



CITY COUNCIL

Meeting Agenda

**REGULAR MEETING
COUNCIL CHAMBERS**

**MONDAY, JUNE 8, 2015
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

Error! Unknown document property name.

- A. CALL TO ORDER
- B. INVOCATION: Rev. Calvin Kurtz
- C. PLEDGE OF ALLEGIANCE
- D. ROLL CALL

The purpose of the Executive Session on Monday, June ____ was related to ____ matters.

2. PROCLAMATIONS AND PRESENTATIONS

- Council commendation recognizing the cast of “Rent”
- Recognizing Taylor Keegan’s work on the Confluence Park project

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 May 26, 2015

B. AGENDA: Regular Meeting of June 8, 2015

5. Consent Agenda Legislation

A. Award of Contract – awarding the ADA Compliance Project to The Temple Group, Philadelphia at a cost of total cost \$520,390.00 (with \$100,000 reimbursed by the Berks County Planning Commission)

B. Resolution – Denying the appeal of the Certificate of Appropriateness, as attached in the findings of fact, for the installation of an air conditioning unit at 13-15 South 4th Street, for Maria Rodriguez

6. ADMINISTRATIVE REPORT

7. REPORT FROM OFFICE OF THE AUDITOR

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

9. ORDINANCES FOR FINAL PASSAGE

None

10. INTRODUCTION OF NEW ORDINANCES

A. Ordinance – amending the City Code Chapter 295, Historical and Conservation Districts by reducing the size of the HARB Board

B. Ordinance – amending the Charter Board Ordinance to provide an informal resolution of a complaint [as provided by the Rules of Administration and Procedure implemented by the Board]

C. Ordinance – Amending Chapter 5 Administrative Code of the City Code Part § 5-303 entitled “Severance” by addressing accrued vacation time for Department Directors

D. Ordinance – Amending Chapter 70 Personnel of the City Code by adding a new part § 70-716 entitled “Severance” for career employees and renumbering the section accordingly.

E. Ordinance – authorize the refunding of the Redevelopment Authority’s 2006 Lease Revenue Note and the execution by the City of a Guaranty of a new 2015 Lease Revenue Note. *(The final principal amount of the 2015 Note will be established upon receipt of the proposals from local banks for the purchase of the 2015 Note. Exhibit A to the Ordinance will be created and circulated at that time)*

F. Ordinance – amending the City Code Chapter 70 Personnel Part 701 G Salary Administration by modifying the approval process for salary increases

G. Ordinance – Amending the City Code Chapter 10 Part 17 Sidewalk Vendors by Providing the Downtown Improvement District (DID) Board with the ability to determine the location of vending carts and vending machines and increasing the number of annual licenses from 15 to 18

11. RESOLUTIONS

A. Resolution – reappointing Edwin Stock to the Police Civil Service Board

B. Resolution – authorizing a \$6,000 salary increase for David Ruyak, Public Works Operations Division Manager, who has permanently taken on the duties and function of the Curbside Waste Manager

12. PUBLIC COMMENT – GENERAL MATTERS

Please see public speaking rules on second page

13. COUNCIL BUSINESS / COMMENTS

14. COUNCIL MEETING SCHEDULE

Monday, June 8

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

Monday, June 15

Nominations & Appointments – Council Office – 4 pm

Finance Committee – Council Office – 5 pm

Standards of Living Committee – Council Office – 5 pm

Monday, June 22

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

15. BAC AND COMMUNITY GROUP MEETING SCHEDULE

Monday, June 8

6th & Amity Neighborhood & Playground Assn – 6th & Amity field house – 6:30 pm

Tuesday, June 9

Water Authority Workshop – Water Authority Office – 4:30 pm

District 11 Crime Watch – Orthodox Presbyterian Church – 7 pm

Wednesday, June 10

Zoning Hearing Board – Council Chambers – 5:30 pm

Human Relations Commission – HRC Office – 6 pm

Center City Community Organization – Holy Cross Church – 6 pm

Thursday, June 11

Police Pension Board – 3rd floor conference room – 9:30 am

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

Sunday, June 14

College Heights Community Council – Nativity Lutheran Church – 7 pm

Monday, June 15

Library Board – 113 S 4th St – 4 pm

Tuesday, June 16

Fire Civil Service Board – Penn Room – 3 pm

HARB – Penn Room – 6:30 pm

Charter Board – Council Chambers – 7 pm

Wednesday, June 17

O & E Pension Board – Penn Room – 1:30 pm

Redevelopment Authority – Redevelopment Authority office – 5 pm

Stadium Commission – Stadium RBI room – 7 pm

Thursday, June 18

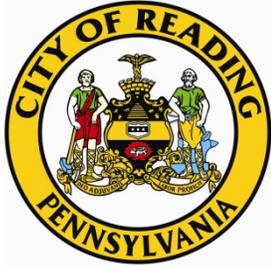
Blighted Property Review Committee – Council Office – 6 pm

Friday, June 19

Fire Pension Board – Penn Room – 10 am

Monday, June 22

DID Authority – 645 Penn St 5th floor - noon



AGENDA MEMO

DEPARTMENT OF ADMINISTRATIVE SERVICES

TO: City Council
FROM: Tammi Reinhart, Purchasing Coordinator
PREPARED BY: Tammi Reinhart, Purchasing Coordinator
MEETING DATE: June 8, 2015
AGENDA MEMO DATE: June 1, 2015
RECOMMENDED ACTION: Awarding of Contract for the ADA Compliance Project

RECOMMENDATION

The recommendation is to award the contract for the ADA Compliance Project to The Temple Group, Inc., 230 South Broad Street, Suite 1101, Philadelphia, PA 19102.

BACKGROUND

In order to bring the City of Reading into current compliance with the ADA law, a full survey of all of the intersections of streets and alleyways within the City limits needs to be conducted.

This survey will determine the number and the type of curb ramps required at each intersection. With respect to the curb ramps already installed, (approx. 2,500), each ramp must be determined to either be "in compliance" or "not in compliance" with current code, and a plan for physical remediation created for those not in compliance.

