

CITY COUNCIL

Committee of the Whole

Monday, February 10, 2014

5:00 pm

Agenda

Although Council committee meetings are open to the public, public comment is not permitted at Council Committee of the Whole meetings. However, citizens are encouraged to attend and observe the meetings. Comment from citizens or professionals during the meeting may be solicited on agenda topics via invitation by the President of Council.

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.

I. DCR Regulation Amendment – T. Coleman

II. Special Sessions

- Wednesday, February 12

Committee of the Whole – Penn Room – 5 pm re 5 yr Projections w/ PFM

- Thursday, February 13

Executive Session – Penn Room – 3:30 pm with PFM re Act 73

III. Agenda Review

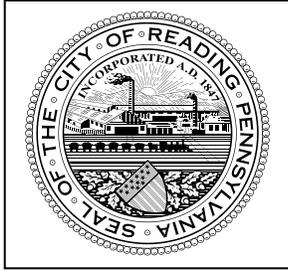
IV. Reorganization Matters –

A. Selection of Council Committee assignments

- Finance – 3 members
- Standards of Living – 3 members
- Economic Development – 3 members
- Nominations and Appointments – 3 members

B. Selection of board assignments

- Environmental Advisory Council -
- Diversity Board -
- Solid Waste and Recycling Appeals Board – 2 members of Council
- Business License Appeals Board
 - Council representation depends on the District in which the business is located and changes based on the appeal.
- Local Redevelopment Authority – Council President and 2 members of Council
- Blighted Property Review Committee
- Audit Committee – Finance Chair
- Reading Area Transportation Study (RATS) Coordinating Committee – Council President and Finance Chair
- Berks County Criminal Justice Advisory Board
- Capital Improvement Program (CIP) Committee – Administration of the Capital Improvement
- Berks Community Action Program



COMMITTEE of the WHOLE

CITY COUNCIL

MINUTES
January 27, 2014
5:00 P.M.

COUNCIL MEMBERS PRESENT:

D. Sterner, S. Marmarou, M. Goodman-Hinnershitz, D. Reed, C. Daubert, F. Acosta, J. Waltman

OTHERS PRESENT:

L. Kelleher, S. Katzenmoyer, C. Younger, R. Johnson, V. Spencer, L. Murin, C. Snyder, D. Cituk, J. Miravich

The Committee of the Whole meeting was called to order at 5:03 pm by Council President Acosta.

I. Executive Session

Mr. Acosta announced the need for an executive session to discuss the recycling litigation and real estate disposition.

Council entered executive session at 5:03 pm and exited executive session at 6:25 pm.

II. Agenda Review

Council reviewed this evening's agenda.

Ms. Kelleher noted the need to add the introduction of an ordinance regarding a lease agreement for Egelman's park ball field. She also distributed the agenda memo regarding the contract award listed under the consent agenda heading along with the lease ordinance.

- Ordinances recommended by the Charter Review Commission

Ms. Goodman-Hinnershitz stated that all the ordinances must be passed by Council.

Mr. Waltman disagreed stating that no one can mandate Council action.

Mr. Younger stated that Charter section 1203 states "All proposed amendments shall be placed on the ballot no later than the next municipal election." He stated that the word shall makes the passage of the ordinances mandatory as per the Charter Board's advisory opinion.

Mr. Waltman stated that this then removes the need for ordinances and that the amendments should be forwarded to the Elections office directly by the Charter Review Commission. He stated that the Charter does not require an ordinance and that this sets precedent for entities to require Council action.

Ms. Goodman-Hinnershitz noted her agreement with Mr. Waltman and stated that she voiced these concerns to the Charter Review Commission.

Ms. Kelleher stated that the Elections office requires an ordinance to place an item on the ballot.

Mr. Acosta stated that this forces Council to pass the ordinances even if they do not agree with the recommendations.

Mr. Sterner stated that approving the amendments is ultimately up to the voters.

Mr. Acosta agreed but stated that six questions are too many and that there will be much confusion.

Mr. Younger stated that he will do further research and render an opinion to Council before the ordinances are ready for final passage.

Mr. Acosta questioned if additional Charter amendment ordinances can be added. Ms. Reed and Ms. Goodman-Hinnershitz stated that Council can pass ordinances placing Charter amendments on the ballot at any time.

Mr. Acosta stated that many voters do not follow local issues and will not have a clear understanding of the amendments and what their vote means. Ms. Reed stated that education of the public on these issues is paramount.

- Resolution approving the conditional use at 34 N 6th St

Mr. Daubert questioned if approving the resolution creates a bottle club. Ms. Kelleher stated that the approval allows the banquet use only. She stated that she included the PA LCB rules in the decision along with the City Code sections relating to bottle clubs and sidewalk cafes so that the operators understand the additional steps they need to take if they wish to add alcohol or a sidewalk cafe.

Mr. Waltman questioned the operating hours. Ms. Snyder stated that they may remain open until 2 am.

Mr. Daubert stated that the property is located within 1000 feet of a church. He questioned if they would be able to obtain a license for alcohol. Mr. Acosta stated that this is a state issue. Ms. Kelleher stated that bottle clubs are also not allowed in this zoning district.

Mr. Sterner questioned why the police did not support this decision. Ms. Snyder explained that people who have rented the banquet space in the past provided alcohol to their guests. She stated that this caused police issues and stated that it is an illegal activity.

Ms. Goodman-Hinnershitz questioned why a nearby restaurant can operate as a BYOB. Ms. Kelleher stated that the PA LCB does not require restaurants allowing carry-in bottles to have a license for BYOB.

