	Ordinance	Code Citation
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Adding:

<i>Failure to Appear or Gain Access</i>	<i>\$150</i>		
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<i>Zoning Map Amendment</i>	<i>\$1000</i>		
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FUND TRANSFER AGENDA MEMO

TO: Members of City Council

FROM: Christian F. Zale, City Controller

PREPARED BY: Christian F. Zale, City Controller

MEETING DATE: November 12, 2013

AGENDA MEMO DATE: November 5, 2013

RECOMMENDED ACTION: Fund Transfer

BACKGROUND:

Requesting transfer of \$250,000.00 from Contingency to Charter Board for legal fees.

BUDGETARY IMPACT:

\$250,000.00 added expense

PREVIOUS ACTION:

None

RECOMMENDED BY:

City Controller

RECOMMENDED MOTION:

Approve the request.

BILL NO. _____ - 2013

AN ORDINANCE

AN ORDINANCE REQUESTING AUTHORIZATION TO TRANSFER FUNDS FROM CONTINGENCY TO CHARTER BOARD WITHIN THE GENERAL FUND.

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Authorizing the transfer of \$250,000.00 from Contingency 01-14-91-4739 to Charter Board 01-17-91-4777.

SECTION 2. 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 _____, 2013

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

BILL NO. ____-2013

AN ORDINANCE

AN ORDINANCE AMENDING THE CITY OF READING CODE, CHAPTER 600
ZONING MAKING CORRECTIONS AND CLARIFICATIONS

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

Section 1. Amending the City of Reading Code, Chapter 600 Zoning making corrections and clarifications as attached in Exhibit A.

Section 2. Any and all ordinances which are contrary to the amendment are hereby repealed.

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

Enacted by Council _____, 2013

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: _____

EXHIBIT A

§600-105. Applicability to City – Buildings for Public Purposes.

~~This Chapter shall not regulate uses or structures owned or operated by the City of Reading that serve valid public purposes, such as for public works, stormwater or recreation purposes. See Section 1202 L Special Exceptions - Parks, Playgrounds and Public Buildings~~

§ 600-109. Applicability to utilities.

~~This chapter shall apply to utilities that are not owned or operated by the City of Reading, except as provided in § 619 of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10619, and except that public utility poles, lines and pipes are not regulated by this chapter. See 1203 H Conditional Use~~

§ 600-201. Zoning Administrator.

Duties. The Zoning Administrator shall:

- (1) Administer this chapter in accordance with its literal terms.
- (2) Be available to register nonconforming lots, uses, and structures, upon request of the owner or lessee.
- (3) Receive and examine all applications required under this chapter.
- (4) Issue or refuse permits after receiving a complete application, except as specifically provided in this chapter.
- (5) Prepare agendas, schedules and information packets for Zoning Hearing Board meetings.
- (6) Receive complaints of violations of this chapter.
- (7) Issue an enforcement notice to any person violating any provision of this chapter, and institute civil enforcement proceedings as a means of enforcing this chapter, as hereinafter set forth.
- (8) Keep records of applications and permits issued for actions of the Zoning Hearing Board, complaints received, inspections made, reports rendered, and notice or orders issued. Such records shall be and are the property of the City, and shall be available for the use of the Zoning Hearing Board, City Council, other City officials and staff, and City residents.
- (9) Make all required inspections and perform all other duties as called for in this chapter.
- (10) Have the authority to enter, at any reasonable hour, any structure, premises or land in the City to enforce the provisions of this chapter, within the limitations of state law. If refused entry, the Zoning Administrator shall have the authority to seek an administrative warrant.

- (11) Complete such other roles as provided in this chapter.
- (12) In accordance with Chapter 308, Housing, of the Code of the City of Reading, as amended, the Zoning Administrator shall be empowered to perform the duties described and imposed herein.
- (13) *Have the authority to enforce the Historic District Ordinance.*

§ 600-408. Applications.

