

# **CITY COUNCIL**

## **Meeting Agenda**

**REGULAR MEETING  
COUNCIL CHAMBERS**

**MONDAY, SEPT 8, 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](http://www.ReadingPa.gov), under Info and Downloads/Meetings and Agenda. All electronic recording devices must be located behind the podium area in Council Chambers and located at the entry door in all other meeting rooms and offices, as per Bill No. 27-2012.*

### **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:** Rev. Laddie Benton, Washington Presbyterian Church

## **C. PLEDGE OF ALLEGIANCE**

## **D. ROLL CALL**

The purpose of the Executive Session on \_\_\_\_\_ was related to \_\_\_\_\_ matters.

## **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 August 25, 2014

**B. AGENDA:** Regular Meeting of September 8, 2014

## **5. Consent Agenda Legislation**

**A. Resolution** – authorizing the promotion of Office Jason A. Linderman to Sergeant (**Police Chief**)

**B. Award of Contract** - for the HVAC contractor's work on the WWTP Digester Project to Eastern Environmental Contractors, Inc., Green Lane, PA 18054 for a total price of \$413,310. (**Purchasing Mgr**)

## **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 meetings held June 25 and July 24*

**Bill No. 63-2014** – 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**) *Introduced at the July 28 regular meeting; Public Hearing 8-12-14; Ordinance Advertisement 8-11 and 8-18-2014*

**A. Bill No. 65-2014** – Amending the Administrative Code, Chapter 5, Section Re3117-0o5a-Ex A – Purchasing Policies, sub-section 8.06 and 8.07 relating to the Purchasing Coordinator (**Admin Services**) *Introduced at the August 25 regular meeting*

**B. Bill No. 66-2014-** repealing Bill 46-2014 to dissolve the Water Authority (**Council Staff**) *Introduced at the August 11 regular meeting*

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

**A. Ordinance** – authorizing the budget transfer of \$75,000 within the Public Works Department from Contracted Services to Highway Maintenance of Roads and Bridges for the purpose of making sidewalk repairs under the Oley Street Railroad Bridge. (**Man Dir**)

**B. Ordinance** - amending the Code of Ordinances, Chapter 70 Personnel Code, Section 505 Bereavement Leave (**Law/Council Staff**)

**C. Ordinance** – authorizing the budget transfer of \$205,000 from the Contingency Fund to the Council Office and the Charter Board for legal services (**Council Staff**)

**D. Ordinance** – setting the salary of the Director of Fire and Rescue Services at \$82,000.00 per annum. (**Man Dir**)

**E. Ordinance** – authorizing the amendment to the Liberty Fire Museum Lease Agreement  
(Man Dir/Law) *To be distributed on Monday*

## **11. RESOLUTIONS**

Pending approval of Salary Ordinance at the Sept 22<sup>nd</sup> meeting

**Resolution** - appointing William Stoudt Jr. as Fire Chief (Man Dir)

**Resolution** – authorizing the execution of the MOU for the Liberty Firefighter Museum (Man Dir/Law) *To be distributed on Monday*

**A. Resolution** – reappointing Robert Heebner to the Stadium Commission (Nom & Appts)

**B. Resolution** – reappointing Robert Reimer to the Shade Tree Commission (Nom & Appts)

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

*Please see public speaking rules on second page*

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

## **14. COUNCIL MEETING SCHEDULE**

### **Monday, September 8**

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

*Regular Meeting – Council Chambers – 7 pm*

### **Monday, September 15**

*Standards of Living Committee – Council Chambers – 5 pm*

*Finance Committee – Council Chambers – 5 pm*

### **Monday, September 22**

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

*Regular Meeting – Council Chambers – 7 pm*

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

### **Monday, September 8**

Fire Civil Service Board – Penn Room – 4 pm

Shade Tree Commission – Public Works Bldg – 6 pm

6<sup>th</sup> & Amity Neighborhood & Playground Assn – 6<sup>th</sup> & Amity Field House – 6:30 pm

