



CITY COUNCIL

Meeting Agenda

***REGULAR MEETING
COUNCIL CHAMBERS***

***MONDAY, FEBRUARY 25, 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: Rev. Robert Brookins, Holy Trinity Church of God

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

2. PROCLAMATIONS AND PRESENTATIONS

- Mayoral Proclamation recognizing the Haitian Community, accepted by Garry Joseph
- Council Commendation recognizing "Bud" Haines
- Council Commendation posthumously recognizing Frank Gilyard, accepted by the Gilyard family

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 February 11, 2013

B. AGENDA: Regular Meeting of February 25, 2013

5. Consent Agenda Legislation

None

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. 9 - 2013** - amending the 2013 Position Ordinance by adding 30 firefighter positions, to comply with the SAFER Grant if it is accepted. **(Man Dir/Council Staff)**
Introduced at the January 28 regular meeting; Tabled at the February 11 regular meeting

B. **Bill No. 10-2013** - amending the CORE Guidelines to provide the option for a CORE property to be marketed and sold as an owner occupied rental **(Law)** **Introduced at the February 11 regular meeting**

C. Bill No. 11-2013 - amending the Codified Ordinances, Chapter 1 Administrative Code, §1-122. Ordinances **(Council) Introduced at the February 11 regular meeting**

10. INTRODUCTION OF NEW ORDINANCES

A. Ordinance - amending Chapter 7-207, Fire Prevention and Fire Protection, and amending Section 901.6.2 to require all records of system inspections, tests and maintenance under Section 901 of the City of Reading Fire Prevention and Protection Code to be provided to Brycer, LLC, for the electronic record management and retrieval by the Office of the Fire Marshal **(Law)**

B. Ordinance - authorizing the Mayor to execute any and all documents, including but not limited to promissory notes and security agreements, to obtain certain radios, etc., in cooperation with the County of Berks and the participation in the County-wide public safety radio system **(Law)**

C. Ordinance - authorizing a referendum question regarding a dedicated Library Tax on the May 21st primary ballot **(Council)**

11. RESOLUTIONS

None

12. PUBLIC COMMENT – GENERAL MATTERS

13. COUNCIL BUSINESS / COMMENTS

14. COUNCIL MEETING SCHEDULE

Monday, February 25

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

Thursday, February 28

Gold Star Mothers – Council Chambers - noon

Monday, March 4

Nominations & Appointments – Council Office – 4 pm

Conditional Use Hearing 600 N 12th St - Council Chambers - 5 pm

Open Government & Transparency – Council Office - 5:30 pm

Housing & Economic Development – Council Office - 5:30 pm

Monday, March 11

City/County Crime Summit Follow Up – Council Chambers – 1 pm

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

15. BAC AND COMMUNITY GROUP MEETING SCHEDULE

Monday, February 25

DID Authority – 645 Penn St 5th Floor – noon

District 7 Crime Watch – Holy Spirit Church – 7 pm

Tuesday, February 26

Housing Authority Workshop – WC Building – 4 pm

Housing Authority – WC Building – 5 pm

Environmental Advisory Council – Council Office – 5 pm

Planning Commission – Penn Room – 7 pm

Penns Commons Neighborhood Group – Penns Commons Meeting room – 7 pm

Wednesday, February 27

Human Relations Commission – Penn Room – 5:30 pm

Parking Authority – Parking Authority Office – 5:30 pm

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

Stadium Commission – Stadium RBI Room – 7:30 pm

Thursday, February 28

Water Authority – Water Authority Office – 4 pm

Monday, March 4

Shade Tree Commission – Planning Conference Room – 6 pm

Tuesday, March 5

Board of Health – Penn Room – 4 pm

Charter Board – Penn Room – 7 pm

Wednesday, March 6

Reading Elderly Housing Crime Watch – Front & Washington Sts – 2:30 pm

District 2 Crime Watch – St Paul’s Lutheran Church – 6:30 pm

Thursday, March 7

Police Civil Service Board – Penn Room – noon

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

District 3 Crime Watch – Calvary Baptist Church – 6:30 pm

Sunday, March 10

College Heights Community Council – Nativity Lutheran Church – 7 pm

Monday, March 11

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, February 11, 2013**

Council President Francis G. Acosta called the meeting to order.