Every application for a variance, special exception or interpretation of a ruling of the Zoning Administrator shall be made in writing on a form prepared by the Zoning Hearing Board. Such application shall be filed with the Board, and shall include the following:

- A. The name, address and signature of the applicant or appellant.
- B. The name and address of the owner of the property.
- C. A brief description and location of the property to be affected by such proposed change or appeal.
- D. A statement of the present zoning classification of the property in question and the present use thereof.
- E. A reasonably accurate description of the new construction, additions or changes intended to be made under this application indicating the size, height and uses of such proposed improvements. A plot plan of the property to be affected, indicating the location and size of the lot and the size of existing and intended improvements, shall be attached to the description. Plot plans shall be clear, legible and accurately drawn to scale.
- F. Submittal of appropriate fees.
- G. *Applicants may ask the Zoning Administrator to delay or continue their hearing before the Zoning Hearing Board no later than three (3) days before the date of the hearing and no more than two (2) times if a continuance fee to be established by the Zoning Administrator is paid when the request is made. Third requests for a delay or a continuance must be made to and approved by the Chair of the Zoning Hearing Board.*

§600-416 Appeals

1. All appeals for securing review of this Chapter or any decision, determination or order of this Board or of City Council, or of any of the City's agencies or officers issued pursuant to this Chapter, shall be in conformance with the Municipalities Planning Code, as amended, 53 P.S. §10101 *et seq.*
2. Questions of an alleged defect in the process of enactment or adoption of this Chapter or the Zoning Map(s) associated herewith shall be raised by an appeal

taken directly from the action of City Council to the Berks County Court of Common Pleas filed no later than 30 days from the effective date of such ordinance or map.

~~3. No person may file a new zoning application of any type with the Zoning Administrator if there is currently an appeal or litigation relating to any part of the Zoning Ordinance for the same property pending before the Zoning Hearing Board or any of the local, state or federal Court systems.~~

3. No person may file a subsequent zoning application with the Zoning Administrator if there is currently an appeal or litigation relating to the same property pending before the Zoning Hearing Board or any of the local, state or federal Court systems requesting the same or substantially similar relief.

§ 600-1013. Accessory Uses – Creating a new section “Swimming Pools”

- A. All in-ground swimming pools, as defined in § 600-2202, shall conform to all requirements as a structure for the zone in which it is situated, shall be included in computing the lot coverage and shall be in conformance with Chapter 180 Construction Codes.
- B. All above ground pools, as defined in § 600-2202, must be situated in rear yards so as to provide a minimum of three (three) feet open space area around the entire perimeter of the pool
- C. All pools must be enclosed with a permanent barrier or fence not less than four (4) feet in height, such fence having no opening with a dimension greater than four (4) inches on a side (or in diameter in the case of round openings). Walls of buildings may serve as a part of the fence or barrier. Where such pools are of the type having above ground construction, that portion of the pool wall extending above the ground may be included as part of the barrier or fence. Fences shall have a gate, which shall be securely locked when not in use. Above ground pools shall have a ladder or stairway, which can be removed or rendered unusable, and the entrance to the pool shall be capable of being securely closed to a height of four (4) feet. When draining or backwashing swimming pools, water shall not be drained onto other properties without the owner’s consent. Hot tubs/spas and inflatable pools in lieu of four (4) foot fence, must have covers that secure to prevent access when not in use.

§ 600-1101. Mid-rise or Low-rise apartments.

When permitted, *low-rise and mid-rise* apartments shall conform to the following:

§ 600-1006. Home Occupations

B. Both major and minor home occupations shall meet the requirements listed in Subsection A above. *A zoning permit is required for both major and minor home occupations; however, the zoning permit for the minor home occupation shall be issued without a fee.* The following additional requirements shall apply to a "minor home occupation":

§ 600-1203. Conditions for Conditional Use.

D. Conversions. This section applies to an existing building where it is allowed by the zoning district regulations to be converted into new dwelling units. ~~*Conversion of a single family property properties into a multi-unit property rentals is not permitted under this act.*~~ *The conversion of an existing one-family detached dwelling, one-family attached dwelling or one-family semidetached dwelling into two or more dwelling units shall be prohibited, as per § 600-803 and 804*

§ 600-1203. Conditions for Conditional Use

K. Student home. ~~The following regulations shall apply to student homes in the *Student Homes in the R-1A, R-1 and R-2 Districts are permitted only in an existing lawful apartment dwelling, as per sections 801, 802 and 803.*~~ In all other districts and in the Institutional Overlay Zone, the student home regulations shall not apply and instead the occupancy of a dwelling shall be regulated by the definition of a "family."