The following items will be conducted:

- 1) **FIELD SURVEY** – Design team to field survey all intersections, all existing curb ramps and all curbs to receive ramps.
- 2) **EVALUATION MATRIX** – Develop a matrix of evaluation of existing and proposed curb ramps showing all conditions, the renovations necessary for all curb ramps not in

compliance, the new work to be done for new ramps and the cost estimate for each condition, both remediation and new.

- 3) PHASING PLAN – Develop a phased, priority plan for all the curb ramps, new and remediated, over time. This phasing plan would be based on a priority matrix, looking at areas in the City at public buildings, schools, hospitals, transportation centers, commercial cores and residential neighborhoods.

BUDGETARY IMPACT

The Department of Public Works has confirmed there are sufficient funds to cover the project. The account code to be used is 01-07-50-4222 and 32-10-00-4216. The City will be reimbursed up to \$100,000 from the Berks County Planning Commission. The total cost of this part of the project is \$520,390.00

PREVIOUS ACTION

None

SUBSEQUENT ACTION

Formal action by Council is required to award the contract at the June 8, 2015 meeting.

RECOMMENDED BY

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

RECOMMENDED MOTION

Approve/Deny the recommendation for the ADA Compliance Project in order that contract may be awarded to The Temple Group.

cc: File

Drafted by	City Clerk
Sponsored by/Referred by	City Council
Introduced on	N/A
Advertised on	N/A

RESOLUTION NO. 2015

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

Denying the appeal of the Certificate of Appropriateness, as attached in the findings of fact, for the installation of an air conditioning unit at 13-15 South 4th Street, for Maria Rodriguez.

Adopted by Council _____, 2015

Francis Acosta
President of Council

Attest:

Linda A. Kelleher, City Clerk

**Appeal of Historic Architectural Review Board
Certificate of Appropriateness**

IN THE MATTER OF	§	BEFORE THE
	§	
BERKS COUNTY	§	CITY OF READING
	§	
MARIA RODRIGUEZ	§	CITY COUNCIL
13-15 SOUTH 4th ST.	§	

**FINDINGS OF FACT, CONCLUSIONS OF LAW,
ORDER, AND AGREED RESOLUTION**

On Wednesday, May 20, 2015 the City of Reading City Council (Council) met to hear testimony on the appeal of the decision made by the Historic Architectural Review Board (HARB) on the Certificate of Appropriateness for the following exterior property improvements made by Maria Rodriguez (Respondent), at 13-15 South 4th Street (Subject Property).

1. The installation of a heating/air conditioning unit on the first floor sidewalk.

At their March 17, 2015 meeting, HARB denied:

CERTIFICATE OF APPROPRIATENESS

Resolution No. 23-15

WHEREAS, the Reading Historical Architectural Review Board at its March 17, 2015 meeting reviewed the plans and specifications of Antonio Callesa, applicant for 15 S. 4th St., Reading, Pennsylvania for

THE INSTALLATION OF A DUCTLESS MINI SPLIT HEATING AND AIR CONDITIONING CONDENSER UNIT AT THE FRONT FACADE

and DENIED the application for a Certificate of Appropriateness for the said work as described in the attached report.

Now, therefore, on the 17th day of March, 2015, I, Amy Woldt Johnson, Historic Preservation Specialist, deny this Certificate of Appropriateness for aforesaid work in the name of the Reading Historical Architectural Review Board.

READING HISTORICAL ARCHITECTURAL REVIEW BOARD

ITEM #8 - RESOLUTION #23-15 - It is proposed install a ductless mini split heating and air conditioning condenser unit at the northern end of the first floor front façade adjacent to the existing dumpster at 15 S. 4th St., Reading, PA

Motion: The Historical Architectural Review Board upon motion by Ms. Weller and seconded by Ms. LaSota DENIED the proposal for a Certificate of Appropriateness for the proposed work described herein:

1. The proposal to install a ductless condenser unit at the northern end of the first floor front façade at 15 S. 4th St. was represented by Antonio Callesa of Callesa Mechanical.
2. The proposal to install the heating and air conditioning condenser unit at the northern end of the first floor front façade on the sidewalk adjacent to the existing dumpster was denied based on the Secretary of the Interior's Standard #9 which states in part: "...new work shall be ... compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment".
3. Other options for the placement of the unit were suggested, including: placing the unit on the roof and running the lines on the interior of the building or placing the unit in an underground ventilation shaft.
4. The applicant will discuss these and other options with the owner of the business.

The motion to DENY the above application was passed unanimously.

Findings of Fact

1. The Historic Architectural Review Board (HARB) is part of the City of Reading Codified Ordinances Chapter 295 Part 1 – Historic and Conservation Districts. The HARB is a board of eleven (11) duly qualified members.
2. The Respondent applied to install a heating/air conditioning unit at the Subject Property.

3. The Respondents attended the March HARB meeting and alternatives to install the unit away from the front of the property were discussed and rejected by the Respondent.
4. At the hearing the Respondent stated that she operates Early Bird Child Care at this location. The daycare is located on the first floor and in the basement of the property. She stated that the basement requires air conditioning and she believes the most cost efficient method of supplying air conditioning to the basement is to install the required equipment on the sidewalk in front of the property. She described the challenges of locating the equipment in areas that are not within the public view.
5. The Historic Preservation Specialist testified that the HARB Board heard the application to install the air conditioning equipment at this property and they attempted to find a solution that would avoid installing the equipment on the first floor sidewalk. She explained that the Board offered several alternatives but the owner prefers to install the equipment on the sidewalk and provide screening. However, there was no discussion on the type of screening that would be allowed or used. She stated that installing equipment in an area that would not be visible from the cart way would be more costly.
6. Several members of Council noted that installing the unit on the first floor sidewalk could create vandalism and theft opportunities which would create additional liability for the Respondent.
7. The Historic Preservation Specialist was asked if a permit for the dumpster located on the front sidewalk was approved and she offered to follow up with Property Maintenance.
8. The Historic Preservation Specialist stated that HARB did not discuss screening for the unit if the unit is allowed to be installed on the sidewalk.

Conclusions of Law

City Council, after considering all testimony and reviewing all Exhibits, DENIES the appeal of the Certificate of Appropriateness for the installation of a heating/air conditioning unit at 13-15 South 4th Street.

