



# *CITY COUNCIL*

## ***Committee of the Whole***

**Monday, April 11, 2016**

**5:00 pm**

**Agenda**

*Although Council committee meetings are open to the public, public comment is not permitted at Council Committee of the Whole meetings. However, citizens are encouraged to attend and observe the meetings. Comment from citizens or professionals during the meeting may be solicited on agenda topics via invitation by the President of Council.*

*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.*

- I. Animal Rescue League – Liz McCauley Ex. Dir**
- II. Baer Park and Mineral Spring Hotel Update**
- III. Angelica Park and the DCNR Update**
- IV. Agenda Review**
- V. Other Matters**



***COMMITTEE of the WHOLE***  
***CITY COUNCIL***

**MINUTES**  
**March 28, 2016**  
**5:00 P.M.**

**COUNCIL MEMBERS PRESENT:**

S. Marmarou, M. Goodman-Hinnershitz, C Daubert, B. Twyman, D. Reed, J. Slifko, J. Waltman

**OTHERS PRESENT:**

L. Kelleher, S. Katzenmoyer, T. Coleman, D. Cituk, D. Pottiger, B. Murray, A. Palacios, C. Younger, P. Vasquez

The Committee of the Whole meeting was called to order at 5:02 pm by Mr. Waltman.

**I. Animal Rescue League**

Ms. Kelleher stated that this presentation has been rescheduled.

**II. Aulenbach's Cemetery**

Ms. Goodman-Hinnershitz stated that the Cemetery Board has requested \$5,000 from the City toward operational expenses.

Kurt Miller, a member of Mt. Penn Borough Council and the Cemetery Board, stated that Mt. Penn has been providing \$5,000 per year for several years.

Ms. Goodman-Hinnershitz stated that any action taken with Aulenbach's will set a precedent with other cemeteries as there are many situated throughout the City.

Mr. Marmarou questioned if this would be an annual contribution. Ms. Goodman-Hinnershitz stated that this is unknown at this time. Mr. Waltman noted his understanding that the contribution would be for two years while the Board works on long-term solutions.

Ms. Goodman-Hinnershitz requested an update from Ms. Kelleher. Ms. Kelleher stated that she has been working with the Board on an historic location application from the PHMC. She stated that after the cemetery has been designated as historic she will work with the VA for recognition. Mr. Miller explained that grants are very difficult to locate for cemeteries and having the historic designation will open more opportunities for grants. He stated that some of the veterans located in Aulenbach's go back to the French and Indian War.

Ms. Goodman-Hinnershitz stated that the volunteers at the cemetery do great work but that there is routine vandalism and evidence of sacrifices.

Ms. Reed questioned if Berks County Graveyard Preservation was approached for assistance. Ms. Kelleher stated that she researched this group and discovered that their focus is on abandoned family plots.

Ms. Goodman-Hinnershitz stated that the \$5,000 contribution from the City would help to stabilize operations.

Ms. Reed questioned the role of the County in this situation. Mr. Younger stated that he researched this issue and discovered that the City had no role. He stated that he requested a copy of the Mt. Penn solicitor's opinion that the City did have a role but has not received any information.

Mr. Miller stated that Mt. Penn was mistaken about the City's role. He stated that the 1923 Cemetery Act governs cemeteries. He stated that Mt. Penn does not want the cemetery to become blighted.

Mr. Waltman stated that the City has a moral obligation to assist.

Ms. Goodman-Hinnershitz noted her continued concern with the trucking company located next to the cemetery. She stated that this is a separate issue and will be discussed at another time. Mr. Miller agreed.

Mayor Scott arrived at this time.

Ms. Reed questioned how many other cemeteries were located in the City. She noted the need to consider this when making a contribution to Aulenbach's.

Mr. Johnson arrived at this time.

Mr. Slifko suggested that Aulenbach's be used as a model for future cemetery requests. He questioned what would be accomplished with the City's contribution. Ms. Goodman-Hinnershitz stated that work is needed on the retaining walls and for basic maintenance.

Mr. Twyman questioned how long Mt. Penn has been supporting the cemetery. Mr. Miller stated that he is a Cemetery Board member and that Mt. Penn shares services (plowing, salting, and police patrols) in addition to making a contribution.

Ms. Goodman-Hinnershitz explained that there are not many unsold plots so there is no future revenue.

Mr. Miller explained that the cemetery has a \$275,000 endowment that is controlled by the State. He stated that the cemetery receives a quarterly stipend from the endowment but that there is no access to additional funds for capital projects.

Ms. Reed questioned if the Cemetery Board is active. Mr. Miller stated that they are and that they meet regularly.

Mr. Daubert questioned the amount of the quarterly stipend. Mr. Miller stated that he did not know the specific amount. He noted the Board's hope to install a fence to decrease vandalism to the tombstones.

