



# ***CITY COUNCIL***

## ***Meeting Agenda***

***REGULAR MEETING  
COUNCIL CHAMBERS***

***MONDAY, AUGUST 10, 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](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. John Francis, Christ Episcopal Church

### **C. PLEDGE OF ALLEGIANCE**

### **D. ROLL CALL**

The purpose of the Executive Session on Monday, August 10 was related to \_\_\_\_\_.

## **2. PROCLAMATIONS AND PRESENTATIONS**

- Council commendation

## **3. PUBLIC COMMENT – AGENDA MATTERS:**

*Citizens have the opportunity to address the Council, by registering with the City Clerk by 5 pm on the day of the scheduled Council meeting or by legibly printing their name, address and the subject matter to be discussed on a sign-up sheet found on the podium in Council Chambers between 5 pm and 7 pm on the day of the scheduled meeting. All remarks must be directed to Council as a body and not to any individual Council member or public or elected official in attendance. Any person making personally offensive or impertinent remarks or any person becoming unruly while addressing Council may be called to order by the Presiding Officer and may be barred from speaking before Council, unless permission to continue speaking is granted by the majority vote of Council.*

*All comments by the public shall be made from the speaker's podium. Citizens attending the meeting may not cross into the area beyond the podium. Any materials to be distributed to Council must be given to the City Clerk before the meeting is called to order.*

*Those commenting on agenda business shall speak at the beginning of the meeting and shall limit their remarks to 5 minutes. Those commenting on general matters shall speak after the legislative business is concluded and shall limit their remarks to 3 minutes. No comments shall be made from any other location except the podium, and anyone making "out of order" comments may be subject to removal. There will be no demonstration, including applause or cheering, at the conclusion of anyone's remarks. Citizens may not ask questions of Council members or other elected or public officials in attendance.*

## **4. APPROVAL OF AGENDA**

**A. MINUTES:** Regular meeting of July 27, 2015

**B. AGENDA:** Regular Meeting of August 10, 2015

## **5. Consent Agenda Legislation**

### **A. Award of Contract –**

**B. Resolution -** respectfully requesting that the Pennsylvania DEP work with U.S. EPA officials to develop a plan to reduce carbon pollution from Pennsylvania's power plants to

exceed its Clean Power Plan target, and that maximizes the potential for renewable energy and energy efficiency

**6. ADMINISTRATIVE REPORT**

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

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

**9. ORDINANCES FOR FINAL PASSAGE**

**Pending Additional Review Required**

**Bill No. 31-2015** – Amending Chapter 5 Administrative Code of the City Code Part § 5-303 entitled “Severance” by addressing accrued vacation time for Department Directors *Introduced at the June 8 regular meeting*

**Bill No. 32-2015** – 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 *Introduced at the June 8 regular meeting*

**Pending Required Notice and Public Hearing**

**Ordinance** – authorizing the extension of the Downtown Improvement District (DID) for a five year period and authorizing the execution of the agreement between DID and the City *Introduced at the July 27 regular meeting; Advertisement scheduled for August 3<sup>rd</sup>*

**A. Bill No. 41-2015** – amending City Code Chapter 576 “Vehicles And Traffic,” Part 5 “Parking Meters” to add kiosks as an acceptable type of parking meter, to add electronic payment as an acceptable form of payment for parking and to authorize the Reading Parking Authority, by resolution, to lower the maximum rates established by the City of Reading and establish the periods of time for parking *Introduced at the July 27 regular meeting; Advertised August 3<sup>rd</sup>*

**B. Bill No. 42-2015** – amending Chapter 212 Part 144. Vehicles and traffic by adding a maximum per hour parking rate *Introduced at the July 27 regular meeting; Advertised August 3<sup>rd</sup>*

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

**A. Ordinance** – amending the Fee Schedule, City Code Chapter 212, Section 123 Police Department, by reducing the cost of a certified police report to that mandated by the State  
*Advertisement scheduled for Aug 17<sup>th</sup>*

**B. Ordinance** – amending the Fee Schedule, City Code Chapter 212, Section 140, Streets and Sidewalks Pavement Restoration, Premature Degradation and Steel Plate Fees  
*Advertisement scheduled for Aug 17<sup>th</sup>*

**C. Ordinance** – amending the City Code, Chapter 295, Historical and Conservation Districts by adding regulations relating to the installation of gas meters within historic districts  
*Advertisement scheduled for Aug 17<sup>th</sup>*

## **11. RESOLUTIONS**

**A. Resolution** – reappointing Elsayed Elmarzouky to the Police Civil Service Board

**B. Resolution** – appointing Pamela Johnson to the Police Civil Service Board

**C. Resolution** – appointing Zelda Yoder to the Human Relations Commission

**D. Resolution** – appointment of Council President

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

*Please see public speaking rules on second page*

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

## **14. COUNCIL MEETING SCHEDULE**

### **Monday, August 10**

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

*Regular Meeting – Council Chambers – 7 pm*

### **Thursday, August 13**

*Conditional Use Hearing – 508 N 9<sup>th</sup> St – Council Chambers – 5 pm*

### **Monday, August 17**

*Nominations & Appointments Committee – Council Office – 4 pm*

*Conditional Use Hearing – 549 N 10<sup>th</sup> St – Council Chambers – 5 pm*

*Finance Committee – Council Office – at conclusion of hearing*  
*Standards of Living Committee – Council Office – at conclusion of hearing*

**Monday, August 24**

*Committee of the Whole – Council Office – 5 pm*  
*Regular Meeting – Council Chambers – 7 pm*

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

**Monday, August 10**

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

**Tuesday, August 11**

Water Authority Workshop – Water Authority Office – 4:30 pm  
District 11 Crime Watch – Orthodox Presbyterian Church – 7 pm

**Wednesday, August 12**

Zoning Hearing Board – Council Chambers – 5:30 pm  
Center City Community Organization – Holy Cross Church – 6 pm

**Thursday, August 13**

Police Pension Board – 3<sup>rd</sup> floor conference room – 9:30 am  
Outlet Area Neighborhood Assn – St Mark’s Lutheran Church – 6:30 pm

**Monday, August 17**

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

**Tuesday, August 18**

Fire Civil Service Board – Penn Room – 3 pm  
HARB – Penn Room – 6:30 pm  
Charter Board – Council Chambers – 7 pm

**Wednesday, August 19**

O & E Pension Board – Penn Room – 1:30 pm  
Redevelopment Authority – Redevelopment Authority Office – 5 pm  
Stadium Commission – Stadium RBI Room – 7 pm

**Thursday, August 20**

Blighted Property Review Committee – Council Chambers – 6 pm

**Friday, August 21**

Fire Pension Board – Penn Room – 10 am

**Monday, August 24**

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

**City of Reading City Council  
Regular Meeting  
July 27, 2015**

Council Vice President Waltman called the meeting to order.

The invocation was given by Councilor Chris Daubert.

All present pledged to the flag.

The Committee of the Whole meeting held before the start of this meeting did not include an executive session.

**ATTENDANCE**

Councilor Daubery, 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  
Solicitor C. Younger  
City Clerk L. Kelleher  
Managing Director C. Snyder  
Mayor V. Spencer

**PROCLAMATIONS AND PRESENTATIONS**

The following were issued:

- Council commendation L'Officiel Family Hair Center, accepted by Gerald Sauppee
- Council commendation recognizing Recreation Month, accepted by Reading Recreation Commission Executive Director Daphne Klahr
- Council commendation for Dale Sweigart, President of the Hillside Playground Association
- Presentation of check to Rec Commission by Hillside Playground Assoc.

**PUBLIC COMMENT**

Council Vice President Waltman stated that there are five (5) 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 participation regulations adopted by Council to those present.

**Ricardo Nieves, of Northmont Blvd,** was not present.

**Brenda Kasprewski, of Seiberts Court,** deferred to Justus James.

**Richard Kasprewski, of North 5<sup>th</sup> Street,** stated that AFSCME employees were originally told that Act 47 would benefit employees. He expressed the belief that there is no benefit to employees, as there have been wage freezes and positions cut resulting in underpaid and overworked employees, as remaining employees have had to absorb the duties of the eliminated positions. He also noted that in addition to pay freezes employees have had to also absorb increases in various expenses such as parking and health care fees. He stated that originally AFSCME was told that they need to feel the pain.

**Felix Freytiz, of Carroll Street,** stated that he is currently President of AFSCME 2763 and he asked the administration to respond to this question - When will the elimination of rank and file positions end?

**Justus James, of AFSCME,** stated that there are currently 56 rank and file positions unfilled, which impedes Public Work's ability to perform basic public services. He stated that management salary increases were generated from unfilled management positions. He inquired why AFSCME cannot use the savings from the 56 unfilled positions to provide salary increases to AFSCME employees.

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

Council Vice President Waltman called Council's attention to the minutes of the July 13<sup>th</sup> meeting, and to the agenda for this meeting. He stated that the Resolution making the appointment to RAWA is withdrawn.

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

### **Consent Agenda**

**A. Award of Contract** – for Construction Management and Project Management at the Wastewater Treatment Plant

**B. Resolution 64-2015** – authorizing the Mayor to sign and submit a Commonwealth Financing Authority Multimodal Transportation Fund Program Grant application to request funding (\$910,099.00) of the total project cost (\$1,820,197.00) for improvements to be made at the Schuylkill River Trail ***Tabled at July 13<sup>th</sup> regular meeting***

**C. Resolution 66-2015**– authorizing the submission of a Commonwealth Financing Authority Multimodal Transportation Fund Program Grant application to request funding (\$1,051,500.00) of the total project cost (\$1,500,000.00) for improvements to be made at Skyline Drive. ***Tabled at July 13<sup>th</sup> regular meeting***

**D. Resolution 69-2015** - providing CDBG HOME Funding for the Homes at Riverside at \$100,000 from available FY 2014 funding and moving \$100,000 of funds allocated to Habitat for Humanity to FY 2015.

## **ADMINISTRATIVE REPORT**

The mayor read the report distributed to Council at the meeting. In summary:

- The Fire Department did not respond to any working fires over the past few weeks; however, they did assist with working fires in two neighboring municipalities
- Smoke Detectors can be obtained from the Fire Marshall

## **AUDITOR'S REPORT**

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

- 2015 Admissions Tax
- 2015 Franchise Fee collection
- 2015 Pension Audit showing 734 retirees in 2015, compared to 719 in 2014

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

None.

## **ORDINANCES FOR FINAL PASSAGE**

### **Pending for Further Review**

**C. Bill No. 33-2015** – Amending Chapter 5 Administrative Code of the City Code Part § 5-303 entitled “Severance” by addressing accrued vacation time for Department Directors

**D. Bill No. 34-2015** – 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.

**A. Bill No. 37-2015** - re-enacting local firearms regulations, in part, located within Chapter 219 and repealed by Bill No. 2-2015 *Introduced at the July 13 regular meeting*

**Councilor Daubert moved, seconded by Councilor Reed, to enact Bill No. 37-2015.**

Councilor Goodman-Hinnershitz stated that the reinstatement of these local regulations does not prohibit the use of a firearm for the “defense of person or property”. She stated that the local regulations speak to the haphazard use of firearms. The Solicitor affirmed.

**Bill No. 37-2015 was enacted by the following vote:**

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

**Nays: – None - 0**

**B. Bill No. 38-2015** - authorizing the transfer of \$4,417,085.00 from Fringe Benefits accounts ending in 4900 that include other Post Employment benefits to accounts ending in 4914 to identify both medical and prescription expense benefits associated with retired employees. This transfer has zero effect on All Funds Budgeted Spending *Introduced at the July 13 regular meeting*

**Councilor Reed moved, seconded by Councilor Daubert, to enact Bill No. 38-2015.**

The Managing Director stated that this amendment will separate retiree health care costs from that of active employees which will aid in the ongoing analysis of these expenses.

**Bill No. 38-2015 was enacted by the following vote:**

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

**Nays: – None - 0**

**C. Bill No. 39-2015** - amending the City Code, Chapter 5 Administrative Code, Section 5-701 Duties of City Health Officer as attached *Introduced at the July 13 regular meeting*

**Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 39-2015.**

The Managing Director explained that these changes modernize the duties of the health officer so they are in compliance with current legislation.

Councilor Goodman-Hinnershitz complimented City staff for recognizing the need to include hoarding in the health officers duties.

**Bill No. 39-2015 was enacted by the following vote:**

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

**Nays: – None - 0**

**D. Bill No. 40-2015** - amending the City of Reading Code of Ordinances, Chapter Street 508 Streets and Sidewalks, Part 7 Street Cut Permits, as attached in Exhibit A ***Introduced at the July 13 regular meeting; Advertised July 20<sup>th</sup>***

**Councilor Reed moved, seconded by Councilor Daubert, to enact Bill No.40-2015.**

The Managing Director stated that this amendment addresses, in part, gas meter relocation and the concerns expressed by residents at the last meeting. She stated that this amendment is the first step in addressing this multifaceted issue.

