

# **CITY COUNCIL**

## **Meeting Agenda**

**REGULAR MEETING**  
**24, 2014**

**MONDAY, FEBRYARY**

**COUNCIL CHAMBERS**

**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](http://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**

- 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 or by legibly printing their name, address and the subject matter to be discussed on a sign-up sheet found on the podium in Council Chambers between 5 pm and 7 pm on the day of the scheduled 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 10, 2013

**B. AGENDA:** Regular Meeting of February 24, 2014

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

**A. Resolution** - authorizing the exoneration of all outstanding City Property Tax, Penalties and Interest for the year 2012, for 454 Schuylkill Avenue, owned by the City of Reading, with an account number (PIN) of 06-5307-64-42-7626. (Law)

**B. Resolution** - authorizing the exoneration of all outstanding City Property Tax, Penalties and Interest for the year 2012, for 456 Schuylkill Avenue, owned by the City of Reading, with an account number (PIN) of 06-5307-64-42-7626. (Law)

**C. Resolution** - authorizing the exoneration of all outstanding City Property Tax, Penalties And Interest for the year 2012, for 108 Plum St, owned by the City of Reading, with an account number (PIN) of 06-5307-64-42-7626. (Law)

**D. Resolution** - authorizing the exoneration of all outstanding City Property Tax, Penalties And Interest for the year 2012, for 112 Plum St, owned by the City of Reading, with an account number (PIN) of 06-5307-64-42-7626. (Law)

**E. Resolution** - authorizing the exoneration of all outstanding City Property Tax, Penalties And Interest for the year 2012, for 516 Gordon St, owned by the City of Reading, with an account number (PIN) of 06-5307-64-42-7626. (Law)

**F. Resolution** - authorizing the exoneration of all outstanding City Property Tax, Penalties And Interest for the year 2012, for 1709 Mineral Spring Road, owned by the City of Reading, with An account number (PIN) of 06-5307-64-42-7626. (Law)

**G. Resolution** - authorizing the exoneration of all outstanding City Property Tax, Penalties And Interest for the year 2012, for 722 Lance Place, owned by the City of Reading, with An account number (PIN) of 06-5307-64-42-7626. (Law)

**H. Resolution** - authorizing the exoneration of all outstanding City Property Tax, Penalties And Interest for the year 2012, for 72818 Muhlenberg Street, owned by the City of Reading, with An account number (PIN) of 06-5307-64-42-7626. (Law)

**I. Award of Contract** - for the collection of Act 511 and Per Capita Taxes to Berks Earned Income Tax Bureau (Berks EIT), Wyomissing, PA for a charge of 2.5% of the amount collected  
**(Purchasing)**

**J. Resolution** – ratifying the declaration of local disaster emergency on February 13, 2014, as recommended by the Emergency Management Coordinator (Council Staff)

**6. ADMINISTRATIVE REPORT**

**7. REPORT FROM OFFICE OF THE AUDITOR**

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

**9. ORDINANCES FOR FINAL PASSAGE**

**Request from the Administration to table the following:**

**A. Bill No. 5-2014** - authorizing the mayor to execute an easement between the City of Reading and UGI Utilities, Inc., thereby conveying unto UGI Utilities, Inc. a non-exclusive, perpetual easement in gross upon that portion of premises known as TAX PARCEL # 531702762194 as shown on drawing number D-4900213 sheet 1 (SEE ATTACHED) **(Law)** *Introduced at the Jan 13 regular meeting; Tabled at the Jan 27 and the Feb 10th regular meeting*

**B. Bill No. 10-2014** – authorizing the temporary easement on city-owned land in Perry/Richmond Townships to the Commonwealth of Pennsylvania **(Law)** *Introduced at the Jan 13 regular meeting; Tabled at the Jan 27 and the Feb 10th regular meeting TO BE DISTRIBUTED on MONDAY*

**C. Bill No. 11-2014** – authorizing the sale of city-owned land in Perry/Richmond Townships to the Commonwealth of Pennsylvania **(Law)** *Introduced at the Jan 13 regular meeting; Tabled at the Jan 27 and the Feb 10th regular meeting TO BE DISTRIBUTED on MONDAY*

**A. Ordinance 19-2014** – Requesting the transfer of \$40,000.00 from Contracted Services; \$13,000.00 from General Plant Supplies; and \$9,000.00 from Maintenance / Repair. With an overall total of \$62,000.00 to be transferred to Vehicles (20-07-02-4803) to cover cost of new vehicle purchase for the Shade Tree Commission **(Pub. Works)** *Introduced at the Feb 10 regular meeting*

**B. Ordinance 20-2014** – amending City Code Section 496, Part 2 by creating a curbside waste collection program **(Law)** *Introduced at the Feb 10 regular meeting*

**C. Ordinance 21-2014** – amending City Code Chapter 212 by creating a curbside waste collection fee **(Law)** *Introduced at the Feb 10 regular meeting*

## **10. INTRODUCTION OF NEW ORDINANCES**

**A. Ordinance** – consolidating the telecom expenses in the amount of \$240,000 by transferring this amount from the Public Works budget to the telecom account within the IT Division budget. **(Adm Services)**

**B. Ordinance** – authorizing the transfer of no more than \$500,000 from the General Fund (Fund 01) to the Department of Community Development (Fund 32), pending the receipt of Federal Funds for the 2014 program year **(Bus Analyst)**.