### **Tuesday, September 9**

Water Authority Workshop – Water Authority Office – 4 pm  
Board of Health – Penn Room – 4 pm  
District 11 Crime Watch – Orthodox Presbyterian Church – 7 pm

**Wednesday, September 10**

Zoning Hearing Board – Penn Room – 5:30 pm  
Human Relations Commission – Human Relations Commission Office – 6 pm  
Center City Community Organization – Holy Cross Church – 6 pm

**Thursday, September 11**

Police Pension Board – Penn Room – 10 am  
Outlet Area Neighborhood – St Mark’s Lutheran Church – 6:30 pm

**Sunday, September 14**

College Heights Community Council – Nativity Lutheran Church – 7 pm

**Monday, September 15**

Library Board – 113 S 4<sup>th</sup> St – 4 pm

**Tuesday, September 16**

HARB – Penn Room – 7 pm  
Charter Board – Penn Room – 8 pm

**Wednesday, September 17**

Redevelopment Authority – Redevelopment Authority Office – 6:30 pm

**Monday, September 22**

DID Authority – 645 Penn Room 5<sup>th</sup> floor - noon

**City of Reading City Council**  
**Regular Business Meeting**  
**Monday, August 25, 2014**

Council Vice President Waltman called the meeting to order. He announced that the purpose of the Executive Session on Monday, August 11<sup>th</sup> was related to litigation and personnel matters respectively.

Council Vice President Waltman stated that the purpose of the executive session at the August 25<sup>th</sup> Committee of the Whole meeting was to interview a potential candidate for the Fire Chief position.

The invocation was given by Councilor Marcia Goodman-Hinnershitz.

All present pledged to the flag.

**ATTENDANCE**

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

**PROCLAMATIONS AND PRESENTATIONS**

None.

**PUBLIC COMMENT**

Council Vice President Waltman stated that there are two (2) citizens registered to address Council on non-agenda matters. He reminded those registered about the public speaking rules.

**Harriet Rauenzahn, of Rose Virginia Road**, stated that supports City Council's negotiated addendum to the water lease agreement with RAWA, as the average citizen cannot afford water rate increases. She noted that the State and Federal government should provide more

financial assistance to the City.

**Phyllis MacBeth, of Rose Virginia Road**, was not present.

## **APPROVAL OF THE AGENDA & MINUTES**

Council Vice President Waltman called Council's attention to the agenda for this meeting, including the legislation listed under the Consent Agenda heading and the minutes from the August 11<sup>th</sup> Regular Meeting of Council. He noted that the resolution regarding the Fulton bank account will be removed from the Consent Agenda and considered separately, along with the vote to override the veto of Bill No. 61-2014.

**Councilor Marmarou moved, seconded by Councilor Sterner, to approve the minutes from the August 11<sup>th</sup> Regular Meeting of Council and the agenda, including the legislation listed under the Consent Agenda heading, as amended. The motion was approved unanimously.**

### **Consent Agenda**

**B. Award of Contract** – to Maximus for indirect costs **(Purchasing) To be distributed Monday - WITHDRAWN BY THE ADMINISTRATION**

**C. Resolution 90-2014** – Exonerating the 2012 property taxes, penalties and interest fees for 824 Washington Street owned by Christ Presbyterian Church **(Council Staff)**

**D. Resolution 91-2014** – authorizing the disposition of records in the Recycling Office **(Council Staff)**

**E. Resolution 92-2014** – authorizing the extension of the Home Note due from Our City Reading in the amount of \$550,000 for a term of 10 years at an interest rate of 3% with a 1% closing fee. **(Man Dir)**

**A. Resolution 89-2014** –Rescinding Resolution 23-2014 and reauthorizing the Department of Administrative Services to establish a new bank account at Fulton Bank for the sole purpose of administering the above-referenced HUD Section 108 loan for the Doubletree Hotel **(Man Dir)**

**Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to adopt Resolution No. 89-2014.**

**Resolution No. 89-2014 was adopted by the following vote:**

**Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman – 6**

**Nays: None – 0**

**Abstain – Acosta, President - 1**

## **Potential Override of the Veto of Bill 61-2014 – the Amendment of the Water Lease Agreement**

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to override the veto of Bill No. 61-2014.**

The mayor stated that his veto message provides his rationale for the override of the water lease agreement ordinance. He expressed the belief that the amount negotiated is insufficient to close the budget deficit and he questioned the amount of oversight provided by the amended agreement. He questioned why a new agreement was negotiated if the new lease payment would not provide the City with sufficient relief. He also questioned why the administration was not included in the negotiations. He stated that he recognizes that a lease payment higher than \$8M would require a water rate increase.

Councilor Goodman-Hinnershitz expressed the belief that the amended agreement provides additional City oversight in various ways that will further protect the water asset. She stated that the mayor walked away from the process he started with the members of Council, which created the need for Council to begin looking at the 2015 budget options. She expressed the belief that the City cannot continue to rely on RAWA to balance its books.

Councilor Daubert noted that the \$8M lease payment leaves the City with a \$5.9M budget deficit that must be addressed. He noted his distaste for raising taxes and water rates; however, he stated that increasing water rates is not necessarily a bad thing as the increased rate would be paid by all users, not just those who are required to pay property taxes.

Councilor Reed stated that overall the agreement represents a good compromise and a good starting place.

Councilor Sterner noted the need to correct the \$5.9M deficit without cutting services. He noted that the override of the veto does not prevent Council or the administration from seeking additional support from RAWA. He agreed that water rate increases are similar to tax increases. He also agreed that the City needs help with its legacy costs such as the required pension payments. While he agreed with the concept of a pension, he noted that the taxpayers can no longer afford to pay for the pensions.

Councilor Waltman noted that the \$8M lease payment is a baseline, which complies with Act 73. He stated that the additional financial controls and reporting requirements will help secure the future of the water system. He stated that the newly amended addendum also prevents the need to dissolve the current authority and create a new model. He suggested that Council and the administration now focus on the 2015 budget and the amendment of the

Recovery Plan. He stated that there is no reason why Council or the administration could not go back to seek more assistance from RAWA.

Council President Acosta stated that the City cannot continue to use RAWA as a cure for its financial problems and that a new cure must be identified. He described the goals accomplished through the negotiation of this new agreement.

**The override of the veto of Bill No. 61-2014 was adopted by the following vote:**

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

**Nays: None – 0**

## **ADMINISTRATIVE REPORT**

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

- Update on the project at the Wastewater Treatment Plant
- Update on community development issues
- Update from the Police Department, including the addition of all electronic motorcycle to the police fleet
- Super Saturday event scheduled for Saturday, September 20<sup>th</sup> from 11 am to 2 pm at the Citadel, organized by Olivet.

Councilor Sterner thanked the mayor for his report. He inquired why only one HVAC bid came in for the Wastewater Treatment Plant project. The Managing Director stated that the HVAC bid went out two times and both times only this single company responded.

Councilor Marmarou inquired about the CPAAM project. The mayor stated that the project has been scaled back to a smaller version.

## **AUDITOR'S REPORT**

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

- 2014 Admissions Tax Collection
- 2014 Real Estate Transfer Tax Collection
- Description of the August 20<sup>th</sup> Town Meeting at the RACC Schmidt Center

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

David Beane, Esq., Chair and Cathy Curran-Myers, Esq., Vice Chair gave the Environmental Advisory Council's (EAC) annual report. Mr. Beane described the council's mission and function and the membership of the EAC. He stated that to date they have accomplished the following:

- Draft and implement the Rain Barrel Ordinance
- Hold Work Shops to educate the public about the installation and use of rain barrels

- Completion of the Alternative Energy Ordinance

Mr. Bean explained that the Alternative Energy ordinance will become a part of the City's zoning ordinance so the ordinance will be presented to Council as a package with the Riparian Buffer and Steep Slope ordinances when they are completed. He stated that the EAC has visited all the water impoundment dams and they encouraged the initiation of curbside commercial recycling. He described the committee structure the EAC uses to draft legislation and research topics.

