



CITY COUNCIL

Meeting Agenda

**REGULAR MEETING
COUNCIL CHAMBERS**

**MONDAY, JULY 28, 2014
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.

RULES FOR PUBLIC PARTICIPATION AT COUNCIL MEETINGS

The Administrative Code, Section § 5-209 defines public participation at Council meetings.

1. Citizens attending Council meetings are expected to conduct themselves in a responsible and respectful manner that does not disrupt the meeting.
2. Those wishing to have conversations should do so in the hall outside Council Chambers in a low speaking voice.
3. Public comment will occur only during the Public Comment period listed on the agenda at the podium and must be directed to Council as a body and not to any individual Council member or public or elected official in attendance. Clapping, calling out, and/or cheering when a speaker finishes his comments is not permitted.
4. Citizens may not approach the Council tables at any time during the meeting.
5. Any person making threats of any type, 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, removed from Council Chambers and/or cited.
6. Failure to abide by these regulations could result in your removal from Council Chambers and/or a citation. These regulations are meant to avoid disruptions at the meeting and they are not meant to interfere with public participation.

1. OPENING MATTERS

A. CALL TO ORDER

B. INVOCATION: Pastor Olga Moreira, Path of Holiness

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

The purpose of the Executive Session on Monday, July 21st and Monday, July 28th were related to the lease or real property and personnel matters respectively. And on Thursday, July 25th Council met with local contractors to hear their concerns about the proposed PLA.

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, including applause or cheering, 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 July 14, 2014

B. AGENDA: Regular Meeting of July 28, 2014

5. Consent Agenda Legislation

A. Award of Contract – for the Wyomissing Park Street Light Project **(Man Dir) Info to be distributed on Monday**

B. Award of Contract –for the general contractor's work on the Digester Project for the Wastewater Treatment Plant to Eastern Environmental Contractors, Inc., Green Lane, PA 18054, for a total price of \$4,664,000.00. **(Purchasing)**

C. Award of Contract – for the electrical contractor's work on the Digester Project for the Wastewater Treatment Plant to PSI Pumping Solutions, York Springs, PA 17372 for a total price of \$240,200 **(Purchasing)**

D. Award of Contract – for the disposal of municipal trash to Berks Transfer, Reading, PA 19605 for a total price of \$118,000.00. **(Purchasing)**

E. Award of Contract – for the installation and rental of bulk oxygen systems for the Waste Water Treatment Plant and the Sixth and Canal Street Pumping Station and the supply of oxygen for both locations for a one-year period. **(Purchasing)**

6. ADMINISTRATIVE REPORT

7. REPORT FROM OFFICE OF THE AUDITOR

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

9. ORDINANCES FOR FINAL PASSAGE

Pending - Further Legal Review Required

Bill 41-2014 – creating the Reading Regional Water Authority **(City Council)** *Introduced at the April 14 regular meeting*

Ordinance – authorizing a project labor management agreement for building projects in the City **(Mayor's Office)** *Introduced at the May 12 regular meeting; Additional review required; PLA Work Group meeting held June 25th*

A. Bill No. 50-2014 - establishing a four-way stop intersection at Crestmont Street and Fern Avenue **(Public Works)** *Introduced at the July 14 regular meeting; Advertisement on July 21*

B. Bill No. 51-2014 - establishing a four-way stop intersection at Greenwich Street and North Second Street **(Public Works)** *Introduced at the July 14 regular meeting; Advertisement on July 21*

C. Bill No. 52-2014 - establishing a three-way stop intersection at West Green Street and McKnight Street **(Public Works)** *Introduced at the July 14 regular meeting; Advertisement on July 21*

D. Bill No. 53-2014 - establishing a three-way stop intersection at West Green Street and Weiser Street **(Public Works)** *Introduced at the July 14 regular meeting; Advertisement on July 21*

E. Bill No. 54-2014 - authorizing the transfer of \$25,000.00 from the Contracted Services line item in the Liquid Fuels Fund to the Maintenance of Roads and Bridges line item in the Public Works Budget **(Man Dir)** *Introduced at the July 14 regular meeting*

F. Bill No. 55-2014 – authorizing the execution of the attached Intermunicipal Agreement between the City of Reading and the Berks County Solid Waste Authority to provide for an electronics disposal program. **(Man Dir) Introduced at the July 14 regular meeting**

G. Bill No. 56-2014 – authorizing the amendment of the 2014 Position Ordinance by eliminating the ‘Shift Supervisor Service Utility’ position and blending the associated responsibilities into an existing ‘Mechanical Maintenance Supervisor’ position at the Waste Water Treatment Plant. **(Man Dir) Introduced at the July 14 regular meeting**

H. Bill No. 57-2014 – authorizing the amendment of the 2014 Position Ordinance, by decreasing the Developer positions from two (2) to one (1) and increasing the Network Administrator position from one (1) to two (2) **(Man Dir) Introduced at the July 14 regular meeting**

I. Bill No. 58-2014 – amending the 2014 Budget by adding Fund 55 Retail Sewer Fund **(Man Dir) Introduced at the July 14 regular meeting**

10. INTRODUCTION OF NEW ORDINANCES

A. Ordinance – amending the Code Book, Chapter 600 “Zoning”, Section 600-807 entitled “C-C Commercial Core District” by amending: (1) Subsection B “Allowed Uses” to include public parking garages and parking lots owned/or operated by the City of Reading or the Reading Parking Authority, and to prohibit non-public parking garages and parking lots; and (2) Subsection C “Additional Requirements in the C-C District” to prohibit non-public parking garages or parking lots open to the general public. **(Parking Authority/Council Staff)Public Hearing 8-12-14; Ordinance Advertisement 8-11 and 8-18-2014**

B. Ordinance – authorizing the budget transfer of \$25,000.00 from the Contracted Services line item in the Liquid Fuels Fund to the Maintenance of Roads and Bridges line item **(Pub Works)**

C. Ordinance – setting the annual salary of the Director of Public Works at \$95,000 **(Man Dir)**

D. Ordinance –amending the 2014 Position Ordinance by eliminating the “Treasury Manager” position and replacing it with an “Assistant Municipal Operations Manager – Treasury Coordinator” position in the Department of Administrative Services, Citizens Service Center Division. **(Man Dir)**

E. Ordinance – amending the salary range for the Public Works Director **(Man Dir)**

11. RESOLUTIONS

PENDING – Council Receipt and Review of PFM analysis

Resolution - designating Our City Reading, Inc. as the City's redevelopment partner for certain properties located on Penn Street and authorizing the mayor to make applications for certain federal grants and loans **(Man Dir)**

PENDING REQUIRED LAZOVER OF SALARY ORDINANCE

Resolution – appointing Ralph Johnson as Public Works Director **(Man Dir)**

A. Resolution – directing the mayor to execute the amendment to the Memorandum of Understanding between the City of Reading and the Foundation for the Reading Pagoda **(Council Staff/Pagoda Foundation)**

12. PUBLIC COMMENT – GENERAL MATTERS

Please see public speaking rules on second page

13. COUNCIL BUSINESS / COMMENTS

14. COUNCIL MEETING SCHEDULE

Monday, July 28

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

Monday, August 4

Nominations & Appointments Committee – Council Office – 4:30 pm

Strategic Planning – Council Office – 5:30 pm

Monday, August 11

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

Tuesday, August 12

Public Hearing re Zoning Amendment – Council Chambers – 5 pm

15. BAC AND COMMUNITY GROUP MEETING SCHEDULE

Monday, July 28

DID Authority – 645 Penn St 5th floor – noon

District 7 Crime Watch – Holy Spirit Church – 7 pm

Tuesday, July 29

Environmental Advisory Council – Albright Gardens - noon

Board of Ethics – Penn Room – 5 pm

Thursday, July 31

Water Authority – Water Authority Office – 4 pm

Monday, August 4

Shade Tree Commission – Public Works Building – 6 pm

Tuesday, August 5

Charter Board – Penn Room – 7 pm

Wednesday, August 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, August 7

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, August 10

College Heights Community Council – Nativity Lutheran Church – 7 pm

Monday, August 11

Fire Civil Service Board – Penn Room – 4 pm

6th & Amity Neighborhood & Playground Assn – 6th & Amity Field House – 6:30 pm

**City of Reading City Council
Regular Business Meeting
Monday, July 14, 2014**

Council President Francis Acosta called the meeting to order.

The invocation was given by Councilor Daubert.

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
City Auditor D. Cituk
City Solicitor C. Younger
City Clerk L. Kelleher
Mayor Spencer

Council President Acosta stated that Councilor Waltman and the Managing Director have been excused from this meeting.

PROCLAMATIONS AND PRESENTATIONS

City Council issued the following:

- Council Commendation recognizing Recreation Month, accepted by Executive Director Daphne Klahr
- Council Commendation recognizing the 10th Anniversary of Liberty Environmental, accepted by founder James Cinelli

PUBLIC COMMENT

Council President Acosta stated that there are two (2) citizens registered to address Council on non-agenda matters. He stated that the Public Comment Rules require non-agenda comment at the end of the meeting; however, he inquired if any member of Council objected to suspending the rules requiring non-agenda comment at the end of the meeting. As no one objected, the rule was suspended. He reminded those registered about the remaining public speaking rules.

Marta Vasquez of Franklin Street, was not present.

Mary Jane Smith, of Perkiomen Avenue, stated that she has been following the proposals for the Penn Square project through the newspaper. She expressed the belief that one project is more commercially oriented and is more economically viable. However, recent articles show that the City seems to favor the Our City Reading proposal. She expressed the belief that residential uses do not belong on Penn Square and that the federal and state grant money could be better invested in City neighborhoods, rather than in the City's commercial core. She questioned the capacity of Our City Reading and used the unrepaired Elks/Trexler Mansion located at 5th and Franklin Streets as an example. She expressed the belief that the Shuman proposal is better suited to Penn Square and is more economically viable.

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 June 23rd Regular Meeting of Council. He noted the need to make the following additions to the agenda:

- Addition of a Resolution to the Consent Agenda authorizing the RAWA Hardship program
- Addition of an Ordinance for Introduction authorizing an amendment to the budget adding Fund 55 – Retail Sewer Fund 55

Councilor Marmarou moved, seconded by Councilor Sterner, to approve the minutes from the June 23rd Regular Meeting of Council and the agenda, as amended, including the legislation listed under the Consent Agenda heading. The motion was approved unanimously.