## **11. RESOLUTIONS**

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

*Please see public speaking rules on first page*

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

## **14. COUNCIL MEETING SCHEDULE**

### **Monday, March 3**

*Nominations & Appointments Committee – Council Office – 5 pm*

*Strategic Planning Committee – Council Office – 6 pm*

### **Monday, March 10**

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

*Regular Meeting – Council Chambers – 7 pm*

### **Monday, March 17**

*Nominations & Appointments Committee – Council Office – 5 pm*

*Finance Committee – Council Office – 6 pm*

*Standards of Living Committee – Council Office – 6 pm*

### **Monday, March 24**

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

*Regular Meeting – Council Chambers – 7 pm*

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

**Monday, February 24**

DID Authority – 645 Penn St 5<sup>th</sup> floor – noon  
District 7 Crime Watch – Holy Spirit Church – 7 pm

**Tuesday, February 25**

Environmental Advisory Council – Public Works Conference Room – noon  
Housing Authority Workshop – WC Building – 4 pm  
Housing Authority – WC Building – 5 pm  
Planning Commission – Penn Room – 7 pm  
Penn’s Commons Neighborhood Group – Penn’s Commons Meeting Room – 7 pm

**Wednesday, February 26**

Parking Authority – Parking Authority Office – 5:30 pm  
Stadium Commission – Stadium RBI room – 7:30 pm

**Thursday, February 27**

Water Authority – Water Authority Office – 4 pm

**Monday, March 3**

Shade Tree Commission – Public Works Building – 6 pm

**Tuesday, March 4**

Board of Health – Penn Room – 4 pm  
Charter Board – Penn Room – 7 pm

**Wednesday, March 5**

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 6**

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

**Sunday, March 9**

College Heights Community Council – Nativity Lutheran Church – 7 pm

**Monday, March 10**

Fire Civil Service Board – Penn Room – 4 pm  
6<sup>th</sup> & Amity Neighborhood & Playground Assn – 6<sup>th</sup> & Amity field house – 6:30 pm



**City of Reading City Council  
Regular Business Meeting  
Monday, February 10, 2014**

Council President Francis Acosta called the meeting to order.

The invocation was given by Pastor Felipe Fana, Iglesia Misionera La Senda.

All present pledged to the flag.

**ATTENDANCE**

Council President Acosta  
Councilor Daubert, 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

**PROCLAMATIONS AND PRESENTATIONS**

City Council issued a Council Commendation recognizing Black History Month to the NAACP.

**PUBLIC COMMENT**

Council President Acosta reviewed the public speaking regulations and stated that one (1) individual is registered to address Council this evening on non-agenda matters. He inquired if anyone objected to suspending the rule requiring non-agenda comment at the end of the meeting. No one objected therefore the rule requiring non-agenda comment at the end of the meeting was suspended. He reminded those registered to speak of the remaining rules.

**Daniel Giandomenico, of Mulberry Street**, was not present.

The public comment period was closed.

**APPROVAL OF THE AGENDA & MINUTES**

Council President Acosta called Council's attention to the agenda for this meeting, including the legislation listed under the Consent Agenda heading and the minutes from the January 27<sup>th</sup> Regular Meeting of Council.

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

### **Consent Agenda**

**A. Resolution 15-2014** - authorize the promotion of Officer Scott E. Shultz to the rank of Sergeant (**Police**)

**B. Resolution 16-2014** - authorizing conditional offers of employment to the seven probationary Fire Department firefighters and paramedics as per the SAFER Grant, effective February 24, 2014 (**Fire**)

**C. Award of Contract** - for municipal trash slingers to the Laborers District Council of Eastern Pennsylvania at the cost of \$15.90 per worker (**Purchasing Mgr**)

**D. Resolution 17-2014-** signifying their intent to adopt the attached Policy and Procedures for Consultant Selection for the River Road Extension Project (**Pub Works**)

### **ADMINISTRATIVE REPORT**

The report was distributed to Council.

### **AUDITOR'S REPORT**

City Auditor Cituk read the report distributed to Council at the meeting in summary:

- District Court Summary Offenses with comparisons
- Cable Franchise Fee

The mayor arrived at the meeting.

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

Renee Dietrich, President of the Reading Public Library Board made the required annual report to Council. She stated that the Library celebrates two milestones this year; the 250<sup>th</sup> anniversary as a public library and the 100<sup>th</sup> anniversary as a Carnegie Library. She thanked the City for the beautiful renovations to the main and branch libraries that correct many deficiencies. She reported that the renovation project came in on time and on budget.

Ms. Dietrich reported on the financial contributions made by the City and the State. She noted that dwindling contribution from these two sources has created the need for the Library Board to withdraw \$300K annually from its endowment fund. She noted that \$100K

in fundraising contributions are made annually. She noted the City's plan to contribute \$200K in the 2014 budget was reduced back to the standard \$100K. She reminded everyone of the famous quote from John Ruskin "It's unwise to pay too much, but it's worse to pay too little. When you pay too much, you lose a little money - that's all. When you pay too little, you sometimes lose everything, because the thing you bought was incapable of doing the thing it was bought to do."

Councilors Goodman-Hinnershitz and Reed thanked the Library Board and staff for all they do to provide services to the community.

Councilor Daubert stated that he attended the recent grand opening. He stated that the Reading Public Library is a great equalizer as it provides equal opportunity to all.

Councilor Waltman agreed with the need to find a stable financial solution for the Library. He noted that a small portion of the Property Tax is dedicated to the Shade Tree Commission and he suggested dedicating an additional portion to the Library. He stated that a tenth of a mil is equal to approximately \$200K annually.

Council President Acosta also agreed with the need to find a stable financial solution to support the Library. He thanked the Board and staff for all they do to serve the population.

#### **ORDINANCES FOR FINAL PASSAGE**

**A. Bill No. 5-2014** - authorizing the mayor to execute an easement between the City of Reading and UGI Utilities, Inc., thereby conveying unto UGI Utilities, Inc. a non-exclusive, perpetual easement in gross upon that portion of premises known as TAX PARCEL # 531702762194 as shown on drawing number D-4900213 sheet 1 (SEE ATTACHED) **(Law)**  
*Introduced at the Jan 13 regular meeting; Tabled at the Jan 27 regular meeting*

**B. Bill No. 10-2014** – authorizing the temporary easement on city-owned land in Perry/Richmond Townships to the Commonwealth of Pennsylvania **(Law)** *Introduced at the Jan 13 regular meeting; Tabled at the Jan 27 regular meeting TO BE DISTRIBUTED on MONDAY*

**C. Bill No. 11-2014** – authorizing the sale of city-owned land in Perry/Richmond Townships to the Commonwealth of Pennsylvania **(Law)** *Introduced at the Jan 13 regular meeting; Tabled at the Jan 27 regular meeting TO BE DISTRIBUTED on MONDAY*