Councilor Goodman-Hinnershitz noted the need to observe how UGI performs the meter relocations in other municipalities.

Council Vice President Waltman announced that the citizen/staff group will meet again next Tuesday to continue working on this issue. He thanked City staff for their work on this complicated issue. He noted the need for the administration to take the lead on this issue.

**Bill No. 40-2015 was enacted by the following vote:**

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

**Nays: – None - 0**

## **INTRODUCTION OF NEW ORDINANCES**

Councilor Goodman-Hinnershitz read the following ordinances into the record:

**A. Ordinance** - re-enacting local firearms regulations, in part, located within Chapter 219 and repealed by Bill No. 2-2015

**B. Ordinance** - authorizing the transfer of \$4,417,085.00 from Fringe Benefits accounts ending in 4900 that include other Post Employment benefits to accounts ending in 4914 to identify both medical and prescription expense benefits associated with retired employees.

This transfer has zero effect on All Funds Budgeted Spending

**C. Ordinance** - amending the City Code, Chapter 5 Administrative Code, Section 5-701 Duties of City Health Officer as attached

**D. Ordinance** - amending the City of Reading Code of Ordinances, Chapter Street 508 Streets and Sidewalks, Part 7 Street Cut Permits, as attached in Exhibit A.

## RESOLUTIONS

**A. Resolution 70-2015** – reappointing William Harst to the Zoning Hearing Board

**B. Resolution 71-2015** – reappointing Heminton Candelario-Urena to the Blighted Property Review Committee

**Councilor Marmarou moved, seconded by Councilor Daubert, to adopt Resolution Nos. 70 and 71-2015.**

Councilor Goodman-Hinnershitz noted the skills of those being reappointed.

Councilor Reed stated that Mr. Urena has been a contributing member of the BPRC almost since its inception.

**Resolution Nos. 70 and 71-2015 was adopted by the following vote:**

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

**Nays: None - 0**

## COUNCIL COMMENT

Councilor Marmarou stated that the CHCC is holding a National Night Out celebration on Tuesday, August 4<sup>th</sup> from 6-8 pm at College Manor pool.

Councilor Goodman-Hinnershitz noted the importance of recreation to build a strong community. She congratulated the Reading Rec Commission and Ms. Klahr on their many successes. She noted the positive logo on the tee shirts “I make Reading look good”. She stated that good recreation programs benefit kids who go on to be tomorrow’s leaders.

Councilor Reed provided an update on the activities of Crime Watch and the Penn Street Posse.

Councilor Sterner thanked the Rec Commission for all they do to provide positive programming for all citizens. He noted that it is unfortunate that the Hillside Playground Association is ending. He stated that those in the Association did a great job for many years. He thanked those who stepped up to perform those services.

Councilor Reed described the great effort that include several people, along with the RHS Girls Basketball team this past Sunday on Penn Street.

Council Vice President Waltman congratulated Reading Pride for the great celebration in Centre Park two Sundays ago. He also thanked Public Works for their assistance in readying the Park for the Celebration.

Council Vice President Waltman announced the upcoming Council meeting schedule.

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

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

|   |                   |
|---|-------------------|
| Drafted by  | Deputy City Clerk |
| Sponsored by/Referred by Environmental Advisory Council |                   |

**Resolution \_\_\_\_\_-2015**

WHEREAS, the National Climate Assessment has identified extreme precipitation, flooding, declining air quality, extreme temperature changes which deviate from historical norms, and more as observed impacts of climate change in Pennsylvania and in Reading; and

WHEREAS, the City of Reading Environmental Advisory Council has been working toward sustainability in the City of Reading by encouraging residents’ use of rain barrels and by creating steep slope and riparian buffer regulations; and by encouraging and removing barriers to the installation of alternative energy systems; and

WHEREAS, numerous authoritative scientific bodies, including the US Global Change Research Program, American Association for the Advancement of Science, and the Intergovernmental Panel on Climate Change have recognized that carbon pollution created by the burning of fossil fuels is contributing to global warming; and

WHEREAS, Pennsylvania’s power plants are its largest source of carbon pollution, contributing to 44% of its total according to Penn Environment Research and Policy Center’s 2012 report “America’s Dirtiest Power Plants”; and

WHEREAS, the U.S. Supreme Court ruled in *Massachusetts v. EPA* (2007) that greenhouse gases are “air pollutants” as defined by the Clean Air Act and the Environmental Protection Agency has the authority to regulate them; and

WHEREAS, the Environmental Protection Agency’s proposed Clean Power Plan sets a target of reducing the carbon emissions rate from Pennsylvania’s power plants for the commonwealth of Pennsylvania 32% by 2030; and

WHEREAS, the Clean Power Plan gives Pennsylvania the opportunity to design its own plan to meet its carbon reduction targets by investing in renewable energy and energy efficiency; and

WHEREAS, energy efficiency and renewable energy like wind and solar are proven, cost-effective alternatives to burning fossil fuels; and

NOW, THEREFORE, BE IT RESOLVED that the City of Reading respectfully requests that the Pennsylvania Department of Environmental Protection work with U.S. Environmental Protection Agency officials to develop a plan to reduce carbon pollution from Pennsylvania’s power plants to exceed its Clean Power Plan target, and that maximizes the potential for renewable energy and energy efficiency.

Adopted by Council \_\_\_\_\_, 2015

Francis G. Acosta  
President of Council

Attest: \_\_\_\_\_  
Linda A. Kelleher, City Clerk

|                          |                             |
|--------------------------|-----------------------------|
| 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 without **documented** just cause. Any department director terminated without **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 without **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 without **documented** just cause. Any department director terminated without **documented** 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 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 just cause or maintain the termination without **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 DOCUMENTED JUST 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 documented just cause. Any career employee terminated for reasons other than documented 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 which had been earned prior to termination.**

- (2) Termination without documented just cause. Any career employee terminated without 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) Health benefits. Any career employee 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 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 without 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 without documented just cause.**

- (3) Notice of termination without documented just cause. Any career employee terminated without documented just cause shall be provided with a written notice of proposed termination which contains the reasons and factual basis for such action.**
- (4) 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 documented just cause or maintain the termination without 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: \_\_\_\_\_

August 6, 2015

Francis G. Acosta, President  
City Council, City of Reading  
815 Washington Street  
Reading, PA 19601

Re: Reading Downtown Improvement  
District Authority

Our File No. 110324-1

Dear Mr. Acosta:

This law firm serves as Solicitor for the Reading Downtown Improvement District Authority (DID Authority). We ask that the re-establishment and re-authorization of the DID Authority be placed on the agenda for discussion at the July 27, 2015 meeting of City Council.

This has become necessary for two reasons. The DID Authority has a sunset date of December 31, 2015. If it is not re-established, the DID Authority will cease to exist. Further, under the Neighborhood Improvement District Act, under which the DID Authority was re-established in 2005, the DID is authorized as the Neighborhood Improvement District Management Association (NIDMA), to administer the programs of and services offered by the DID Authority, and this must be re-authorized in order for the work of the DID Authority to continue.

This letter shall serve as our request for: 1) the re-establishment of the current Downtown Improvement District and an expanded area described in the proposed Ordinance as a Neighborhood Improvement District, with no decrease in the current level of City services in the Downtown Improvement District area; 2) the re-authorization and re-establishment of the DID Authority as set forth in the Ordinance; and, 3) the continued designation of the Reading Downtown Improvement District Authority as the NIDMA and administrator for the Main Street Program.

If you have any questions, please feel free to contact me at any time. Thank you in advance for your attention to this matter.

Very truly yours,

KOZLOFF STOUDT

Professional Corporation

Joan E. London

/JEL

cc: Charles R. Broad, Exec. Dir., Reading DID



## Reading Downtown Improvement District

# PRELIMINARY PLAN

January 1, 2016 to December 31, 2020

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### **I. MISSION STATEMENT**

To create a vital, productive, and commercially active environment in downtown Reading.

### **II. INTRODUCTION**

The Reading Downtown Improvement District (DID) was created in 1995 in response to employees' and business owners' repeated requests for a cleaner, safer downtown Reading. For nearly twenty years Reading DID has provided services which are beyond the capabilities of the municipality and yet critical to the economic growth and success of the City of Reading. Through a special assessment, levied upon all commercial properties within the District, downtown Reading is a cleaner, safer and more inviting place to live, work and visit. Although a sunset provision included in the initial 1995 Plan limited DID authority to five years, in June of 2000 80% of eligible property owners voted in favor of a five-year extension through June 30, 2005. In 2005 eligible property owners voted in favor of a ten-year reauthorization and expansion of the DID. This year, assessed property owners will determine whether DID should continue for 5 more years. This document is the preliminary plan for Reading DID and outlines accomplishments, proposed changes and required renewal procedures.

### **III. BACKGROUND**

The Reading Downtown Improvement District Authority (RDIDA) was organized pursuant to the Business District Authority Act of 1980, an amendment to the Municipalities Authority Act of 1945. The 1980 legislation granted Business District Authorities the power to designate improvement districts within commercial areas, develop a plan for specific improvements and, with the approval of the municipal governing body, to levy special assessments to pay their costs. In January 1995, Reading City Council adopted Ordinance 134-95 establishing the Reading DID. At the time, Council recognized that the participation of such an authority downtown was "desirable for the entire City of Reading to preserve and improve the economic vitality of the central business district." Prior to Council adoption of an ordinance approving the DID Final Plan in July 1995, over 40 meetings were held with business and property owners in the DID area. The services Reading DID provides to downtown Reading were established in those meetings.

In October 2000, following an overwhelmingly favorable vote by District property owners, City Council passed Ordinance 20-2000, approving the DID Renewal Plan and extending the improvement district for a second five-year term.

In 2005 Reading DID undertook another renewal campaign in which property owners determined DID should continue, based on past performance for 10 years. The renewal expanded its territory east to City Park, north on Fifth Street to Elm Street, adding nearly 200 new properties including GoggleWorks Center for the Arts, and the new BARTA parking garage on Franklin Street. Pursuant to the Neighborhood Improvement District Act of 2000 (NID), Reading City Council restructured the DID as a Neighborhood Improvement District and the Reading Downtown Improvement District Authority as the NID Management Association (NIDMA) for the District. The familiar Reading DID name and logo remained.

Reading DID is now conducting another reauthorization campaign in which property owners will decide whether DID should continue based upon its past performance and proposed changes. Services currently provided by Reading DID will be maintained and expanded. Existing services and proposed changes are more fully described in the following sections.

#### **IV. DISTRICT DESCRIPTION**

BEGINNING at the intersection of Washington Street and North Second Street; along North Second Street to Walnut Street to North Third Street to Washington Street to Madison Avenue; to Elm Street excluding 430, 432 and 438 Elm Street; along Elm Street to Church Street to Walnut Street to Poplar Street to Washington Street to Moss Street to Court Street, excluding 906, 908, 910, 912, 914, 916, 918 and 920 Washington Street and 40 Moss Street; along Court Street to North Eleventh Street, excluding 11, 15, 17, 19, 21 and 23 North Tenth Street and 24, 22, 20, 18, 16, 14, 12, 10 and 6 North Eleventh Street; along North Eleventh Street crossing Penn Street to South Eleventh Street; along South Eleventh Street to Cherry Street to South Ninth Street, excluding 1013 Cherry Street, 25, 23, 21, 19, 17, 15, 13, 11 and 9 South Tenth Street, 915, 913, 911, 909, 907 Cherry Street, 914 rear Penn Street, and 25, 23, 21, 19, 17 and 13 South Ninth Street; along South Ninth Street to Franklin Street to South Seventh Street to Chestnut Street to Plum Street to Franklin Street, including 112 and 108 Plum and 614, 618 and 622 Franklin Street; along Franklin Street to Pearl Street excluding 514, 516, 518, 520, and 522 Franklin Street; along Pearl Street to Chestnut Street to Wood Street, excluding 521, 519, 517, 433, 431, 429, 427, 425 and 421 Chestnut Street; along Wood Street to Franklin Street to South Fourth Street to Cherry Street to Carpenter Street to South Third Street, excluding 341, 339, 337, 335, 333, 331, 329 and 327 Franklin Street and including 30 South Fourth Street; continuing along Cherry Street to South Second Street to Franklin Street, excluding 27, 25, 23, 21, 19, 17, 15, 13 and 11 South Second Street; along Franklin Street to South Front Street to North Front Street to Washington Street to North Second Street, place of BEGINNING.