Order and Agreed Resolution

The City of Reading City Council hereby DENIES the appeal of the COA for the installation of a heating/air conditioning unit on the first floor sidewalk at 13-15 South 4th Street and orders the Respondent to install the unit away from the public view or to make a new application with HARB so further alternatives can be explored.

Right to Appeal

If you disagree with the decision of City Council you may file an appeal with the Court of Common Pleas of Berks County within 30 days after notice of the decision has been made. Your failure to file the appeal within such 30 days shall preclude an appeal from such decision.

City of Reading City Council

Regular Meeting

May 26, 2015

Council President Acosta called the meeting to order.

The invocation was given by Pastor Saul Hodges, First Century Worship Center.

All present pledged to the flag.

An executive session was held about a personnel matter during the Committee of the Whole meeting held in the Council Office.

ATTENDANCE

Council President Acosta

Councilor Daubert, District 1

Councilor Goodman-Hinnershitz, District 2

Councilor Sterner, District 3

Councilor Marmarou, District 4

Councilor Reed, District 5

Councilor Waltman, District 6

City Auditor D. Cituk

Legal Specialist F. Lachet

City Clerk L. Kelleher

Managing Director C. Snyder

PROCLAMATIONS AND PRESENTATIONS

The mayoral proclamations were issued to:

- Maria Kantner for Civil Air Patrol
- Dino Iaccarino for Dino's Wings and Things, located on Centre Avenue

PUBLIC COMMENT

Council President Acosta stated that there are two (2) citizens registered to address Council on non-agenda matters. He asked if any Councilor objected to suspending the rule requiring non-agenda comment at the end of the meeting. As no one objected, the rule was suspended.

Councilor Daubert read the public speaking regulations adopted by City Council.

Peter Hart, of the 300 block of North 5th Street, spoke in opposition to the relocation of the gas meters to the front facades of properties. He asked Council to consider applying regulations for the placement of gas meters that work within the PUC rule adopted in September 2014. He described his own experience with UGI and their negative attitude when he objected to the relocation of his gas meter. He stated that communities that have historic districts or are eligible to become historic districts can place regulations on the location of gas meters and he noted that the majority of buildings within Reading fall within this category.

Elizabeth Dalessio, the 600 block of South 6th Street, stated that she spoke one year ago about the noise emanating from the Evergreen Power Plant which creates quality of life issues for the surrounding residential properties. She questioned why no one has responded to her complaint. She played a recording of the noise she experiences with the doors and windows closed and with the door open. She questioned why the City regulates paint colors and the use of vinyl siding in historic districts but they ignore the major quality of life problems created by this power plant.

APPROVAL OF THE AGENDA & MINUTES

Council President Acosta called Council's attention to the minutes of the May 11th meeting, and to the agenda for this meeting, including the legislation listed under the Consent Agenda heading. He stated that there are no changes to the agenda.

Councilor Sterner moved, seconded by Councilor Marmarou, to approve the agenda, including the legislation listed under the Consent Agenda heading and the minutes as listed. The motion was approved unanimously.

Consent Agenda

A. Resolution 53-2015 – adopting a process to clear the zoning backlog for rental properties within the City

B. Award of Contract – for the PennDOT funded Penn Street lighting project to MBR Construction Services, Reading at the total amount of \$867,840.78

C. Resolution 54-2015– approving the appeal of the HARB Certificate of Appropriateness for 633 S 6th Street

ADMINISTRATIVE REPORT

Council President Acosta noted that the mayor was excused from this meeting.

The Managing Director distributed the Administrative Report to Council at the meeting. She highlighted the following topic:

- The expansion of the Fire Marshall's Smoke Detector program

AUDITOR'S REPORT

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

- 2015 Admissions Tax collection
- 2015 Transfer Tax collection
- 2015 Unemployment Compensation expenses

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

There were no reports issued at this meeting.

ORDINANCES FOR FINAL PASSAGE

A. Bill No. 23-2015 – Amending the Chapter 212 Fee Schedule of the City Code, Section 123 Police Department Miscellaneous Fees regarding copies of police reports, call recording and background reports *Introduced at the May 11 regular meeting Advertised May 18th*

Councilor Marmarou moved, seconded by Councilor Reed, to enact Bill No. 23-2015.

Bill No. 23-2015 was enacted by the following vote:

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

Nays: – None - 0

B. Bill No. 24-2015 - authorizing the transfer of \$4,585,914.00 among debt service accounts based on refinancing bonds 2008 C & D with bond 2014; refinancing a portion of bonds 2008 and RRA 2003 lease revenue with bond 2015A; and refinancing pension obligation bond 2006 with bond 2015B *Introduced at the May 11 regular meeting*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed to enact Bill No. 24-2015.

Bill No. 24-2015 was enacted by the following vote:

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

Nays: – None - 0

C. Bill No. 25-2015 – amending the City of Reading Code of Ordinances, Chapter 5 Administrative Code, Section 5-806 Fiscal Provisions for consistency with the Purchasing Policies to and incorporate revisions recommended by the City’s Act 47 Coordinator as attached ***Introduced at the May 11 regular meeting***

Councilor Reed moved, seconded by Councilor Daubert, to enact Bill No. 25-2015.

The Managing Director stated that these procedures are being followed and that they will now be memorialized within the Administrative Code.

Bill No. 25-2015 was enacted by the following vote:

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

Nays: – None - 0

D. Bill No. 26-2015 - amending the 2015 fiscal year employee position ordinance by reclassifying the Human Relations Investigator from one (1) full time position to one (1) part time position ***Introduced at the May 11 regular meeting***

Councilor Daubert moved, seconded by Councilor Reed, to enact Bill No. 26-2015.

The Managing Director stated that this adjustment was requested by the Human Relations Commission Executive Director.

Bill No. 26-2015 was enacted by the following vote:

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

Nays: – None - 0

E. Bill No. 27-2015 – authorizing a budget transfer of \$35,918 from Salary to Temporary Wages in the Human Relations Budget to fund the PT Investigator position ***Introduced at***

the May 11 regular meeting

Councilor Daubert moved, seconded by Councilor Reed, to enact Bill No. 27-2015.