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Daubert, to table Bill Nos. 5, 10 and 11-2014.**

**Bill Nos. 5, 10 and 11-2014 were tabled by the following vote:**

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

**Nays: None - 0**

**D. Bill No. 12-2014** – Directing the Berks County Board of Elections to place the following referendum question to voters of the City of Reading on the 2014 primary ballot to amend Home Rule Charter Section 904 (d) – Budget (CRC/ Law) *Introduced at the Jan 27 regular meeting; Final version to be distributed Monday*

**Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 12-2014.**

Councilor Goodman-Hinnershitz stated that she and Councilor Reed served as independent citizens on the Charter Review Commission. She stated that the Solicitor has opined that both she and Councilor Reed can vote on the referendum ordinances without conflict. She stated that her remarks reflect all referendum ordinances on the agenda tonight. She stated that the Charter Board’s advisory opinion stated that all recommendations must be approved by Council ordinance; however, voting in favor of the bills does not reflect their individual opinions about the recommendations. She stated that it is up to the voters to decide on the referendum questions. She stated that she reserves the right to take an adverse opinion to these referendum questions.

Councilor Reed concurred with the statements by Councilor Goodman-Hinnershitz and she agreed that her vote of support does not reflect her actual opinion about the referendum questions.

Councilor Waltman expressed the belief that placing six (6) referendum questions on the ballot at one time is too much for the voters and he questioned their ability to scrutinize and understand the meaning of all six (6) questions. He expressed the belief that the questions should have been weighted and phased. He also questioned the Charter Board’s Advisory Opinion stating that Council must approve these ordinances so they can be forwarded to the Elections Board. He questioned how Council can be mandated to approve legislation, as that removes Council’s legislative powers. He stated that he will only support those he believes are most critical. He encouraged his colleagues to consider each referendum individually.

Councilor Marmarou agreed that six (6) referendum questions are too many for one ballot. He agreed that the questions should have been moved forward in a phased manner.

Councilor Sterner agreed that placing six (6) referendum questions for Charter amendments on the ballot at one time is too much. He stated that he has faith in the ability of the voter to prepare and become educated. He also agreed with the need for a more frequent review of the Charter. He encouraged educating the voters.

Councilor Reed stated that some Charter Review Commission members believed that the changes suggested are too major to place on one single ballot. She noted that several Commission members believed that referring all six (6) recommendations at one time was too much. She suggested that all voters read the Charter Review Commission minutes so they can understand the impetus behind the amendments and those who supported them. She stated that it seems likely that all six (6) questions will appear on the ballot. She expressed the belief that six (6) questions at one time are too many.

Councilor Goodman-Hinnershitz suggested that voters review the volume of work from the Charter Review Commission to educate themselves. She stated that she personally disagrees with placing all six (6) questions on the ballot. She expressed hope that political action committees are formed to educate the public.

City Clerk Kelleher explained that this suggested amendment requires the position ordinance to become a required component of the annual budget.

Councilor Waltman expressed his belief in this first referendum question that relates to binding the position ordinance with the annual budget.

**Bill No. 12-2014 was enacted by the following vote:**

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

**Nays: None - 0**

**E. Bill No. 13-2014** - Directing the Berks County Board of Elections to place the following referendum question to voters of the City of Reading on the 2014 primary ballot to amend Home Rule Charter Sections 215, 601, 602 and 908 (c) – Administrative Code, Procedures, Ordinances and [Budget] Amendment after Adoption **(CRC/Law)** *Introduced at the Jan 27 regular meeting; Final version to be distributed Monday*

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Daubert, to enact Bill No. 13-2014.**

City Clerk Kelleher explained that this suggested amendment will replace the Administrative Code, enacted by Council and approved by the mayor, with an Administrative Manual created by the mayor alone.

Councilor Waltman expressed the belief that this referendum is too broad based for the voter to understand. He stated that while he understands why some desire this change, this change would have a lot of unknown consequences. He also noted that too many Charter changes will create additional difficulties. He stated that generally the Charter works well.

**Bill No. 13-2014 was NOT enacted by the following vote:**

**Yeas: Goodman-Hinnershitz, Reed, - 2**

**Nays: Daubert, Marmarou, Sterner, Waltman, Acosta, President - 5**

**F. Bill No. 14-2014** - Directing the Berks County Board of Elections to place the following referendum question to voters of the City of Reading on the 2014 primary ballot to amend Home Rule Charter Section 1203 – Review of Charter **(CRC/Law)** *Introduced at the Jan 27 regular meeting; Final version to be distributed Monday*

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to enact Bill No. 14-2014.**

City Clerk Kelleher stated that this question will empanel the Charter Review Commission more frequently.

Councilor Waltman stated that while this question has some merit he questioned empanelling the Commission this frequently. He also stated that the politics will never be completely removed from this process and he agreed with the need to have elected officials and employees participate on these panels.

**Bill No. 14-2014 was enacted by the following vote:**

**Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Sterner - 5**

**Nays: Waltman, Acosta, President - 2**

**G. Bill No. 15-2014** - Directing the Berks County Board of Elections to place the following referendum question to voters of the City of Reading on the 2014 primary ballot to amend Home Rule Charter Sections 308 and 406 – Powers and Duties of the Mayor and Managing Director **(CRC/Law)** *Introduced at the Jan 27 regular meeting; Final version to be distributed Monday*

**Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 15-2014.**

City Clerk Kelleher explained that this question clarifies the powers of the mayor and the managing director.

Councilor Waltman expressed the belief that this recommendation is more based on current personalities rather than the need for true clarification. He expressed the belief that this question should not be prioritized.

**Bill No. 15-2014 was enacted by the following vote:**

**Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Sterner, - 5**  
**Nays: Waltman, Acosta, President - 2**

**H. Bill No. 16-2014** - Directing the Berks County Board of Elections to place the following referendum question to voters of the City of Reading on the 2014 primary ballot to amend Home Rule Charter Section 502 – Eligibility of the City Auditor **(CRC/Law)** *Introduced at the Jan 27 regular meeting; Final version to be distributed Monday*

**Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 16-2014.**

Council President Acosta explained that this question will refine the qualifications of the elected auditor.