Mr. Beane stated that the EAC was awarded the Environmental Group of the Year by the Berks County Conservation District. Mr. Beane expressed the EAC's gratitude to Ms. Katzenmoyer and Ms. Hoag for the skills and dedication they bring to the EAC.

Mr. Beane stated that he has served as Chair for the past three (3) years and that he will be stepping down at the end of 2014. He stated that he will continue to serve on the EAC and that Ms. Curran-Myers will begin a term as the new EAC Chair.

Councilor Sterner thanked the EAC for their work and he noted the vast experience of those serving.

Councilor Goodman-Hinnershitz thanked the EAC for their work and she noted that the expertise of the members serves the City well. She noted her appreciation for the EAC's productivity.

Council Vice President Waltman questioned what upcoming issues are on the EAC's scope. Ms. Curran-Myer stated that the EAC will assist in rebuilding the recycling program, work to increase the urban tree canopy, and improve the connectivity of the trail ways with the parks.

## 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 meetings held June 25 and July 24*

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**A. Bill No. 63-2014** - 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) Introduced at the July 28 regular meeting; Public Hearing 8-12-14; Ordinance Advertisement 8-11 and 8-18-2014**

**A. Bill No. 64-2014** – increasing the number of Water Authority board members from five (5) to seven (7) **(Council) Introduced at the August 11 regular meeting**

**Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 64-2014.**

Councilor Goodman-Hinnershitz noted the need to work carefully to identify qualified candidates to fill the vacancies on RAWA.

**Bill No. 64-2014 was enacted by the following vote:**

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

**President - 7**

**Nays: None - 0**

## **INTRODUCTION OF NEW ORDINANCES**

The following ordinances were read into the record:

**A. Ordinance** – Amending the Administrative Code, Chapter 5, Section Re3117-Oo5a-Ex A – Purchasing Policies, sub-section 8.06 and 8.07 relating to the Purchasing Coordinator **(Adm Services)**

## **COUNCIL COMMENT**

Councilor Daubert welcomed the educators and school children back to the 2014-15 school year.

Councilor Marmarou noted the passing of former police officer and Magisterial District Judge Felix Stacherski.

Councilor Marmarou described the recent problems with the off campus housing in the Albright area and the problems associated with Albright on "move in" day. He also noted the arrest of girls who were accused of stealing in the North 14<sup>th</sup> St area on Sunday morning.

Councilor Goodman-Hinnershitz described the book bag event organized by New Creation Church that was held yesterday. She also noted the beautiful repaving of Cotton Street. She announced her plan to continue neighborhood outreach.

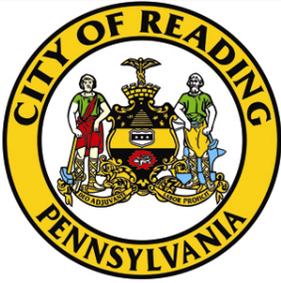
Councilor Reed noted the passing of Ray White and his contributions to our community. She also noted the retirement of Pastor Bruce Osterhout from Christ Lutheran Church.

Councilor Reed stated that the new Superintendent of the Reading School District started off the school year on a positive note with the fresh approach of visiting the schools. She also reported on the PCN documentary on the Berks County Courthouse, the only art deco courthouse in Pennsylvania.

Councilor Waltman reviewed the upcoming meeting schedule.