Consent Agenda

A. Resolution 78-2014 - authorizing an interest-bearing bank account with Pennsylvania School District Liquid Asset Fund for the City of Reading, to deposit sewer revenue paid by City residents defined for Fund 55. **(Man Dir/Pub Works)**

B. Resolution 79-2014 - authorizing the hiring of Diego Arcinegas, Josiah Fisher, Cornell Deuber and Bradley Silcox as probationary patrol officers effective July 14, 2014 **(Police)**

C. Resolution 83-2014 – authorizing the RAWA Hardship program **(Man Dir)**

ADMINISTRATIVE REPORT

The mayor read the administrative report distributed to Council, in summary:

- St. Joseph Hospital is currently evaluating the use of the former Community General

Hospital, located at 6th and Walnut Streets

- Employee Appreciation Day on July 24th at First Energy Stadium
- Firefighter graduation ceremony on July 19th at 2 pm.
- Questions about the continuation of the Hillside Holiday Light display

Councilor Sterner stated that he was surprised with the questions about the continuation of the Hillside Holiday Light display, as the IBEW assisted in the correction of the wiring problem last year. He stated that he will follow up with people who organize the event.

AUDITOR'S REPORT

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

- Delivery of the pension board actuarial reports to Harrisburg last week
- Retirement of Jessica Kohl-Shuman, who worked for 30 years in the City's Treasury area
- Receipt of the 2013 Parking Authority (RPA) external audit with historical observations about the RPA operations and financials

Councilor Goodman-Hinnershitz noted the need for the Auditor to obtain and share copies of all external audit management letters and findings.

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

Daphne Klahr, Executive Director of the Reading Rec Commission, distributed copies of the Rec Commission's external audit and financial statements, which show no deficiencies. She also distributed a copy of the Rec Commission's annual report covering the 2013 activities. She noted that the Rec Commission received two (2) of the State's recreation 10 awards.

Councilor Goodman-Hinnershitz commended Ms. Klahr for running successful programs that benefit City residents and the renovation to many of the recreation facilities.

Council President Acosta praised Ms. Klahr's accomplishments over the past three years. He also recognized the accomplishments and commitment of the Rec Commission's staff. He stated that his son enjoys the programs offered by the Commission.

ORDINANCES FOR FINAL PASSAGE

Pending - Further Legal Review Required

Bill 41-2014 - creating the Reading Regional Water Authority (City Council)
Introduced at the April 14 regular meeting

Ordinance - authorizing a project labor management agreement for building

projects in the City (Mayor's Office) *Introduced at the May 12 regular meeting; Additional review required; PLA Work Group meeting scheduled for June 25th at 5:30 pm in the Penn Room*

NONE.

INTRODUCTION OF NEW ORDINANCES

The following ordinances were read into the record:

A. Ordinance - establishing a four-way stop intersection at Crestmont Street and Fern Avenue **(Public Works) Advertisement on July 21**

B. Ordinance - establishing a four-way stop intersection at Greenwich Street and North Second Street **(Public Works) Advertisement on July 21**

C. Ordinance - establishing a three-way stop intersection at West Green Street and McKnight Street **(Public Works) Advertisement on July 21**

D. Ordinance - establishing a three-way stop intersection at West Green Street and Weiser Street **(Public Works) Advertisement on July 21**

E. Ordinance - authorizing the transfer of \$25,000.00 from the Contracted Services line item in the Liquid Fuels Fund to the Maintenance of Roads and Bridges line item in the Public Works Budget **(Man Dir)**.

F. Ordinance – authorizing the execution of the attached Intermunicipal Agreement between the City of Reading and the Berks County Solid Waste Authority to provide for an electronics' disposal program. **(Man Dir)**

G. Ordinance – authorizing the amendment of the 2014 Position Ordinance by eliminating the 'Shift Supervisor Service Utility' position and blending the associated responsibilities into an existing 'Mechanical Maintenance Supervisor' position at the Waste Water Treatment Plant. **(Man Dir)**

H. Ordinance – authorizing the amendment of the 2014 Position Ordinance, by decreasing the Developer positions from two (2) to one (1) and increasing the Network Administrator position from one (1) to two (2) **(Man Dir)**

I. Ordinance – amending the 2014 Budget by adding Fund 55 Retail Sewer Fund **(Man Dir)**

RESOLUTIONS

PENDING - Council Receipt and Review of PFM analysis

Resolution - designating Our City Reading, Inc. as the City's redevelopment partner for certain properties located on Penn Street and authorizing the mayor to make applications for certain federal grants and loans **(Man Dir)**

A. Resolution 80-2014 – reappointing Melissa Eggert to the Board of Ethics **(Nom & Appts)**

B. Resolution 81-2014 – appointing Jack Gulati to the Main Street Board **(Nom & Appts)**

C. Resolution 82-2014 – appointing Catherine Cadwell to the Downtown Improvement District Authority **(Nom & Appts)**

Councilor Marmarou moved, seconded by Councilor Daubert, to adopt Resolutions 80-82-2014.

Councilor Marmarou stated that the City is blessed to have the expertise of those being appointed and reappointed this evening.

Councilor Goodman-Hinnershitz thanked those serving for their commitment.

Councilor Sterner stated that he is impressed with the enthusiasm by those being appointed this evening.

Resolution 80-82-2014 was adopted by the following vote:

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

- 6

Nays: None - 0

COUNCIL COMMENT

Councilor Daubert noted the success of the Schlegel Park clean-up conducted last Saturday. He also announced that the 5th and Bingaman area is hosting a clean-up this Saturday. Those wishing to participate should be at 5th and Pine at 9 a.m.

Councilor Goodman-Hinnershitz urged citizens to take the responsibility for cleaning up their neighborhoods, even if the mess was caused by others. She announced the meeting regarding the repaving of Cotton Street at City Reach Church on Wednesday, July 16th at 7 pm.

Councilor Goodman-Hinnershitz noted the article about the Pagoda in the New England "Antiques" magazine. She stated that the Pagoda is becoming an internationally recognized destination for tourists.

Councilor Reed noted the Reading Pride event this upcoming weekend in Centre Park. She also noted the frequent complaints about weeknight fireworks at First Energy Stadium. She suggested working with the Fightin Phils management to eliminate Thursday night fireworks next year.

Council President Acosta encouraged residents to report illegal dumping to the police. He reviewed the upcoming schedule.

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

Respectfully submitted by Linda A. Kelleher CMC, City Clerk



AGENDA MEMO

DEPARTMENT OF ADMINISTRATIVE SERVICES

TO: City Council
FROM: Tammi Reinhart, Purchasing Coordinator
PREPARED BY: Tammi Reinhart, Purchasing Coordinator
MEETING DATE: July 28, 2014
AGENDA MEMO DATE: July 23, 2014
RECOMMENDED ACTION: Awarding of Contract for the General Contractor's work on the Digester Project

RECOMMENDATION

The recommendation is to award the contract for the general contractor's work on the Digester Project for the Wastewater Treatment Plant to Eastern Environmental Contractors, Inc., 6304 Fifth Street, PO Box 278, Green Lane, PA 18054, for a total price of \$4,664,000.00.

BACKGROUND

Bids for this project were received on July 15, 2014.

A copy of the Schedule of Bids is attached for your review.

BUDGETARY IMPACT

The Department of Public Works has confirmed there are sufficient funds to cover the project.

PREVIOUS ACTION

None

SUBSEQUENT ACTION

Formal action by Council is required to award the contract at the July 28, 2014 meeting.

RECOMMENDED BY

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

RECOMMENDED MOTION

Approve/Deny the recommendation for the General Contractor's work on the Digester Project for the Wastewater Treatment Plant order that contract may be awarded to Eastern Environmental Contractors, Inc.

cc: File

July 15, 2014

To the Mayor
City Hall
Reading, PA

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

THE BID FOR THE GC WORK FOR THE REHABILITATION PROJECT FOR THE DIGESTERS FOR THE DEPARTMENT OF PUBLIC WORKS.

BIDDER

PRICE

Eastern Environmental Contractors, Inc.
6304 Fifth Street
PO Box 278
Green Lane, PA 18054

\$4,664,000.00

Tammi Reinhart
Purchasing Coordinator





AGENDA MEMO

DEPARTMENT OF ADMINISTRATIVE SERVICES

TO: City Council
FROM: Tammi Reinhart, Purchasing Coordinator
PREPARED BY: Tammi Reinhart, Purchasing Coordinator
MEETING DATE: July 28, 2014
AGENDA MEMO DATE: July 23, 2014
RECOMMENDED ACTION: Awarding of Contract for the Electrical Contractor's work on the Digester Project

RECOMMENDATION

The recommendation is to award the contract for the electrical contractor's work on the Digester Project for the Wastewater Treatment Plant to PSI Pumping Solutions, 8210C Carlisle Pike, York Springs, PA 17372 for a total price of \$240,200.

BACKGROUND

Bids for this project were received on July 15, 2014.

A copy of the Schedule of Bids is attached for your review.

BUDGETARY IMPACT

The Department of Public Works has confirmed there are sufficient funds to cover the project.

PREVIOUS ACTION

None

SUBSEQUENT ACTION

Formal action by Council is required to award the contract at the July 28, 2014 meeting.

RECOMMENDED BY

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

RECOMMENDED MOTION

Approve/Deny the recommendation for the Electrical Contractor's work on the Digester Project for the Wastewater Treatment Plant order that contract may be awarded to PSI Pumping Solutions.

cc: File

July 15, 2014

To the Mayor
City Hall
Reading, PA

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

THE BID FOR THE ELECTRICAL REHABILITATION PROJECT FOR THE DIGESTERS FOR THE DEPARTMENT OF PUBLIC WORKS.

<u>BIDDER</u>	<u>PRICE</u>
PSI Pumping Solutions 8210C Carlisle Pike York Springs, PA 17372	\$240,200.00
H.B. Frazer Co. 3 Morgantown Drive Reading, PA 19608	\$269,000.00
Eastern Environmental Contractors, Inc. 6304 Fifth Street PO Box 278 Green Lane, PA 18054	\$389,900.00

Tammi Reinhart
Purchasing Coordinator



AGENDA MEMO

DEPARTMENT OF ADMINISTRATIVE SERVICES

TO: City Council
FROM: Tammi Reinhart, Purchasing Coordinator
PREPARED BY: Tammi Reinhart, Purchasing Coordinator
MEETING DATE: July 28, 2014
AGENDA MEMO DATE: July 23, 2014
RECOMMENDED ACTION: Awarding of Contract for the collection of Municipal Trash Disposal

RECOMMENDATION

The recommendation is to award the contract for the collection of municipal trash disposal to Berks Transfer, 59 Willow Creek Road, Reading, PA 19605 for a total price of \$118,000.00.