Councilor Waltman agreed with moving this question forward. He stated that Council's vote on the referendum question to add to the qualifications of the elected auditor was approved by only a narrow margin a few years ago.

**Bill No. 16-2014 was enacted by the following vote:**

**Yeas: Daubert, Goodman-Hinnershitz, Reed, Sterner, Waltman, Acosta, President - 5**  
**Nays: Marmarou - 1**

**I. Bill No. 17-2014** - Directing the Berks County Board of Elections to place the following referendum question to voters of the City of Reading on the 2014 primary ballot to amend Home Rule Charter Section 1002 (c) – Membership Qualifications (CRC/Law) *Introduced at the Jan 27 regular meeting; Final version to be distributed Monday*

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to enact Bill No. 17-2014.**

Council President Acosta explained that this question allows citizens to serve on no more than two (2) Boards, Authorities and Commissions, as long as there is no conflict.

**Bill No. 17-2014 was enacted by the following vote:**

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

**Nays: None - 0**

### **INTRODUCTION OF NEW ORDINANCES**

The following ordinances were read into the record:

**A. Ordinance** – Requesting the transfer of \$40,000.00 from Contracted Services; \$13,000.00 from General Plant Supplies; and \$9,000.00 from Maintenance / Repair. With an overall total of \$62,000.00 to be transferred to Vehicles (20-07-02-4803) to cover cost of new vehicle purchase for the Shade Tree Commission (**Pub. Works**)

**B. Ordinance** – amending City Code Section 496, Part 2 by creating a curbside waste collection program (**Law**)

**C. Ordinance** – amending City Code Chapter 212 by creating a curbside waste collection fee (**Law**)

### **RESOLUTIONS**

**A. Resolution 18-2014** – adopting the Council Committee structure and assignments for 2014-15 (**Council Staff**)

**Councilor Reed moved, seconded by Councilor Daubert, to adopt Resolution No. 18-2014.**

**Resolution No. 18-2014 was adopted by the following vote:**

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

**Nays: None - 0**

### **COUNCIL COMMENT**

Councilor Goodman-Hinnershitz thanked all Police, Fire and Public Works employees for continuing to provide services to residents through the repeated winter storms. She also reminded residents of the snow removal requirements and the need to remove snow from parking spaces and walkways to prevent the buildup of ice. She gave a “shout out” to Cindy and Scott Kauffman for their maintenance of the Pagoda and uncovering the lack of heat at the Pagoda which prevented the building’s pipes from freezing and bursting. She stressed the need for the Foundation to undertake the management of this facility.

Councilor Marmarou described the longstanding roof problems at the 9<sup>th</sup> and Marion firehouse which has created leaks onto the firefighter’s beds and equipment. The Managing Director agreed that the unresolved roof issues need to be addressed. She stated that an award of contract for the roof problems will be on the next Council agenda.

The mayor took issue with the comments made about the Charter Review Commission alleging that someone was trying to control the group or push an agenda forward. He agreed with the need for people to read the Commission’s minutes and final report and that the points brought forward were well debated, well discussed and that many of the votes were close. He described the controversy over the issue to originally change the qualifications for the elected auditor. He expressed the belief that the referendum questions forwarded will resolve a variety of issues that have turned into Charter complaints. He stated that it is confusing that Council rejected changing the Administrative Code to an Administrative Manual as that change would resolve many issues. He also took issue with eliminating the ability of elected officials to sit on future Charter Review Commissions.

Councilor Waltman expressed the belief that the Charter Board Advisory Opinion regarding the requirement for Council to enact all referendum question ordinances referred from the Charter Review Commission is a conflict and that there is no state law that mandates a legislative body to blindly enact legislation. He stated that elected officials have the responsibility to make educated decisions and provide a filter. He stated that Charter amendments cannot resolve the potential for litigation. He expressed the belief that some changes are needed, some changes go too far and some changes are too complicated.

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

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

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

**AUTHORIZING THE EXONERATION OF OUTSTANDING CITY PROPERTY TAX,  
PENALTIES AND INTEREST FOR THE YEAR 2012 FOR 454 SCHUYLKILL AVENUE,  
READING, BERKS COUNTY, PENNSYLVANIA.**

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

That the City of Reading, City Council does hereby authorize the exoneration of all outstanding City Property Tax, Penalties and Interest for the year 2012, for 454 Schuylkill Avenue, Reading, Berks County, Pennsylvania, owned by the City of Reading, with an account number (PIN) of 06-5307-64-42-7626.

Adopted Council \_\_\_\_\_, 2014

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

Attest:

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

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

**AUTHORIZING THE EXONERATION OF OUTSTANDING CITY PROPERTY TAX, PENALTIES AND INTEREST FOR THE YEAR 2012 FOR 456 SCHUYLKILL AVENUE, READING, BERKS COUNTY, PENNSYLVANIA.**

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

That the City of Reading, City Council does hereby authorize the exoneration of all outstanding City Property Tax, Penalties and Interest for the year 2012, for 456 Schuylkill Avenue, Reading, Berks County, Pennsylvania, owned by the City of Reading, with an account number (PIN) of 06-5307-64-42-7627.

Adopted by Council \_\_\_\_\_, 2014

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

Attest:

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

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

**AUTHORIZING THE EXONERATION OF OUTSTANDING CITY PROPERTY TAX, PENALTIES AND INTEREST FOR THE YEAR 2012 FOR 108 PLUM STREET, READING, BERKS COUNTY, PENNSYLVANIA.**

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

That the City of Reading, City Council does hereby authorize the exoneration of all outstanding City Property Tax, Penalties and Interest for the year 2012, for 108 Plum Street, Reading, Berks County, Pennsylvania, owned by the City of Reading, with an account number (PIN) of 04-5306-27-89-6428.