Council President Acosta explained that this is a housekeeping adjustment to provide funding for Bill 26-2015.

Bill No. 27-2015 was enacted by the following vote:

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

F. Bill No. 28-2015 – authorizing a budget transfer of \$75,000.00 between the above two accounts. This transfer has zero effect on General Fund Budgeted Spending to demolish the four properties on East Laurel Street damaged by the recent fire ***Introduced at the May 11 regular meeting***

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 28-2015.

Bill No. 28-2015 was enacted by the following vote:

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

INTRODUCTION OF NEW ORDINANCES

There were no ordinances introduced at this meeting.

RESOLUTIONS

A. Resolution 55-2015 – appointing R. David Myers to the CRIZ Authority

B. Resolution 56-2015 – appointing David Farrar to the Main Street Board

C. Resolution 57-2015 – reappointing Elizabeth Stanley to the Charter Board

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to adopt Resolution Nos. 55-57-2015.

Councilor Marmarou noted the merits of those being appointed.

Resolution Nos. 55-57-2015 were adopted by the following vote:

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

Nays: None - 0

COUNCIL COMMENT

Councilor Waltman agreed with the need to revisit the regulation of the location of gas meters. He noted that this UGI project is shredding the City's streets and the relocation of the meters to the exterior of properties has increased the number of accidents and incidents where gas leaks have occurred.

The City Clerk stated that an ordinance to regulate the location of gas meters has been drafted and is being reviewed by the Law Department.

Council President Acosta agreed that this issue requires resolution as many times the meters are placed in locations that encroach on the public right of way.

Councilor Goodman-Hinnershitz noted the challenges dealing with the PUC. She reminded everyone that the PUC is a State agency that reports to the State government.

Council President Acosta and Councilor Goodman-Hinnershitz were excused to attend the Planning Commission meeting.

Councilor Marmarou described his personal experience dealing with the relocation of the gas meter at his home. He stated that his calls to the PUC went unreturned.

Councilor Marmarou noted the Night in the Heights scheduled for Friday, May 29th from 6:30 to 9:30 pm at 1700 Oak Lane.

Councilor Reed described the touching and inspiring services at Veteran's Grove in City Park and at Charles Evans Cemetery honoring Memorial Day. She urged County officials and citizens to attend.

Councilor Reed noted the Town Meeting scheduled for June 3rd at 6:30 pm about the two year closure of the Buttonwood Street Bridge. She stated that when the

Buttonwood Street Bridge project is completed, the Penn Street Bridge project will begin, followed by the Bingaman Street Bridge project. The last project scheduled is a bridge repair project which will require the closure of the West Shore Bypass.

Councilor Goodman-Hinnershitz stated that the maximization of the use of Mt Penn will begin through the strategic planning being conducted by the Pagoda Foundation.

Councilor Daubert moved, seconded by Councilor Reed, to adjourn the meeting.

Respectfully submitted by Linda A. Kelleher CMC, City Clerk

AN ORDINANCE

**AN ORDINANCE AMENDING THE CITY CODE, CHAPTER 295,
HISTORICAL AND CONSERVATION DISTRICTS REDUCING THE SIZE
OF THE BOARD**

THE CITY OF READING CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. An ordinance amending the City Code, Chapter 295, Historical and Conservation Districts by reducing the size of the board, as follows:

§ 295-111. Reading Board of Historical Architectural Review.

A. The Board of Historical Architectural Review is hereby created:

(1) The Board shall be composed of ~~11~~ 9 members, appointed by City Council; one of whom shall be a registered architect, one a licensed real estate broker, one a person with knowledge of the building trades, one who is either a resident of or owner of property within the Callowhill Historic District, one who is either a resident of or owner of property within the Prince Historic District, one who is either a resident of or owner of property in the Centre Park Historic District, one who is either a resident of or owner of property within the Penn's Common Historic District, one who is either a resident of or owner of property within the Heights Conservation District, and ~~three~~ *one* who ~~have~~ *has* knowledge of or interest in the preservation of historic buildings and districts.

B. Organization of the Board.

(1) The Board shall comply with the bylaws adopted by the Board December 16, 1986, by Res. 27-86.

(2) The Board shall establish offices and elect officers from its own membership. Nominations for various offices may be made by any member of the Reading Board of Historical Architectural Review. Elections shall be held annually. The chairperson shall fill by appointment any office prematurely vacated.

(3) ~~For the conduct of any meeting and the taking of any action, a quorum shall be not less than a majority of the Board as a whole.~~ Any action taken at any meeting shall require the affirmative vote of the majority of Board members present. Each Board member shall be entitled to one vote on any given issue.

(4) An executive committee consisting of the elected officers (chairperson, vice chairperson, secretary) may be established to review applications for adequate

content. The executive committee should convene a minimum of four working days before a regularly scheduled meeting.

(5) The number of standing or temporary committees shall be determined by the Board. The chairperson and members of such committees shall be appointed by the chairperson of the Board. Membership on said committees shall terminate automatically upon the expiration of the term of the appointing chairperson.

(6) The Board may form committees and develop policies regarding maintenance, rehabilitation, construction and demolition.

SECTION 2. This ordinance shall become effective in ten (10) days of approval in accordance with Section 221 of the City of Reading Home Rule Charter.

Enacted by Council _____, 2015

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: _____

Drafted by	Charter Board Solicitor
Sponsored by/Referred by	Council President Acosta
Introduced on	June 8, 2015

BILL NO ____ -2015

AN ORDINANCE

AMENDING THE CHARTER BOARD ORDINANCE, BILL NO. 46-2005, SECTION V, ENFORCEMENT, PART A PROCEDURE, SUB-PART 3 DETERMINATION OF JURISDICTION

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

SECTION 1: Amending The Charter Board Ordinance, Section V, Enforcement, Part A Procedure, Sub-Part 3 Determination of Jurisdiction, as stated below:

b) Upon determination that the complaint falls within the jurisdiction of the Board, the Officer shall attempt an informal resolution of the issue [as provided by the Rules of Administration and Procedure implemented by the Board. This paragraph shall apply to all complaints filed after sixty (60) days from the effective date of the Ordinance adopting this amendment to the Charter Board Ordinance, Bill No. 46-2005.] within 30 days of the receipt of the complaint. Informal resolution shall consist solely of written notice to the complainant and the subject of the complaint encouraging them to resolve the issue outside the formal investigative and adjudicative process of the Board.