Councilor Randy Corcoran gave the invocation.

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

Managing Director C. Snyder

City Clerk L. Kelleher

Mayor V. Spencer

PROCLAMATIONS AND PRESENTATIONS

City Council issued the following:

- Council Commendation recognizing the RHS Dance Team, accepted by Cheryl Davis, Vice Principal and Team advisor

PUBLIC COMMENT

Council President Acosta announced that five citizens were registered to address Council on non-agenda matters. He inquired if any Councilor objected to suspending the rule requiring non-agenda comment at the end of the meeting. As no one objected the rule requiring non-agenda comment at the end of the meeting was suspended. Council President Acosta reminded the citizens registered to speak about the remaining public speaking rules.

Karin Acuna of Eckert Ave., introduced the five contestants for the Miss Teen Reading pageant scheduled for March 30th at the Wyndham Lincoln.

Chris Mauger, of 409 W. Windsor St., was not present.

Mary Ann Coyle, of North Kenhorst Blvd., described the problem she has been having with erratic water billing at her property which caused the need to replace the water meter; however, the billing problems continued. She provided detail about the erratic monthly bills in a home where there are only two water consumers. She also noted that the customer service representatives at RAWA are not interested in assisting customers or helping to resolve problems in person or by phone.

Council President Acosta provided Mrs. Coyle with two additional minutes to conclude her remarks.

Ms. Coyle described the various approaches she and her husband use to reduce their water consumption and their monthly bill; however, the water bill does not reflect their water saving measures. She stated that their monthly bill runs from \$45 to \$300. She noted that a plumber could not locate a leak on the homeowner side of the water meter.

James Coyle, of North Kenhorst Blvd., continued to describe the continued problems with their erratic water bills. He noted that while he and his wife were undertaking water conservation practices, their water consumption charges continued to escalate.

Belody Ramos, representing Juan Castillo, of Chestnut Street, stated that her father works in the construction field and that he is interested in taking properties off the repository list and rehabilitating them.

APPROVAL OF THE AGENDA & MINUTES

Council President Acosta called Council's attention to the minutes for the January 28th Regular Meeting of Council and the agenda for this meeting.

Councilor Sterner moved, seconded by Councilor Marmarou, to approve the minutes from the January 28th Regular Meeting and the agenda for this meeting. The motion was approved unanimously.

Consent Agenda

There was no legislation on the Consent Agenda.

ADMINISTRATIVE REPORT

Mayor Spencer read his report distributed to Council at the meeting. In summary:

- The Housing Fees Amnesty Program ends February 15th. Those with

delinquencies who do not participate will enter the formal collection process.

- Implementation of the Park and Walk initiative for the police patrol
- Receipt of a grant to purchase a large baler to compact recycling products
- The need to renew the contract with Local Self Reliance

Councilor Marmarou stated that the report indicates that the Mayor's Office is coordinating clean ups in the northwest area of the City. He inquired about including District 4. Mayor Spencer stated that the clean-ups are being conducted City-wide through RBI.

Councilor Marmarou suggested that the park and walk initiative expand into the City's neighborhoods in addition to the commercial core area.

Councilor Reed inquired about the renewal of the contract with Local Self Reliance, the amount of the contract, when the contract period ends and the need for the RFP process. Mayor Spencer stated that after consulting with the Managing Director he learned that Council will need to approve the new contract after the RFP process.

Councilor Goodman-Hinnershitz inquired about the safe corridors grant. Mayor Spencer stated that they are exploring the availability of grants through the Grants Coordinator. Councilor Goodman-Hinnershitz noted the importance of including residential and commercial property owners on these corridors as they can provide a safe haven for school children.

AUDITOR'S REPORT

City Auditor Cituk read the report distributed to Council. In summary:

- Update on the 2012 Admissions Tax collection
- Update on the 4th quarter of 2012 Unemployment Compensation
- Update on the collection of the 2012 Franchise fee

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

Renee Dietrich, President of the Library Board and members of the Board, made their annual report to Council.

Ms. Dietrich stated that in 2012 the Reading Public Library:

- Expanded their E-Book collection, which greatly increased the circulation rate
- Identified maintenance issues at the library facilities

- Expanded their fundraising
- Saw a marked increase in patron visits in person and online.