2014

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

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

Attest:

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

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

**AUTHORIZING THE EXONERATION OF OUTSTANDING CITY PROPERTY TAX, PENALTIES AND INTEREST FOR THE YEAR 2012 FOR 112 PLUM STREET, READING, BERKS COUNTY, PENNSYLVANIA.**

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

That the City of Reading, City Council does hereby authorize the exoneration of all outstanding City Property Tax, Penalties and Interest for the year 2012, for 112 Plum Street, Reading, Berks County, Pennsylvania, owned by the City of Reading, with an account number (PIN) of 04-5306-27-89-6426.

2014

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

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

Attest:

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

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

**AUTHORIZING THE EXONERATION OF OUTSTANDING CITY PROPERTY TAX, PENALTIES AND INTEREST FOR THE YEAR 2012 FOR 516 GORDON STREET, READING, BERKS COUNTY, PENNSYLVANIA.**

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

That the City of Reading, City Council does hereby authorize the exoneration of all outstanding City Property Tax, Penalties and Interest for the year 2012, for 516 Gordon Street, Reading, Berks County, Pennsylvania, owned by the City of Reading, with an account number (PIN) of 15-5307-64-42-2957.

Adopted by Council \_\_\_\_\_, 2014

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

Attest:

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

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

**AUTHORIZING THE EXONERATION OF OUTSTANDING CITY PROPERTY TAX, PENALTIES AND INTEREST FOR THE YEAR 2012 FOR 1709 MINERAL SPRING ROAD, READING, BERKS COUNTY, PENNSYLVANIA.**

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

That the City of Reading, City Council does hereby authorize the exoneration of all outstanding City Property Tax, Penalties and Interest for the year 2012, for 1709 Mineral

Spring Road, Reading, Berks County, Pennsylvania, owned by the City of Reading, with an account number (PIN) of 16-5316-06-49-7069.

2014

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

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

Attest:

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

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

**AUTHORIZING THE EXONERATION OF OUTSTANDING CITY PROPERTY TAX, PENALTIES AND INTEREST FOR THE YEAR 2012 FOR 722 LANCE PLACE, READING, BERKS COUNTY, PENNSYLVANIA.**

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

That the City of Reading, City Council does hereby authorize the exoneration of all outstanding City Property Tax, Penalties and Interest for the year 2012, for 722 Lance Place, Reading, Berks County, Pennsylvania, owned by the City of Reading, with an account number (PIN) of 12-5307-60-94-6256.

Adopted Council \_\_\_\_\_, 2014

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

Attest:

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City Clerk

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

**AUTHORIZING THE EXONERATION OF OUTSTANDING CITY PROPERTY TAX, PENALTIES AND INTEREST FOR THE YEAR 2012 FOR 818 MUHLENBERG STREET, READING, BERKS COUNTY, PENNSYLVANIA.**

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

That the City of Reading, City Council does hereby authorize the exoneration of all outstanding City Property Tax, Penalties and Interest for the year 2012, for 818 Muhlenberg Street, Reading, Berks County, Pennsylvania, owned by the City of Reading, with an account number (PIN) of 02-5306-36-98-6120.

Adopted Council \_\_\_\_\_, 2014

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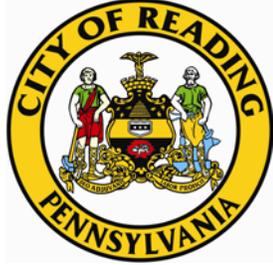
President of Council

Attest:

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City Clerk





# AGENDA MEMO

DEPARTMENT OF ADMINISTRATIVE SERVICES

**TO:** City Council  
**FROM:** Tammi Reinhart, Purchasing Coordinator  
**PREPARED BY:** Tammi Reinhart, Purchasing Coordinator  
**MEETING DATE:** February 24, 2014  
**AGENDA MEMO DATE:** February 18, 2014  
**RECOMMENDED ACTION:** Awarding of Contract for the Collection of Act 511 and Per Capita Taxes

## RECOMMENDATION

**The recommendation is to award the contract for the Collection of Act 511 and Per Capita Taxes to Berks Earned Income Tax Bureau, 920 Van Reed Road, Wyomissing, PA 19610.**

## BACKGROUND

The City accepted proposals on January 10, 2014, for the management of a per capita tax program for the City of Reading (“the City”) and the Reading School District (“the RSD”). The scope of services would include discovery and identification of adults who owe the tax, billing for the tax, collecting payments and remitting funds to the City and the RSD, and administering a collections process for those liabilities which become delinquent. A four member evaluation committee reviewed the proposals and held two (2) interviews.

## BUDGETARY IMPACT

Berks EIT would charge the following:

Gross Business Privilege License Collection – No fee would be charged if the business privilege tax collections are also awarded to Berks EIT.

Gross Business Privilege Tax Collections:  
Current Year – 2.5%

Gross Per Capita Tax Collections:  
Current Year – 2.5%

**PREVIOUS ACTION**

None

**SUBSEQUENT ACTION**

**Formal action by Council is required to award the contract at the February 24, 2014 meeting.**

**RECOMMENDED BY**

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

**RECOMMENDED MOTION**

Approve/Deny the recommendation for the Collection of Act 511 Taxes and Per Capita Taxes in order that contract may be awarded to Berks EIT.

cc: File

**RESOLUTION NO. \_\_\_\_\_ 2014**

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

Ratifying the Local Disaster Declaration initiated by the Emergency Management Coordinator and executed by the Mayor and Council President on Thursday, February 13, 2014.

**Adopted by Council on \_\_\_\_\_, 2014**

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

Attest:

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

**BILL NO. \_\_\_\_\_-2013**

**A N O R D I N A N C E**

**AUTHORIZING THE MAYOR TO EXECUTE AN EASEMENT BETWEEN THE CITY OF READING AND UGI UTILITIES, INC., THEREBY CONVEYING UNTO UGI UTILITIES, INC. A NON-EXCLUSIVE, PERPETUAL EASEMENT IN GROSS UPON THAT PORTION OF PREMISES KNOWN AS TAX PARCEL # 531702762194 AS SHOWN ON DRAWING NUMBER D-4900213 SHEET 1 (SEE ATTACHED).**

**WHEREAS**, the City of Reading is the legal owner of certain real property situate on the South side of Walnut Street, Reading, Berks County, Pennsylvania, with tax parcel # 531702762194; and

**WHEREAS**, UGI Utilities, Inc., desires to locate a certain regulator station upon said premises; and

**WHEREAS**, the City of Reading is willing to grant to UGI Utilities, Inc., a perpetual easement on said parcel for such purpose.