SECTION 2: All relevant ordinances, regulations and policies of the City of Reading, Pennsylvania not amended per the attached shall remain in full force and effect.

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

SECTION 4: This Ordinance shall become effective in ten (10) days after passage.

Enacted _____, 2015

Council President

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

Drafted by	City Clerk/Legal Specialist
Sponsored by/Referred by	Council President Acosta
Introduced on	June 8, 2015

**BILL NO. _____ 2015
AN ORDINANCE**

AN ORDINANCE AMENDING CHAPTER 5 ADMINISTRATIVE CODE OF THE CITY CODE PART § 5-303. ENTITLED “SEVERANCE” AND RENUMBERING THE SECTION ACCORDINGLY.

THE CITY OF READING CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Amending Chapter 5 Administrative Code of the City Code Part § 5-303 entitled “Severance” as follows:

§ 5-303. Severance. [Added 12-27-1999 by Ord. No. 42-1999]

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

DEPARTMENT DIRECTOR — Any person employed by the City of Reading as the Administrative Services Director, Managing Director, Public Works Director, Chief of Police, Chief of the Department of Fire and Rescue Services, Director of Community Development or City Solicitor. A department director shall also include any such person who is employed by the City of Reading as the acting director of any of the aforementioned departments for a period of more than six months.

CITY COUNCIL—The elected or appointed City Council persons of the City of Reading.

MAYOR — The chief executive officer of the City of Reading.

TERMINATION — Action taken by the Mayor or the City Council which ends the employment of one or more of the aforementioned department directors.

TERMINATION FOR **DOCUMENTED JUST CAUSE**—An act of the Mayor or the City Council which ends the employment of any of the aforementioned department director as per § 70-714

B. Severance package. [Amended 10-23-2006 by Ord. No. 70-2006]

(1) Termination for reasons other than **documented** just cause. Any department director terminated for reasons other than **documented** just cause shall receive a payment for three months of salary payments the department director would have received, plus the

department director shall earn one month of severance for every year above three years **and payment for any accrued vacation time or compensatory time which had been earned prior to termination.** Any department director receiving a payment equal to six months' worth of pay at the rate he was receiving on the day prior to his/her termination shall not receive any other monetary compensation from the City of Reading at the time of his/her termination including, but not limited to, payment for any accrued vacation time or compensatory time which had been earned prior to termination.

- (2) Termination for **documented** just cause. Any department director terminated for **documented** just cause shall receive a payment equal to any accrued and unused vacation days as tabulated by the Administrative Services Department on the day prior to the date of termination.
- (3) ~~Compensatory time. Upon termination for any reason, no employee of the City of Reading shall receive a payment for any unused or accrued compensatory time.~~
- (4) Health benefits. Any department director terminated for a reason other than **documented** just cause shall receive medical benefits provided for by the City of Reading at the same level he/she was receiving on the date prior to his/her termination for a period not to exceed 180 days. Local benefits provided by the City of Reading shall cease on the 180th day following the termination of the department director or when the department director secures health and medical insurance through attainment of other employment, etc., whichever comes first. Any department director terminated for **documented** just cause shall only receive the medical benefits which the City of Reading is required to provide any employee at the time of his/her termination.

C. Information hearing following termination for **documented** just cause.

- (1) Notice of termination for **documented** just cause. Any department director terminated for **documented** just cause shall be provided with a written notice of proposed termination which contains the reasons and factual basis for such action.
Hearing. Within seven days of receiving notice of termination, the department director may request an opportunity to respond to the reasons provided by the Mayor **and Managing Director** for his/her termination. If a request for such a hearing is made, the Mayor **and Managing Director** shall conduct a ~~meeting~~ **hearing**, which may be in form or nature, that which the department director may respond to the reasons given for his proposed termination. At such ~~meeting~~ **hearing**, the department director may be represented by an attorney of his choosing and present evidence or information relevant to the reasons and factual basis set forth in the notice of proposed termination. After such hearing, the Mayor and **Managing Director** may do one of three things: rescind the notice of proposed termination which was served upon the department director, convert the department director's termination into a termination for reasons other than **documented** just cause or maintain the termination for **documented** just cause.

SECTION 2. This ordinance shall become effective in ten (10) days of approval in accordance with Section 221 of the City of Reading Home Rule Charter.

Enacted by Council _____, 2015

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: _____

Drafted by	City Clerk/Legal Specialist
Sponsored by/Referred by	Council President Acosta
Introduced on	June 8, 2015

**BILL NO. _____ 2015
AN ORDINANCE**

AN ORDINANCE AMENDING CHAPTER 70 PERSONNEL OF THE CITY CODE BY ADDING A NEW PART § 70-716. ENTITLED “SEVERANCE” AND RENUMBERING THE SECTION ACCORDINGLY.

THE CITY OF READING CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Amending Chapter 70 Personnel of the City Code by adding a new part § 70-716 entitled “Severance” as follows and renumbering the section accordingly.

§ 70-716. Severance.

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

CAREER EMPLOYEE – any unrepresented management employee who has been a City employee for a minimum of four (4) years.

CITY COUNCIL—The elected or appointed City Council persons of the City of Reading.

MAYOR — The chief executive officer of the City of Reading.

TERMINATION — Action taken by the Mayor or the City Council which ends the employment of one or more of the aforementioned career employees.

TERMINATION FOR CAUSE—An act of the Mayor or the City Council which ends the employment of any of the aforementioned career employees as per §70-714

B. Severance package.

(1) Termination for reasons other than just cause. Any career employee terminated for reasons other than just cause shall receive a payment for three months of salary payments the career employee would have received, plus the career employee shall earn one month of severance for every year above three years and payment for any accrued vacation time or compensatory time which had been earned prior to termination.