BACKGROUND

This project entails the disposal of all waste categories in aggregate, up to a maximum yearly quantity of 2000 tons per year.

A copy of the Schedule of Bids is attached for your review.

BUDGETARY IMPACT

The Department of Public Works has confirmed there are sufficient funds to cover the project.

PREVIOUS ACTION

None

SUBSEQUENT ACTION

Formal action by Council is required to award the contract at the July 28, 2014 meeting.

RECOMMENDED BY

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

RECOMMENDED MOTION

Approve/Deny the recommendation for the collection of the municipal trash disposal for the Solid Waste Division in order that contract may be awarded to Berks Transfer.

cc: File

June 20, 2014

To the Mayor
City Hall
Reading, PA

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

THE BID FOR MUNICIPAL TRASH DISPOSAL FOR THE DEPARTMENT OF PUBLIC WORKS.

BIDDER

PRICE

Berks Transfer
59 Willow Creek Road
Reading, PA 19605

\$118,000.00

J.P. Mascaro & Sons
2650 Audubon Road
Audobon, PA 19403

\$150,700.00

Tammi Reinhart
Purchasing Coordinator



AGENDA MEMO

DEPARTMENT OF ADMINISTRATIVE SERVICES

TO: City Council
FROM: Tammi Reinhart, Purchasing Coordinator
PREPARED BY: Tammi Reinhart, Purchasing Coordinator
MEETING DATE: July 28, 2014
AGENDA MEMO DATE: July 23, 2014
RECOMMENDED ACTION: Awarding of Contract for Installation and Rental of Bulk Oxygen Systems for the Waste Water Treatment Plant and the Sixth and Canal Street Pumping Station and the Supply of Oxygen for Both Locations for a One-Year Period for the Department of Public Works.

RECOMMENDATION

The recommendation is to award the contract to Praxair Distribution Mid-Atlantic, LLC, 5275 Tilghman Street, Allentown, PA 18104, who is the low bidder at the unit prices submitted.

BACKGROUND

Bids are for the installation and rental of bulk oxygen systems for the Waste Water Treatment Plant and the Sixth and Canal Street Pumping Station and the supply of oxygen for both locations for a one-year period.

BUDGETARY IMPACT

The Department of Public Works and Accounting have confirmed there are sufficient funds in budget account code 54-07-44-4513.

PREVIOUS ACTION

None.

SUBSEQUENT ACTION

Formal action by Council is needed to award the contract at the July 28, 2014 meeting.

RECOMMENDED BY

The Mayor, Managing Director, Director of Administrative Services and acting Director of Public Works and Purchasing Coordinator.

RECOMMENDED MOTION

Approve/Deny the recommendation for the contract for the installation and rental of bulk oxygen systems for the Waste Water Treatment Plant and the Sixth and Canal Street Pumping Station and the supply of oxygen for both locations for a one-year period for the Department of Public Works in order that the contract may be awarded to Praxair Distribution Mid-Atlantic, LLC.

cc: File

April 25, 2014

To the Mayor
City Hall
Reading, PA

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

BID FOR INSTALLATION AND RENTAL OF BULK OXYGEN SYSTEMS FOR THE WASTEWATER TREATMENT PLANT AND THE SIXTH & CANAL ST PUMPING STATION AND THE SUPPLY OF OXYGEN FOR BOTH LOCATIONS FOR THE CITY OF READING, PENNSYLVANIA

	Praxair Distribution Mid-Atlantic, LLC 5275 Tilghman Street Allentown, PA 18104
Description	
A. Installation of Bulk Oxygen system at Fritz Island 6,000-7,200 gallon tank	\$0.00
B. Installation of Bulk Oxygen system at 6th & Canal 6,000 gallon tank	\$0.00
C. Monthly rental for bulk oxygen	

tank & vaporization system at Fritz Island Per Month	\$800.00
D. Monthly rental for bulk oxygen tank & vaporization system at 6th & Canal Per Month	\$967.00
E. Installation of EFF-OXY system or approved equal at Fritz Island	\$0.00
F. Installation of automatic oxygen control package at 6th & Canal	\$0.00
G. Monthly rental for EFF-OXY system or approved equal at Fritz Island Per Month	\$0.00

Description	GTS-Welco (PDMA)
H. Monthly rental for automatic oxygen control package at 6th & Canal Per Month	\$0.00
I. Unit price for supplying 803,000 SCF, more or less, of gaseous oxygen per month for a one (1) year period at Fritz Island	Attached
J. Total for supplying 9,636,000 SCF, more or less, of gaseous	

oxygen for a one (1) year period at Fritz Island	\$166,362.00
K. Unit Price for supplying 1,095,000 SCF, more or less, of gaseous oxygen per month for a one (1) year period at 6th & Canal	Attached
L. Total for supplying 13,400,000 SCF, more or less, of gaseous oxygen for a one (1) year period at 6th & Canal	See attached
M. Furnishing portable oxygen tanks (oxygen industrial liquid 180LHP) for seasonal summer use from May to September as plant operations dictate Per tank per month	\$45.00
N. Unit price per SCF for supplying 10,000 SCF gaseous oxygen for the portable tanks	\$0.0000

TAMMI REINHART
Purchasing Coordinator

**CITY OF READING
BERKS COUNTY, PENNSYLVANIA**

**ORDINANCE NO. _____ 2014
(Duly Enacted _____ 2014)**

AN ORDINANCE OF THE CITY OF READING, BERKS COUNTY, PENNSYLVANIA, SIGNIFYING THE INTENTION OF CITY COUNCIL TO ORGANIZE A MUNICIPAL AUTHORITY UNDER THE PROVISIONS OF THE PENNSYLVANIA MUNICIPALITY AUTHORITIES ACT, AS AMENDED AND SUPPLEMENTED, TO BE KNOWN AS THE “READING REGIONAL WATER AUTHORITY”; SETTING FORTH THE FORM OF THE ARTICLES OF INCORPORATION; APPOINTING THE FIRST MEMBERS OF THE BOARD OF THE AUTHORITY AND FIXING THEIR TERM OF OFFICE; DESIGNATING THE PURPOSES FOR SAID AUTHORITY; AUTHORIZING THE EXECUTION AND FILING OF THE ARTICLES OF INCORPORATION; AUTHORIZING THE TAKING OF ALL SUCH ACTION AS MAY BE NECESSARY OR APPROPRIATE TO ORGANIZE SAID AUTHORITY, INCLUDING THE PUBLICATION OF REQUIRED PUBLIC NOTICE; AND CONTAINING CLAUSES FOR SEVERABILITY, REPEAL, AND EFFECTIVE DATE.

WHEREAS, the City of Reading, Berks County, Pennsylvania (the “City”), is empowered to establish, organize, and incorporate an authority pursuant to §5603 of the Pennsylvania Municipality Authorities Act, 53 Pa. C.S.A. § 5601 et seq., Act 22 of 2001, effective June 19, 2001, which codifies and amends the Municipality Authorities Act of 1945, as amended and supplemented (the “Municipality Authorities Act”); and

WHEREAS, in preparation for the passage of this Ordinance, a public hearing was held by the City Council of the City pursuant to notice duly advertised as required by the Municipality Authorities Act.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the City Council of the City and **IT IS HEREBY ORDAINED AND ENACTED** by the authority of the same, as follows:

INTENT. It is the intent of the City Council of the City to organize an authority under provisions of the Municipality Authorities Act.

NAME OF AUTHORITY. The name of the authority shall be the “Reading Regional Water Authority”.

ARTICLES OF INCORPORATION. The proposed Articles of Incorporation of said Reading Regional Water Authority are as follows:

READING REGIONAL WATER AUTHORITY

ARTICLES OF INCORPORATION

To: The Secretary of the Commonwealth of Pennsylvania.

In compliance with requirements of the Pennsylvania Municipality Authorities Act, 53 Pa. C.S.A. § 5601 et seq., Act 22 of 2001, effective June 19, 2001, which codifies and amends the Municipality Authorities Act of 1945, as amended and supplemented (the “Municipality Authorities Act”), and pursuant to the ordinance enacted by the City Council of the City of Reading, Berks County, Pennsylvania, expressing the intention and desire of the City Council of said municipality to organize a municipality authority under said Municipality Authorities Act, the incorporating municipality does hereby certify:

The name of the Authority is “Reading Regional Water Authority”.The Authority is formed under provisions of the Pennsylvania Municipality Authorities Act, 53 Pa. C.S.A. § 5601 et seq., Act 22 of 2001, effective June 19, 2001, which codifies and amends the Municipality Authorities Act of 1945, as amended and supplemented, with all powers authorized by said Municipality Authorities Act. No other authorities have been organized under said Municipality Authorities Act, under the former Act of June 28, 1935 (P.L. 463, No. 191), or under the Act of May 2, 1945 (P.L. 382, No. 164), known as the “Municipality Authorities Act of 1945”, and is in existence in or for the incorporating municipality, except that the incorporating municipality has heretofore organized (i) the Reading Area Water Authority, (ii) the Reading Regional Airport Authority, (iii) the City of Reading Revitalization and Improvement Zone Authority, (iv) the Reading Downtown Improvement District Authority, and (v) the Berks Area Reading Transportation Authority, as a joint incorporating municipality, each under the provisions of the Act of May 2, 1945 (P.L. 382, No. 164), known as the “Municipality Authorities Act of 1945”, which authorities are in existence in or for said incorporating municipality. The name of the incorporating municipality is the City of Reading, Berks County, Pennsylvania. The names and addresses of the members of the City Council of the City of Reading, the incorporating municipality, are as follows:

<u>OFFICE</u>	<u>NAME</u>	<u>ADDRESS</u>
President	Francis Acosta	326 St. Nicholas Street Reading, PA 19607
Vice President	Marcia Goodman- Hinnershitz	564 South 15 th Street Reading, PA 19601
Council Member	Chris Daubert	1135 Gregg Avenue Reading, PA 19607
Council Member	Stratton P. Marmarou	1515 Linden Street Reading, PA 19604
Council Member	Donna Reed	1525 Argonne Road Reading, PA 19601
Council Member	Dennis M. Sterner	524 North 14 th Street Reading, PA 19604
Council Member	Jeffrey S. Waltman	723 North 4 th Street Reading, PA 19601

The names, addresses and terms of office of the first members of the Board of the Reading Regional Water Authority, are as follows:

<u>NAME</u>	<u>ADDRESS</u>	<u>TERM OF OFFICE</u>
Jeffrey S. Waltman	723 North 4 th Street Reading, PA 19601	One Year
Marcia Goodman-Hinnershitz	564 South 15 th Street Reading, PA 19601	Two Years
Dennis M. Sterner	524 North 14 th Street Reading, PA 19604	Three Years
Donna Reed	1525 Argonne Road Reading, PA 19601	Four Years
Francis Acosta	326 St. Nicholas Street Reading, PA 19607	Five Years

The terms of office of the first members of the Board of said Reading Regional Water Authority shall commence on the date of appointment and shall be computed from the first Monday in January of 2015.