Mr. Sterner questioned the Administration's position on this issue. Mr. Spencer stated that the Zoning Administrator spoke in favor of the use at the hearing.

III. Selection of Council Committee Assignments

Mr. Acosta stated that he met with Council staff and Managing Director staff to discuss Council Committees. He distributed a memo outlining his recommendations for Committees. He stated that any questions should be addressed to him directly.

Mr. Waltman noted the need to adopt the Committee structure by resolution.

IV. Other

Mr. Spencer stated that he has copies of transcripts of the Charter Board hearings held by Judge Rowley. He stated that copies are available to Council members if they wish to review them.

The meeting adjourned at 6:58 pm.

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

City Council representation on Boards, Authorities, and Commissions

Housing Board of Appeals - To serve as the Board of Appeals for decisions made regarding the conduct of renters and/or rental licenses as it relates to DCRs and eviction proceedings

Meets as needed usually during the business day

- Currently Marcia Goodman-Hinnershitz

Environmental Advisory Council - has the power to study environmental and sustainability issues at the request of City Council and make recommendations to Council on those issues. The EAC will work with City Council in an advisory capacity in an effort to help Council analyze environmental and sustainability issues and when appropriate issue recommendations on courses of action necessary to protect the health, safety and welfare of the residents of Berks County.

The EAC is currently working on several pieces of legislation regarding environmental issues.

Meets the 4th Tuesday of each month at 5 pm. Meetings last approximately 90 minutes.

- Currently Marcia Goodman-Hinnershitz

Diversity Board - to serve in an advisory capacity to the Mayor and City Council by providing input on policy and processes that promote and facilitate active involvement and participation by diverse cultures such as of race, color, religion, ancestry, national origin, age, sex, familial status, and handicap within the Reading community and within City government

Meets quarterly at 3 pm in City Hall

- Currently vacant

Solid Waste and Recycling Appeals Board - to hear appeals as necessary for citizens aggrieved by citation for solid waste related issues

This Board was never functional.

There are two seats on the Board.

- Currently vacant
- Currently vacant

Business License Appeals Board - to hear appeals as necessary for the revocation of licenses issued to businesses operating within the City of Reading

- Council representation depends on the District in which the business is located and changes based on the appeal.

Local Redevelopment Authority - to advise City Council about the best reuse of the military facility located on Kenhorst Boulevard and monitor the ongoing reuse of the decommissioned site

Meets as needed to administer the BRAC process. Meeting length varies.

Has historically been filled by Council President, District 1, and District 4

- Currently Francis Acosta
- Currently Randy Corcoran
- Currently Stratton Marmarou

Blighted Property Review Committee - To implement provisions of the Urban Redevelopment Law of 1945, as amended by Act 94 of 1978, further amended by Act 113 of 2002, promoting reuse and reinvestment in properties in the City of Reading. The BPRC holds hearings to determine or certify properties as blighted to begin movement through the process to induce owners to make improvements but which may result in the City's taking of the property

Meets the 3rd Thursday of the month at 6 pm. Hearings last approximately 60 minutes.

- Currently Donna Reed

Recreation Commission - to provide a mechanism to adequately and efficiently maintain community recreation services and facilities and to organize, manage and supervise recreational and educational programs, with a primary focus and emphasis on programs for youth, within the political boundaries of the City and the School District. Inter-governmental board between the City and the School District. The Commission employs an Executive Director and staff to oversee programming.

Meets the 2nd Tuesday of the month at 7 pm. Meeting length varies depending on topics for discussion.

There are two seats on the Commission

- Currently Marcia Goodman-Hinnershitz
- Currently Donna Reed

Audit Committee - The Act 47 Recovery Plan Initiative CA 02 requires the City to establish a process for coordinating and responding to external audits. This Committee will provide independent review of the municipality's financial reporting processes, internal and external audits, formal responses to audits and oversight of City management's actions to achieve compliance. The Committee will ensure that City management property develops and adheres

to standard operating procedures for its fiscal affairs, upholds the integrity of independent external audits and the objectivity and comprehensiveness of internal audits

Meets quarterly during the business day. Meetings generally last 90 minutes.

Council is represented by the Finance Committee chair

- Currently Donna Reed

Reading Area Transportation Study (RATS) Coordinating Committee – Metropolitan planning organization for transportation issues in Berks County

Meets monthly during the business day. Meeting length depends on topics for discussion

Council is represented by the Council President and Finance Chair

- Currently Francis Acosta
- Currently Donna Reed (alternate)

Berks County Criminal Justice Advisory Board – discusses ongoing issues in the criminal justice field, best practices, grant opportunities, policy issues, etc. It is comprised of members of various law enforcement agencies, the DA's office, mental health, Judges, County detectives, the Warden, Public Defender, Probation officials, COCA, a few State officials, the Courts, etc.

Meets last Thursday of every other month at 8:30 am.

- Currently Marcia Goodman-Hinnershitz

Capital Improvement Program (CIP) Committee – Administration of the Capital Improvement Program – Review and make recommendations for proposed capital improvements and purchases

Meets during the business day as needed to prepare the CIP budget.

- Currently vacant

Berks Community Action Program - reduce poverty by coordinating local, state, private, and federal resources to assist low-income individuals and families

Meets monthly during the business day. Meeting length depends on topics for discussion

Council is represented by the Council President or his designee

- Currently Marcia Goodman-Hinnershitz