(2) Termination for just cause. Any career employee terminated for just cause shall receive a payment equal to any accrued and unused vacation days as

tabulated by the Administrative Services Department on the day prior to the date of termination.

- (3) Compensatory time.** *Upon termination for any reason, no employee of the City of Reading shall receive a payment for any unused or accrued compensatory time.*
- (4) Health benefits.** *Any career employee terminated for a reason other than just cause shall receive medical benefits provided for by the City of Reading at the same level he/she was receiving on the date prior to his/her termination for a period not to exceed 180 days. Local benefits provided by the City of Reading shall cease on the 180th day following the termination of the career employee or when the career employee secures health and medical insurance through attainment of other employment, etc., whichever comes first. Any career employee terminated for just cause shall only receive the medical benefits which the City of Reading is required to provide any employee at the time of his/her termination.*

C. Information hearing following termination for just cause.

- (1) Notice of termination for just cause.** *Any career employee terminated for just cause shall be provided with a written notice of proposed termination which contains the reasons and factual basis for such action.*
- (2) Hearing.** *Within seven days of receiving notice of termination, the career employee may request an opportunity to respond to the reasons provided by the Mayor and Managing Director for his/her termination. If a request for such a hearing is made, the Mayor and Managing Director shall conduct a hearing, which may be in form or nature, that which the career employee may respond to the reasons given for his proposed termination. At such hearing, the career employee may be represented by an attorney of his choosing and present evidence or information relevant to the reasons and factual basis set forth in the notice of proposed termination. After such hearing, the Mayor and Managing Director may do one of three things: rescind the notice of proposed termination which was served upon the career employee, convert the career employee's termination into a termination for reasons other than just cause or maintain the termination for just cause.*

SECTION 2. This ordinance shall become effective in ten (10) days of approval in accordance with Section 221 of the City of Reading Home Rule Charter.

Enacted by Council _____, 2015

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: _____

Drafted by	Stevens & Lee
Sponsored by/Referred by	Managing Director
Introduced on	Not required for the City

CITY OF READING
COUNTY OF BERKS
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. _____
ENACTED: JUNE __, 2015

AN ORDINANCE OF THE COUNCIL OF THE CITY OF READING, BERKS COUNTY, PENNSYLVANIA, AUTHORIZING THE LEASE OF CERTAIN REAL PROPERTY TO THE REDEVELOPMENT AUTHORITY OF THE CITY OF READING PURSUANT TO A LEASE AGREEMENT; DECLARING THE GUARANTY OF SAID AUTHORITY’S GUARANTEED LEASE REVENUE NOTE FOR THE BENEFIT OF THE CITY OF READING TO BE A PROJECT OF THE CITY FOR WHICH LEASE RENTAL DEBT IS TO BE INCURRED; STATING THE REALISTIC ESTIMATED USEFUL LIFE OF THE FACILITIES RELATING TO THE NOTE; DETERMINING TO INCUR LEASE RENTAL DEBT IN A PRINCIPAL AMOUNT OF _____ MILLION _____ HUNDRED THOUSAND DOLLARS (\$_____) IN RESPECT OF SAID PROJECT, SUCH DEBT TO BE EVIDENCED BY THE CITY’S SUBLEASE AND GUARANTY AGREEMENT WITH RESPECT TO SAID NOTE; AUTHORIZING CERTAIN CITY OFFICERS TO PREPARE, CERTIFY AND FILE WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT THE DEBT STATEMENT REQUIRED BY SECTION 8110 OF THE LOCAL GOVERNMENT UNIT DEBT ACT AND AUTHORIZING THE PREPARATION OF A BORROWING BASE CERTIFICATE; APPROVING THE FORM OF, AND AUTHORIZING, SUBJECT TO CERTAIN CONDITIONS, EXECUTION AND DELIVERY OF THE AFORESAID LEASE AGREEMENT AND SUBLEASE AND GUARANTY AGREEMENT; REPEALING INCONSISTENT PRIOR ORDINANCES; SETTING FORTH CERTAIN CONDITIONS TO THE EXECUTION AND DELIVERY OF THE AFORESAID LEASE AGREEMENT AND SUBLEASE AND GUARANTY AGREEMENT; AND AUTHORIZING THE PROPER OFFICERS OF THE CITY TO TAKE ALL REQUIRED, NECESSARY OR DESIRABLE RELATED ACTION IN CONNECTION WITH SUCH PROJECT AND THE EXECUTION AND DELIVERY OF THE LEASE AGREEMENT AND THE SUBLEASE AND GUARANTY AGREEMENT.

WHEREAS, the Redevelopment Authority of the City of Reading (the “Authority”) is a body corporate and politic organized under the provisions of the Urban

Redevelopment Law, Act of May 24, 1945, P.L. 991, as amended and supplemented (the “Act”); and

WHEREAS, the Authority previously issued its Federally Taxable Guaranteed Lease Revenue Note, Series of 2006 (the “2006 Note”) to finance a project on behalf of the City of Reading, Berks County, Pennsylvania (the “City”); and

WHEREAS, the City has determined to undertake a project (the “Project”) involving (1) the City leasing to the Authority, pursuant to the provisions of a lease agreement between the City and the Authority (the “Lease Agreement”), all of the City’s right, title and interest in certain real property as more specifically identified in the Lease Agreement; and (2) the refunding of the City’s 2006 Note; and

WHEREAS, the City desires to authorize the refunding of the outstanding 2006 Note for the purpose of reducing total debt service over the life of the series; and

WHEREAS, the Authority intends to finance the costs of the Project and specifically all or a portion of the cost of the acquisition of its leasehold interest in such real property from the City through the issuance of its Federally Taxable Guaranteed Lease Revenue Note, Series of 2015 (the “2015 Note”) in a principal amount of \$_____; and

WHEREAS, the 2015 Note shall be issued under and pursuant to a resolution of the Authority; and

WHEREAS, the proceeds derived from the issuance of the 2015 Note are to be applied to the costs of the Project which will benefit the Authority and the City; and

WHEREAS, the City desires that the Authority issue the 2015 Note in a principal amount of \$_____ and apply the proceeds as aforesaid and is willing to enter into a sublease and guaranty agreement (the “Sublease and Guaranty Agreement”) in order to enhance the marketability of the 2015 Note and thereby achieve interest cost and other savings with respect to the Project and as an inducement to the purchase of the 2015 Note; and

WHEREAS, the obligation of the City under the Sublease and Guaranty Agreement constitutes lease rental debt under the Local Government Unit Debt Act, Act No. 177 of 1996, approved December 19, 1996, as amended (the “Debt Act”); and

WHEREAS, the Debt Act requires certain actions as a prerequisite to incurring lease rental debt;

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

The City authorizes and requests the Authority to undertake and proceed with the Project. The City hereby declares the guaranty of the Authority's 2015 Note, the proceeds of which will be used for the Project, to be a project of the City for which lease rental debt is to be incurred in a principal amount of \$_____.