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

**SECTION 1.** The Mayor is authorized to execute an Easement (attached hereto) to convey unto the UGI Utilities, Inc., a non-exclusive, perpetual easement in gross easement upon that portion of premises known and designated as Tax Parcel # 531702762194, as shown on Plan of Ludgate Engineering, Inc., dated February 11, 2013 (also attached hereto).

**SECTION 2.** This Ordinance shall be effective ten (10) days after passage.

Enacted \_\_\_\_\_, 2014

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

Attest:

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City Clerk

(LAW DEPT.)

**TO:** Members of City Council  
**FROM:** David C. Ruyak, Operations Division Manager  
**PREPARED BY:** David C. Ruyak, Operations Division Manager  
**MEETING DATE:** February 10<sup>th</sup>, 2014  
**AGENDA MEMO DATE:** January 21, 2014  
**RECOMMENDED ACTION:** Fund Transfer #20-07-12-01

**RECOMMENDATION:** Transfer a total of \$62,000.00 from multiple 2013 Shade Tree Fund accounts to Account 20-07-02-4803 (2013 Shade Tree Vehicle).

**BACKGROUND:** Transfer is necessary to cover costs of new vehicle purchase totaling \$60, 933.00 to Manderbach Ford.

**BUDGETARY IMPACT:**  
\$62,000.00 of 2013 Shade Tree funds transferred into 2013 Shade Tree fund's Vehicle line item.

**PREVIOUS ACTION:**  
None

**RECOMMENDED BY:**  
David C. Ruyak, Operations Division Manager of Public Works

**RECOMMENDED MOTION:**  
Approve the request.

BILL NO. \_\_\_\_\_ - 2014

AN ORDINANCE

**AN ORDINANCE REQUESTING AUTHORIZATION TO TRANSFER \$62,000.00 OF 2013 SHADE TREE FUNDS FROM MULTIPLE SHADE TREE ACCOUNTS TO 2013 SHADE TREE VEHICLE ACCOUNT. TRANSFER #20-07-12-01**

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Requesting the transfer of \$40,000.00 from Contracted Services (20-07-02-4216); \$13,000.00 from General Plant Supplies (20-07-02-4510); and \$9,000.00 from Maintenance / Repair (20-07-02-4401). With an overall total of \$62,000.00 to be transferred to Vehicles (20-07-02-4803) to cover cost of new vehicle purchase.

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 \_\_\_\_\_, 2014

\_\_\_\_\_  
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: \_\_\_\_\_

**FUND TRANSFER**

**TO:** Members of City Council  
**FROM:** Christian F. Zale  
City Controller  
**PREPARED BY:** Christian F. Zale  
City Controller  
**MEETING DATE:** February 24, 2014  
**AGENDA MEMO DATE:** February 7, 2014  
**RECOMMENDED ACTION:** Fund Transfer

**BACKGROUND:**  
Currently the telecom costs for the city are split between the Public Works Department and the IT Division. In an effort to consolidate the expenses the city requests that the \$240,000 in the 2014 line item for telecom expenses within the Public Works budget be transferred to the telecom account within the IT Division budget. The transfer has no additional budgetary impact.

**BUDGETARY IMPACT:**  
None

**PREVIOUS ACTION:**  
None

**RECOMMENDED BY:**  
City Controller

**RECOMMENDED MOTION:**  
Approve the request.

**BILL NO.** \_\_\_\_\_ **- 2014**

AN ORDINANCE

**AN ORDINANCE REQUESTING AUTHORIZATION TO TRANSFER FUNDS FROM THE PUBLIC WORKS BUDGET TO THE INFORMATION TECHNOLOGY BUDGET**

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Authorizing the transfer of \$240,000.00 from the Public Works Telecom line item (01-07-74-4104) to the IT Fees line item (01-06-23-4235).

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 \_\_\_\_\_, 2014

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

**Attest:**

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

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

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

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

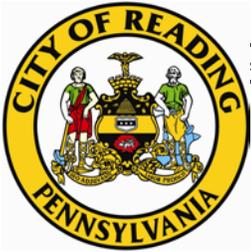
Date: \_\_\_\_\_

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

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

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

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



OF

1

DEPARTMENT OF LAW

AGENDA MEMORANDUM

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TO: City Council  
FROM: Frederick T. Lachat, III, Esquire  
MEETING DATE: February 24, 2014  
AGENDA MEMO DATE: February 11, 2014  
REQUESTED ACTION: Approve the Ordinance Amending the Solid Waste Ordinances to Authorize a Curbside Waste Collection Fee

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**RECOMMENDATION:** Amend the Solid Waste Ordinance to include a definition of “curbside waste” which includes trash, recycling and organic waste, as well as an amendment to the fee schedule and the structure of the City’s fees under the Solid Waste Ordinance to accommodate this change.

**BACKGROUND:** Even prior to the City’s adoption of a Home Rule Charter, the City has charged separate fees for the collection of trash and recycling. The City has administered a solid waste collection program that has permitted property owners to utilize the services of private haulers rather than the City’s contracted hauler for the collection of their municipal waste. As noted in a recently voided decision by the Commonwealth Court, the City’s solid waste ordinance describes the current recycling fee as a fee to cover all costs associated with the recycling program, which is not accurate; the fee covers the collection costs and other costs are covered by the grants the City receives and funds received through the sale of recyclable materials.

This proposed amendment creates a fee structure that combines the recycling collection fee with the municipal waste collection fee so that it is clear that this fee will continue to only cover the City’s fees for the collection and removal of municipal waste and recycling as a part of the City’s responsibility to maintain clean streets in order to protect the health and welfare of the community.