Ms. Dietrich stated that in 2013 the Library Board will:

- Continue to create programs that respond to community issues
- Work with partners such as the United Way and Literacy Council
- Continue to provide assistance to those seeking entry or re-entry into the work force

Ms. Dietrich noted the Board's commitment to the community. She stated that the Library's total budget is \$2.6M that includes the \$100,000 contribution from the City. She stated that the Board looks forward to the 2013 renovation to the historic Main Branch, noting that this marks the Library's 250th anniversary and that the Reading Public Library is the 6th oldest library in the United States. She asked Council to consider increasing the annual contribution to \$200,000.

Councilor Waltman agreed with the need to increase the City's annual contribution. He explained that the City's dire financial condition created the need to dramatically reduce the annual contribution to the Library. He applauded the Library Board's fundraising efforts.

Councilor Sterner noted his appreciation for the Library Board's enthusiasm. He also agreed with the need to provide a healthier contribution to the Library annually. He stated that he is interested in providing a dedicated Library Tax, similar to the .2 mils provided to the Shade Tree Commission.

Council President Acosta noted the eloquence of Ms. Dietrich's report and the need to consider increasing the City's annual contribution to the Library.

Councilor Goodman-Hinnershitz suggested discussing Library funding before the preparation of the 2014 Budget. She expressed the belief that a Library Tax should be County-wide and not centered only in the City.

Councilor Reed thanked the Library Board for their fundraising efforts. She stressed the importance of private fundraising and grant research.

Mayor Spencer suggested doing a survey to obtain the public opinion of a dedicated Library Tax.

ORDINANCES FOR FINAL PASSAGE

WITHDRAWN Bill No. 6-2013 - amending an Ordinance of the City previously enacted on June 25, 2012, that authorized the incurrence of non-electoral debt through the issuance of a series of federally-taxable general obligation notes of the City in the aggregate principal amount of three million one hundred eleven thousand dollars (\$3,111,000) pursuant to the act of the General Assembly of the Commonwealth of Pennsylvania, known as the Local Government Unit Debt Act, 53 PA.C.S., Chapters 80-82, as amended (the "Act"), to provide funds for certain projects of the City recited therein; providing that the dates set forth in said Ordinance for the payment of principal of and interest on said notes be modified; providing for certain other amendments to said Ordinance; authorizing and directing specified officers of this City to do, take and perform certain necessary and/or appropriate acts and things relating to such amended Ordinance; 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 (**Financial Solutions**) *Tabled at the January 28 regular meeting*

B. Bill No. 7 - 2013 – amending the City-wide Diversity Board ordinance (**Council Staff/HR**) *Introduced at the January 28 regular meeting*

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No 7-2013.

Managing Director Snyder stated that this amendment will modify the make-up of the board and the meeting schedule.

Councilor Waltman stated that this board was created to ensure diverse employment in City government.

Bill No. 7-2013 was enacted by the following vote:

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

Nays: None -0

C. Bill No. 8 - 2013 - authorizing the execution of the Inter-municipal Sewer Agreement (IMA) with Laureldale (**Man Dir**) *Introduced at the January 28 regular meeting*

Councilor Corcoran moved, seconded by Councilor Reed, to enact Bill No 8-2013.

Managing Director Snyder stated that the agreement, like the Muhlenberg IMA enacted in November 2012, allows outside municipalities to purchase sewage treatment services from the City.

Councilor Waltman stated that while he supports the work that went into drafting and negotiating this agreement, he will not support the enactment of this ordinance due to his disagreement with various issues within the Consent Decree.

Councilor Goodman-Hinnershitz thanked all for the work done to complete this task, which provides regional sewer service.

Bill No. 8-2013 was enacted by the following vote:

**Yeas: – Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Acosta,
President - 6
Nays: Waltman - 1**

D. Bill No. 9 – 2013 - amending the 2013 Position Ordinance by adding 30 firefighter positions, to comply with the SAFER Grant if it is accepted. **(Man Dir/Council Staff)**
Introduced at the January 28 regular meeting

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to table Bill No 9-2013.