The term of existence of the Reading Regional Water Authority shall be for a period of fifty (50) years.

Advertisement of notice of filing these Articles of Incorporation is submitted herewith.

IN WITNESS WHEREOF, the undersigned has executed these Articles on behalf of the City of Reading, Berks County, Pennsylvania, and has caused to be affixed the seal and attested this _____ day of _____ 2014.

**CITY OF READING
BERKS COUNTY, PENNSYLVANIA**

By: _____
Vaughn Spencer, Mayor

Attest: _____
Linda A. Kelleher CMC, City Clerk

**AN ORDINANCE AMENDING THE CITY OF READING CODIFIED ORDINANCES
CHAPTER 1 ADMINISTRATION AND GOVERNMENT SECTION 186, FISCAL
PROVISIONS BY ADDING SECTION 186 R PUBLIC CONSTRUCTION PROJECT LABOR
STABILIZATION AGREEMENT REQUIREMENTS**

WHEREAS the residents and taxpayers of the City of Reading, County of Berks, Commonwealth of Pennsylvania are periodically called upon to, among other things, finance, in whole or in part, the construction, renovation, alteration, modification and/or demolition of site preparation and/or structural improvements to real property situated within the corporate limits of the City. As such, the City of Reading, in its capacity as a market participant, on behalf of its residents and taxpayers, has a particular interest in taking reasonable steps to promote efficiency and establish minimum standards for all such projects and to promote the public interest in assuring the timely and economical undertaking and completion of such projects.

WHEREAS it is in the public interest of the residents and taxpayers of the City of Reading, and in the proprietary interest of the City as a market participant, to, as a condition of the awarding of contracts for construction, renovation, modification, alteration and/or demolition that are financed, in whole or in part, with public funds in the form of direct investment or procurement, grants, loans, public debt, public guaranteed debt, tax abatements, tax forgiveness, tax increment financing and/or similar forms of public and/or public/private financing methodologies, to assure that certain minimum project labor condition stabilization requirements are a specification of all bid solicitations for such projects and are appropriately incorporated into designated contract awards for such projects so as to provide for the resolution of any and all management/labor disputes and/or grievances without lockouts or strikes and establishing minimum project labor condition stabilization standards for all workers employed by all contractors and subcontractors, of all degrees, on such projects.

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

SECTION ONE. Amending the City of Reading Codified Ordinances Chapter 1, Administration and Government Section 186, Fiscal Provision by adding Section 186 R Public Construction Project Labor Stabilization Agreement Requirements.

To assure the implementation of these findings the City Council of the City of Reading, Berks County, Pennsylvania hereby requires, with respect to all projects of construction, renovation, alteration, modification and/or demolition, in the City of Reading, Pennsylvania, financed, in whole or in part, with the funds of a public body, including, but not limited to, direct investment or procurement, grants, loans, public debt, public guaranteed debt, tax abatements, tax forgiveness, tax increment financing and/or similar forms of public and/or quasi-public or public/private financing methodologies the following:

§186.

...

R. Public Construction Project Labor Stabilization Agreement Requirements

- (1) Prior to the solicitation for bids for award of contracts for every construction project, estimated, prior to bid solicitation, to be valued in total and regardless of separate phases or sequences of work to be undertaken, greater than \$1,000,000 whether to be solicited directly by or on behalf of the City of Reading or by or in combination with any third party, the Mayor of the City of Reading will cause to be conducted an independent study of the potential feasibility of requiring a Project Labor Stabilization Agreement to be applicable to all contractors and subcontractors, of every degree, anticipated to be employing workers in the undertaking and completion of the anticipated project.
- (2) The independent study so undertaken shall include, but not be limited to, analysis of the following:
 - (a) the local labor market conditions necessary to undertake and complete the proposed project in a timely fashion in order to meet the public interest in undertaking the project.
 - (b) the benefit to the City of Reading in establishing a Project Labor Stabilization Agreement in promoting:
 - [1] management/labor harmony and cooperation for the duration of the project,
 - [2] standardizing terms and conditions governing the employment of labor on the project,
 - [3] addressing flexibility in work scheduling, shift hours and starting times on the proposed project,
 - [4] securing negotiated adjustments with respect to work rules and staffing requirements on the proposed project,
 - [5] providing comprehensive and standardized mechanisms for the resolution of management/labor disputes that may arise on the project,
 - [6] insuring a reliable source of skilled and experienced craft people for the project, and
 - [7] furthering public policy objectives with respect to improvement of employment opportunities for women and minorities and contracting opportunities for minority business enterprises and women's business enterprises.
 - (c) the possible impact of lockouts and/or strikes on the timely undertaking and completion of the proposed project

- (3) The independent study will provide a recommendation regarding whether or not a Project Labor Stabilization Agreement will serve the proprietary interest City of Reading with respect to the individual project proposed to be undertaken. The City of Reading, under the auspices of the office of the Mayor of the City of Reading, may request the entity undertaking the independent study required by this paragraph to analyze such other factors as are reasonably deemed appropriate to further the implementation of the requirements of this Ordinance.
- (4) If a study commissioned under section 1-3 is completed and the study recommends the utilization of a Project Labor Stabilization Agreement, then the City may require that any request for proposals or solicitation of bids shall include bid specifications that require successful construction contractor bidders, of every degree, to be bound by a Project Labor Stabilization Agreement with the regional Building and Construction Trades Council having jurisdiction over the Reading, Pennsylvania geographic area and that is affiliated with the Pennsylvania State Building and Construction Trades Council.
- (5) Solicitation of bids for award of contracts for all such projects estimated prior to bid solicitation to be valued in total, and regardless of separate phases or sequences of work to be undertaken, greater than \$250,000 whether to be solicited by or on behalf of the City of Reading or by or in combination with the City of Reading and any third party shall specify, among other requirements, all of the contract condition requirements of this Ordinance when the independent study required by this Ordinance recommends the specification of a Project Labor Stabilization Agreement to serve the public interest of the City of Reading.
- (6) As a condition of the award of any contract specifying a Project Labor Stabilization Agreement, the responsible and responsive bidder(s) for any project shall within sixty (60) days of the date it is deemed by the City of Reading to be the conditionally designated responsive and responsible bidder for the project, shall, in good faith, negotiate a Project Labor Stabilization Agreement with the Regional Building and Construction Trades Council having geographic jurisdiction over the Reading Pennsylvania geographic area and affiliated with the Pennsylvania State Building and Construction Trades Council, that establishes minimum wages, hours, employee benefits and other terms and conditions of employment for all workers in all trades and/or crafts anticipated to be required for the undertaking of the project and applicable to all contractors and subcontractors, of every degree, that will provide any labor, directly or indirectly on the project.
- (7) No final contract award for any project subject to the Project Labor Stabilization Agreement requirements of this section may be made to any contractor or subcontractor prior to the completion of a Project Labor Stabilization Agreement. In the event that such a Project Labor Stabilization Agreement is not successfully concluded and completed within the sixty day period required above, the contractor or contractors conditionally determined to be the designated responsive and responsible bidder will conclusively be presumed to be non-responsive and/or non-responsible and removed from the list of responding bidders for the project.

- (8) In the event that a bidder is deemed to be non-responsive and/or non-responsible pursuant to the terms of this Ordinance, the entity soliciting bids for the project shall be directed to utilize the procedures of this Ordinance for the purpose of making a conditional award of a contract for the project to the next lowest responsive and responsible bidder.

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: _____

BILL NO. ____-2014

AN ORDINANCE

**ESTABLISHING A FOUR-WAY STOP INTERSECTION
AT CRESTMONT STREET AND FERN AVENUE**

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

SECTION ONE. The intersection of Crestmont Street and Fern Avenue is hereby established as a four-way stop intersection.

SECTION TWO. Drivers of all vehicles approaching said intersections shall come to a complete stop and not proceed into said intersection until it can be done with safety, as provided in the Pennsylvania Motor Vehicle Code.

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

Enacted by Council _____, 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: _____

BILL NO. ____-2014

AN ORDINANCE

**ESTABLISHING A FOUR-WAY STOP INTERSECTION
AT GREENWICH STREET AND NORTH SECOND STREET**

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

SECTION ONE. The intersection of Greenwich Street and North Second Street is hereby established as a four-way stop intersection.

SECTION TWO. Drivers of all vehicles approaching said intersections shall come to a complete stop and not proceed into said intersection until it can be done with safety, as provided in the Pennsylvania Motor Vehicle Code.

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

Enacted by Council _____, 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: _____

BILL NO. ____-2014

AN ORDINANCE

**ESTABLISHING A THREE-WAY STOP INTERSECTION
AT WEST GREEN STREET AND MCKNIGHT STREET**

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

SECTION ONE. The intersection of West Green Street and McKnight Street is hereby established as a three-way stop intersection.

SECTION TWO. Drivers of all vehicles approaching said intersections shall come to a complete stop and not proceed into said intersection until it can be done with safety, as provided in the Pennsylvania Motor Vehicle Code.

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

Enacted by Council _____, 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: _____

BILL NO. ____-2014

AN ORDINANCE

**ESTABLISHING A THREE-WAY STOP INTERSECTION
AT WEST GREEN STREET AND WEISER STREET**

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

SECTION ONE. The intersection of West Green Street and Weiser Street is hereby established as a three-way stop intersection.

SECTION TWO. Drivers of all vehicles approaching said intersections shall come to a complete stop and not proceed into said intersection until it can be done with safety, as provided in the Pennsylvania Motor Vehicle Code.