Perhaps most importantly, this amendment will clarify the purpose and application of the fee so that, in the event there is another legal challenge to the recycling aspect of this fee, the legal issues will better specified than they



were in the recent legal challenge.

Finally, this fee structure will allow property owners who can document that they have a contract with private municipal waste haulers to pay a discounted fee that will only cover the costs of the recycling collection which they are already paying under the current version of the Solid Waste Ordinance.

**BUDGETARY IMPACT:** This amendment will allow the City to continue to cover the costs it incurs in the collection of municipal waste and recycling that are not covered under Act 101.

**PREVIOUS ACTIONS:** None.

**SUBSEQUENT ACTION:** None.

**RECOMMENDED BY:** Mayor’s Office, Managing Director, Public Works, Law Department.

**RECOMMENDED MOTION:** Approve the ordinance.

BILL NO. \_\_\_\_\_ 2014

**AN ORDINANCE AMENDING THE SOLID WASTE ORDINANCE, SECTION 496, PART 2, OF THE CITY OF READING CODIFIED ORDINANCES TO ADD A CURBSIDE WASTE PROGRAM**

**WHEREAS**, keeping the City’s streets, sidewalks and neighborhoods clean and clear of any waste is an important part of the City’s duty to protect the health, safety and welfare of the community;

**WHEREAS**, the City is required under this Part and Pennsylvania law to establish a program for the removal of solid waste and recycling;

**WHEREAS**, the City must implement a fee to cover the reasonable costs of the collection of municipal waste and recyclable materials that is beyond the amount provided in State grant programs.

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

SECTION 1. Amending the Solid Waste Ordinance, Part 2, a copy of which pursuant to the proposed amendments contained in Attachment “A.”

SECTION 2. This Ordinance shall be effective ten (10) days after adoption pursuant to City of Reading Home Rule Charter Article II Section 219.

Adopted \_\_\_\_\_, 2014

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

Attest:

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

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

Date: \_\_\_\_\_  
Received by the Mayor's Office: \_\_\_\_\_  
Date: \_\_\_\_\_  
Approved by Mayor: \_\_\_\_\_  
Date: \_\_\_\_\_  
Vetoed by Mayor: \_\_\_\_\_  
Date: \_\_\_\_\_

## ATTACHMENT "A"

### Part 2 Storage And Collection

[Adopted 5-22-2006 by Ord. No. 43-2006, (Ch. 20, Part 1, of the 2001 Code of Ordinances)]

#### § 496-201. Definitions.

The following words and phrases, when used in this Part, shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

...

CURBSIDE WASTE— The collective term applying to both Municipal Waste, Recyclable Materials and organic waste as defined in this Part.

#### § 496-202. Authorization of recycling collection.

- A. Contracts for collection; authority. The City through the Public Works Department, shall provide curbside collection, removal, transportation and marketing of recyclable materials from single-family dwellings and multifamily dwellings with four or fewer residential units. Or in the alternative, the City may contract for these services.

...

#### § ~~496-203. Recycling service fee.~~

~~A. There is hereby imposed upon the owners of all residential properties of four or fewer units an annual recycling fee. The annual service fee shall be as determined by ordinance.~~

~~B. The Director of Public Works shall submit an annual report no later than October 1 to City Council detailing projected expenses and revenues for the upcoming calendar year and recommend a service fee to cover all costs associated with the recycling program.~~

~~C. The annual recycling fee shall be mailed to owners of all eligible properties in June of each year. An owner who pays the fee in full within 30 days of billing shall receive a \$5 discount on~~

~~each unit. All bills are due on the last day of each year. Any payment not received by December 31 of each year shall be assessed a 10% penalty. In addition thereto, any costs or fees incurred in conjunction with the collection of any such delinquencies shall be the responsibility of, and paid by, the owner(s) or operator of the property. Discount for certain senior citizens from payment of the recycling service fee. All bona fide residents of the City of Reading who are 65 years of age or over shall be entitled to a 50% reduction in their annual recycling service fee for their principal place of residence, provided that:~~

~~(a) Such residential unit is owned and occupied by claimant.~~

~~(b) A request for discount shall be filed with the Department of Public Works on such form as prescribed by that Department for such purpose.~~

~~(c) The total household income from all sources does not exceed \$17,000.~~

~~(d) The Department of Public Works may require such evidence or information as it deems necessary or appropriate in determining eligibility for exoneration in accordance with this section.~~

~~(e) Any information gained by any official, agent or employee of the City, as a result of any claim, investigations, or hearings required or authorized by this Part shall be confidential and shall not be disclosed to any person except for official use in connection with the administration or enforcement of this Part or as otherwise provided by law.~~

~~(f) False or untrue statements shall be a violation of this Part and shall be subject to the penalties for violation of this Part as further set forth herein.~~

**§ 496-204. Collection requirements; ~~municipal waste collection fee.~~ [Amended 8-27-2007 by Ord. No. 22-2007]**

A. The City of Reading is authorized to award a contract for collection, removal, transportation and disposal of municipal solid waste which is generated from single-family residential dwellings and multifamily residential dwellings with four or fewer residential units. Said contract may be for a term not exceeding five years.

(1) Placement of municipal-waste. Only such persons participating in the City-contracted solid waste collection system may place their municipal waste at the designated setout location for collection by said contractor after ~~6:00~~ 5:00 p.m. the day before collection and must remove all containers by daybreak of the day after pickup. Any article found within a municipal waste container or garbage bag, intended to be collected by the City contractor, displaying the name and/or address of another person and/or address, that container or bag shall be presumed to be the property of such persons and shall be cited in accordance with all applicable sections of this Part.

**[Amended 11-28-2011 by Ord. No. 62-2011]**

(2) Exemptions.

(a) Commercial and institutional establishments. Municipal waste generated by commercial or institutional establishments shall not be eligible for City contract collection.

(b) Large residential complex. Where on a single, undivided tract of land under common ownership there is a building or buildings containing a total of five or more dwelling units, such apartment complex shall not be included for municipal waste collection by the authorized City contractor, unless formally requested and approved by the City of Reading.