The City hereby declares the Project to be desirable for the health, safety and welfare of the residents of the City.

The realistic estimated useful life of the project of the Authority to be financed with the proceeds of the 2015 Note is hereby declared to be not less than 15 years.

Except as permitted by the Debt Act, stated installments or maturities of principal of the 2015 Note will not be deferred beyond the later of one year after the estimated date for the completion of the construction portion of the Project, if any, or two years from the date of issuance of the 2015 Note.

The City hereby finds and certifies that realistic cost estimates have been obtained for the costs of the Project from financial analysts, registered architects, professional engineers or other persons qualified by experience to provide such estimates.

In connection with the issuance and sale of the 2015 Note, the Council, as required by the provisions of the Act, hereby finds, determines and states (a) that the purpose of the refunding of the 2006 Note is to reduce total debt service over the life of the 2006 Note; and (b) that the refunding of the 2006 Note is authorized and permitted under and pursuant to the provisions of Section 8241 of the Act. The Council further finds and determines that the final maturity date of the 2015 Note issued to effect the refunding of the 2006 Note does not extend to a date that could not have been included in the 2006 Note.

The Council of the City hereby authorizes and directs its proper officers, agents and employees to execute all documents and take all actions necessary in connection with accomplishing the refunding of the 2006 Note, including, but not limited to providing notice to the Paying Agent for the 2006 Note, and to call the 2006 Note for optional redemption in full on the first date the 2006 Note is eligible to be called for optional redemption. In accordance with Section 8246 of the Act, it is the intent of the Council that the 2006 Note shall no longer be outstanding from and after the date of the issuance of the 2015 Note.

The City hereby authorizes the incurring of lease rental debt in the form of the Sublease and Guaranty Agreement to secure the payment of principal or redemption price of, and interest on, the 2015 Note which the Authority proposes to issue to provide funds for and toward the costs of the Project. The City determines that the Authority shall incur debt, which shall be lease rental debt of the City pursuant to the Debt Act, for the purposes of the Project; and hereby declares that such lease rental debt is within the limitations imposed by law upon the incurring of debt by the City. The City hereby covenants with the holders of the 2015 Note that it (i) shall include the amounts payable in respect of the Sublease and Guaranty Agreement for each fiscal year in which such sums are payable in its budget for that year, (ii) shall appropriate such amounts to the payment of such Sublease and Guaranty Agreement, and (iii) shall duly and punctually pay or cause to be paid the amount payable in respect of the Sublease and Guaranty Agreement on the dates and places and in the manner stated in the Sublease and Guaranty Agreement according to the true intent and meaning thereof. For such budgeting, appropriation and payment the City does hereby pledge its full faith, credit and taxing power. As provided in the Debt Act, the foregoing covenant shall be specifically enforceable.

The maximum amounts required to be paid under the Sublease and Guaranty Agreement from the general revenues of the City are set forth as Exhibit A hereto. Exhibit A is incorporated herein by reference with the same force and effect as if fully set forth in the text hereof. Proper officers of the City are hereby authorized and directed to make any payment required under the Sublease and Guaranty Agreement.

The City hereby establishes a “sinking fund,” as such phrase is defined or applied in the Debt Act, as amended and supplemented from time to time, with respect to its obligations under such Sublease and Guaranty Agreement, and the purchaser of the 2015 Note, which shall be a bank or bank and trust company authorized to do business in the Commonwealth, is hereby appointed “sinking fund depository” and “paying agent,” as such phrases are defined or applied in the Debt Act, as amended and supplemented from time to time, to the extent necessary with respect to obligations of the City under such Sublease and Guaranty Agreement. The President or Vice President of the Council and the City Clerk or any duly appointed successor to any thereof, as the case may be, are hereby authorized and directed to prepare, certify and file with the Department of Community and Economic Development (the “Department”), in accordance with the Debt Act, a debt statement required by Section 8110 thereof; and the President or Vice President of the Council and the City Clerk or any duly appointed successor to any thereof, as the case may be, are hereby authorized and directed to prepare and execute a certificate stating the City’s borrowing base, as such term is defined in the Debt Act, for submission to the Department and, in connection with such application, the City shall pay or cause to be paid to the Department the filing fee required by the Department, the payment of which filing fee is authorized and approved. Subject to Section 8 hereof, the Mayor of the City, attested to by the City Clerk or any duly appointed successor to any thereof, as the case may be, are hereby authorized and directed to execute and deliver and to affix and attest the corporate seal of the City to, the Sublease and Guaranty Agreement in such form as the solicitor or special counsel to the City may advise and the officers executing the same may approve, their approval and the conclusive approval of the City to be evidenced by their execution thereof and to take any other actions necessary to effectuate the Project. All prior ordinances or parts thereof inconsistent herewith are hereby repealed. The Sublease and Guaranty Agreement shall be executed and delivered as provided in

Section 6 hereof and the Lease Agreement shall be executed and delivered as provided in Section 9 hereof only after the Department shall have approved the incurrence by the City of the lease rental debt evidenced by this Ordinance pursuant to the Debt Act. Subject to Section 8 hereof, the Mayor of the City, attested to by the City Clerk or any duly appointed successor to any thereof, as the case may be, are hereby authorized and directed to execute, attest, seal and deliver the Lease Agreement in such form and identifying such property to be subject to the Lease Agreement as the officers of the City executing said document shall deem necessary and appropriate with the advice of the solicitor or special counsel to the City. The execution, attestation and delivery of the Lease Agreement by appropriate officers of the City shall constitute conclusive evidence of such approval and the approval of the City. The proper officers of the City are hereby authorized and directed to execute, attest and deliver any and all necessary or appropriate documents and to do any and all necessary or appropriate things in connection with the transactions hereby contemplated, including, without limitation, approving the commitment letter relating to the 2015 Note of the purchaser of the 2015 Note presented to the Authority and the City. Reference in the Ordinance to specified officers of the City shall include and shall be construed to include, if and as applicable, their respective successors in office. This Ordinance shall become effective in accordance with provisions of Section 8103 of the Debt Act. If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

This Ordinance shall become effective immediately upon approval.