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

Enacted by Council _____, 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: _____



MEMORANDUM

TO: Carole Snyder, Managing Director
FROM: Charles M. Jones, City Engineer
DATE: May 29, 2014
SUBJECT: Multi-Way Stop Intersections

The City of Reading received requests to consider multi-way stop intersections at the following four locations:

1. Crestmont Street & Fern Avenue
2. Greenwich Street & N 2nd Street
3. W Green Street & McKnight Street
4. W Green Street & Weiser Street

Attached are multi-way stop analyses for the four intersections completed by Great Valley Consultants. In all four cases, Great Valley Consultants concluded that the intersections can be a multi-way stop controlled intersection. Crestmont Street and Fern Avenue and Greenwich Street and N 2nd Street would be 4-way stop intersections while the two intersections on West Green Street would be 3-way stop intersections since West Green Street is currently one-way westbound.

It is my recommendation that appropriate ordinances be prepared for presentation to City Council for their approval.

CMJ/ts

C: Charles Younger, City Solicitor
Sgt Eric Hartman, Police Traffic Enforcement
Ralph Johnson, P.E., Acting Public Works Director



GVC
GREAT VALLEY CONSULTANTS

75 COMMERCE DRIVE ♦ WYOMISSING, PA 19610-3323

PHONE: (610) 375-8822

1-800-733-4821

FAX: (610) 375-8977

May 22, 2014

Charles M. Jones, PE
Department of Public Works
City of Reading
815 Washington Street
Reading, PA 19601

Re: City of Reading
Crestmont Street and Fern Avenue
Multi-way Stop Analyses
GVC File No. 3065-033

Dear Charlie:

At your request, Great Valley Consultants (GVC) performed an engineering study at the intersection of Crestmont Street and Fern Avenue to determine if a multi-way stop is warranted at these intersections. Currently, Crestmont Street is stop-controlled while Fern Avenue is a through street.

We performed our study in accordance with Section 2B.07 (Multi-Way Stop Applications) of the Manual on Uniform Traffic Control Devices (MUTCD), 2009 edition. This section provides statements of recommendation and guidance that must be considered when evaluating the warrants of multi-way stop control.

Sections of Fern Avenue and Crestmont Street are high-density residential areas with only on-street parking available. The parking restrictions at the intersection are only at the radii of the corners, so parked vehicles obstruct the sight distance of vehicles stopped at both approaches of Crestmont Street. The required sight distance when a road user is looking left or right is 280 feet. Due to the parked vehicles, the available sight distance at southeast bound Crestmont Street to the left is 82 feet and 71 feet to the right. Due to the parked vehicles, the available sight distance at northwest bound Crestmont Street to the left is 86 feet and 67 feet to the right.

If parking restrictions were implemented along Fern Avenue, the available sight distance could be increased. However, the available off-street parking available and alternative parking in this area is limited. As a result, Fern Avenue typically has vehicles parked along both sides of the street every day. Therefore, the City of Reading has stated expanding parking restrictions at this intersection is not an option.

Therefore, GVC concludes that the intersection of Crestmont Street and Fern Avenue can be a multi-way stop controlled intersection.

If you have any questions, please do not hesitate to contact our office.

Sincerely,

SCOTT E. ANDERSON
Project Engineer

SCA:lam

Engineers ♦ Architects ♦ Planners ♦ Consultants ♦ Surveyors



GVC
GREAT VALLEY CONSULTANTS

75 COMMERCE DRIVE ♦ WYOMISSING, PA 19610-3323

May 22, 2014

PHONE: (610) 375-8822

1-800-733-4821

FAX: (610) 375-8977

Charles M. Jones, PE
Department of Public Works
City of Reading
815 Washington Street
Reading, PA 19601

Re: City of Reading
Greenwich Street and North Second Street
Multi-way Stop Analysis
GVC File No. 3065-033

Dear Charlie:

At your request, Great Valley Consultants (GVC) performed an engineering study at the intersection of Greenwich Street and North Second Street. The study was to determine if a multi-way stop is warranted at these intersections. Currently, North Second Street is stop-controlled while Greenwich Street is a through street.

We performed our study in accordance with Section 2B.07 (Multi-Way Stop Applications) of the Manual on Uniform Traffic Control Devices (MUTCD), 2009 edition. This section provides statements of recommendation and guidance that must be considered when evaluating the warrants of multi-way stop control.

Greenwich Street and North Second Street are high-density residential areas with only on-street parking available. The parked vehicles on Greenwich Street obstruct the sight distance of vehicles stopped at both approaches of North Second Street. The required sight distance when a road user is looking left or right is 280 feet. Due to the parked vehicles, the available sight distance at south bound North Second Street to the left is 171 feet and 93 feet to the right. Due to the parked vehicles, the available sight distance at north bound North Second Street to the left is 77 feet and 160 feet to the right.

If parking restrictions were implemented along Greenwich Street, the available sight distance could be increased. However, the available off-street parking available and alternative parking in this area is limited. As a result, Greenwich Street typically has vehicles parked along both sides of the street every day. Therefore, the City of Reading has stated expanding parking restrictions at this intersection is not an option.

Also, the City of Reading provided a history of the accidents on record for the past three (3) years. It was determined that more than five (5) of the crashes occurred within a 12-month period and were susceptible to correction by a multi-way stop controlled intersection.

Therefore, GVC concludes that the intersection of Greenwich Street and North Second Street can be a multi-way stop controlled intersection.

If you have any questions, please do not hesitate to contact our office.

Sincerely,



SCOTT C. ANDERSON

Project Engineer

SCA:lam

Engineers ♦ Architects ♦ Planners ♦ Consultants ♦ Surveyors



May 22, 2014

Charles M. Jones, PE
Department of Public Works
City of Reading
815 Washington Street
Reading, PA 19601

Re: City of Reading
West Green Street Multi-way Stop Analyses
GVC File No. 3065-033

Dear Charlie:

At your request, Great Valley Consultants (GVC) performed an engineering study at the intersections of West Green Street with both Weiser Street and McKnight Street. The study was to determine if a multi-way stop is warranted at these intersections. Currently, Weiser Street and McKnight Street are stop-controlled while West Green Street is a through street.

We performed our study in accordance with Section 2B.07 (Multi-Way Stop Applications) of the Manual on Uniform Traffic Control Devices (MUTCD), 2009 edition. This section provides statements of recommendation and guidance that must be considered when evaluating the warrants of multi-way stop control.

West Green Street is a one-way street from east to west, and Weiser Street and McKnight Street are both two-way streets. The area of West Green Street is a high-density residential area with only on-street parking available. The parked vehicles on the north side of West Green Street obstruct the sight distance available for vehicles stopped at both Weiser Street and McKnight Street. The required sight distance when a road user is looking left at either intersection is 280 feet. Due to the parked vehicles, the available sight distance at Weiser Street is 90 feet, and at McKnight Street it is 96 feet.

If parking restrictions were implemented along the northern side of West Green Street and east of Weiser and McKnight Streets, the available sight distance could be increased. However, there is no off-street parking available in this area and no alternative parking in the surrounding area. As a result, West Green Street typically has vehicles parked along both sides of the street every day. Therefore, the City of Reading has stated expanding parking restrictions at these intersections is not an option.

Therefore, GVC concludes that the westbound approach of West Green Street at the intersections of Weiser Street and McKnight Street can be stop-controlled.

If you have any questions, please do not hesitate to contact our office.

Sincerely,

SCOTT C. ANDERSON
Project Engineer

SCA:lam

PUBLIC WORKS

TO: Members of City Council

FROM: David C. Ruyak, Operations Division Manager

PREPARED BY: David C. Ruyak, Operations Division Manager

MEETING DATE: July 28th, 2014

AGENDA MEMO DATE: June 30, 2014

RECOMMENDED ACTION: Approve Appropriation Transfers

BACKGROUND:

The bituminous contract was agreed upon in March of 2014 but has yet to be executed. As such, the original stated amount of \$30,000 is no longer available in the designated account code. This transfer will bring the account to a balance over the necessary level and will also cover future expenditures in road repair operations. Due to street repairs being over four times higher than in 2013, the transfer of funds will also ensure that potholes and sinkholes continue to be repaired.

BUDGETARY IMPACT:

Transfer of \$25,000
From: Contracted Services, 35-07-00-4216
To: Maintenance of Roads & Bridges, 35-07-00-4815.

PREVIOUS ACTION:

None

RECOMMENDED BY:

David Ruyak, Operations Division Manager of Public Works
Ralph Johnson, Interim Public Works Director

RECOMMENDED MOTION:

Approve the request.

BILL NO. _____ - 2014

AN ORDINANCE

AN ORDINANCE AUTHORIZATING THE TRANSFER OF FUNDS TO THE GENERAL FUND FROM THE LIQUID FUELS FUND.

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Authorizing the transfer of \$25,000.00 from the Contracted Services line item in the Liquid Fuels Fund (35-07-00-4216) to t he Maintenance of Roads and Bridges line item (35-07-00-4815).

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 ____ July 28th _____, 2014

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

BILL NO. _____-2014

A N O R D I N A N C E

AUTHORIZING THE MAYOR TO EXECUTE THE INTERMUNICIPAL AGREEMENT BETWEEN THE CITY OF READING AND THE BERKS COUNTY SOLID WASTE AUTHORITY FOR THE DISPOSAL OF ELECTRONICS.

WHEREAS, the City of Reading and the Berks County Solid Waste Authority believe that the citizens of the City of Reading will benefit from the City of Reading participating in an electronics disposal program; and

WHEREAS, the City of Reading desires to enter into an agreement with the Berks County Solid Waste Authority to provide for an electronics' disposal program,

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

SECTION 1. The Mayor is authorized to execute the attached Intermunicipal Agreement between the City of Reading and the Berks County Solid Waste Authority to provide for an electronics disposal program.

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

Enacted _____, 2014

President of Council

Attest:

City Clerk

Submitted to Mayor:

Date: _____

Received by the Mayor's Office:

Submitted to Mayor:

Date: _____

Approved by Mayor:

Date: _____

Vetoed by Mayor:

Date: _____

INTERMUNICIPAL COOPERATION AGREEMENT

THIS INTERMUNICIPAL COOPERATION AGREEMENT (“Agreement”) made as of the 30th day of May, 2014 is by and between the BERKS COUNTY SOLID WASTE AUTHORITY (hereinafter referred to as the “Authority”) and the CITY OF READING (hereinafter referred to as the “City”).

WHEREAS, the City desires to obtain electronic waste recycling services of a kind and nature hereinafter described (the “Services”); and

WHEREAS, the Authority desires to render these services to the City pursuant to the terms and conditions contained in the Agreement.