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

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



# AGENDA MEMO

## POLICE DEPARTMENT

**TO:** City Council  
**FROM:** Chief William M. Heim  
**PREPARED BY:** Chief William M. Heim  
**MEETING DATE:** September 8, 2014  
**AGENDA MEMO DATE:** September 2, 2014  
**REQUESTED ACTION:** Authorize the Promotion of one Patrol Officer to Sergeant

### **RECOMMENDATION**

The Mayor and Police Chief recommend the promotion of the following patrol officer to the rank of Sergeant:

Officer Jason A. Linderman, date of employment January 20, 2003

### **BACKGROUND**

There is currently a vacancy for Sergeant. Officer Jason Linderman took the written and oral examination for the position of sergeant and is among the top three candidates on the current certified list. The Police Chief has reviewed his performance, dependability, and conduct and the Mayor and Police Chief recommend him for promotion.

### **BUDGETARY IMPACT**

None. This funded position has a recent current vacancy.

### **PREVIOUS ACTIONS**

None

### **SUBSEQUENT ACTION**

Council to take action to approve a resolution to authorize the promotion of Officer Jason A. Linderman to the rank of Sergeant.

### **RECOMMENDED BY**

The Mayor and Police Chief recommend approval.

### **RECOMMENDED MOTION**

Approve/deny the resolution authorizing the promotion of Jason A. Linderman to the rank of Sergeant effective Monday, September 15, 2014.

**R E S O L U T I O N N O. \_\_\_\_\_ 2014**

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

Authorizing the promotion of Officer Jason A. Linderman to the rank of Sergeant effective September 15, 2014.

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

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Francis G. Acosta  
President of Council

Attest:

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Linda A. Kelleher  
City Clerk



# AGENDA MEMO

DEPARTMENT OF ADMINISTRATIVE SERVICES

**TO:** City Council  
**FROM:** Tammi Reinhart  
**PREPARED BY:** Derald Hay, Special Counsel to the Solicitor  
**MEETING DATE:** September 8, 2014  
**AGENDA MEMO DATE:** August 21, 2014  
**RECOMMENDED ACTION:** Awarding of Contract for the HVAC Contractor's work on the Digester Project

## RECOMMENDATION

The recommendation is to award the contract for the HVAC contractor's work on the Digester Project for the Wastewater Treatment Plant to Eastern Environmental Contractors, Inc., 6304 Fifth Street, P.O. Box 287, Green Lane, PA 18054 for a total price of \$413,310.

## BACKGROUND

Bids were initially solicited for the Digester Project HVAC Contract on July 15, 2014. No bids were received. The Purchasing Coordinator re-bid the Digester Project HVAC Contract and received only one bid on August 5, 2014.

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

## BUDGETARY IMPACT

The Department of Public Works has confirmed that the amount bid represents a competitive price for the work required for the Digester Project HVAC Contract and that 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 August 25, 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 HVAC Contractor's work on the Digester Project for the Wastewater Treatment Plant in order that contract may be awarded to Eastern Environmental Contractors, Inc., contingent upon approval by the administration of all required post bid documentation.

cc: File

**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 <sup>th</sup> 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 <sup>th</sup> Street Reading, PA 19604
Council Member	Jeffrey S. Waltman	723 North 4 <sup>th</sup> 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 <sup>th</sup> Street Reading, PA 19601	One Year
Marcia Goodman-Hinnershitz	564 South 15 <sup>th</sup> Street Reading, PA 19601	Two Years
Dennis M. Sterner	524 North 14 <sup>th</sup> 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: \_\_\_\_\_

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

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

A. Dimensional requirements.<sup>20</sup>

B. Allowed uses.

(1) Permitted-by-right uses:<sup>21</sup>

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 (c) 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 principal 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**

**AMENDING THE ADMINISTRATIVE CODE, CHAPTER 5, SECTION RE3117-OO5a-Ex A – PURCHASING POLICIES, SECTION 8.06 AND 8.07.**

**Whereas the Council of the City of Reading hereby ordains as follows:**

**Section 1.** Amending the Administrative Code, Chapter 5, Section Re3117-Oo5a-Ex A – Purchasing Policies, sub-section 8.06 and 8.07, as attached in Exhibit A.