#### **V. TERM**

The RDIDA will operate for five years from **January 1, 2016** through **December 31, 2020**.

#### **VI. FUNDING**

Funding for DID services comes from several sources, primarily a special assessment fee based on total property value assessments, but also cash and in-kind contributions, fee-for-special services, and marketing efforts. In 1995 the assessment fee rate was established at 3.747 mills. The rate was increased

in 2001 to 4.754 mills and renewed at that same rate in 2005. The current assessment rate of 4.754 mills is proposed to change in 2016 to 5.327 mills, which is a 12.03 % increase. Since the rate has not increased for 15 years, that is an increase of 0.8% per year.

The 2016 estimated assessment income from the 414 assessable properties in the DID will be approximately \$565,600. Of the \$325,471,900 total property assessment in the DID, \$218,212,300 or 67.04%, encompasses tax-exempt properties. Owners of these tax-exempt properties will be encouraged to provide a financial contribution or in-kind services to the DID Authority in lieu of having their properties assessed. The billing and collection of property owner assessments will be performed by the DID Authority with assistance from the City of Reading Tax Administration and Solicitor offices. All owner-occupied residential properties will be exempt from paying an assessment fee.

Reading DID has been and will continue to be aggressive in securing funds for enhanced programming and improvements through local, state and federal grants. Pennsylvania Department of Community and Economic Development grant opportunities, such as the Main Street, Elm Street, and Housing and Redevelopment Assistance programs, will be pursued. Reading DID will also seek federal Community Development Block Grant funds. No streetscape or other physical improvements are proposed.

**VII. 2016 BUDGET SUMMARY**

| <b>REVENUE:</b>             |                  | <b>EXPENSES:</b>                |                  |
|-----------------------------|------------------|---------------------------------|------------------|
| Assessments                 | \$565,600        | Administration                  | 58,250           |
| Fees for Services/Contracts | 156,750          | Personnel                       | 182,100          |
| Tax Exempt Contributions    | 43,000           | <b>PROGRAMS &amp; SERVICES:</b> |                  |
|                             |                  | Marketing & Promotion           | 50,000           |
|                             |                  | Ambassador Services             | 475,000          |
|                             |                  | Capital Expenditures            | 0                |
| <b>TOTAL REVENUE:</b>       | <b>\$765,350</b> | <b>TOTAL EXPENSES:</b>          | <b>\$765,350</b> |

**VIII. SERVICES CURRENTLY PROVIDED BY DID:**

- **Ambassador Services** – DID has a team of Ambassadors who are focused on the areas of safety, environmental maintenance and hospitality/guide services. The Ambassadors are easily recognized by their uniforms (bright red shirts/jackets and khaki pants). These uniforms allow downtown workers, residents and visitors to quickly identify the Ambassadors should they need assistance with safety, maintenance or other related matters.

**Safety-related assignments** are carried out in a variety of ways:

- Foot patrols
- Bicycle patrols
- Segway® patrols
- Business security checks

- Parking facility patrols
- Personal safety escorts
- “Quality of Life” interactions
- Special event security
- Social service outreach and referral
- Crime prevention education
- Information sharing with law enforcement personnel

**Environmental Maintenance** – This encompasses the following:

- Manual cleaning -- broom and pan
- Mechanical cleaning – vacuum and pavement scrubbing
- Graffiti and handbill removal
- Pressure washing
- Leaf removal
- Snow and ice removal
- Weed abatement

● **Hospitality/Guide Services** – These services include:

- Furnish information
- Provide directions
- Respond to service requests

● **Special Events Planning and Implementation** – DID oversees the planning and implementation of several special events during the course of the year, including:

- Holiday Parade
- Holiday tree lighting ceremony
- MidDay Cafes
- Scarecrow contest
- Fire + Ice Fest

DID also works in conjunction with other public authorities, agencies, governmental bodies and private enterprises on a variety of projects and activities related to the improvement of downtown. Among those we partner with are:

- City of Reading Community Development Department
- City of Reading Public Works Department
- Reading Parking Authority
- Reading Redevelopment Authority
- Wyomissing Foundation
- Berks County Community Foundation
- Greater Reading Chamber of Commerce & Industry
- Go Greater Reading
- Berks Community Television
- GoggleWorks
- Berks County Commissioners
- State Representative Tom Caltagirone
- Reading Eagle Company
- Santander Arena
- Santander Performing Arts Center
- Reading Musical Foundation
- Reading Symphony Orchestra
- Reading Area Community College

- Albright College
- Alvernia University

As evidenced by our extensive involvement in the downtown community, DID is deeply committed to the improvement and revitalization of downtown Reading. With the generous financial support from private benefactors, we can continue and expand on this mission now and in the future.

## **IX. SUMMARY OF 2014 ACTIVITIES**

2014 was a busy year for the Reading Downtown Improvement District (DID). From increased activity involving the Reading Main Street Program to planning a first-ever Fire + Ice Fest, DID was intently focused on programs and projects to rejuvenate downtown Reading.

Here's a summary of major activities for the year:

- **Main Street Program** – DID was designated as an accredited *National Main Street Program* for meeting the commercial district revitalization performance standards set by the National Main Street Center®, a subsidiary of the National Trust for Historic Preservation.

In addition, the Reading Main Street Board of Directors began meeting starting in August. The board is chaired by Jack Gulati, a local entrepreneur who has operated a variety of businesses and who currently owns the Reading Royals hockey team. Other board members are Ellen Horan, President and CEO of the Greater Reading Chamber of Commerce & Industry; Sean Moretti, who owns Destination Realty, LLC in Reading and is also a real estate broker; Brian Fichthorn, who is a financial project manager with Brentwood Industries and board president of Genesius Theatre; and John Kramer, Director Emeritus of the Center for Community Leadership at Albright College.

As part of the Main Street Program's initiatives, informational meetings were held with downtown business owners to make them aware of various benefits – including grant funding for physical improvements and marketing – that are part of the program. Special workshops were also held to assist business owners with such things as proper signage and creation of marketing plans.

**Ambassadors in Action** – DID's Ambassadors were on the go throughout the year, starting with January's harsh winter weather. Several storms kept the squad busy well into March with snow and ice removal. Ongoing efforts at trash removal yielded 20,572 bags of trash for the year, along with 4,518 bags of leaves that were collected within the District's boundaries between September and November.

As always, workers and residents in downtown Reading took advantage of the Ambassador service of escorting them to and from their vehicles. Nearly 500 calls were responded to during 2014. In addition, the Ambassadors checked in daily with dozens of businesses within the District as part of DID's business safety and awareness program. Those numbers totaled almost 14,000 for the year, which doesn't include 8,307 checks of Reading Parking Authority facilities.

Other duties performed by the Ambassador team included setup and tear-down during MidDay Cafes and special events, such as the first Scarecrow Contest that was held in the fall and Cups of Compassion that was conducted in December.

**Reading Fire + Ice Fest** – Planning for this major winter-time event began in the fall and carried through until the festival was held January 16-18, 2015 between the 400 and 600 blocks of Penn Street.

Funding for this first-ever event was provided in large part by a generous grant from the Hawley and Myrtle Quire Fund of the Berks County Community Foundation. Major support was also provided by the Reading Eagle Company and WEEU; Greater Reading Chamber of Commerce & Industry, Abraham Lincoln Hotel; the City of Reading; and Dean Frymoyer LLC. Several local companies also sponsored ice sculptures.

- Hundreds of people attended the festival, which featured ice carving exhibitions and competitions, large interactive ice sculptures, live music on stage at Fifth and Penn streets, a chili cook-off, and an informal Snowfall Ball. Based on feedback from the public, Reading Fire + Ice Fest was an unqualified success, and DID hopes to secure funding to hold the festival in 2016.
- **MidDay Cafes, Reading Holiday Parade, Holiday Tree Lighting Ceremony, Scarecrow Contest** – All of these are DID-sponsored annual events, except the Scarecrow Contest, which was held for the first time and attracted a lot of public and news media attention. Plans are to hold the contest again this fall and expand it to include more entries and additional autumn decorations. The other events attracted hundreds of participants and attendees to downtown Reading.
- **DID Newsletter** – Dormant for several years, the DID newsletter was revived and renamed “Destination: Downtown Reading!” The publication is distributed twice a month in print and electronic form, and features a variety of articles, including the latest happenings downtown and profiles of businesses in the District.

## **X. VISION**

As we move forward, the Reading Downtown Improvement District sees tremendous opportunity for rejuvenation of the city’s commercial core. There already are several urban amenities and organizations, in addition to DID, in place that position the city to achieve a greater level of economic prosperity and vitality. It’s a matter of “connecting the dots” to get to the next level and beyond.

Our focus will continue to be on the core mission of Safe, Clean and Green. At the same time, we would like to share a broader vision for downtown Reading and hope to play a key part in making that vision a reality by providing a physical environment that promotes change.

Studies have shown that vibrant downtowns are the focal point of the community at large and both draw in visitors and encourage them to explore neighboring points of interest and activity. That’s why it’s so important to re-invigorate downtown Reading, which ultimately will be to the benefit of outlying communities in Berks County.

From an arts, entertainment and education perspective, downtown Reading is experiencing a resurgence to some degree with impressive venues such as GoggleWorks Center for the Arts, IMAX theaters, The Miller Center for the Arts, Santander Arena, and Santander Performing Arts Center. There are two notable hotels – the history-steeped Abraham Lincoln Hotel and the soon-to-open DoubleTree Hotel. The downtown landscape is rich with restaurants both large and small, including The Peanut Bar, Judy’s on Cherry, Panevino’s, Outside In, Mi Casa Su Casa, Pauline’s Soups, Russo’s Pizza, and many more. Housing opportunities include Manor at Market Square to Washington Towers to GoggleWorks Apartments. Downtown is also home to major private employers such as Santander Bank and Wells Fargo Bank, as well as county and state employers.

But there’s no room to sit on the laurels of this success. Much more can, and needs, to be accomplished. We envision downtown as being a vibrant marketplace, neighborhood, business center and public gathering space for the people of Greater Reading. The public streets and courtyards will be bustling with organized events, street vendors, outdoor cafes and sidewalk sales. New residential construction will add to this buzz and create a great environment for evening activities and entertainment at the previously mentioned facilities, not to mention new ones that will open as a result of this revival. Property owners will upgrade existing retail spaces, and entrepreneurs will be drawn to downtown to create new office space, which in turn will attract a larger number of employees.

Key to this vision is a cohesive collaboration between private and public entities. Strong alliances between businesses and local governing bodies are crucial to success. Other elements that will play a critical role in the revival include:

- Attracting people to live downtown. Across the nation, there exists concrete evidence that shows downtown residents spur economic activity in areas where they live. From restaurants to clothing stores to cultural/entertainment venues, these residents are in need of businesses and attractions that are conveniently located and within walking distance of their homes. Housing should be made available for professionals who have expendable income and are looking to spend their money in the neighborhoods where they reside.

Recent research in North Carolina found that for every unit of housing added to a downtown, between \$7,000 and \$19,000 of investment downtown is generated just in spending by that resident.

- Make downtown more pedestrian friendly. This needs to be a high priority. A sense of place is best experienced on foot. One cannot appreciate the amenities offered by a downtown while sitting in a vehicle. If sidewalks are well lit and perceived as safe and comfortable, it makes the downtown a desirable, appealing place. This leads to more human activity and in turn attracts even more activity, since people are drawn to lively places. It’s especially important to create this pedestrian-appealing environment so that those working downtown will be more inclined to remain in the area after work and enjoy all that it has to offer, from interesting boutiques and specialty shops to appealing restaurants and cafes.
- Better use of open public spaces. These include Penn Square, along the riverfront, City Park, and several spacious courtyards such as the one at Sixth and Penn streets. From music fests to art shows, these spaces are superb locations to stage numerous events and activities and increase pedestrian traffic and community interaction.

- A more concerted effort is needed between public and private entities to attract new businesses downtown and fill in the vacant gaps that currently exist. A stronger retail base is necessary, along with new employers both large and small.
- Establishment of high speed rail service between Philadelphia to Reading should be a priority. This goes hand-in-hand with the first element of attracting people to live downtown. Such service would encourage professionals from the Philadelphia environs to reside in the downtown Reading area, where housing and cost of living would be significantly less than in Philadelphia.
- The city needs to build upon its cultural and arts opportunities and venues. Numerous studies have shown that a direct correlation exists between these offerings and the vibrancy of a downtown's commercial core. The recent announcement of a five-year deal to bring an international arts conference to the GoggleWorks is a great opportunity for the downtown and hopefully will spur more activity in the future.
- A robust façade improvement program is necessary to bolster the outward appearance of the commercial corridor. Attractive facades will create a more inviting, effervescent atmosphere for the downtown and have proven to increase retail and business traffic.