Ms. Goodman-Hinnershitz stated that Board members do most of the maintenance.

Ms. Kelleher stated that the cemetery is approximately 27 acres.

Ms. Goodman-Hinnershitz questioned if the Administration supported the \$5,000 contribution. Mr. Scott stated that the Administration supports the contribution.

Mr. Miller stated that Mt. Penn would love to have the City as a partner on this project.

Ms. Reed requested copies of the cemetery's financial statements. Mr. Miller stated that he will provide copies and stated that the cemetery is audited annually.

Ms. Goodman-Hinnershitz stated that she is a Board member but that she does not regularly attend meetings.

Mr. Waltman requested that Mr. Pottiger work on the budget transfer legislation so that it can be introduced at the April 11 Council meeting.

Mr. Miller left the meeting at this time.

### **III. Angelica Park and DCNR**

Mr. Coleman stated that not much has changed. He stated that he is working to verify the park boundaries so that an appraiser can be hired. He stated that after the appraisal is received the City can work on the land swap.

Mr. Twyman questioned the timeline. Mr. Coleman stated that DCNR is reviewing the City's plan.

Mr. Daubert questioned when the City would hear from DCNR. Mr. Coleman stated that he did not know when the City would be contacted.

### **IV. Agenda Review**

Council reviewed this evening's agenda including:

- Ordinance amending the Stadium Commission

Mr. Waltman explained that the Council liaison would be an ex-officio position that did not have a vote.

Mr. Marmarou stated that he would like to be the Council representative to the Stadium Commission and that he would prefer having a vote.

Mr. Slifko explained that the Charter prohibits elected officials from serving as voting members of boards and commissions.

Ms. Goodman-Hinnershitz stated that the Council reps to the Recreation Commission do get a vote. Mr. Younger stated that this is because the Recreation Commission is unique in that it is created by an inter-municipal agreement. Mr. Slifko agreed and stated that in this case the Charter rule does not apply.

Ms. Reed noted the need to examine all boards, authorities, and commissions for Council attendance.

Ms. Goodman-Hinnershitz suggested that the Nominations and Appointments Committee do the examination. She suggested that the Committee also work with the Administration so that Council is careful of its role.

Ms. Reed stated that Councilor's attendance at meetings is very helpful for first hand observation.

Mr. Scott stated that Councilors are welcome to attend any public meeting.

- Ordinance amending the Fee Schedule for recreation fees

Mr. Slifko questioned if the fee increases were substantial. Ms. Katzenmoyer stated that the Rec Commission does small increases annually to ensure that the rental fees cover the operational costs.

Mr. Scott suggested that Council institute a policy that recreation fees cannot be waived. He explained that he often has requests that fees be waived and that he has been denying all requests. Ms. Goodman-Hinnershitz stated that she will discuss this with the Rec Commission at its next meeting so that a policy can be created.

- Resolution amending the HOME allocation to fund the Hillside Pointe and Barley Square projects

Mr. Palacios reviewed the request and distributed information on both projects.

Mr. Waltman questioned if the Hillside Pointe project was also pursuing tax credits.

Mr. Palacios stated that they are.

Ms. Reed stated that the Barley Square project will be located within the City's floodplain. She questioned if the building design meets flood standards. Mr. Palacios stated that he will confirm this with the developer.

Mr. Palacios stated that the reallocation is necessary to move the projects forward if they are awarded FHA funding.

Ms. Goodman-Hinnershitz questioned how the Barley Square project was named.

Mr. Scott questioned if the Hillside pool property was sold. Mr. Palacios stated that he was unsure. Mr. Scott suggested that the property owner be verified before moving the project forward.

Mr. Twyman requested a presentation on the Hillside Pointe project. He stated that he represents this Council district and has no information on the project. Mr. Palacios stated that the presentation would take place in 2017.

Ms. Reed stated that the developer is the same as the one building the Homes at Riverside. She stated that they have done a great job so far and that the project will be an asset to the neighborhood.

Mr. Twyman stated that he is uncomfortable voting for a project for which he has no information. He stated that the City has many vacant homes which need to be brought back before new homes are built.

Mr. Waltman suggested that the resolution be amended to remove Hillside Pointe so that Council can have a presentation on the project. Mr. Palacios agreed.

Mr. Scott stated that he has been in discussions with the Rec Commission about a project at this site. He again suggested that the owner be verified.

- Resolution requesting a traffic study at N 5<sup>th</sup> and Douglass and at N 5<sup>th</sup> and Oley

Mr. Johnson and Mr. Slifko stated that the study will coincide with the PennDOT project on 5<sup>th</sup> St.

## **VII. Executive Session**

Mr. Waltman announced the need for an executive session to discuss personnel matters. Council entered executive session at 5:43 pm.

Mr. Scott left the meeting during the executive session.

Council exited executive session at 6:29 pm.

The meeting adjourned at 6:33 pm.

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