**Section 2.** All ordinances or resolutions, or parts of ordinances or resolutions, insofar as they are inconsistent with this Ordinance are hereby repealed.

**Section 3.** The provisions of this Ordinance shall be severable and if any of its provisions shall be held to be unconstitutional or illegal, the validity of any other remaining provisions of the Ordinance shall not be affected thereby. It is hereby expressly declared as the intent of the City Council of the City of Reading that this Ordinance would have been adopted had such unconstitutional or illegal provision or provisions had not been included herein.

**Section 4.** This ordinance shall become effective ten (10) days after it adoption, in accordance with Sections 219 & 221 of the City of Reading Home Rule Charter.

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: \_\_\_\_\_

## EXHIBIT "A"

### 8.06 THE PURCHASING COORDINATOR'S RESPONSIBILITY:

For purposes of consistency, the purchasing coordinator shall **may** be appointed to all committees designated to prepare RFP's, **shall** review all documents prior to issuance and **may** evaluate submissions. **The purchasing coordinator shall not have the ability to vote upon submissions on which the purchasing coordinator has not performed an evaluation.**

The Administrative Services Director shall authorize the advertising **or posting** for professional services **or RFP's** by the purchasing coordinator, who will advertise, **if applicable**, in local newspapers of general circulation, regional metropolitan newspapers, trade journals, if applicable, and, **in all instances, post on** the City website.

1. The advertisement **or posting** shall give notice that an RFP is available for review by interested firms. Basic information describing the requested services, where the document can be obtained and the deadline and location for submission shall be included.

2. At the discretion of the purchasing coordinator or the department, division, office or agency a mandatory pre-proposal conference may be held with all interested firms to clarify any questions.

### 8.07 SELECTION OF PROFESSIONAL SERVICE CONTRACTS GREATER THAN \$34,999.99

1. The proposals of those firms responding to an RFP are reviewed by a selection committee designated by the Managing Director or his designee.

A. The selection committee shall consist of the purchasing coordinator (**advisory and oversight when not an evaluator**), the City Solicitor (non-voting member), three designees of the department, division, office or agency, and the designee of the Administrative Services Director. All committee members must sign and return, to the purchasing coordinator, the Confidentiality Statement and No Conflict of Interest Statement prior to receiving any non-public information regarding the applicable RFP.

**BILL NO. \_\_\_\_\_ 2014**  
**AN ORDINANCE**

AN ORDINANCE REPEALING BILL NO. 46-2014, DISSOLVING THE  
READING AREA WATER AUTHORITY.

WHEREAS, the City Council of the City of Reading adopted Bill No. 46-2014 dissolving the Reading Area Water Authority (“RAWA”), terminating the Lease and Operating Agreement between RAWA and the City of Reading, and requiring RAWA to convey to the City of Reading all property of RAWA, including the Water System as defined in the Lease and Operating Agreement between the City of Reading and RAWA;

WHEREAS, the City Council of the City of Reading and RAWA have negotiated an amendment to the aforesaid Lease and Operating Agreement;

WHEREAS, the City Council of the City of Reading has agreed in conjunction with entering into the aforesaid amended Lease and Operating Agreement that City Council would repeal Bill No. 46-2014.

NOW THEREFORE, BE IT DULY ENACTED AND ORDAINED, by the City Council of this City, as follows:

**SECTION 1.** Due to the amendment of the Lease and Operating Agreement between the City of Reading and RAWA, City Council repeals Bill No. 46-2014 which dissolves RAWA, terminates the Lease and Operating Agreement, and requires the conveyance by RAWA of the Water System and all property of RAWA to the City of Reading.