Elevating downtown Reading to greater levels of economic prosperity is going to take time and patience. But it also demands intense focus, drive and determination on the part of both public and private enterprise, as well as a cohesive approach and a unified vision for the future. We're confident all of this can be achieved for the greater good of downtown.

## **XI. PROCEDURE/TIMELINE**

Reading DID will follow a similar process (outlined below) for this restructuring as for the previous renewal in 2005. Only legal owners of assessed properties within the district will be eligible to approve the five-year Reading DID plan.

1. RDIDA prepared and mailed preliminary plan; Reading City Council will adopt restructuring ordinance and services agreement with City of Reading for renewal period.
2. Advertise and hold public hearing(s) for preliminary plan.
3. Prepare and mail final plan; advertise and hold public hearing for final plan. Begin 45 day voting period.
4. Reading City Council adopts Ordinance approving final plan. A negative vote by 40% or more of eligible property owners is required to defeat the renewal of Reading DID. An objection shall be registered in writing, signed by the property owner, with the Reading City Clerk within 45 days of the presentation of the final plan. Each eligible property owner shall be entitled to one vote for each parcel of land owned.

## **XII. TESTIMONIALS**

"I must let you know how fantastic your entire staff is and how they make a difference in downtown Reading. I work for Santander Bank at 601 Penn Street and have worked at that building and the building at the corner of 6<sup>th</sup> & Washington for 30 years and am so proud and grateful of how your staff does their best to keep the areas safe and clean for all of us.

As I was leaving 601 around 7:30 last night, Charles Hunt (I hope I remembered his name correctly) was sweeping up trash (mostly cigarette butts) and the guy had a huge smile on his face and

pleasantly said “Good evening – have a great rest of your day.” I thanked him for that and for keeping our city clean. Well, after my long day, he made mine!”

**Julie Santers – Senior Vice President in the Compliance Risk Management Department at Santander Bank**

“We’re very fortunate at Mi Casa Su Casa to have the Reading Downtown Improvement District as a ‘business partner.’ DID has given us so many opportunities to promote and expand our restaurant business. And we can’t say enough about the cleaning and safety services offered by the DID Ambassadors. Downtown Reading is very fortunate to have such an active organization supporting the commercial community.”

**Johanny Cepeda, Owner, Mi Casa Su Casa Café (restaurant located at 320 Penn Street)**

“I have recently taken the bold move to relocate my business from Wyomissing to Downtown Reading. Upon request, I had the pleasure of meeting Chuck Broad and Carl Brown of the Reading Downtown Improvement District. They were able to address my primary concern of safety by describing the Ambassador Program. They also provided a wealth of information about the services and programs that the DID perform for the City of Reading. In turn, I was able to relay this information to my customer base and by doing so I was able to retain a customer who was thinking of leaving me due to their perception of safety.

As a business owner, I appreciated the care and attention that the DID not only gave to me and my business but I also appreciate what they are doing for the City of Reading. I am grateful to have this resource available to me as a business owner in downtown Reading.”

**Toni Reece, President, The PEOPLE Academy, Inc. and Founder of The PEOPLE Chronicles**

**XIII. LIST OF PROPERTIES**

See attached.

|                          |                   |
|--------------------------|-------------------|
| Drafted by               | DID Solicitor     |
| Sponsored by/Referred by | Council President |
| Introduced on            | July 27, 2015     |
| Advertised on            | August 3, 2015    |

CITY COUNCIL OF THE CITY OF READING

BERKS COUNTY, PENNSYLVANIA

ORDINANCE NO. \_\_\_\_\_ 2015

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF READING, BERKS COUNTY, PENNSYLVANIA, AMENDING BILL NO. 41-2005, TO AUTHORIZE THE RE-ESTABLISHMENT OF THE "CITY OF READING DOWNTOWN IMPROVEMENT DISTRICT AUTHORITY," PURSUANT TO THE NEIGHBORHOOD IMPROVEMENT DISTRICT ACT, 73 P.S. SECTION 831, *ET SEQ.*; RE-ESTABLISHING THE DOWNTOWN IMPROVEMENT DISTRICT AND ITS BOUNDARIES, APPOINTING THE READING DOWNTOWN IMPROVEMENT DISTRICT AUTHORITY AS THE NEIGHBORHOOD IMPROVEMENT DISTRICT MANAGEMENT ASSOCIATION AND AS PROVIDER OF MANAGERIAL AND ADMINISTRATIVE SERVICES FOR THE CITY MAIN STREET PROGRAM, ESTABLISHING A LIMITATION FOR ITS EXISTENCE, AUTHORIZING ASSESSMENTS, AND ESTABLISHING A COLLECTION PROCEDURE FOR LIENS, AND PROVIDING FOR A REPEALER

WHEREAS, the City Council of the City of Reading, Berks County, Pennsylvania, finds that the owners of properties including business, professional, commercial and residential properties in the core business district of the City of Reading desire a downtown that is attractive, clean, safe and friendly to residents, visitors and business invitees;

WHEREAS, the Commonwealth of Pennsylvania has adopted enabling legislation, specifically the Neighborhood Improvement District Act, 73 P.S. § 831, Act No. 2000-130, authorizing the creation of Neighborhood Improvement Districts to enable property owners in neighborhoods to provide services to their neighborhoods that supplement municipal services otherwise provided.

WHEREAS, the Neighborhood Improvement District Act provides for the assessment of property owners within the Neighborhood Improvement District to pay for those additional services;

WHEREAS, the current Downtown Improvement District Authority for the City of Reading, established pursuant to the Municipality Authorities Act of 1945, P.L. 382, No. 164, as amended, and Ordinance No. 41-2005, was re-authorized on July 1, 2005;

WHEREAS, the current Downtown Improvement District Authority for the City of Reading will terminate on December 31, 2015, pursuant to the sunset provision in its enabling Ordinance, unless it is re-authorized by the City Council;

WHEREAS, during the current period of the existence of the Downtown Improvement District Authority, the City Council established the Reading Main Street Program with support from the Pennsylvania Department of Community and Economic Development and the Pennsylvania Downtown Center under Ordinance No. 95-2010 for the purpose of elimination of blight and economic revitalization of Downtown Reading;

WHEREAS, by Ordinance No. 5-2013, City Council authorized the Reading Downtown Improvement District Authority Board to exercise fiduciary and administrative oversight over the Reading Main Street Program and authorized the Executive Director of the Reading Downtown Improvement District to act as the Program Manager for the Reading Main Street Program; and,

WHEREAS, the City Council of the City of Reading believes that the re-authorization and re-establishment of the Reading Downtown Improvement District Authority, with the Reading Downtown Improvement District Authority serving as the Neighborhood Improvement District Management Association for the Downtown Improvement District and as the provider of fiduciary and administrative oversight and as Program Manager for the Reading Main Street Program, is necessary and desirable to strengthen the downtown and improve the probability of success of businesses and the preservation of the amenities of life for residents and commercial occupants within the Downtown Improvement District.

**NOW THEREFORE BE IT ENACTED AND ORDAINED** by the City Council of the City of Reading, Berks County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

**SECTION 1. Re-Establishment of the Reading Downtown Improvement District Authority.**

The Reading Downtown Improvement District Authority (“Authority”), originally established by Ordinance No. 41-2005, titled “An Ordinance Authorizing the City of Reading to Organize an Authority to be Known as the “Reading Downtown Improvement District Authority,” and as amended (which amendments are incorporated by reference) is hereby re-established pursuant to the Municipality Authorities Act and the Neighborhood Improvement District Act, pursuant to the terms set forth herein.

**SECTION 2. Re-Establishment of Neighborhood Improvement District.** As authorized by Act 2000-130, 73 P.S. § 831 *et seq.* known as the Neighborhood Improvement District Act of 2000 (hereinafter the “Act”), Authority, as re-established, shall be organized and exist for the purposes of providing cleaning, maintenance, and security, as well as other services as authorized, in the area

described hereinbelow, which shall be known as the “Reading Downtown Improvement District” (“District”):

BEGINNING at the intersection of Washington Street and North Second Street; along North Second Street to Walnut Street to North Third Street to Washington Street to Madison Avenue; to Elm Street excluding 430, 432 and 438 Elm Street; along Elm Street to Church Street to Walnut Street to Poplar Street to Washington Street to Moss Street to Court Street, excluding 906, 908, 910, 912, 914, 916, 918 and 920 Washington Street and 40 Moss Street; along Court Street to North Eleventh Street, excluding 11, 15, 17, 19, 21 and 23 North Tenth Street and 24, 22, 20, 18, 16, 14, 12, 10 and 6 North Eleventh Street; along North Eleventh Street crossing Penn Street to South Eleventh Street; along South Eleventh Street to Cherry Street to South Ninth Street, excluding 1013 Cherry Street, 25, 23, 21, 19, 17, 15, 13, 11 and 9 South Tenth Street, 915, 913, 911, 909, 907 Cherry Street, 914 rear Penn Street, and 25, 23, 21, 19, 17 and 13 South Ninth Street; along South Ninth Street to Franklin Street to South Seventh Street to Chestnut Street to Plum Street to Franklin Street, including 112 and 108 Plum and 614, 618 and 622 Franklin Street; along Franklin Street to Pearl Street excluding 514, 516, 518, 520, and 522 Franklin Street; along Pearl Street to Chestnut Street to Wood Street, excluding 521, 519, 517, 433, 431, 429, 427, 425 and 421 Chestnut Street; along Wood Street to Franklin Street to South Fourth Street to Cherry Street to Carpenter Street to South Third Street, excluding 341, 339, 337, 335, 333, 331, 329 and 327 Franklin Street and including 30 South Fourth Street; continuing along Cherry Street to South Second Street to Franklin Street, excluding 27, 25, 23, 21, 19, 17, 15, 13 and 11 South Second Street; along Franklin Street to South Front Street to North Front Street to Washington Street to North Second Street, place of BEGINNING.

A map showing the general boundaries, site, and situation of the proposed District is attached hereto, incorporated herein, and marked as Exhibit “A”.

The Authority may recommend to City Council more specific boundaries of the designated District. The Authority shall have the authority to develop and make business improvements and provide administrative services, including additional security, cleaning and maintenance, marketing, and other management services. The Authority shall have the authority to impose an assessment on each benefited property in the designated district described in this Section.

SECTION 3. Responsibilities of the Reading Downtown Improvement District Authority. The responsibilities of the Reading Downtown Improvement District Authority shall be to facilitate a “Clean

and Safe” Downtown, as set forth in the Final Plan for the Downtown Improvement District, which will be attached hereto, incorporated herein, and marked as Exhibit “B” and the Municipal Services Agreement between the City and the Reading Downtown Improvement District Authority, which will be attached hereto, incorporated herein, and marked as Exhibit “C.” The Board of Directors of the Reading Downtown Improvement District Authority shall continue to provide fiduciary and administrative oversight to the Reading Main Street Program, and the Executive Director of the Reading Downtown Improvement District shall continue to serve as Program Manager for the Reading Main Street Program, all for compensation as set forth in the attached Municipal Services Agreement, and any amendments thereto.

SECTION 4. Authorization of City Solicitor. The City Solicitor is authorized and directed to cause notice of this Ordinance to be published to the extent required by and in accordance with the Neighborhood Improvement District Act and the Municipality Authorities Act. The Authority and its Solicitor are further authorized and directed to take all steps necessary for the filing, in accordance with the Neighborhood Improvement District Act and the Municipality Authorities Act, of amendments to the Articles of Incorporation of the Authority and By-Laws of the Authority as required by the Neighborhood Improvement District Act, the Municipality Authorities Act, or other applicable law.

SECTION 5. Management. The Authority, an existing municipal authority established pursuant to the Act of May 2, 1945 (P.L. 382, No. 164, known as the Municipality Authorities Act of 1945), shall be re-authorized, and shall be appointed as Neighborhood Improvement District Management Association of the City of Reading Downtown Improvement District and authorized to exercise all powers provided for in Section 7 of the Act, 73 P.S. § 837, provided that the Final Plan for the District is approved by City Council after notice to the public and public hearings.

SECTION 6. Levy of Special Assessment. In accordance with the provisions of Sections (4) (5) and (10) of the Act, 73 P.S. § 834 (5) and (10), an assessment fee shall be imposed on all non-excluded properties located within the boundaries of the District provided that the Final Plan for the District is approved by City Council after notice to the public and public hearings.