Bill No. 9-2013 was tabled by the following vote:

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

INTRODUCTION OF NEW ORDINANCES

Council President Acosta read the following ordinances into the record:

A. Ordinance - amending the CORE Guidelines to provide the option for a CORE property to be marketed and sold as an owner occupied rental **(Law)**

B. Ordinance - amending the Codified Ordinances, Chapter 1 Administrative Code, §1-122. Ordinances **(Council)**

RESOLUTIONS

A. Resolution 15-2013 – reappointing Tom Lynam to the Fire and Building Code Board of Appeals **(Nom & Appts)**

B. Resolution 16-2013 – reappointing John Hill to the Fire and Building Code Board of

Appeals (**Nom & Appts**)

C. Resolution 17-2013 – appointing Robert Hospidor to the Board of Health (**Nom & Appts**)

D. Resolution 18-2013 – reappointing Jeffrey Gattone to the Zoning Hearing Board (**Nom & Appts**)

E. Resolution 19-2013 – reappointing Phil Rabena to the Zoning Hearing Board (**Nom & Appts**)

Councilor Marmarou moved, seconded by Councilor Corcoran, to adopt Resolutions No 15-19-2013.

Councilors Marmarou and Corcoran noted the skills and qualifications of those being appointed and re-appointed and noted the importance of volunteerism.

Resolutions No. 15-19-2013 were adopted by the following vote:

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

Nays: None -0

COUNCIL COMMENT

The members of Council thanked those who provided public comment this evening. They also congratulated the RHS Dance Team. They also noted that the complaint about RAWA heard this evening is not an isolated event but an event that is experienced by many RAWA customers.

Council President Acosta introduced the bi-monthly Council Corner newsletter which was electronically distributed last week. He stated that the newsletter is posted on the Council webpage and the Facebook page. He explained that the newsletter is informational and not PR based. He stated that the Council President will write articles for every issue and the District Councilors will write articles in every other issue. He encouraged citizens to read the newsletters and provide suggestions for future articles.

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

Respectfully submitted by Linda A. Kelleher CMC, City Clerk

BILL NO. _____
AN ORDINANCE

**AN ORDINANCE AMENDING THE 2013 FISCAL YEAR EMPLOYEE POSITION
ORDINANCE, BILL NO. 126-2012 BY ADDING 30 POSITIONS TO THE
DEPARTMENT OF FIRE AND RESCUE SERVICES**

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Ordinance amending the 2013 Fiscal Year Employee Position Ordinance, Bill No. 126-2012 by adding 30 positions to the Department Of Fire And Rescue Services, funded by the SAFER Grant, upon its issuance to the City.

SECTION 2. Any other ordinance, or part thereof, of the City of Reading, Berks County, Pennsylvania, which is contrary to the amended ordinance is hereby repealed.

SECTION 3. This ordinance shall be effective ten (10) days after its adoption and approval by the Mayor, or repassage by City Council over the Mayor's veto, in accordance with Section 219 of the City of Reading Home Rule Charter, or as set forth in Section 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: _____

Vetoed by Mayor: _____

Date: _____

ORDINANCE NO. _____ - 2013

AUTHORIZING THE MAYOR TO EXECUTE AN AMENDED MEMORANDUM OF UNDERSTANDING BETWEEN THE READING BERKS ASSOCIATION OF REALTORS, READING REDEVELOPMENT AUTHORITY AND THE CITY OF READING TO ALLOW CORE PROPERTIES TO BE MARKETED AND SOLD AS OWNER OCCUPIED RENTALS.

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

Whereas, the Reading Berks Association of Realtors proposed the Community Reinvestment (CORE) Program to City Council, the Administration and the Reading Redevelopment Authority in early 2011; and

Whereas, after several work group meetings with the Reading Berks Association of Realtors, the City recognized that the Core Program could assist the City in improving housing stock and could help to reduce the number of vacant and blighted properties within the City; and

Whereas, the original Memorandum of Understanding between the Reading Berks Association of Realtors, the Reading Redevelopment Authority and the City of Reading restricted marketing and sale of Core properties to owner occupancy only to promote owner occupancy within the City; and

Whereas, since the creation of the original Memorandum of Understanding, the aforementioned three agencies have determined that the size of some properties within the City make them suitable for both owner occupied single units as well as owner occupied rentals.

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

SECTION 1. The Mayor is authorized to execute the amended Memorandum of Understanding as attached in Exhibit A that allows CORE properties to be marketed and sold as owner occupied single units as well as owner occupied rentals.