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

**SECTION 3.** This Ordinance shall become effective in ten (10) days after its adoption and approval by the Mayor in accordance with Section 219 of the City of Reading Home Rule Charter.

Enacted by Council \_\_\_\_\_, 2014

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

Attest:

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

Council Staff

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

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

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

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

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

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

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

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

# PUBLIC WORKS

**TO:** Members of City Council

**FROM:** David C. Ruyak, Operations Division Manager

**PREPARED BY:** David C. Ruyak, Operations Division Manager

**MEETING DATE:** August 25, 2014

**AGENDA MEMO DATE:** August 20, 2014

**RECOMMENDED ACTION:** Approve Appropriation Transfers

**BACKGROUND:**

This transfer is to cover the expected costs of repairing the collapsed sidewalk underneath the Oley Street Railroad Bridge.

**BUDGETARY IMPACT:**

In the amount of \$75,000.00

From: Contracted Services, 01-07-74-4216

To: Highways Maintenance of Roads & Bridges, 01-07-52-4815

**PREVIOUS ACTION:**

None

**RECOMMENDED BY:**

David Ruyak, Operations Division Manager of Public Works

Ralph Johnson, Public Works Director

**RECOMMENDED MOTION:**

Approve the request.

**BILL NO. \_\_\_\_ 2014  
AN ORDINANCE**

**AUTHORIZING AN APPROPRIATIONS TRANSFER WITHIN THE DEPARTMENT OF  
PUBLIC WORKS IN THE AMOUNT OF \$75,000 FOR BUDGET YEAR 2014**

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

Section One: Council hereby authorizes the transfer within the 2014 Department of Public Works budget \$75,000 from Contracted Services (01-07-74-2416) to Highway Maintenance of Roads and Bridges (01-07-52-4815) for the purpose of making sidewalk repairs under the Oley Street Railroad Bridge.

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

**ENACTED \_\_\_\_\_, 2014**

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

**ATTEST:**

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

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

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

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

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

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

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

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

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

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

**AMENDING THE CODE OF ORDINANCES, CHAPTER 70 PERSONNEL CODE,  
SECTION 505 BEREAVEMENT LEAVE**

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

**Section 1.** Amending § 70-505 of the Personnel Code as follows:

**§ 70-505. Bereavement Leave**

Full-time employees shall receive leave with pay in the event of a death in the family as follows:

- A. In the case of spouse, parents, children, brother, sister, grandparents, grandchild or stepchild, for a maximum of ~~four~~ *five* days.
- B. In the case of the death of father-in-law, mother-in-law, brother-in-law, sister-in-law, aunt or uncle, *niece, nephew, or cousin* for the day of the funeral.

**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

(Council Staff/Law)

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

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

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

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

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

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

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

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



# AGENDA MEMO

## FIRE DEPARTMENT

**TO:** City Council  
**FROM:** Linda A. Kelleher, City Clerk  
**PREPARED BY:** Linda A. Kelleher, City Clerk  
**MEETING DATE:** September 8, 2014  
**AGENDA MEMO DATE:** August 26, 2014  
**REQUESTED ACTION:** Authorize the Transfer of Funds

### **RECOMMENDATION**

The Charter Board and the Council Office request the following budget transfer to pay for legal services rendered to the Council Office and for the payment of legal services rendered and potential legal services for the Charter Board

- Authorizing the total transfer of \$205,000 from the Contingency Fund (01-14-91-4739) by placing \$95,000 in the Charter Board line (01-17-91-4777) and \$105,000 in the Council Office Legal Expenses line (01-02-09-4224)

### **BACKGROUND**

The Charter Board expended their \$100,000 allocation on Charter complaints that were submitted or are pending through the court system. They request a balance of \$20,500 to pay for legal services rendered for existing or new Charter complaints. The Charter Board has requested an additional 74,500 to cover potential legal services that may be required through the end of 2014.