(a) Amount and Method of Assessment. The assessment shall be made as of January 1, 2016, and is based on the cost estimates provided in the Final Plan of the Reading Downtown Improvement District and shall be as follows:

(1) Commercial properties, industrial properties, and commercial apartment buildings within the District shall be assessed at the rate of five and three hundred twenty seven one thousandth (5.327) mills for each one thousand dollars of assessed value as set by the Berks County Assessment Office.

(2) Owner-occupied residential properties shall be excluded from the payment of the special property assessment provided such properties are carried as "Residential" in the assessment records for the County of Berks, Commonwealth of Pennsylvania.

(3) Tax-exempt property owners within the District shall be allowed and encouraged to provide in-kind services or a financial contribution to the Authority in lieu of assessment.

(b) Payment of Assessment. Payment of the entirety of the assessment, beginning with sums due on January 1, 2016 and each January 1 of each year thereafter, shall be due no later than sixty (60) days following the date of mailing of the notice of assessment.

(c) Liens. Assessments shall constitute liens and encumbrances upon the assessed property and shall be collectable in accordance with the provisions of Section 7(d) of the Act, 73 P.S. § 837 (d) and in general may be collected in the same manner as municipal tax claims notwithstanding the provision of this section as to installment payments.

(d) Delinquent Payment of Assessments. In the event of delinquency or failure to remit assessments, the property shall be subject to lien and the property owner shall be additionally assessed for costs of collection, interest at a rate of ten percent (10%) per annum, as authorized by the Municipal Claims and Tax Liens Law, and counsel fees.

SECTION 7. Collection of Assessments. The Authority is designated as the collector for assessments provided for herein.

SECTION 8. Sunset Provision.

(a) The Authority shall automatically terminate on December 31, 2020, unless continued or extended by subsequent action of the City Council of the City of Reading in accordance with the provisions of the Act, 73 P.S. § 830, *et seq.*

(b) In the event of termination, all property of the Authority shall pass to the City of Reading and the District shall cease to exist.

SECTION 9. Municipal Services Agreement. An agreement shall be prepared and approved by between the City Council of the City of Reading and the Board of the Authority which will govern respective specific powers, duties and responsibilities of the City of Reading and the Authority. This Services Agreement shall be attached to this Ordinance as Exhibit “C” and shall be hereby incorporated by reference as though the same were set forth herein at length.

SECTION 10. No Reduction in Services. The City of Reading shall in no way reduce or suspend the current level of services currently being provided to the geographic area of the District as a result of the re-establishment of the Authority. Services provided by the Authority shall be in addition to services provided by the City of Reading. The Authority shall periodically monitor the quantity and quality of City services outlined in the agreement.

SECTION 11. Severability. If any sentence, clause, section or part of this Part is for any reason found to be illegal, invalid or unconstitutional, such illegality, invalidity or unconstitutionality shall not affect or impair any of the remaining provisions, sentences, clauses, sections of this Part. It is hereby declared to be the intent of the City Council of the City of Reading that this Part would have been adopted had such illegal, invalid or unconstitutional sentence, clause, section or part thereof not been included therein.

SECTION 12. Contingency of Final Plan Approval. This Ordinance shall take effect immediately, however, the existence of the Authority shall cease in the event the plan for the District, as put forth by the Authority is not approved after public review, as required by the Act. This Ordinance shall be null and void, and of no legal force or effect unless the Final Plan for the District is approved by the City Council and property owners within the above-described area encompassing the District, in accordance with applicable law, including but not limited to the Neighborhood Improvement District Act.

SECTION 13. Repealer. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

SECTION 14. Effective Date. The within ordinance shall take effect immediately upon adoption and approval by the Mayor.

DULY ENACTED AND ORDAINED by the City Council of the City of Reading, Berks County, Pennsylvania, in lawful session duly assembled, this \_\_\_\_ day of \_\_\_\_\_, 2015.

CITY OF READING, BERKS COUNTY, PA

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

Attest:

\_\_\_\_\_(SEAL)

Linda A. Kelleher, City Clerk

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

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

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

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

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

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

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

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

**AGREEMENT BY AND BETWEEN  
THE CITY OF READING AND  
THE READING DOWNTOWN IMPROVEMENT DISTRICT AUTHORITY**

THIS AGREEMENT, entered into this \_\_\_\_ day of \_\_\_\_\_, 2015, by and between THE CITY OF READING, a Pennsylvania Municipal Corporation, organized as a City of the Third Class pursuant to the Pennsylvania Third Class City Code, having its principal offices located at 815 Washington Street, Reading, Berks County, Pennsylvania (hereinafter referred to as the "City");

AND

THE READING DOWNTOWN IMPROVEMENT DISTRICT AUTHORITY, a Pennsylvania Municipal Authority, organized pursuant to the Pennsylvania Municipality Authorities Act and the Pennsylvania Neighborhood Improvement District Act, having its principal offices located at 645 Penn Street, Fifth Floor, Reading, Berks County, Pennsylvania (hereinafter referred to as the "DID Authority" or the "DID").

**BACKGROUND**

WHEREAS, the DID Authority was organized by the City pursuant to Bill No. 134-94, adopted on January 11, 1995 which authorized the City to organize an Authority for the purpose of making business improvements and providing administrative services to the central business district of the City, to be known as the "Reading Downtown Improvement District" (hereinafter referred to as the "DID"), as authorized by the Business Improvement District Act ("BID Act") then in effect;

WHEREAS, the DID Authority was renewed and reauthorized in 2000 under the BID Act, and renewed and reauthorized again in 2005, under the Neighborhood Improvement District Act ("NID Act"), which superseded the BID Act, and now has a sunset date of December 31, 2015;

WHEREAS, pursuant to the NID Act and the terms of its 2005 renewal, the DID Authority was authorized to act at the Neighborhood Improvement District Management Association ("NIDMA") for the DID;

WHEREAS, the City, by the adoption of Ordinance No. 95-2010 on November 22, 2010, established the "Reading Main Street Program" with support from the Commonwealth of Pennsylvania, Department of Community and Economic Development and the Pennsylvania Downtown Center, for purposes of elimination of blight, and economic revitalization in the Downtown area of the City;

WHEREAS, in 2013, by Ordinance No. 5-2013, City Council authorized the Board of Directors of the DID Authority to exercise fiduciary and administrative oversight over the Reading Main Street Program, and authorized the Executive Director of the DID to serve as the Program Manager for the Reading Main Street Program;

WHEREAS, the DID Authority now requests a) the re-establishment and re-authorization of the DID Authority for another five (5) year period, until December 31, 2020; b) the authorization of the DID Authority to continue to act as the NIDMA for the DID, and c) the authorization of the DID Authority to continue to exercise fiduciary and administrative oversight of the Reading Main Street Program, and for the DID Executive Director to continue to serve as Program Manager for the Reading Main Street Program;

WHEREAS, the City and the DID Authority are taking the steps required by the Municipality Authorities Act and the NID Act to re-establish the DID Authority; expand the DID, and authorize the DID Authority to act as the NIDMA and continue to exercise fiduciary, administrative oversight, and program management, for the Reading Main Street Program; and,

WHEREAS, the NID Act requires that an agreement be entered into between the governing body and the NIDMA setting forth the respective duties and responsibilities of the respective parties.

NOW THEREFORE, in consideration of the mutual promises contained herein, and intending to be legally bound hereby, the parties mutually agree as follows:

**I. CITY RESPONSIBILITIES**

1. **Maintenance of Base Level of Services.** The City shall maintain the present base level of services within the DID boundary area. The City will not reduce the base level of services contained in this Agreement from its current level of services.

2. **Billing and Collection Services.**

a) While the DID Authority has its own billing and collection program for the billing and collection of property owner assessments, the Administrative Services Department will assist the DID Authority with all matters relating to property ownership and tax information regarding properties within the DID Authority boundary area.

b) In the event that it is requested in writing by the DID Authority, the City shall be responsible for the collection of all property assessment fees levied upon property owners in the DID. In the absence of such a request, the DID Authority shall be responsible for billing and collection of property owner assessments.

3. **Police Services**

a) The Police Department will cooperate and work with the DID Authority in coordinating, implementing, and monitoring the DID Security Program, to efficiently utilize and maximize the resources of both the Police and the DID Authority. This shall include, but not be limited to:

i. identification and utilization of supervisory personnel in the Police Department to serve as liaison(s) with and communicate with DID supervisors and safety personnel;

ii. meeting with DID supervisors and safety personnel periodically and as needed to share information regarding crime reports and to suggest deployment strategies; and,

iii. allowing talk-group(s) on the existing City radio system to be used for DID Authority personnel.

4. **Other Services.** The following are additional services or activities carried out by one or more departments of the City of Reading that will be continued:

a) **Traffic Control** – The City will provide traffic control services (e.g., police, barricades, etc.) at the request of the DID Authority, and as deemed necessary by the Police.

b) **Hanging of Banners** – The DID Authority may purchase street banners to fit the existing hardware installed by the City throughout the DID boundary area. The City will hang and remove banners within the boundaries at no cost to the DID Authority.

c) **Holiday Tree** – The City currently purchases, installs, and decorates a tree for the holidays at the corner of Fifth and Penn Streets.

d) **Holiday Lights** – The City currently installs, but does not purchase, white holiday lighting in the 100 block of North Fifth Street and in the 00 and 100 blocks of North Ninth Street.

## II. **DID AUTHORITY RESPONSIBILITIES**

1. **Replacement of Services Previously Provided by the City.** The DID Authority will, as set forth in the Agreement of August 30, 1995, provide the following cleaning services in replacement of services previously provided by the City in the area known as “Penn Square” (Penn Street between Fourth and Sixth Streets), the area known as “Courtyard One” (located between 601 and 645 Penn Street), the area known as “Courtyard Two” (located between the Wachovia Building at Sixth and Penn Streets and the State Office Building located at Sixth and Cherry Streets) and the area known as “Market Square Plaza” (located at 824 to 840 Penn Street). All of these areas shall be referred to collectively as the (“Project Area”):

a) **Manual Sweeping/Vacuuming, and Maintenance** - Trained daytime employees, wearing uniforms, name tags, radios, and carrying information packets shall walk through the Project Area and, on a daily basis:

- i) broom clean and vacuum with hand operated vacuum equipment sidewalks and gutter areas;
- ii) remove litter from planters, tree pits, and building stairwells;
- iii) clean up in and around bus shelters; and,
- iv) empty trash receptacles two to three times per day, or as needed.

b) **Snow and Ice Removal** - After periods of snowfall, DID personnel shall apply an anti-skid or ice melter (to be supplied by the City) **as set forth in Section 2(b)(viii) of this Agreement.**

2. **DID Services Over and Above City Services.** The DID Authority will, as set forth in the Agreement of August 30, 1995, provide the following services over and above City services in the DID Area and in the Project Area:

a) **Ambassador Services** - Personnel wearing uniforms, name tags, radios, and carrying information packets shall circulate on foot and on bicycles through the DID area from 7:00 a.m. to 10:30 p.m. weekdays, 8:30 a.m. to 5:00 p.m. on Saturday, on special occasions as directed by the DID Authority, and, on a daily basis:

i) serve as additional visible security enhancements and as “eyes and ears” for the Police, including foot, bicycle, and Segway™ patrols of streets and parking facilities in the DID area;

ii) serve as goodwill representatives of Downtown Reading, politely and courteously meeting and greeting visitors and supplying information and directions; and,

iii) conducting business security checks;

iv) providing security for special events;

v) crime prevention education;

vi) respond to requests for assistance by property and business owners, residents, visitors, the Reading Police, and other City Departments, including encouraging loiterers to move on to another location, and referrals to police and social service agencies as needed.

b) **Cleaning and Maintenance** – Personnel wearing uniforms, name tags, radios, and carrying information packets shall:

i) broom clean and vacuum with hand operated and mechanized vacuum equipment sidewalks and gutter areas;

ii) remove litter from planters, tree pits, and building stairwells;

iii) clean up in and around bus shelters;

iv) empty trash receptacles two to three times per day, or as needed;

v) perform mechanized sweeping and vacuuming throughout the DID area at a minimum three days per week (weather permitting);

vi) steam clean/pressure wash the area between Fifth and Sixth Streets along Penn Street a minimum of two times per year;

vii) remove graffiti and handbills from public and private properties within the DID, as needed;

viii) after periods of snowfall, shovel sidewalks at intersections, handicap ramps, and at pedestrian crosswalk areas, and apply an anti-skid agent or rock salt (to be supplied by the City); and,

ix) leaf removal.

c) Marketing and Promotional Services – Personnel shall provide marketing and promotional services to property owners, merchants, employees and visitors in the downtown, including but not limited to:

i) presenting Mid-Day Café events annually each summer, and other seasonal special events as may be determined appropriate; and

ii) sponsoring and organizing the annual Holiday Parade and Tree Lighting ceremony.

d) **Event Coordination.** The DID shall serve as the coordinator of events in the DID Area. The City, the DID Executive Director, and the organizer of any public event in the DID Area shall hold a coordination meeting to avoid conflicts in scheduling and resource utilization prior to the issuance of permits for such event(s) by the City.

e) **Self-Service Vending Boxes.** The DID shall regulate the location and condition of all self-service vending boxes for newspapers, circulars, and pamphlets located in the DID Area. The City shall assist as needed with enforcement and the initiation of or cooperation in prosecution with respect to such boxes in the DID Area.