SECTION 2: This Ordinance shall become effective in ten (10) days after its adoption and approval by the Mayor in accordance with Section 219 of the City of Reading Home Rule Charter.

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: _____

“EXHIBIT A”

LPG-CORE

LOCAL PROJECT GUIDELINES

This form recommended, approved AND RESTRICTED for use
in the CORE Project of the Pennsylvania Association of REALTORS® (PAR).

Selling Municipality/Entity: City of Reading

By signing below, the individual(s) preparing these local project guidelines on behalf of the municipality or entity acknowledge having received and read the Local Project Guidelines Information and Instructions Document (Form LPG/I-CORE) provided by the members of the local CORE Project committee, and further acknowledge that any REALTORS® involved in discussions regarding these guidelines and criteria did not engage in any anti-competitive behavior or collaboration during this process.

Signature _____
Mayor

Signature _____
RRA Executive Director

Name _____

Name _____

Title _____

Title _____

Date _____

Date _____

Signature _____
President R-BAR

Name _____

Title _____

Date _____

1. Types of Properties to be Sold

- Existing single-family residential suitable for occupation (%)
- Existing single-family residential in need of substantial renovations (%)
- Existing multi-family (%)
- Vacant lots (single) (%)
- Vacant lots suitable for large-scale development (%)
- Existing or potential commercial/industrial sites (%)

2. Selecting Eligible Listing Agents

A) Number of Potential Listing Agents

- ☐ Multiple agents will be eligible to list properties (e.g., a pool of eligible agents will be selected)
- † A single agent will be selected to handle all listings

B) When to Select Agents

- † The eligible agent(s) will be selected prior to the selection of properties
- ☐ A listing agent will be selected each time a property is going to be sold

C) Membership & Educational Criteria

- ☐ All listing agents must be REALTOR® Members
- † Listing agents do not have to be REALTOR® members
- ☐ All listing agents must earn the CORE designation
- † Listing agents do not have to earn the CORE designation

- ☐ Listing agents must meet the following additional criteria:
 - Full time*
 - Three years experience*
 - Member of Reading-Berks Association*
 - A considerable amount of transactions within the City of Reading*

3. Selecting Properties to List

A) Describe your local goals for the CORE Project:

*Through the use of a CORE Task Force, the City aims to
Restore properties to productive use;
Encourage purchase by owner-occupants;
Encourage planned development; and
Enhance the tax base*

B) Describe the process for selecting the properties to be listed through the CORE Project:

The City will provide a list of selected properties for determination. The CORE Task Force will meet at least quarterly to discuss this list.

4. Pricing Properties

- † We will request a comparative market analysis (“CMA”) from multiple prospective listing agents
- ☐ We will obtain one CMA from the selected listing agent
- † We will *not* use CMAs, but will obtain full appraisals for each property from certified appraisers
- † We will *not* use CMAs or appraisals, and will establish listing prices internally

Describe the process for selecting providers of CMAs/appraisals, and for establishing the listing price: (*NOTE: state law says real estate licensees may not provide CMAs if they do not have a realistic opportunity to obtain the listing.*)

CMA will be given by listing agent. The listing price will take into account the CMA as well as the rehab cost. The rehab costs will be held by the lender and paid to the buyer as various portions of the rehab is completed.

5. How to Distribute Listings to Listing Agents

Describe the process for distributing listings among prospective listing agents:

Selection will be completed on a rotating basis based on an initial interview.

6. Fees and Listing Broker Terms/Conditions

A) Standard Contract/terms

- We will establish standard listing terms for all listings
- We will negotiate terms individually for each listing

- We will use the PAR listing contract modified for CORE (Form XLS-CORE)
We will use whatever contract is presented by the listing agent
- We will use local counsel to draft our own proprietary listing contract

B) Listing Period

(NOTE: Listing period can never be longer than 1 year, and cannot have an automatic extension)

- Listing Period will be the same for all listings: **1 year**
- Listing Period will be negotiated for each listing
- Listing Period will differ based on type of listing (e.g., land, single-family, commercial, etc.)
Describe the listing period for each type of property:

C) Broker's Fee (total fee, including cooperating broker compensation)

- Listing Broker's Fee will be the same for all listings: _____
- Listing Broker's Fee will be negotiated for each listing
- Listing Broker's Fee will differ based on type of listing (e.g., land, single-family, commercial, etc.)