NOW THEREFORE, intending to be legally bound, and in consideration of promises, mutual covenants and other good and valuable consideration hereinafter contained, the parties hereto agree as follows:

1. RECITALS

The recitals set forth in the foregoing whereas paragraphs shall be considered to provide substantive provisions of this Agreement and are incorporated herein by this reference.

2. TERMS OF SERVICE

The Services that the Authority shall provide to the City shall take place as follows:

A. The City shall be responsible for separating its electronic waste into five distinct and separate categories, including: (1) central processing units and laptops; (2) computer monitors; (3) television sets; (4) covered devices; and (5) non-covered devices.

B. The Authority shall provide the City with pallets and gaylords for the storage and transportation of all of the City’s electronic waste.

C. As the need arises, and after properly sorting its electronic waste into the above-mentioned categories, the City shall be responsible for transporting said electronic waste in the gaylords and pallets at the City’s cost to the Authority’s electronic waste recycling center (the “Center”).

D. Once the City has transported the properly sorted electronic waste to the Center, the Authority shall unload the electronic waste and shall arrange for the processing and recycling of the same.

E. Improperly sorted electronic waste shall not be accepted and the City shall be responsible at its cost for removing such electronic waste from the Center.

3. COMPENSATION

The Authority will not require payment from the City for the Services, nor will the Authority pay the City for any materials brought to the Center by the City.

4. TERM

This Agreement shall become effective when executed by all parties, and shall be in effect perpetually, unless and until either party elects to terminate this Agreement under Paragraph 5 below.

5. RIGHT TO TERMINATE

A. Either party shall have the right to terminate this Agreement with or without cause by giving sixty (60) days prior written notice to the other at the address specified in Section 11 of this Agreement. Each party shall be liable for, but not limited to, any expenses, damages and/or legal fees which result from termination, if such termination is due to the other party's sole negligence, willful misconduct or material breach of this Agreement.

B. Both parties shall be responsible for all commitments as set forth in this Agreement up to and including the date of termination. Upon termination of this Agreement, both parties shall forthwith deliver to one another all documents and any other material in any way relating to the Services which may be in its possession.

6. WARRANTIES

A. The Authority warrants and represents that the Authority will comply with all applicable laws and regulations.

B. The City warrants and represents that the City will comply with all applicable laws and regulations.

7. CONFIDENTIALITY DISCLAIMER

A. The Authority recognizes and understands that some of the City's electronic waste, especially central processing units and laptops, may contain confidential, personal and private information. The Authority warrants that it shall not access and/or disseminate any confidential, personal or private information that may be stored on or in the City's electronic waste.

B. The Authority hereby disclaims any and all responsibility or liability for any third party's access and/or dissemination of any confidential and private information that may be stored in the City's electronic waste. The City hereby shall indemnify, defend and hold the Authority harmless regarding any claim asserted against the Authority arising from any third

party's unauthorized access and/or dissemination of any such confidential and private information.

8. REIMBURSEMENT

A. The City shall reimburse the Authority for any actual damages or costs, as well as court costs, directly caused by the City's failure to perform the City's express obligations under this Agreement. This remedy shall be in addition to, not in lieu of, any other remedies of the Authority provided by law, equity or this Agreement.

B. The Authority shall reimburse the City for any actual damages or costs, as well as court costs, directly caused by the Authority's failure to perform the Authority's express obligations under this Agreement. This remedy shall be in addition to, not in lieu of, any other remedies of the City provided by law, equity or this Agreement.

9. CHANGES

The Authority shall have the right to implement reasonable changes to the Services during the term of this Agreement. The Authority will notify the City of any changes to the Services that it implements at the address provided in Section 13 hereof.

10. NO REPRESENTATIONS

No party under this Agreement is the agent or employee of the other, and neither party under this Agreement is authorized to make any representations or incur any liabilities on behalf of the other party.

11. INDEMNIFICATION

A. To the fullest extent permitted by law, the City shall indemnify, defend and hold harmless the Authority and its agents and employees from and against claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of or resulting from performance of the Services in this Agreement, including any claim, damage, loss or expense attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property including loss of use resulting therefrom, but only to the extent caused in whole or in part by negligent and/or intentional acts or omissions of the City, a subcontractor, anyone directly or indirectly employed by them or anyone for whose acts they may be liable, regardless of whether or not such claim, damage, loss or expense is caused in part by a party indemnified hereunder. Such obligation shall not be construed to negate, abridge, or reduce other rights or obligations of indemnity which would otherwise exist as to a party or person described elsewhere in this Agreement.

B. To the fullest extent permitted by law, the Authority shall indemnify, defend and hold harmless the City and its agents and employees from and against claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of or resulting from performance of the Services in this Agreement, including any claim, damage, loss or expense attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property including loss of use resulting therefrom, but only to the extent caused in whole or in part by negligent and/or intentional acts or omissions of the Authority, a subcontractor, anyone directly or indirectly employed by them or anyone

for whose acts they may be liable, regardless of whether or not such claim, damage, loss or expense is caused in part by a party indemnified hereunder. Such obligation shall not be construed to negate, abridge, or reduce other rights or obligations of indemnity which would otherwise exist as to a party or person described elsewhere in this Agreement.

C. Nothing contained in this Section 13 shall be construed as, or constitute, a waiver of the Authority or the City's entitlement to government immunity pursuant to the Political Subdivision Tort Claims Act, 42 Pa.C.S.A. §8541, et seq.

12. NON-ASSIGNABILITY

The City shall not assign the Agreement without the written consent of the Authority.

13. NOTICES

Any notices required to be given pursuant to the terms and provisions hereof shall be in writing and shall be sent certified mail, return receipt requested, addressed to each party at the following address:

THE CITY:

City of Reading
Attn: Division Manager, Recycling/
Solid Waste Office
815 Washington Street
Reading, PA 19601

With a copy to :
Charles Younger, Esquire
City Solicitor
City of Reading
815 Washington Street
Reading, PA 19601

THE AUTHORITY:

Berks County Solid Waste
Authority
Attention: Executive Director
633 Court Street, 14th Floor
Reading, PA 19601

With a copy to:
Georgeadis Setley
Attn: Douglas Paul Rauch,
Esquire
4 Park Plaza, 2nd Floor
Wyomissing, PA 19610

14. SEVERABILITY

In the event any provision hereof is declared null and void by a court of law, the remaining provisions of this Agreement shall remain in full force and effect.

15. ENTIRE AGREEMENT

A. This Agreement constitutes the entire understanding of the parties hereto and no changes, amendments or alterations shall be effective unless in writing and signed by both parties and only to the extent therein set forth.

B. No waiver of the breach of any term or condition of the Agreement shall be deemed to constitute the waiver of any other breach of the same or any other term or condition.

16. GOVERNING LAW

This Agreement shall be governed by the laws of the Commonwealth of Pennsylvania and any action filed in connection with this Agreement shall be filed in the Court of Common Pleas of the County of Berks, Pennsylvania.

[Signatures appear on following page.]

INTENDING TO BE LEGALLY BOUND, the undersigned authorized officers of the Berks County Solid Waste Authority and the City of Reading have executed this Intermunicipal Cooperation Agreement as of the 30th day of May, 2014.

**BERKS COUNTY SOLID WASTE
AUTHORITY**

CITY OF READING

By: _____
Title: Chairman

By: _____
Title: Mayor

**BILL NO. 2014 - ____
AN ORDINANCE**

**MODIFYING THE CITY OF READING 2014 POSITION ORDINANCE
ELIMINATING ONE POSITION AT THE WASTE WATER TREATMENT PLANT**

THE COUNCIL OF THE CITY OF READING ORDAINS AS FOLLOWS:

Section One: The 2014 Position Ordinance is hereby amended, eliminating the 'Shift Supervisor Service Utility' position and blending the associated responsibilities into an existing 'Mechanical Maintenance Supervisor' position at the Waste Water Treatment Plant.

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

Enacted by Council on July ____, 2014:

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by Mayor:

Date: _____

Approved by Mayor:

Date: _____

Vetoed by Mayor:

Date: _____



TO: City Council

FROM: Henry Tangredi
Information Technology Division Manager

PREPARED BY: Henry Tangredi
Information Technology Division Manager

MEETING DATE: July 14, 2014

AGENDA MEMO DATE: July 9, 2014

RECOMMENDED ACTION: Approve IT Position Transfer

BACKGROUND:

The IT Division currently has three Developer positions and one Network Administrator position. The operational workload for the Network Administrator is continually more than one person can do and

has very limited coverage during absences (sick, vacation, etc.) It is requested that council amend the position ordinance by eliminating one (1) Developer position (currently vacant), bringing the total to one (1) and increasing the Network Administrator position to two (2). The transfer of the position has no additional budgetary impact.

BUDGETARY IMPACT:

None

PREVIOUS ACTION:

None

RECOMMENDED BY:

Managing Director, Admin Services Director, IT Division Manager

RECOMMENDED MOTION:

Approve the request.

**BILL NO. _____
AN ORDINANCE**

AN ORDINANCE AMENDING THE 2014 FISCAL YEAR EMPLOYEE POSITION ORDINANCE BY DECREASING THE DEVELOPER POSITIONS FROM TWO (2) TO ONE (1) AND INCREASING THE NETWORK ADMINISTRATOR POSITION FROM ONE (1) TO TWO (2).

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Ordinance amending the 2014 Fiscal Year Employee Position Ordinance, Bill No. 126-2012 by decreasing the Developer positions from two (2) to one (1) and increasing the Network Administrator position from one (1) to two (2).

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 re-passage 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 _____, 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: _____

FUND TRANSFER

Date: _____

TO: Members of City Council

FROM: Christian F. Zale
City Controller

PREPARED BY: Christian F. Zale
City Controller

MEETING DATE: June 23, 2014

AGENDA MEMO DATE: June 17, 2014

RECOMMENDED ACTION: Establish Enterprise Retail Sewer Fund 55

BACKGROUND:

The City has entered into new Inter-Municipal Agreements. These agreements necessitate the segregation of sewer payments between the City retail rate payers and the municipalities by establishing the Enterprise Retail Sewer Fund 55 within the City's annual budget and a corresponding

Fund 55 bank account, which is created by Resolution on the July 14th Consent Agenda.

BUDGETARY IMPACT:

None

PREVIOUS ACTION:

None

RECOMMENDED BY:

City Controller

RECOMMENDED MOTION:

Approve the request.