### 3. **Scope of Work by DID**

a) Refuse Disposal – Refuse generated by cleaning services of DID personnel, including refuse from trash receptacles, refuse materials collected by manual sweeping vacuuming, and refuse from mechanical sweeping/vacuuming will be accepted by the City for disposal through the Department of Public Works. The City of Reading shall collect refuse from one designated collection location in the following manner:

i) Litter can bag liners – The DID will discard in containers located at Thirteenth and Walnut Streets. The City shall empty this container Mondays, Wednesdays and Fridays. No refuse shall remain on the street or sidewalk in the DID once it has been removed. The City shall empty these containers Mondays, Wednesdays and Fridays.

ii. Mechanical sweeping refuse – DID will discard in containers located at Thirteenth and Walnut Streets. The City shall empty these containers Mondays, Wednesdays and Fridays.

b) Application of Herbicide

i) DID shall be responsible to keep cracks weed free at all times in the area between the curb line and the building line or between the curb line and the inside edge of the sidewalk, including tree pits. All cracks within this area shall be weed free.

ii) DID shall remove, either mechanically or by hand, all existing weeds from within the above-designated areas. DID shall bag and dispose of all weeds and debris.

iii) After removal of weeds, DID shall treat designated areas with weed killer as necessary. DID is responsible for the control of weeds on a regular basis throughout the year. Frequency of treatment shall be determined by DID as needed to control the growth and appearance of new weeds. Regular maintenance shall be performed to deter the growth of new weeds and treat or remove any new weeds as they appear. DID shall maintain area in weed-free condition at all times.

iv) Application of all weed killers shall be made by the State Certified Applicator. Applications shall be made in accordance with manufacturers' recommended rates and conditions.

v) DID shall take necessary precautions not to damage any plants, trees, or planter areas. Treated areas shall be limited to weeds growing in cracks only.

vi) DID shall make chemical/herbicide applications at a time to prevent exposure of pedestrians to products used in the treatment of weeds.

c) Escort Service - DID Authority Ambassadors shall provide escort service to and from area parking garages from 7:00 a.m. to 10:30 p.m. weekdays, 8:30 a.m. to 5:00 p.m. on Saturday, and by special arrangement. Ambassadors make daily checks to businesses in the DID area.

d) Marketing Service - DID will maintain an inventory of businesses and available real estate within the downtown area. No less than four newsletters will be published annually promoting downtown shops, restaurants and events. The Downtown Reading website will be kept updated as necessary.

e) Management and Administration of the Reading Main Street Program - The City has received a Keystone Communities/Main Street designation from the Commonwealth of Pennsylvania, Department of Community and Economic Development, geared towards the revitalization of Downtown Reading. The vision of the Reading Main Street Program is to be achieved through the cooperative efforts of City government, non-profit organizations, businesses, private developers, and volunteers to implement design; promotion; economic restructuring; and safe, clean and green initiatives. These efforts will be led by the Reading Main Street program as administered by the DID Authority. The DID Authority Board, as described in

Ordinance No. 5-2013, shall provide fiduciary and administrative oversight of the Reading Main Street Program. The DID Executive Director shall manage and administer the Main Street Program, including attendance at Main Street Board meetings, preparation of reports, budgeting, and approval of program expenditures and other tasks as shall be determined by the DID Authority and Main Street Boards. The DID Authority shall be compensated by the City for these services to the Reading Main Street Program as set forth in Paragraph 4(b) of this Section II.

**4. Payment to DID Authority:**

a) **Replacement Services/Services Over and Above City Services.** The City agrees to pay the DID Authority the following sums of One Hundred Thousand Dollars and 00/100 (\$100,000.00) per year for “Replacement Services” and “Services Over and Above City Services.” Disbursement of these funds will be one time per month, of one twelfth (1/12) of the total amount, which is Eight Thousand Three Hundred Thirty Three Dollars and Thirty Three Cents (\$8,333.33) per month.

b) **Reading Main Street Program.** The payment described in Paragraph 4(a) of this Section II, above, shall be independent of payment for services rendered by the DID Authority in its capacity as providing fiduciary and administrative oversight and Program Management Services for the Reading Main Street Program. For the services to the Reading Main Street Program, the DID Authority shall receive the sum of Fifty Thousand Dollars and 00/100 (\$50,000.00) per year, with disbursement of these funds one time per month of one twelfth (1/12) of the total amount, which is Four Thousand One Hundred Sixty Six Dollars and Sixty Six Cents (\$4,166.66) per month.

**III. CONTRACT TIME FRAME**

The contract between the City and the DID Authority will commence January 1, 2016 and terminate December 31, 2020. The contract shall remain in force for the full term of the Reading DID Authority unless either party serves sixty (60) days’ notice of termination.

**IV. INDEMNIFICATION**

The DID will hold the City harmless and indemnify against all claims and losses directly related to the performance of the DID of duties under this Agreement, except matters involving negligent or intentional acts and/or omissions by the City, its officials, agents, contractors, and employees.

The City will hold the DID harmless and indemnify against all claims and losses directly related to the performance of the City of duties under this Agreement, except matters involving negligent or intentional acts and/or omissions by the DID, its officials, agents, contractors, and employees.

**V. CITY LIASION**

The DID Authority will communicate with and update the Chief of Police, the Director of Public Works, The Executive Director of the Recreation Commission, or such other person as the City shall designate in writing of issues of safety and cleaning as appropriate.

**VI. FAILURE TO PERFORM REQUIRED SERVICES**

In the event that either party fails to perform the services contained in this Agreement, either party may terminate this agreement upon ten (10) days prior written notice.

**VII. CONSTRUCTION**

This Agreement shall be construed and interpreted under the laws of the Commonwealth of Pennsylvania.

**VIII. JURISDICTION AND VENUE**

Any action brought arising from disputes over this agreement shall be brought in the Court of Common Pleas of Berks County, Pennsylvania.

**IX. NO ORAL MODIFICATIONS PERMITTED**

It is understood that this Agreement contains the entire Services Agreement of the parties and that no modification shall be valid unless in writing and signed by both of the parties to this Agreement.

**X. SUCCESSORS AND ASSIGNS**

It is understood that this Agreement is a contract for personal services and neither party may assign the rights and obligations under this Agreement without the prior written consent of the other party. This Agreement shall be binding upon the successors and assigns of the parties hereto.

**XI. CONTINGENCY UPON APPROVAL OF DID PROPERTY OWNERS AND CITY COUNCIL OF FINAL DID PLAN AND RE- ESTABLISHMENT OF THE DID AUTHORITY**

This Agreement shall not go into effect unless the Final Plan for the DID is approved by the City Council and DID property owners, in accordance with the NID Act, and unless the DID Authority is re-established by City Council.

IN WITNESS WHEREOF, the parties hereto have set their hands and respective seals the date and year first above written.

READING DOWNTOWN IMPROVEMENT  
DISTRICT AUTHORITY

By: \_\_\_\_\_  
Michael Zielinski, Chairman

Attest: \_\_\_\_\_ (SEAL)

, Secretary

CITY OF READING

By: \_\_\_\_\_  
Vaughn D. Spencer, **Mayor**

Attest: \_\_\_\_\_ (SEAL)  
Linda A. Kelleher, City Clerk

AN ORDINANCE OF THE CITY OF READING AMENDING THE CITY OF READING CODE BOOK, CHAPTER 576 ENTITLED "VEHICLES AND TRAFFIC," PART 5 ENTITLED "PARKING METERS" TO ADD KIOSKS TO BE AN ACCEPTABLE TYPE OF PARKING METER, TO ADD ELECTRONIC PAYMENT AS AN ACCEPTABLE FORM OF PAYMENT FOR PARKING AND TO AUTHORIZE THE READING PARKING AUTHORITY, BY RESOLUTION, TO LOWER THE MAXIMUM RATES ESTABLISHED BY THE CITY OF READING AND ESTABLISH PERIODS OF TIME FOR PARKING

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

SECTION 1. Amending the City of Reading Codified Ordinances, Chapter 576 entitled "Vehicles and Traffic", Part 5 entitled "Parking Meters", 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: \_\_\_\_\_, 2015

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

ATTEST:

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

(Council Office & Parking Authority)

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

Date: \_\_\_\_\_, 2015

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

Date: \_\_\_\_\_, 2015

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

Date: \_\_\_\_\_, 2015

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

Date: \_\_\_\_\_, 2015

## EXHIBIT A

### Part 5 Parking Meters or Kiosks

#### A Regulations

##### § 576-501. Definitions.

The following words, whether in the singular or plural, when used in this part, shall have the meanings ascribed to them in this Part except in those instances where the context clearly indicates otherwise:

**DIRECTOR** - - The Executive Director of the Reading Parking Authority or designee.

**PARKING METER *or* KIOSK** - - A device intended to assist municipalities and public authorities in enforcing ordinances limiting the time during which vehicles may be parked on any street or highway or other public place within *Parking Zone*. *A Parking Meter shall include any area where payment may be made by mobile electronic means.*

**PARKING ZONE** - - Streets or highways, or portions thereof, or municipal parking lots operated by the City or the Parking Authority of the City on which Parking Meters *or* *Kiosks* are installed, operated and used.

**PAYMENT** - - *Any proper currency that is legal tender of the United States, which shall also mean any and all other approved electronic means and methods of payment of the amount due at a Parking Meter, Kiosk or at any parking space, including but not limited to credit cards, debit cards, any and all approved mobile or other electronic means of transferring funds to pay for parking at a space in the Parking Zone.*

**PUBLIC PLACES** - - Any municipal parking lot operated by the City or the Parking Authority of the City.

##### § 576-502. Parking zones established. [Amended 11-27-2006 by Ord. No. 85-2006; 2-12-2007 by Ord. No. 3-2007]

All municipal parking lots operated by the City of Reading or the Parking Authority of the City of Reading.

- A. Parking zones shall be established and set forth by legend on the traffic control maps of the City; the provisions of this section shall not become effective until the adoption of the traffic control maps by Council.

B. *The Parking Authority shall have the authority to ~~extend the limit of the time period to park in each zone by a properly adopted Resolution of the Parking Authority.~~*

C. Parking zones are hereby established on the following streets, highways and blocks in the City of Reading and on municipal parking lots operated by the City or the Parking Authority of the City of Reading, as follows:

(1) Parking Zone 1 (~~one hour parking~~):

**[Amended 9-26-2011 by Ord. No. 47-2011; 9-10-2012 by Ord. No. 94-2012]**

Cherry Street – 800, 600, 500, 400

Penn Street – 400, ~~500~~, 700, 800, 900

Court Street – 300, 400, 500, ~~600~~, 700, 800 (500 has a mix of thirty minutes and one hour)

Walnut Street – 400, 500

Reed Street – 100

Elm Street – 500

Church Street – 000

South Third Street – 000

South Fourth Street – 000

North Fourth Street - 000

South Fifth Street – 100

North Sixth Street – ~~000~~, 100

South Sixth Street – 000

North Eighth Street – 100

South Eighth Street – 000

North Ninth Street – 000

South Ninth Street – 000

(2) Parking Zone 2 (~~two hour parking~~):

**[Amended 9-26-2011 by Ord. No. 47-2011; 9-10-2012 by Ord. No. 94-2012]**

Cherry Street – 300

Penn Street – 200, 300

Franklin Street – 400, 500

Court Street – 200

Walnut Street – 600, 700, 800

North Third Street – 000 (meters added by Chiarelli Garage)

North Fifth Street – 100, 200, 300

South Sixth Street – 100

North Sixth Street – 200

North Ninth Street – 100

Washington Street – 100

(3) ~~Parking Zone 3 (one half hour parking).~~

Court Street – 500

North Fifth Street – 000

East side of North Fifth Street from Court Street to Washington Street.