Describe Listing Broker's Fee for each type of property:

The Broker's Fee will based on a hybrid percentage rate/flat fee

1) Cooperating Broker Compensation (a portion of total Broker's Fee, above)

- Cooperating Broker Compensation will be the same for all listings: _____
- Cooperating Broker Compensation will be negotiated for each listing
- Cooperating Broker Compensation will differ based on the type of listing (e.g., land, single family, commercial, etc.)

Describe Cooperating Broker Compensation for each type of property:

D) Protection Period

- Protection Period will be the same for all listings: **60 days**
- Protection Period will be negotiated for each listing
- Protection Period will be different based on the type of listing (e.g., land, single-family, commercial, etc.)

Describe Protection Period for each type of property:

E) Additional Terms and Conditions

7. MLS Exposure

CORE properties will be included in the Multiple Listing Service (MLS). Listings will include one or more photographs and the street address of the property.

CORE properties will not be included in the MLS. Failure to include the property in the MLS may reduce the number of potential buyers who are made aware of the property.

8. Buyer Criteria

A) Criteria for Buyer Representatives

- We will not restrict which agents may work as buyer agents/~~selling agents~~.
- Buyer representatives should review CORE educational materials available to buyers
- Buyer representatives should review the following information provided by sellers:

We will instruct listing agents to **ONLY** present us with offers from buyer agents who meet the following criteria (and from no others):

B) Buyer Preferences

- We will offer preferences to owner-occupants
 - Exclusive listing period for owner-occupants: _____ Days
 - Other preferences, benefits or incentives available only to owner-occupants (list):
 - Neighborhood Housing Programs***
 - Reduce Transfer Tax from 3.5% to 1%***

***Retap
Building and Trades permit reduced from 1.5% to 1%***

Municipality/Entity: City of Reading, page 5

† Other preferences, benefits, incentives or limitations based on type of buyer (identify types of buyers and the limitations/benefits):

C) Buyer Eligibility Guidelines

1. Buyers should complete CORE educational materials for buyers
 Buyers must submit a completed PAR Buyer's Financial Information form (Form BFI-CORE)
 We may attach a locally prepared addendum with additional questions to be answered
- † Buyers must submit a qualification form developed by local counsel

2. † Buyers must submit the following information in addition to, or instead of, a pre-drafted form:

Describe the overall criteria that will be used to screen potential buyers. Include items that will automatically disqualify buyers, and as much as possible, describe how other criteria will be evaluated:

All sales are intended for residential purposes only. Buyers will be limited to individuals looking to buy homes who intend to rehab the properties and use them as owner occupied single units or owner occupied rentals. The City will not consider buyers who are tax delinquent, have had properties determined or certified as blighted or who are or have been otherwise repeatedly in violation of any City ordinances.

9. Governmental or Private Incentives

The following incentives may be available to purchasers (please identify the program, benefit, restrictions (if any) and where to find additional information):

NHS: Home Ownership Program – Available for first time home buyers. This programs provides assistance with down payment/closing costs as well as up to 20% purchase price (2nd mortgage)

NHS: Keystone Renovate and Repair Program - Must own the home. This program will help finance rehab up to \$35,000. Does not have to be low income.

State programs –Subject to availability

DCED – Subject to availability

KOZ – Subject to availability

10. Rehabilitation, occupancy and resale restrictions

- There will be rules/restrictions on rehabilitation (timelines, criteria, etc.)
Describe the review process and any criteria to be applied (e.g., what plans should include, where should plans be submitted, what criteria will be used to review them, and whether pre-approval will be necessary for a fully executed purchase agreement):

***The City will incorporate into each individual sales agreement the rehab work that needs to be performed including the timelines and criteria for the work.
Zoning plans must be submitted directly to the Zoning Hearing Board.***

Municipality/Entity: City of Reading, page 6

The City of Reading One Stop program is available where appropriate.