DULY ENACTED, THIS ____ DAY OF JUNE, 2015, BY THE COUNCIL OF THE CITY OF READING, BERKS COUNTY, PENNSYLVANIA, IN LAWFUL SESSION DULY ASSEMBLED.

Attest:

CITY OF READING
Berks County, Pennsylvania

Linda A. Kelleher CMC, City Clerk

By: _____
Francis Acosta, President of Council

(SEAL)

EXHIBIT A
MAXIMUM SUBLEASE RENTAL OBLIGATIONS

Drafted by	City Clerk
Sponsored by/Referred by	Managing Director
Introduced on	June 8, 2015

**BILL NO. _____ 2015
AN ORDINANCE**

**AN ORDINANCE AMENDING THE CITY CODE BY PART 70-701
SALARY ADMINISTRATION, G SALARY INCREASES BY MODIFYING
THE APPROVAL PROCESS**

THE CITY OF READING CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Amending the City Code Part 70-701 Salary Administration, G Salary Increases by modifying the approval process as follows:

§ 70-701. Salary administration

G. Salary increases.

(1) Annual employee salary increases which are not governed by union labor contracts or mandated by other state statutes shall be limited to 3% without City Council approval. The amount of the annual salary increase shall be determined by a recommendation made by the employee's direct supervisor or department director in conjunction with consultation from the Administrative Services Department. If the Administrative Services Department and the employee's department director believe that an employee is entitled to an annual salary increase in excess of 3%, *they shall obtain approval from both the Mayor and Managing Director followed by an a scheduled* executive session ~~shall be scheduled with the City Council~~ to discuss the reasons for providing a salary increase in excess of 3% of the employee's annual salary. If City Council agrees to increase an employee's salary after meeting with the department director and/or a representative of the Administrative Services Department, City Council shall pass a resolution authorizing an annual salary increase in excess of 3% for the named employee.

(2) Annual salary increases for City of Reading department directors are not covered by this section and are governed by § 705 of the City of Reading Home Rule Charter and Ord. No. 22-2002, passed on June 24, 2002 (see Ch. A613 of the City Code).

SECTION 2. This ordinance shall become effective in ten (10) days of approval in accordance with Section 221 of the City of Reading Home Rule Charter.

Enacted by Council _____, 2015

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: _____

Drafted by	Deputy City Clerk
Sponsored by/Referred by	Council Nominations and Appointments Committee
Introduced on	N/A
Advertised on	N/A

R E S O L U T I O N N O. _____

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

That Edwin Stock is reappointed to the Police Civil Service Board with a term ending June 8, 2019.

Adopted by Council _____, 2015

Francis G. Acosta
President of Council

Attest:

Linda A. Kelleher
City Clerk

TO: City Council
FROM: Carole Snyder, Managing Director
PREPARED BY: Carole Snyder, Managing Director
MEETING DATE: June 8, 2015
AGENDA MEMO DATE: June 3, 2015
REQUESTED ACTION: Salary Adjustment

RECOMMENDATION

I would like to correct this error retroactively to the date his salary was improperly adjusted. This \$6,000 is in excess of the 3% threshold that can be processed without Council approval.

I believe that the right thing to do is to adjust Mr. Ruyak’s pay retroactively to reinstate the \$6,000 per year he should have been receiving for his increased duties. I am requesting Council approval for this salary action.

BACKGROUND

In 2014, following Mr. Murin’s departure, Frank Denbowski was reassigned, in part, to the Mayor’s office although Frank continued to handle Solid Waste policy issues. Concurrent with that assignment, Dave Ruyak, Operations Division Manager, who already had responsibility for Parks, Building and Grounds, Traffic Sign program, Shade Tree Commission, Streets and Fleet, took on the added responsibility for the day to day operation of the Solid Waste Division.

At the time he received responsibility for an additional department, Mr. Ruyak received an increase in his pay on an acting basis of \$6,000 per year. When the decision was made to permanently assign the Solid Waste Operations to Mr. Ruyak at the end of 2014, the intention was to permanently adjust Mr. Ruyak’s base pay in the budget to incorporate the acting pay he had been receiving. At the direction of Mr. Bembenick, then Administration Services Director, and without the knowledge of either Mr. Johnson or myself, HR processed the elimination of the Acting Pay but failed to process the permanent increase for Mr. Ruyak.

REVIEWED BY

Director of Public Works, Managing Director and Mayor

Drafted by	City Clerk/Managing Director
Sponsored by/Referred by	Managing Director
Introduced on	N/A

RESOLUTION NO. _____ 2015

INCREASING THE SALARY OF DAVID RUYAK, PUBLIC WORKS OPERATIONS DIVISION MANAGER BY \$6,000 FOR TAKING ON THE DUTIES AND FUNCTIONS OF THE CURBSIDE WASTE MANAGER

WHEREAS, David Ruyak is currently the Operations Division Manager in the Public Works Department; and

WHEREAS, since 2014 Mr. Ruyak has taken on the duties and functions of the Curbside Waste Division Manager; and

WHEREAS, as those responsibilities have become a permanent part of his duties the City of Reading wants to compensate Mr. Ruyak taking on these additional duties.

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

That the salary of David Ruyak, Operations Division Manager, Public Works Department, shall be increased by SIX THOUSAND DOLLARS (\$6,000.00) per annum, effective retroactively to January 1, 2015.

Adopted by Council _____, 2015

President of Council

Attest:

City Clerk