North side of Court Street from North Fifth Street to Church Street (post office)

(4) ~~**Parking Zone 4 (shall have a mix of one hour and two hour parking)**~~

***Penn Street – 500***

***North Sixth Street – 000***

***Court Street - 600***

**§ 576-503. In the Parking Zones, Saturdays, Sundays and holidays exempted. [Amended 9-26-2011 by Ord. No. 47-2011; 9-10-2012 by Ord No. 94-2012]**

Parking restrictions and limitations in any **Parking Zone** are exempted on Saturdays, Sundays and on the holidays of New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Eve and Christmas unless otherwise posted.

**§ 576-504. Reserved. Time of parking limited by zone; hours of operation. [~~Amended 9-26-2011 by Ord. No. 47-2011; 9-10-2012 by Ord. No. 94-2012~~]**

~~On all days, other than those set forth in § 576-503; parking in Parking Zone 1 is hereby limited to a period of one hour, and in Parking Zone 2 a period of two hours, and in Parking Zone 3 a period of 30 minutes between the hours of 8:00 a.m. and 6:00 p.m. **and in Parking in Zone 4 shall be a mix of one hour and two hour parking. The Parking Authority shall have the authority to extend the limit of the time period to park in each zone by a properly adopted Resolution of the Parking Authority.**~~

**§ 576-505. Marking of spaces.**

In all Parking Zones, *either a Parking Meter, a sign for electronically controlled areas or a Kiosk* shall be installed for each parking space *or a Kiosk or sign for mobile electronically controlled areas for multiple spaces*. All parking spaces shall be plainly designated by lines or markings on the surface of the street or highway or parking lot and may be placed parallel, diagonal or perpendicular to the curb. Parking in other than designated parking spaces where so marked is prohibited in any Parking Zone.

**§ 576-506. Meter signals and Kiosk receipts.**

Parking Meters shall be placed immediately adjacent to each designated parking space and in such manner as to show or display by signal that the parking space controlled by such meter is or is not legally occupied. Each Parking Meter shall indicate by a proper legend the established legal parking time and, when in operation, shall also indicate on or by its daily, display, pointer or printed receipt the duration of the period of legal parking or any legal or overtime parking.

*Kiosks and signs for mobile electronically controlled spaces shall be placed where they will cover multiple parking spaces within a block face. Upon payment, the parking receipt shall be placed on driver's side dashboard or, where applicable, the car's state license plate number shall be entered into the Kiosk. For mobile electronic applications, no receipt is necessary.*

**§ 576-507. Manner of parking.**

Every vehicle parked parallel with the curb in any Parking Zone on a street or highway shall be parked with the front end of such parked vehicle at or immediately adjacent to the Parking Meter controlling such parking space, *or in the case of a Kiosk or a mobile electronically controlled area, in the center of the lines of the parking space*. Every vehicle parked perpendicular to the curb of any street or highway or any parking lot within a Parking Zone shall be parked with the front end or the rear end of such parked vehicle, as the situation may be, at or immediately adjacent to the Parking Meter controlling such parking space, *or in the case of a Kiosk or a mobile electronically controlled area, in the center of the lines of the parking space*. All vehicles shall be parked entirely within the confines of the designated parking space.

**§ 576-508. Deposit of proper Payments in a Parking Zone.**

- A. Upon parking any vehicle in any parking meter space *in a Parking Zone*, the operator shall immediately deposit in the Parking Meter, *Kiosk or through mobile electronic means*

controlling such space the proper *Payment* as designated for such parking on the instructions for operations of such *Parking Meter, mobile electronically controlled space or the Kiosk*. Upon the deposit of such *Payment*, such space may be lawfully occupied during the period of parking time as indicated on the *Parking Meter, the mobile electronic program or the Kiosk*.

B. Pursuant to this section, the Executive Director is hereby authorized and empowered to designate the *methods of proper Payment or amount* to be placed in such *Parking Meter, mobile electronic format or Kiosk* and to amend the instructions on the *Parking Meter or Kiosk* to reflect the proper *Payment or amount* required *to occupy the parking space. Maximum Parking Meter rates for each Parking Zone shall be established by the City Council from time to time in the City Fee Schedule located in § 212-144. Vehicles and Traffic;* and authorizing the *Parking Authority to reduce the maximum Parking Meter rates established by City Council from time to time by a properly adopted Resolution of the Parking Authority.*

**§ 576-509. No parking beyond indicated time.**

No owner or operator of any vehicle shall cause, allow, permit or suffer such vehicle to be parked overtime or beyond the period of legal parking time as indicated or set forth on the instructions of such sign, device, *Parking Meter, mobile electronic format or Kiosk*. A vehicle which continues to be parked in violation for a period of three (3) hours after receiving notice of such violation, may be cited with an additional violation notice for the same infraction.

**§ 576-510. Use of *Parking Meter or Kiosk* funds.**

The *Payment* required to be deposited in *Parking Meters, Kiosks or through mobile electronic means* is ~~are~~ levied and assessed as fees to provide for the proper regulations and control of traffic upon the streets and highways and other public places in the City, including the cost of supervising and regulating the parking of vehicles in the *Parking Zones* created hereby, and the cost of the purchase, supervision, protection, inspection, installation, operation, maintenance, control and use of the *Parking Meters, the mobile electronic formats or Kiosks* and municipal parking lots and garages. The *Payment* required to be deposited in *Parking Meters, the mobile electronic formats or Kiosks* shall be collected and accounted for under the direction of the Executive Director of the Parking Authority and deposited by the Executive Director or their designee.

**§576-511. Slugs prohibited.**

No person shall deposit or cause to be deposited in any *Parking Meter or Kiosk* any slug, device or metallic substitute for legal coins of the United States (*not issued by the Parking Authority*) or attempt to *substitute or evade any electronic payment*.

**§576-512. Injuring or defacing meters.**

No person shall deface, injure, tamper with, break, destroy or impair the usefulness of any *Parking Meter or Kiosk* installed by authority of Council or by the Parking Authority of the City.

**§576-513. Exceptions.**

Nothing in this Part shall be construed as prohibiting the Mayor or Council from providing for free parking spaces for loading or unloading of commercial vehicles, for bus stops, taxicab stands or for other matters of a similar nature.

**§576-514. Enforcement.**

The duty of enforcing the provisions of this Part shall be on the Department of Police and the Reading Parking Authority. In case of emergency, any of the provisions of this Part may temporarily be suspended by such Chief of Police or Executive Director, who shall then have the authority to adopt and enforce such other temporary rules and regulations as traffic conditions, during such emergency, may demand or require.

**§576-515. Duty of police and authorized agents.**

It shall be the duty of police officers, Parking Authority personnel or other duly authorized City employees of the City, acting in accordance with instructions issued by the Chief of Police or designee or the Director of the Parking Authority, to deposit a copy of the violation ticket in a designated receptacle in the Police or Parking Authority office. The copy shall contain:

- A. The number of each *Parking Meter, mobile electronically controlled space or Kiosk* which indicates that the vehicles occupying the parking space adjacent to such *Parking Meter, mobile electronically controlled space or designated by a Kiosk*, is, or has been, parked in violation of any of the provision of this Part.
- B. The state license *plate* number of such vehicle.
- C. The day and hour at which such vehicle is parked in violation of any of the provisions of this Part at the time of inspection.
- D. Any other facts and knowledge of which may be considered necessary to a thorough understanding of the circumstances attending such violation.

**§576-516. Verification of *Parking Meters or Kiosks*. [Amended 6-26-2006 by Ord. No. 48-2006]**

All *Parking Meters and Kiosks* located in the City shall be checked for accuracy at least once every three (3) years. A statement verifying that the inspection has been completed shall be submitted to City Council. *Parking Meters and Kiosks* shall meet maintenance and acceptable tolerances established by the Pennsylvania Department of Agriculture, Bureau of Weights and Measures.

**§576-517. Notice of violation; violations and penalties; waiver. [Amended 5-27-2003 by Ord. No. 16-2003; 11-10-2008 by Ord. No. 71-2008; 9-27-2010 by Ord. No. 75-2010]**

- A. Any police officer or other duly authorized Parking Authority employee shall place on motor vehicles/conveyance parked in violation of the provisions of this Part a notice of said violation.

B. Each such owner may within 10 days of the time when such notice was attached to his motor vehicle/conveyance, pay as penalty in full satisfaction of each violation the sum of Twenty Dollars (\$20.00) and after ten (10) days but within twenty (20) days of the violation the sum of Thirty-Five Dollars (\$35.00) and, in default of payment of fine and costs, be imprisoned not more than ten (10) days.

|                          |                      |
|--------------------------|----------------------|
| Drafted by               | City Clerk           |
| Sponsored by/Referred by | President of Council |
| Introduced on            | July 21, 2015        |
| Advertised on            | August 3, 2015       |

**BILL NO. \_\_\_\_\_-2015**

**AN ORDINANCE**

**MODIFYING CHAPTER 212, FEES, SECTION 144, VEHICLES AND TRAFFIC**

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

Section One: The Fee Schedule of the City Code, Chapter 212-144. Vehicles and traffic by adding a parking meter fee as follows:

| <b>Description</b> | <b>Fee</b>              | <b>Ordinance No</b> | <b>Code Citation</b> |
|--------------------|-------------------------|---------------------|----------------------|
| Parking Meter Fee  | \$2 per hour<br>maximum |                     | § 576-508            |

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 \_\_\_\_\_, 2015

\_\_\_\_\_

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: \_\_\_\_\_

|                          |                         |
|--------------------------|-------------------------|
| Drafted by               | Senior Business Analyst |
| Sponsored by/Referred by | Senior Business Analyst |
| Introduced on            |                         |
| Advertised on            |                         |

BILL NO. \_\_\_\_-2015

**AN ORDINANCE**

**MODIFYING CHAPTER 212, FEES, SECTION 123, POLICE DEPARTMENT MISCELLANEOUS FEES**

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

Section One: The Fee Schedule of the City of Reading, Chapter 212 of the City Code, is hereby amended by reducing the cost of a certified police report as set forth at Exhibit A hereof.

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 \_\_\_\_\_, 2015**

\_\_\_\_\_  
**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: \_\_\_\_\_  
Over-Ridden by Council: \_\_\_\_\_  
Date of Over-Ride: \_\_\_\_\_

**EXHIBIT A**

**§ 212-123. Police Department miscellaneous fees.**

| <b>Description</b>                            | <b>Fee</b>                        | <b>Ordinance</b>   | <b>No. Code Citation</b> |
|---|-----------------------------------|--------------------|--------------------------|
| Use of pistol range                           | \$25 per person                   | 38-2011            | N/A                      |
| <del>Certified copy of police report</del>    | <del>\$20</del>                   | <del>23-2015</del> | <del>N/A</del>           |
| <b><i>Certified copy of police report</i></b> | <b><i>\$15</i></b>                |                    |                          |
| Extensive case file duplication               | Sum of actual costs               | 23-2015            |                          |
| Phone call/dispatch recording                 | Sum of actual costs               | 23-2015            |                          |
| Local criminal background report              | \$20                              | 23-2015            |                          |
| Bomb squad/K-9 squad                          | Sum of costs and<br>manpower used | 38-2011            | N/A                      |
| Standby charges                               | \$88 per hour per<br>officer      | 38-2011            | N/A                      |

|                          |  |
|--------------------------|--|
| Drafted by               | Ad Hoc Work Group: Tim Krall,<br>David Kersley, Thomas Coleman<br>Linda Kelleher |
| Sponsored by/Referred by | Ralph Johnson  |
| Introduced on            | August 10, 2015  |
| Advertised on:           | August 17, 2015  |

BILL NO. \_\_\_\_-2015

**AN ORDINANCE**

**MODIFYING CHAPTER 212, FEES, SECTION 140, STREETS AND SIDEWALKS**

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

Section One: The Fee Schedule of the City of Reading, Chapter 212, Section 140 Streets and Sidewalks of the City Code, is hereby amended as set forth at Exhibit A hereof.