Occupancy restrictions/requirements will be imposed for one unit (e.g., limits on rental use)

Describe restrictions/requirements, including any sanctions for non-compliance:

Restriction –Owner occupied including owner occupied rental

If the rehab work is not completed in a timely fashion, there will be a one-time only 90 day extension granted upon request. Otherwise, the property will revert back to the City within 1 year. A financial damages clause for non-compliance will be included in the sales agreement.

Resale restrictions/requirements will be imposed (e.g., resale purchasers must comply with the same restrictions as the original purchaser)

Describe restrictions/requirements, including any sanctions for non-compliance:

There will be a Deed restriction of owner occupancy including owner occupied rentals and a continuing reversion clause placed on all properties. An owner can apply to the City of Reading to have the Deed restriction lifted after the tax abatement period has ended. Should a property be found to not have an owner occupancy use, the City will petition the Court of Common Pleas to have the property reverted back to the City.

11. Standard Forms

We will use the following PAR Standard Forms:

- Listing Contract (Form XLS-CORE)
- Seller Property Disclosure (Form SPD)
- Hold Harmless Agreement (Form HHA-CORE)
- Buyer's Financial Information (Form BFI-CORE)
- Agreement of Sale (Form ASR-CORE) and related addenda

We will use the following forms drafted by local counsel:

12. Seller Negotiation Procedures

Please include both names and titles to help identify specific individuals

Written offers will be presented to: *Solicitor*

Initial offers will be responded to within: *5 days*

Municipality/Entity: City of Reading, page 7

Counteroffers may be made by: *Solicitor*

Criteria for counteroffers: _____

Final approval/rejection by: *City Council/Redevelopment Authority within 30 days*

Process for approval/rejections (eg., vote of board or committee, approval by single individual, etc.):

Approvals or rejections will be by majority vote of City Council and the Redevelopment Authority.

Estimated time period for final approval/rejection (e.g., X days from submission, voting body meets only once a month, etc.): *Approximately 35 days*

ADDITIONAL INFORMATION

**BILL NO. ____-2013
AN ORDINANCE**

**AN ORDINANCE AMENDING THE CODIFIED ORDINANCES, CHAPTER 1
ADMINISTRATIVE CODE, §1-122. ORDINANCES.**

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

SECTION 1. Amending the City of Reading Codified Ordinances §1-122. Ordinances, as attached in Exhibit A:

SECTION 2. This Ordinance shall become effective in ten (10) days, in accordance with Charter Section 219.

Enacted _____, 2013

President of Council

Attest:

City Clerk

(City Council & Council Staff)

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

EXHIBIT A

§1-122. Ordinances.

1. **Action Requiring an Ordinance.** In addition to requirements provided by law or the Charter, §§215 through 2246, acts of the Council shall be by ordinance which:

- A. Adopt or amend the codes or establish, alter, or abolish any unit of the City.
- B. Provide for a fine or other penalty or establish a rule or regulation for which a fine or other penalty is imposed.
- C. Levy taxes and provide for service charges, permit fees and assessments.
- D. Grant, renew or extend a franchise.
- E. Adopt and amend the annual budget and capital program budget (see Charter, §§905, 912 and 9137).
- F. Repeal or amend any ordinance.
- G. Adopt procedures for purchasing of products, goods, or services, for the making of contracts and for the sale or lease of personal or real property of the City. (See Charter, §9158).
- H. Adopt other actions which are legislative in nature.
- I. Authorize the borrowing of money.
- J. Purchase, convey or lease lands or buildings.
- K. Adopt zoning, subdivision or other land use controls.
- L. Adopt the annual position ordinance, the official listing of all authorized City employment positions, which authorizes the Administration to hire and compensate all employees, defined in §1-121, "Categories of Employment." [*Ord. 60-2009*]

2. Ordinance Form and Procedure.

A. Every proposed ordinance shall be introduced in writing and in the form required for final adoption. No ordinance shall contain more than one subject which shall be clearly expressed in its title. The enacting clause shall be "The City of Reading, Pennsylvania ordains"

B. All ordinances shall be drafted by one party in a word processing program and during the review process all revisions shall be made by the originator of the ordinance and revisions will be displayed using bold italics text and strike-out text. When the review process is completed the ordinance will be sent to the Managing Director's and Law Offices for review. The Managing Director's Office shall forward the ordinance to the City Clerk's Office for introduction when the Managing Director has completed his or her review process. All ordinances sent to the City Clerk's Office for a Council agenda must be in final form and include the date the ordinance will be advertised, if required, and the approval/veto paragraph for the Mayor, shall include an agenda memo that provides a summary of the proposed legislation, a recommendation from the Managing Director and Department Director where the legislation originated and the financial impact of the legislation.