- (1) A student home shall meet the same regulations as apply to the type of dwelling unit, in addition to the student home regulations.
- (2) The owner of any existing student home shall register its location with the Zoning Administrator within one year after the enactment of this chapter.
- (3) ~~Where a student home is lawfully nonconforming because it is occupied by four or more college or university students~~ *at least two (2) with a maximum of three (3) college or university students, Where a property is used for student housing and has been legally established as a nonconforming use,* the use shall only be allowed to continue in such nonconforming manner if the owner registers such nonconformity with the Zoning Administrator within one year after the effective date of this chapter or a zoning amendment that made the use nonconforming.

§ 600-1203. Conditions for Conditional Use

I. Residential Care Facility, Including Group Care Facilities and Group Care Institutions

2. b. No group care facility shall have more than ~~10~~ *nine (9)* residents at any given time, not including live-in supervisors.

§ 600-1705. Signs allowed in Commercial Core and Commercial Residential Districts (CC, C-R).

Window identity signs are permitted in commercial storefronts located in all Commercial Core and Commercial Residential zones given the following conditions:

- (1) Signs on show window glass shall be limited to 30% of the glass area, or 600 square inches, whichever is greater.*
- (2) Temporary signs on window glass (e.g., "sale") shall be limited to 35% of the glass area, or 700 square inches, whichever is greater, for a thirty-day maximum.*

§600-1706. Signs Allowed in the Commercial Neighborhood District (C-N)

F. Private parking lots shall have no signs except for directional signs, warning signs, and one identification sign not exceeding 12 square feet in surface area for each fronting street. Such sign shall be a ground-mounted sign not extending more than 4 feet above ground or a wall sign and shall not extend into the public right-of way. *Retail Stores 1,500 gross square feet or larger that have an onsite, off-street parking lot, that meets the requirements under §600-1603.33 shall be permitted to have one sandwich board sign as defined in §600-1706. I below.*

§600-1706. Signs Allowed in the Commercial Neighborhood District (C-N).

I. In addition to other signs, one sandwich board sign shall be allowed for each lot occupied by a commercial use. Such sign shall not exceed ~~2 feet~~ *36 inches* in width and ~~4 feet~~ *96 inches* in height, shall not obstruct the main pedestrian pathway, and shall be moved inside when the business is not open. In addition:

1. *The height of such signs may not be artificially increased above the allowed maximum by placing material underneath the base of such sign.*
2. *A sandwich board sign may be placed no closer than 150' from another such sign.*
3. *Sandwich board signs must be secured to withstand strong winds and to prevent a roadway hazard.*
4. *No sandwich board sign shall be placed in the public street right-of-way or in any public parking space.*
5. *Sandwich board signs may be used only during the hours when the business is open to the public.*
6. *No sandwich board sign shall be placed so as to obstruct vehicular traffic or sight distance triangle requirements.*
7. *All sandwich boards signs shall be constructed of weather resistant material and shall comply with design standards for material and color.*
8. *No sandwich board sign shall contain foil, mirrors, bare metal or other reflective materials which could create hazardous conditions to motorists, bicyclists, or pedestrians.*
9. *No sandwich board sign may contain lights of any kind.*

§ 600-2202. General Definitions

Awning/Canopy – a temporary hood or roof-like cover, often of fabric, metal, or glass, that projects from the wall of a building and designed and intended for protection from weather or as a decorative element that may include a type which can be retracted, folded or collapsed against the face of a supporting building

Group-Care Facility — A household facility of ~~more than three persons, but fewer than 10 persons~~ *no more than nine (9) persons*, other than persons related by blood, marriage, adoption or legal guardianship, who because of their physical or emotional condition or their social or interpersonal skills otherwise would limit, inhibit or prevent their ability to function as useful or productive members of society, are provided supportive services and supervision through a nonprofit social service agency or other established entity. This use is also known as a "group home." This use shall not include a treatment center. See also § 600-1201B.

Institutional Use - An establishment, especially one of an organized society or corporation, which is anticipated to remain in public use, including government-owned administration buildings and offices, fire stations, public hospitals and health care facilities, public schools, colleges and educational research lands. Cemeteries, churches, and other religious facilities not designated in Low Density Residential or Low

Medium Density Residential are included in this land use category. Institutional uses in residential areas will continue as the current use. If an institutional use vacates property in residential areas then the property should be redeveloped as a low density residential use.

Low-rise Apartment – buildings that have no more than forty-six (46) feet containing one or more multi-unit family dwellings, with the dwellings therein leased to occupants for a definite period of time of at least 30 days.