BILL NO. ____ - 2014

AN ORDINANCE

AN ORDINANCE AMENDING THE 2014 BUDGET BY CREATING THE ENTERPRISE RETAIL SEWER FUND 55.

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Amending the 2014 Budget by creating the Enterprise Retail Sewer Fund. The fund, designated *City Retail Sewer Fund 55*, will capture the City's retail customers' sewer payments and deposit them into a newly establish bank account established by resolution. This fund will function to stabilize future City rate calculations.

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: _____

BILL NO. _____ - 2014

AN ORDINANCE OF THE CITY OF READING AMENDING THE CITY OF READING CODE BOOK, CHAPTER 600 ENTITLED "ZONING", PART 6 ENTITLED "TYPES OF USES", SECTION 600-807 ENTITLED "C-C COMMERCIAL CORE DISTRICT" BY AMENDING: (1) SUBSECTION B ENTITLED "ALLOWED USES" TO INCLUDE PUBLIC PARKING GARAGES AND PARKING LOTS OWNED/OR OPERATED BY THE CITY OF READING OR THE READING PARKING AUTHORITY, AND TO PROHIBIT NON-PUBLIC PARKING GARAGES AND PARKING LOTS; AND (2) SUBSECTION C ENTITLED "ADDITIONAL REQUIREMENTS IN THE C-C DISTRICT" TO PROHIBIT NON-PUBLIC PARKING GARAGES OR PARKING LOTS OPEN TO THE GENERAL PUBLIC.

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

SECTION 1. Amending the City of Reading Codified Ordinances, Chapter 600 entitled "Zoning", Part 6 entitled "Types of Uses", as attached in Exhibit A:

SECTION 2. All relevant ordinances, regulations and policies of the City of Reading, Pennsylvania not amended by this Ordinance shall remain in full force and effect.

SECTION 3. If any section, subsection, sentence or clause of this Ordinance is held for any reason to be invalid, such decisions shall not affect the validity of the remaining portions of the Ordinance.

SECTION 4. This Ordinance shall be effective 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: _____, 2014

President of Council

Attest:

City Clerk

(Council Office & Parking Authority)

Submitted to the Mayor: _____

Date: _____, 2014

Received by the Mayor's Office: _____

Date: _____, 2014

Approved by the Mayor: _____

Date: _____, 2014

Vetoed by the Mayor: _____

Date: _____, 2014

EXHIBIT A

§ 600-807. C-C Commercial Core District.

A. Dimensional requirements.²⁰

B. Allowed uses.

(1) Permitted-by-right uses:²¹

High-rise apartments;

Movie theaters and performing arts facilities

Low-rise or mid-rise apartments;

One-family attached dwellings (townhouses) or one-family semidetached dwellings meet the regulations of the R-3 District gardens, crop farming and forestry

Amusement arcade

Municipal building

Passenger bus or train terminal

Public parking garages and parking lots that are owned/or operated by *the City or Reading Parking Authority* ~~a City authorized parking authority or another governmental entity~~.

A new parking garage with a street frontage of more than 100 feet shall include at least one street-level commercial use.

~~Nonpublic parking garages and parking lots that serve a use located within the C-C District, as opposed to being available to the general public. If such parking involves 10 or more new parking spaces, then special exception approval shall be required. As a criteria of special exception approval, the applicant shall show that the parking: (a) will not cause a loss of a significant historic building; (b) will not~~

~~create a serious traffic congestion or a traffic hazard for pedestrians; and (e) will include suitable landscaping between the parking and a public sidewalk. See also Subsection C below.~~ A new parking garage with a street frontage of more than 100 feet shall include at least one street-level commercial use.

Bakeries (limited to 2,000 square feet production floor area) and retail sale of baked goods

Bank and other financial institutions, which may include drive-through facilities

Business and printing services

Civic/convention center and sports arena

College or university, other than residential uses

Conversion of existing building space into one or more dwelling units, which shall meet the requirements listed for "conversions" in § 600-1203D, even though the use is not a conditional use. Such conversion shall only be allowed if the lot includes at least one street level principal business establishment.

Creation and retail sales of art and crafts items, which may include multiple vendors

Dry cleaners (limited to 2,000 square feet of service/production area)

Fire and ambulance station

Fitness centers/exercise clubs

Funeral homes

Hotels, motels and bed-and-breakfast inns

Offices

Personal services, such as barber or beauty shop (see § 600-1103), tailors, nail salons (see § 600-1103) and certified massage therapy (see § 600-1103), and not including a massage parlor

Photo-finishing services

Radio and television stations

Recreational facilities, public parks and nonmotorized recreation trails

Restaurants (eat-in or takeout) which may include entertainment but shall not include drive-through service. This use shall not allow outdoor sale of ready-to-eat heated food on a regular basis on a lot that is not operated from a building on the lot.

Retail stores

Small appliance sales, repair and service stores

Social clubs and associations (non-PLCB licensed), which shall not be allowed fronting on Penn Street between 2nd Street and 6th Street and which shall not operate between 12:00 midnight and 11:00 a.m. For any use that also meets the definition of a BYOB, Chapter 127, Part 3 (§§ 127-301 to 127-308), and § 127-202 shall also be met.

Trade, vocational and hobby schools, not including residential uses

NOTE:

1 The street-level floor shall include at least one principal business establishment.

2. Accessory uses. See Part 10 unless otherwise noted.

(a) Amusement devices: pursuant to § 600-1010 of this chapter.

(b) Entertainment: pursuant to § 600-1005.

(c) Home occupations, major or minor: see § 600-1006.

(d) Storage as an accessory use to a use located within the C-C District.

(e) ***Parking exclusively serving a principal use on the same lot***

3. Conditional Uses

(a) Banquet hall.

(b) Gaming facility.

(c) Taverns and nightclubs.

4. Special exception uses. Pursuant to § 600-1202 of this chapter.

(a) Day-care facilities.

(b) Dormitory or other residential uses owned or operated by a college or university, other than permitted-by-right dwelling units that are occupied by a "family."

(c) Place of worship.

C. Additional requirements in the C-C District.

1. Retail uses shall not extend into the public right-of-way, except as may be specifically approved under another City ordinance.

2. Drive-through services shall only be permitted as accessory to financial institutions.

A drive-through facility shall not have an entrance or exit onto Penn Street.

3. Height requirements.

(a) Structures may be increased in height up to 175 feet by special exception, provided the applicant provides an analysis to show that the additional height will allow sunlight to reach the street during midday hours, considering any proposed setbacks and an analysis of how the building will be set back from windows of existing adjacent buildings to provide compatibility.

4. See parking requirements in § 600-1603.

5. A building shall not have a street-level building wall longer than 50 feet unless such wall is interspersed with a window or door at least every 50 feet, artistic displays, changes in building setback or rooflines of more than three feet variation, and/or architectural features.

6. Wind turbines shall be allowed that are attached to a roof of a building and do not extend a total of more than 25 feet above the roof of the building.

7. A principal or accessory parking lot or parking garage shall not be allowed that is open to the general public, unless the structure is owned and/or operated by the City, the Reading ***Parking Authority or their designees. Accessory parking lots and garages are permitted only on the same lot as the principle use, except for lots and garages owned and or operated by the City, the Reading Parking Authority or their designees.*** ~~Berks County, another governmental entity, or a City authorized parking authority.~~

BILL NO. ____ 2014
AN ORDINANCE
ESTABLISHING THE SALARY OF THE DIRECTOR OF PUBLIC WORKS

THE COUNCIL OF THE CITY OF READING ORDAINS AS FOLLOWS:

Section One: The annual salary of the Director of Public Works is hereby established as \$95,000.

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

Enacted by Council on _____, 2014:

President of Council

Attest:

City Clerk

Submitted to Mayor:
Date: _____

Received by the Mayor's Office:
Submitted to Mayor:
Date: _____

Approved by Mayor:
Date: _____

Vetoed by Mayor:
Date: _____

BILL NO. ____ 2014
AN ORDINANCE
MODIFYING THE CITY OF READING 2014 POSITION ORDINANCE
ESTABLISHING THE POSITION OF ASSISTANT MUNICIPAL OPERATIONS MANAGER
IN THE DEPARTMENT OF ADMINISTRATIVE SERVICES

THE COUNCIL OF THE CITY OF READING ORDAINS AS FOLLOWS:

Section One: The 2014 Position Ordinance is hereby amended, eliminating the "Treasury Manager" position and replacing it with an "Assistant Municipal Operations Manager – Treasury Coordinator" position in the Department of Administrative Services, Citizens Service Center Division.

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

Adopted by Council on _____, 2014:

President of Council

Attest:

City Clerk

Submitted to Mayor:
Date: _____

Received by the Mayor's Office:

Date: _____

Submitted to Mayor:

Date: _____

Approved by Mayor:

Date: _____

Vetoed by Mayor:

Date: _____

B I L L N O. ____ 2014
A N O R D I N A N C E

AN ORDINANCE AMENDING CITY OF READING PERSONNEL CODE 70-701 H SALARY RANGES.

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

SECTION 1. Amending the Personnel Code Section 70-701 H Salary Ranges shall be amended to read as follows:

H. Salary ranges.

(1) Managing Director. The Managing Director of the City of Reading shall be compensated at an annual salary of no less than \$90,000 and no more than \$120,000.

(2) Chief of Fire and Rescue Services. The Chief of the Department of Fire and Rescue Services for the City of Reading shall be compensated at an annual salary of no less than \$60,000 and no more than \$85,000. **[Amended 2-28-2011 by Ord. No. 12-2011]**

(3) Chief of Police. The Chief of Police for the City of Reading shall be compensated at an annual salary of no less than \$80,000 and no more than \$120,000. **[Amended 2-28-2011 by Ord. No. 12-2011]**

(4) Public Works Director. The Director of the Department of Public Works of the City

of Reading shall be compensated at an annual salary of no less than **\$80,000 and no more than \$100,000** ~~\$70,000 and no more than \$85,000~~.

(5) Director of Administrative Services. The Director of Administrative Services of the City of Reading shall be compensated at an annual salary of no less than \$75,000 and no more than \$100,000. **[Added 2-28-2011 by Ord. No. 12-201121]**

(6) City Solicitor. The Director of the Legal Department for the City of Reading shall be compensated at an annual salary of no less than \$60,000 and no more than \$75,000.

(7) Community Development Director. The Director of the Department of Community and Economic Development for the City of Reading shall be compensated at a salary of no less than \$75,000 and no more than \$100,000.

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

SECTION 3. This Ordinance shall become effective immediately.