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 \_\_\_\_\_, 2015**

\_\_\_\_\_  
**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: \_\_\_\_\_  
Over-Ridden by Council: \_\_\_\_\_  
Date of Over-Ride: \_\_\_\_\_

**EXHIBIT A**

**§ 212-140. Streets and sidewalks.**

| <b>Description</b>  | <b>Fee</b>   | <b>Ordinance No.</b> | <b>Code Citation</b> |
|---|--|----------------------|----------------------|
| Curb permit (feet)  |  | 31-2009              | § 508-301B           |
| 0 to 24   | \$250  |                      |                      |
| 25 to 49  | \$300  |                      |                      |
| 50 to 99  | \$350  |                      |                      |
| 100 to no limit   | \$350 for every 100 feet plus \$3.50 per foot for every foot over 100 feet |                      |                      |
| Street restoration  |  | 31-2009              | § 508-302A           |
| 1 foot wide   | \$35/foot  |                      |                      |
| 2 feet wide   | \$70/foot  |                      |                      |
| Building line survey, first side (feet)                               |  | 31-2009              | § 508-304B           |
| 0 to 49   | \$200  |                      |                      |
| 50 to 99  | \$250  |                      |                      |
| 100 to no limit   | \$250 plus \$2.50 for every foot over 100 feet                             |                      |                      |
| Second, third or fourth sides   | Repeat rates   |                      |                      |
| Residential driveway permit fee                                       | \$400  | 31-2009              | § 508-305B(1)        |
| Commercial driveway permit fee  | \$450  | 31-2009              | § 508-305B(1)        |
| Driveways spanning property line for joint use of abutting properties | \$250 for each user  |                      |                      |
| Reconstruction of driveway  | \$50   | 31-2009              | § 508-305B(2)        |
| Sidewalk cut permit   | \$100 per cut  | 78-2013              |                      |
| Vault, areaway, basement stairs or structure (each)                   | \$200  |                      | § 508-306A(1)        |
| Sidewalk vault fee  | \$80   | 31-2009              | § 508-306A(1)        |
| Sidewalk repair construction permit                                   | \$80   | 31-2009              | § 508-307A(1)        |
| Time limit extension  | \$10   | 35-2008              | § 508-309A           |
| Annual license for commercial parking lot                             | \$5 per space with \$25 minimum  | 35-2008              | § 508-403            |

Street occupancy permit \$10 35-2008 § 508-702B

Street restoration fee 35-2008 § 508-702B

Not to exceed five \$150/square yard  
square yards  
Each additional \$120/square yard  
square yard over five

Same as street cut permit

.Street cut permit 78-2013

Street cut permit \$10/permit  
Street cut inspection \$100/street cut  
Fee

**Pavement Restoration Fee** **508-702B**

0 to 5 square yards \$150/square yard  
Over 5 square yards,  
Per additional square \$120/square yard  
yard

**Premature Degradation Fee** **508-702C**

For cuts on streets Add 100% to the  
paved within 5 above fee  
years of the  
application date

**For cuts on streets Add 100% of the  
paved within 5 Pavement Restoration Fee  
years of the  
application date**

For cuts on streets Add 80% to the  
paved 6 to 10 above fee  
years of the  
application date

**For cuts on streets Add 80% of the  
paved 6 to 10 Pavement Restoration Fee  
years of the  
application date**

Bore hole fee \$5 per bore hole 35-2008 § 508-707A  
§ 508-709A

Ahead of paving \$10 per block and/or 35-2008 § 508-707C  
permit street intersection § 508-709C

Time extension fee \$10 per month or  
fraction thereof

35-2008

~~§ 508-707E~~  
**§ 508-709D**

**Steel Plate Placement Fees (Winter, November Through March)**

**First 5 Days \$0 (each)**

**Days 6 to 10 \$600 (each)**

**Subsequent \$180 per day (each)**

**Steel Placement Fees (Summer, April Through October)**

**First 5 Days \$0 (each)**

**Days 6 to 10 \$300 (each)**

**Subsequent \$90 per day (each)**

|                          |                         |
|--------------------------|-------------------------|
| Drafted by               | City Clerk/Solicitor    |
| Sponsored by/Referred by | HARB/ Councilor Waltman |
| Introduced on            | August 10, 2015         |
| Advertised on            | August 17, 2015         |

**BILL NO. \_\_\_\_\_ 2015  
AN ORDINANCE**

AN ORDINANCE AMENDING THE CITY CODE, CHAPTER 295,  
HISTORICAL AND CONSERVATION DISTRICTS BY ADDING  
REGULATIONS RELATING TO THE INSTALLATION OF GAS METERS  
WITHIN HISTORIC DISTRICTS

**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 adding regulations relating to the installation of gas meters within historic districts, as follows:

**§ 295-102. B. Definitions**

***GAS MAIN** – the primary gas utility pipe typically located below a public right-of-way.*

***GAS METER** – a specialized flow meter, used to measure the volume of fuel gases such as natural gas and propane.*

***GAS METER ASSEMBLY** – a gas meter installation including, individually or jointly, associated gas pressure regulator, valves, and piping.*

***GAS PRESSURE REGULATOR** – a valve that regulates the flow of gas at a specified pressure.*

***GAS SERVICE** – gas piping between the gas main and the gas meter assembly.*

**§ 295-106 D. General administrative procedures.**

(1) All persons or entities desiring to undertake an exterior alteration or modification, requiring a building permit under the presently enacted building code, to any building, structure, sign, or premises or install any *gas meter assembly*, satellite dish, antenna, or other modern device utilized to receive video programming signals as set forth in

Subsection E below within any designated historic district, shall apply to the Preservation Officer for a certificate of appropriateness prior to obtaining the required building permits as set forth in § 295-107. No application shall be accepted or deemed complete until such time as all forms, materials and plans are filed and any and all fees are fully paid.

**E. Placement of satellite dishes in historic districts.**

**(1) Installation.**

(a) No satellite dishes, antenna, or other similar modern device shall be installed or placed in front yards, front of buildings or along their facades that can be seen from a public right-of-way within historic districts. All satellite dishes, antenna, or other similar modern devices shall be located to the rear of the main dwelling unit. Antenna and satellite dishes shall be installed in the rear or on the roof of the main dwelling unit. A roof-mounted satellite dish or antenna shall not be visible from the public right-of-way. When being secured to a brick wall, anchoring for satellite dishes shall only occur within the mortar joints and not within the brick themselves.

(b) Satellite dishes that are placed in accordance with this chapter may be approved at staff level when submitted with a diagram of their proposed placement on the structure or building. Placement of satellite dishes on any other area of a structure or building shall be sent to the Reading Board of Historical Architectural Review for review.

(2) Exceptions. Satellite dishes, antenna, or other modern devices, as defined herein, may be installed in front of buildings in the historic district only if no other means of reception can be provided. In such cases where the proposed location of a satellite *dish* is visible from a public right-of-way, the owner or tenant of the property shall seek the issuance of a certificate of appropriateness as required in § 295-107 of this chapter. Such satellite dishes, antenna, or other modern devices shall be installed to be unobtrusive and shall be screened from view through the use of landscaping, fencing and/or architectural building features. The Building Inspector and Historic Preservation Specialist shall approve the installation to ensure there is no disruption to the historic nature and aesthetic value of the district.

(3) Removal. Any satellite dishes installed in the front of buildings before the enactment of this chapter shall be removed to meet the requirements of the ordinance or must be reviewed by the Reading Board of Historical Architectural Review to obtain a certificate of appropriateness as required per § 295-107 of this chapter within one year of the effective date of this chapter. Satellite dishes shall be removed when the owner or tenant who installed the device no longer inhabits the property.

(4) Violations and penalty. Placement of any satellite dish that does not conform to the guidelines of this section will constitute a violation and may be subject to penalty and enforcement per §§ 295-122 and 295-123.

***F. Placement of gas meters in historic districts.***

***(1) Installation.***

***(a) No gas meters shall be installed or placed in front yards, front of buildings or along their facades that can be seen from a public right-of-way within any historic district***

*designated by City ordinance or listed in the National Register of Historic Places. Such gas meters shall be located inside the building, at an exterior location that is not visible from a public right-of-way, or shall be installed within an exterior, below-grade vault that is covered by a flush, corrosion-resistant access hatch.*

*(b) Exposed gas pressure regulator installations shall be inconspicuously located outside the main dwelling unit.*

*(c) All exposed components of a gas meter assembly installation shall be fabricated of corrosion-resistant materials and painted along with associated visible valves and piping to match the color of the adjacent façade of the building.*

*(d) Gas meter assembly installations shall be resistant to tampering, vandalism, and protected from damage by moving vehicles.*

*(e) Gas meter assembly installations shall not encroach upon required sidewalk widths, so designated by City ordinance.*

*(f) Gas meter assembly installations shall maintain uniformity in overall size, elevation, and configuration with new or existing gas meter assembly installations located at each immediately adjacent property.*

*(g) Existing sidewalks and streets disturbed by installations or alterations of the gas main, gas service, or a gas meter assembly shall be repaved to match existing adjacent surfaces in panels extending the entire width of the sidewalk or street and shall be finished with appropriate seams and joints to provide surface continuity with adjacent paving, free of uneven or non-uniform conditions.*

*(h) Gas meters that are placed in accordance with this chapter may be approved by the Preservation Officer when submitted with a diagram of their proposed placement on the structure or building and relevant photographs of the building. Placement of gas meters on any other area of a structure or building shall be reviewed by the Historical Architectural Review Board.*

*(2) Exceptions. Gas meters, as defined herein, may be installed in front yards, front of buildings, or along their facades that can be seen from a public right-of-way within historic districts only if no other means of gas service can be provided. In such cases where the proposed location of a gas meter is visible from a public right-of-way, the public utility shall seek the issuance of a certificate of appropriateness as required in § 295-107 of this chapter. Such gas meters shall be unobtrusive and shall be screened from view through the use of landscaping, fencing and/or architectural building features. The Building Inspector and Historic Preservation Specialist shall approve the installation to ensure there is no disruption to the historic nature and aesthetic value of the district.*

*(3) Removal. Any existing gas meter assembly installed in front yards, front of buildings or along their facades that can be seen from a public right-of-way within historic districts before the enactment of this Section must be reviewed by the Historical Architectural Review Board to obtain a certificate of appropriateness as required per § 295-106 of this chapter within one year of the effective date of this*

*chapter. The Historical Architectural Review Board may require removal and/or alterations to existing gas meter assemblies and adjacent construction to meet the requirements of this Section.*

*(4) Violations and penalty. Placement of any gas meter that does not conform to the guidelines of this section will constitute a violation and may be subject to penalty and enforcement per §295-122 and 295-123.*

#### **§ 295-107. Required permits and certificates.**

A. Building permit. No person shall erect, construct, reconstruct, alter, restore, demolish, raze or change in appearance in any manner any building, structure, object or site, in whole or in part, in any designated historic district, without first obtaining the required permits which have been issued on the strength of a certificate of appropriateness.

B. Certificate of appropriateness.

(1) Historic districts. No permit shall be issued or cause to be issued, for the construction, reconstruction, alteration, restoration, demolition or razing of any building, structure, or premises, in whole or in part, within a designated historic district until a certificate of appropriateness has been issued. Such certificate shall not be limited to work requiring a building permit according to the presently enacted building code, but shall include all work affecting general design, arrangement, texture, material and color of a structure which can be seen from a public street or way. This includes, but is not limited to, the following: painting; sandblasting; chemical cleaning; stucco or other applied textures; replacement or major repair of windows, cornices, trim or other nonstructural elements; signs; and other work affecting any building, structure or premises.

(2) Conservation districts.

(a) No permit shall be issued or cause to be issued, for new construction and additions to buildings or structures, including a porch or porch enclosure, that impacts the streetscape within a designated conservation district until a certificate of appropriateness has been issued, unless specifically listed as exempt below.

(b) Demolition activity impacting the streetscape, including demolition of any character defining porch, balcony, deck, cornice, dormer or roof, shall require the issuance of a certificate of appropriateness, unless specifically listed as exempt below.

(c) The following activities shall not require a certificate of appropriateness:

(1) Demolition or construction of any building or structure not visible from a public right-of-way.

(2) Maintenance, repair, or alteration of a building or structure or part thereof.

(3) Installation of appurtenances and accessory elements of a decorative or ancillary nature, regardless of visibility from a public street, including but not limited to the following:

- (a) Storm windows and doors, awnings and shutters.
- (b) Signs, banners and flags.
- (c) Downspouts and gutters.
- (d) Flower boxes, light fixtures and mailboxes.
- (e) Heating or cooling units, including solar heating fixtures.
- (f) Fences, walls not exceeding four feet in height, gates, arbors and trellises.
- (g) Antennas and satellite dishes.
- (h) Other ancillary or decorative elements.

***[i] Gas meters that are not visible from a public right-of-way.***

**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

\_\_\_\_\_  
Vice 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  |

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

That Elsayed Elmarzouky is reappointed to the Police Civil Service Board with a term ending August 10, 2019.

Adopted by Council \_\_\_\_\_, 2015

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

Attest:

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

|                          |  |
|--------------------------|--|
| 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 Pamela Johnson is appointed to the Police Civil Service Board with a term ending August 10, 2019.

Adopted by Council \_\_\_\_\_, 2015

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

Attest:

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

|                          |  |
|--------------------------|--|
| 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 Zelda Yoder is appointed to the Human Relations Commission with a term ending August 10, 2019.

Adopted by Council \_\_\_\_\_, 2015

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

Attest:

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