~~B. C.~~ C. Any ordinance which repeals or amends an existing ordinance shall set out the full ordinance, Sections or subsections to be repealed or amended, and shall indicate matter to be omitted by enclosing it in brackets or by strike-out type and shall indicate new matter by underscoring or by *bold and italics*.

~~B. D.~~ D. An ordinance may be introduced by any member of the Council at any regular or special meeting of the Council without vote *and a copy of the ordinance shall be attached to the agenda for the meeting where it is introduced.* ~~After introduction of any ordinance, a copy shall be distributed to each Council member and to the Mayor and A~~ A reasonable number of copies shall be filed in the office of the City Clerk and in such other public places such as the Council may designate by resolution. (See the Charter, §§216 and 2179.)

AGENDA MEMO

TO: CITY COUNCIL

FROM: OFFICE OF THE FIRE MARSHAL

PREPARED BY: FREDERICK T. LACHAT, III, ESQUIRE

MEETING DATE: February 25, 2013

AGENDA MEMO DATE: February 19, 2013

REQUESTED ACTION: Council approve an Ordinance amending Chapter 7-207, Fire Prevention And Fire Protection, and amending Section 901.6.2 to require all records of system inspections, tests and maintenance under section 901 to be provided to Brycer, LLC, for the electronic record management and instant computer access for review by the Office of the Fire Marshal.

RECOMMENDATION: Administration recommends that Council approve the adoption of the Ordinance.

BACKGROUND: Currently, the Office of the Fire Marshal must request copies of fire systems inspections reports directly from the company performing the inspections and then must file and maintain the files. The current process is overly burdensome at the Office of the Fire Marshal's current staffing level and limitations on storage capacity. Further, this records keeping system will allow the City to monitor all fire systems inspections electronically at no cost or additional labor.

BUDGETARY IMPACT: None. The costs for the implementation of this program will be covered by the \$10.00 fee that is assessed to each inspection and is transferred directly from the company performing the inspection to Brycer, LLC.

PREVIOUS ACTION: None. The City chose not to amend Section 901.6.2 when it adopted the 2009 International Fire Code.

SUBSEQUENT ACTION: Council consider this Ordinance for adoption at its next regular scheduled meeting following discussion of the same.

RECOMMENDED BY: Fire Marshal Todd Jaeger and City Law Department attorney Frederick Lachat.

RECOMMENDED MOTION: Approve the adoption of Section 901.6.2 to require all records of system inspections, tests and maintenance under section 901 of the International Fire Code as adopted by the City of Reading to be provided to Brycer, LLC, for the electronic record management and retrieval by the Office of the Fire Marshal

BILL NO. _____-2013

AN ORDINANCE AMENDING CHAPTER 7-207, FIRE PREVENTION AND FIRE PROTECTION, AND AMENDING SECTION 901.6.2 TO REQUIRE ALL RECORDS OF SYSTEM INSPECTIONS, TESTS AND MAINTENANCE UNDER SECTION 901 OF THE CITY OF READING FIRE PREVENTION AND PROTECTION CODE TO BE PROVIDED TO BRYCER, LLC, FOR THE ELECTRONIC RECORD MANAGEMENT AND RETRIEVAL BY THE OFFICE OF THE FIRE MARSHAL

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

SECTION 1. Chapter 7-207. Amendments to the International Fire Code is amended by adding the following:

901.6.2. Records. Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three years and shall be provided to the Office of the Fire Marshal, by the company performing the inspection(s), through the third-party reporting system, Brycer LLC at a fee of \$10.00 per inspection payable directly to Brycer, LLC.

SECTION 2. All other provisions of the City of Reading Ordinances shall remain effective.

SECTION 3. Any court determination that a portion of an amended section is unconstitutional or invalid shall not affect the remaining portion of said section or other ordinance sections.

SECTION 4. This Ordinance shall become effective within ten (10) days of the date of passage and approval by the Mayor or override of the Mayor's veto.

Adopted _____, 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: _____