Enacted by Council _____, 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: _____

RESOLUTION _____ 2014

**DESIGNATING OUR CITY READING, INC. AS THE CITY'S REDEVELOPMENT PARTNER
FOR CERTAIN PROPERTIES LOCATED ON PENN STREET AND AUTHORIZING THE
MAYOR TO MAKE APPLICATIONS
FOR CERTAIN FEDERAL GRANTS AND LOANS**

WHEREAS the City Council of the City of Reading is desirous of furthering the redevelopment of the Penn Street Corridor between 4th and 5th Streets,

WHEREAS, with the approval of the U.S. Department of Housing and Urban Development the BEDI and Section 108 Arts District boundaries can be extended to include this portion of Penn Street, as long as all other aspects of the successful Application remain the same, and

WHEREAS there is the further opportunity to apply for funds from the Economic Development Administration (EDA) of the U.S. Department of Commerce to carry out revitalization of this area of Penn Street, and

WHEREAS, Our City Reading, Inc. is an integral part of the BEDI / 108 Arts District Application and has a strong track record in developing, leasing and managing properties within the City of Reading, and

WHEREAS, the City of Reading currently owns several buildings on Penn Street which should receive priority to be redeveloped, which can be used to meet the requirements of

matching funds from non 108, BEDI and EDA sources and additionally which are historic in nature and can generate further income for the project by the sale of historic tax credits, and

WHEREAS, both the City of Reading and Our City Reading, Inc. agree that they should act in partnership to secure the extension of the BEDI / 108 Arts District boundaries to include Penn Street, to apply for funds from the Economic Development Administration, and to effectuate the sale of historic tax Credits,

NOW, THEREFORE, BE IT RESOLVED:

1. That the Mayor of the City of Reading, be and hereby is, authorized to negotiate redevelopment agreements, subject to Council approval, with Our City Reading, Inc. for the revitalization of Penn Street between fourth and fifth Streets, which major provisions will provide for the following:
 - a. It is recognized that the funds that spent for acquisition of structures on Penn Street will be recognized as meeting the requirements of leveraged funds for both the BEDI and 108 Amendments for the BEDI / 108 Arts District Project and the EDA Application for the revitalization of Penn Street.
 - b. It is the intent of the City of Reading and Our City Reading, Inc. that the structures located between fourth and fifth streets shall be redeveloped entrepreneurs using Section 108, BEDI funds and EDA funds; such redevelopment plans shall be subject to further Council approval.
 - c. In order to sell the Historic Tax Credits, The City of Reading shall own the structures and lease the structures to a limited partnership for a term as recommended by Tax Counsel and as may be approved by City Council. It is envisioned that the limited partnership consists of Our City Reading, Inc. and the City of Reading as the General Partners. The Limited Partners shall be made up of those purchasing tax credits.
 - d. Our City of Reading, Inc., in accordance with a subsequent redevelopment agreement, shall be responsible for coordinating the construction and renovation of the structures to insure that such construction/renovation shall be carried out in a responsible and competitive manner, including but not limited to the best of its ability the avoidance of cost overruns, and that all HUD Regulations be complied with.
 - e. Our City Reading, Inc. shall be responsible for insuring that all the terms of the HUD Section 108 loan and the BEDI are complied with, as well as the EDA Grant.
 - f. The Limited Partnership shall also be responsible for the borrowing of private funds and public funds for the project, so that neither the City nor the Our City Reading, Inc. shall be responsible for re-payment of such loans.
 - g. Our City of Reading shall in coordination with the City of Reading be responsible for leasing the structures in a manner to insure that there is sufficient cash flow to cover operating expenses and debt service. It is understood that outside agents may be required and will be a cost of development

2. The Mayor be and hereby is authorized to file an Amended Application to the U.S. Department of Housing and Urban Development to extend the boundaries of the BEDI / 108 Arts District Project for the BEDI and Section 108 Approved applications to include Penn Street from 4th to 5th Streets and to take all necessary actions to secure the Amendment and be empowered to sign all the necessary documents with the U.S. Department of Housing and Urban Development.
3. The Mayor be and here is authorized to file an Application, in co-ordination with Our City Reading, Inc., with the Economic Development Administration of the U.S Department of Commerce in the amount of \$3,000,000 and the Mayor is further Authorized to sign all the necessary documents and carry out all necessary actions required by the Economic Development Administration.
4. As per discussion with City Council, the Administration will emphasize in negotiations with OCR (1) the need for any housing at this location to be market rate and (2) the need for discussions to be expanded to include the other developers.

APPROVED BY COUNCIL _____

Council President

ATTEST:

RESOLUTION NO. ____ 2014

CONFIRMING RALPH JOHNSON AS DIRECTOR OF PUBLIC WORKS FOR THE CITY OF READING IN ACCORDANCE WITH ARTICLE VI, SECTION 603 OF THE CITY OF READING HOME RULE CHARTER, AS AMENDED.

WHEREAS, City of Reading Mayor Vaughn Spencer has recommended the hiring of Ralph Johnson as Director of Public Works; and

WHEREAS, Mayor Vaughn Spencer is confident in the capabilities of Ralph Johnson and his ability to perform the duties and responsibilities of the Director Pubic Works.

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

That Mayor Vaughn Spencer’s recommendation to appoint Ralph Johnson as the City’s Director of Public Works is hereby confirmed in accordance with Article VI, Section 603 of the City of Reading Home Rule Charter, as amended.

Adopted Council _____, 2014

President of Council

Attest:

City Clerk

RESOLUTION NO. _____-2014

DIRECTING THE MAYOR TO EXECUTE THE AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF READING AND THE FOUNDATION FOR THE READING PAGODA

WHEREAS, the City of Reading (“City”) is the fee simple owner of a piece of property located in the City of Reading, Berks County, Pennsylvania, known as the Reading Pagoda; and

WHEREAS, the City and the Foundation for the Reading Pagoda jointly desire to find a long term solution to protect, enhance and preserve this valuable Reading landmark.

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

SECTION 1. That the Mayor is directed to execute the amendment to the Memorandum of Understanding between the City of Reading and the Foundation for the Reading Pagoda as attached in Exhibit A.

SECTION 2. This Resolution shall become effective immediately.

Adopted _____, 2014

Council President

Attest:

City Clerk

EXHIBIT A

MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF READING AND THE FOUNDATION FOR THE READING PAGODA

WHEREAS, the City of Reading (“City”) is the owner of a piece of property with improvements located in the City and known as the Reading Pagoda; and

WHEREAS, the Foundation for the Reading Pagoda (“Foundation”) was established to assist in the preservation, enhancement, and maximum community utilization of the Reading Pagoda; and

WHEREAS, the City and the Foundation desire to set forth in writing certain understandings related to the Reading Pagoda; and

WHEREAS, this Memorandum of Understanding between the City and the Foundation will set forth the terms of these understandings:

1. *The Reading Pagoda is an asset owned by the City and as such, the City is responsible for all repairs to insure the building’s integrity and its safe operation. This includes, but is not limited to fuel oil, utilities, routine maintenance and capital repairs. The Foundation commits to working with the City for the Foundation to achieve the goal of being 100% self-sufficient for all operating and capital expenses within a reasonable time schedule.*

2. The Foundation will operate all programming, events, and daily use at the Pagoda.

3. The Foundation will ensure appropriate staffing and supervision of all programming, events, and daily use at the Pagoda.

4. ~~In consultation with the City,~~ The Foundation will set fees and guidelines for building rentals, and will divide all revenues from the Reading Pagoda in a manner to be mutually agreed upon by the City and the Foundation **as follows:**

- a. ***The Foundation will share all rental income from events with the City: 75% to the Foundation and 25% to the City;***
- b. ***All other revenues generated by the Foundation via the Snack Bar, event charges for set-up, clean-up and security , and general donations shall accrue 100% to the Foundation as direct operational expenses. NOTE: The Gift Shop is operated by the Pagoda Skyline, Inc. and therefore their revenues do not contribute to the Foundation balance sheet and the Foundation’s profit and loss.***

5. In consultation with the City, the Foundation will develop a long-term strategic plan for both the operation and the physical maintenance of the Reading Pagoda.

6. The Foundation will submit to the City ~~on a monthly basis both programming and financial reports~~ **an annual report relevant to the Foundation's** operation of the Reading Pagoda.

7. The City will continue to be responsible for the physical maintenance of all Reading Pagoda property which is owned by the City and managed by the Foundation.

8. The City will continue to assume all liability for the Reading Pagoda property and acts occurring thereon, and will maintain sufficient liability insurance for that purpose. **The Foundation will increase and show evidence of liability insurance for events, functions, and receptions and other approved public gatherings held at the Pagoda proper. The Foundation agrees to review the liability insurance requirements with the appropriate City agency having jurisdiction.**

9. The City and the Foundation will establish an SOP for security at the Reading Pagoda.

10. **The Foundation shall amend its bylaws by January 1, 2015 to include additional seats on its Board of Directors, 2 appointed by the Mayor and 2 appointed by the President of City Council.**

11. **The City and Foundation recognize the fact that the intent of the Pennies for the Pagoda Campaign was, and still is, a program to support the Pagoda as a community asset and treasure. A temporary account was established with the City during the McMahon Administration to hold these funds. The funds were transferred to the Foundation for the Reading Pagoda (Pagoda Foundation/PF)**

Subsequent to the transfer, the Administration, under the current Mayor, questioned the transfer. In order to clarify the transfer, an audit was performed on the Foundation's financial records by the City's external auditor, Herbein & Company and a second opinion was ordered by the Administration and issued by Maher | Duessel .

In order to remove any doubt that the funds were properly transferred from the City to the Foundation, the Foundation shall transfer the current Fund balance of \$36,153.18 to the City, with a simultaneous transfer of that same amount back to the Foundation by the City.

Henceforth, the Foundation will restrict the current Pennies for the Pagoda Fund balance of \$36,153.18, for legitimate capital repairs and/or renovations to the Pagoda.

12. The City and the Foundation agree to take all action necessary to carry forth the provisions of this Memorandum of Understanding.

13. To the extent not otherwise covered by the terms of this Memorandum of Understanding, the City and the Foundation will consult with each other and mutually and jointly agree on resolution of any other issues in re the Reading Pagoda. All amendments to this Memorandum of Understanding shall be in writing and approved by the governing bodies of each party.

CITY OF READING

By: _____ Mayor

Attest:

City Clerk

FOUNDATION FOR THE
READING PAGODA

By: _____ President

Attest:

Secretary