~~(3) Fee imposed.~~

~~(a) There is hereby imposed upon the owner of each dwelling unit mandated to participate in the City contracted program an annual municipal waste collection and disposal service fee. For the year 1999, this fee shall be prorated on a monthly basis. Said fee shall also be prorated on a monthly basis for those property owners being added to the program midyear. Such fee shall be reviewed on a yearly basis beginning in 2002 and approved by ordinance. Only costs directly associated with solid waste collection and disposal shall be included in such service fee.~~

~~(c) The Director of Public Works shall submit an annual report by October 1 to City Council detailing projected expenses and revenues for the upcoming year and recommend a service fee to cover all costs associated with solid waste collection and disposal.~~

~~(d) The annual fee shall be paid 60 days prior to the beginning of the service year. An owner who pays the fee in full within 30 days of billing shall receive a 5% discount. Any payment not received by the 60th day shall be assessed a 10% penalty. In addition thereto, any costs or fees incurred in conjunction with the collection of any such delinquencies shall be the responsibility of, and paid by, the owner(s) or operator of the property. The annual fee for those property owners requesting to be included in the program must be paid prior to the start of service.~~

B. Private collection and disposal responsibility. It shall be the sole responsibility of the owner/operator of all commercial, industrial, institutional and residential properties not listed in Subsection A above to contract with a licensed hauler, at their own expense, for the storage, collection and disposal of all municipal waste from their properties. Such storage, collection and disposal shall be carried out in such a manner as to avoid the creation of a public nuisance. Rear alley collection shall be required where possible, unless being serviced under existing contract. Only a licensed hauler shall collect, transport or dispose of municipal waste from within the City of Reading. Municipal waste may be placed at the designated area after 6:00 5:00 p.m. the day before collection and must remove all containers by daybreak of the day after pickup.

[Amended 11-28-2011 by Ord. No. 62-2011]

...

**§ 496-208. Curbside Waste Collection Fee;**

1. There is hereby imposed upon the owner of each dwelling unit who, pursuant to § 496-204 (A), participates in the City's municipal waste program an annual fee, *contained*

in the City Code Chapter 212, for the removal of Curbside Waste as defined in this part.

2. The Director of Public Works shall submit an annual report by October 1 to City Council detailing projected expenses and revenues for the upcoming year and recommend a service fee to cover all costs associated with the collection and removal of all Curbside Waste. The report shall specifically detail the amount of the Curbside Waste fee that is imposed to cover the costs associated with the collection of municipal waste, which shall be used to determine the amount of the fee imposed upon owners of single-family dwellings and multifamily dwellings with four or fewer residential units who do not participate in the City's municipal waste program..
3. There is hereby imposed upon owners of single-family dwellings and multifamily dwellings with four or fewer residential units who do not participate in the City's municipal waste program a fee in an amount to cover the costs of the City's removal of Curbside Waste which shall be reduced by the amount equal to the costs associated with the collection of municipal waste as determined in the annual report.



## CITY OF READING, PENNSYLVANIA

**Lenin Agudo, MBA**  
**Director, Community Development**

### MEMORANDUM

**TO:** Carole Snyder, MD, City of Reading  
**FROM:** Lenin Agudo  
**DATE:** January 6, 2014  
**SUBJECT:** CD Loan from the General Fund

**Dear Ms. Snyder:**

As you know, CD had to request a \$500,000 loan from the general fund in July of 2013 because we had not yet received our award from HUD and ran the risk of not being able to pay its invoices. It was recommended that in 2014, we request a loan from the general fund earlier in the year in order to avoid such a predicament later on. Therefore, I am writing to request to borrow \$500,000 in funds from the general fund in order to cover costs incurred by Community Development programs until we receive our annual (2014) entitlement from HUD. In support of this request, first, I would like to reiterate HUD's process for approving entitlement funds and depositing funds into our (CD Checking) account and explain why this has become an issue for the Community Development Department. Secondly, I would like to present a tentative timeline for when to expect the deposit from HUD based on our experience in prior years.

As you may be aware, the Annual Action Plan, approved by City Council serves as a preliminary budgeting tool. In order to prepare the Action Plan to be submitted annually by November 15<sup>th</sup>, the CD Department must make an educated guess as to what next year's entitlement will be, and create a budget based on it. The budget is then adjusted once we are notified of what our actual entitlement for the year will be. However, this notification generally does not come until mid-way into the program year.

While we await notification regarding our actual award amount, we must begin spending our funds, particularly CDBG funds, to meet HUD timeliness requirements. Furthermore we generally have to wait weeks or even months after the original award notification to actually receive HUD funds into our account. Adhering to requirements regarding timeliness of expenditure, while awaiting receipt of our funds from HUD, has created a problem for Community Development.

We anticipate that we will receive funds from HUD by no later than the end of August, 2014 based on the dates on which we have received the funds in prior years. In prior years, we received funds into our account as follows:

2010 – June 11<sup>th</sup>  
2011 – Late May/Early June  
2012 – August 20<sup>th</sup>  
2013 – August, 27<sup>th</sup>

Sincerely,

Lenin Agudo  
Director, City of Reading Community Development Department

Cc: Vaughn D. Spencer, Mayor  
Matthew Bembenick, Director of Administrative Services

BILL NO. \_\_\_\_\_ 2014

**AN ORDINANCE  
AUTHORIZING A LOAN AND THE TRANSFER OF FUNDS FROM THE GENERAL FUND  
TO THE DEPARTMENT OF COMMUNITY DEVELOPMENT**

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

SECTION 1. The Administration of the City of Reading is authorized to transfer up to \$500,000 from the General Fund (Fund 01) to the Department of Community Development (Fund 32).

SECTION 2. The amounts transferred pursuant to Section 1 shall be considered a loan, and shall be repaid upon receipt by the Department of Community Development of certain Federal funds for the 2014

SECTION 3. This Ordinance shall be effective ten (10) days after adoption pursuant to City of Reading Home Rule Charter Article II Section 219.

Adopted \_\_\_\_\_, 2014

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

Attest:

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

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

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

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

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

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

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

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

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