The City Solicitor told City Council that he was unable to assist or advise Council with the water lease issue due to the conflict between the mayor and Council and Special Counsel from Fox Rothschild also told Council that he was also unable to assist or advise Council due to the conflict between the mayor and Council. The Solicitor authorized City Council to retain the services of Stevens and Lee for the water lease matter. For services rendered through August 18<sup>th</sup>, Stevens and Lee has billed the City \$78,425. The Council Office requests an additional \$26,575 to cover any remaining fees.

### **BUDGETARY IMPACT**

The transfer during this budget period.

### **PREVIOUS ACTIONS**

None

### **SUBSEQUENT ACTION**

Council to take action to approve an ordinance to authorize the transfer of funds

**RECOMMENDED BY**

City Clerk

**RECOMMENDED MOTION**

Approve/deny the ordinance authorizing the transfer of funds as listed.

**BILL \_\_\_\_ -2014  
AN ORDINANCE**

**AN ORDINANCE AUTHORIZING THE TRANSFER OF FUNDS WITHIN  
THE 2014 BUDGET FOR THE CHARTER BOARD AND THE COUNCIL  
OFFICE.**

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

**SECTION 1.** Authorizing the total transfer of \$205,000 from the Contingency Fund (01-14-91-4739) by placing \$95,000 in the Charter Board line (01-17-91-4777) and \$105,000 in the Council Office Legal Expenses line (01-02-09-4224)

**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

AN ORDINANCE OF THE CITY OF READING ESTABLISHING THE SALARY OF THE DIRECTOR OF FIRE AND RESCUE SERVICES.

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

SECTION 1. The salary of the Director of Fire and Rescue Services shall be EIGHTY-TWO THOUSAND DOLLARS (\$82,000.00) per annum, payable in equal bi-monthly installments or as otherwise provided for by ordinance.

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

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

Enacted by Council \_\_\_\_\_, 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: \_\_\_\_\_

**To:** City Council

**From:** Carole Snyder, Managing Director

**Date:** September 3, 2014

**Subject:** Liberty Fire Museum

The Reading Area Firefighters Museum (the Museum), also known as the Liberty Fire Museum, is located on South 5<sup>th</sup> and Laurel Streets in Reading, in the station which housed Liberty Fire Co. No. 5. The intent of the Museum, staffed entirely by volunteers, has been as a permanent facility to house and display items related to the history of firefighting in Reading and Berks County.

Both the City and the Museum are desirous of entering into both a lease agreement and an MOU to document the terms of the relationship going forward. We are therefore, seeking Council approval of the attached ordinance and MOU.

CC: Vaughn D. Spencer, Mayor

**CS/ml**

**R E S O L U T I O N N O.**\_\_\_\_\_

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

That Robert Heebner Jr. is reappointed to the Stadium Commission with a term ending August 18, 2019

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

\_\_\_\_\_  
Francis G. Acosta  
President of Council

Attest:

\_\_\_\_\_  
Linda A. Kelleher  
City Clerk

**R E S O L U T I O N N O.**\_\_\_\_\_

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

That Robert Reimer is reappointed to the Shade Tree Commission with a term  
ending August 31, 2019

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

\_\_\_\_\_  
Francis G. Acosta  
President of Council

Attest:

\_\_\_\_\_  
Linda A. Kelleher  
City Clerk

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

**CONFIRMING WILLIAM STOUTD, JR. AS DIRECTOR OF FIRE AND RESCUE SERVICES 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 D. Spencer has recommended the hiring of William Stoudt, Jr. as Director of Fire and Rescue Services; and

**WHEREAS**, Mayor Vaughn D. Spencer is confident in the capabilities of William Stoudt, Jr. and his ability to perform the duties and responsibilities of the Director of Fire and Rescue Services.

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

That Mayor Vaughn D Spencer’s recommendation to appoint William Stoudt, Jr. as the City’s Director of Fire and Rescue Services, effective October 1, 2014, 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