



CITY COUNCIL

Committee of the Whole

Monday, August 22, 2016

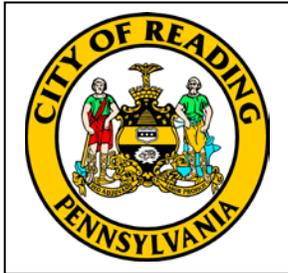
5:00 pm

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. Mt Penn Preserve – K. Barnhardt & L. Olsen**
- II. PML Conference in Lancaster Oct 4-6**
- III.**
- IV. Agenda Review**
- V. Other Matters**



COMMITTEE of the WHOLE

CITY COUNCIL

MINUTES
August 8, 2016
5:00 P.M.

COUNCIL MEMBERS PRESENT:

S. Marmarou, C. Daubert, J. Waltman, J. Slifko, B. Twyman

OTHERS PRESENT:

L. Kelleher, S. Katzenmoyer, C. Broad, D. Cituk, C. Castner, W. Scott, G. Steckman, B. Murray, A. Palacios

The Committee of the Whole meeting was called to order at 5:03 pm by Mr. Waltman.

I. Downtown Cleanliness

Mr. Broad questioned if there were specific cleanliness issues that Council would like addressed. Ms. Kelleher stated that this issue was discussed in general at the July Standards of Living Committee. She stated that discussion centered around trash and litter when ambassadors are not on duty.

Mr. Broad explained that there are two shifts working Monday through Friday to cover the daytime and evening hours. He stated that there is also a Saturday shift that is scheduled based on the times of events at the arena and performing arts center.

Mr. Younger and Ms. Encarnacion arrived at this time.

Mr. Broad stated that there are currently no ambassadors scheduled to work on Sunday. He explained that if litter or trash is strewn late Saturday, it will remain until Monday morning's clean-up begins.

Ms. Goodman-Hinnershitz and Ms. Reed arrived at this time.

Mr. Marmarou questioned specific locations that were noted as troublesome. Ms. Reed indicated that the 300 block of Penn St was noted and that there is much litter in the planting beds when the posse is planting and weeding.

Mr. Broad questioned the time when the posse was downtown. Ms. Reed stated that it is Sunday mornings beginning between 7:30 and 8 am.

Mr. Broad distributed information showing the amount of trash removed from the downtown:

- 17,343 trash bags in 2015
- 7,864 trash bags through the end of June 2016

Photographs were also distributed showing streets along the DID border and the difference in cleanliness of properties within DID and outside DID.

Mr. Broad stated that DID has been working to reinstate the 12th ambassador position that was removed when the CNA building assessment was lost when the property transferred to I-LEAD. He stated that interviews are currently underway. He stated that with this addition, he is considering adding two people on a Sunday shift.

Ms. Goodman-Hinnershitz stated that she works downtown and often drives on Penn St. She stated that it is clearly visible when ambassadors are working. She stated that many trash cans get tipped and the litter scatters. Mr. Broad stated that the cans fill quickly but are routinely emptied.

Ms. Goodman-Hinnershitz noted the condition of the 900 block of Penn St. Mr. Broad stated that he is working to address this block. He stated that many rental properties in this area use the DID trash cans for their private trash removal. He stated that many times when DID empties its cans and leaves the bags on the sidewalk to be picked up later, that many other bags and bulky items appear and a pile is started. He stated that they have tried to fine people when their personal information is found inside the bags but the MDJ's state that you cannot prove that they put the bag there.

Ms. Goodman-Hinnershitz stated that mattresses should not be displayed outdoors for sale. Ms. Reed stated that letters are being sent out to businesses about this.

Ms. Vazquez arrived at this time.

Ms. Goodman-Hinnershitz stated that there are five ice vendors in the 500 block of Penn St. Mr. Broad stated that all five have vendor permits. He stated that he did question this as they are all in one block. He stated that the vendors are very territorial.

Mr. Daubert called Mr. Broad's attention to several discrepancies in his reports. Mr. Broad stated that they appear to be typos and that he will make the corrections.

Mr. Twyman stated that the cans near the Hispanic Center are always full. He stated that downed branches are also placed near the cans and remain there for several weeks. He expressed the belief that overflowing trash cans are not acceptable. Mr. Broad stated that it is inexcusable if ambassadors are passing the overflowing cans without addressing them.

Mr. Johnson arrived at this time.

Mr. Twyman stated that the ambassadors must be more proactive during the time that the Penn St Market is open. He stated that there must be accountability. Mr. Broad stated that there are currently several summer youth employees. He stated that the youth must be more closely supervised. He stated that the Market consumes a significant amount of time for the ambassadors but that overflowing cans are never acceptable. He stated that clean and safe is DID's top priority. He explained that if branches are too large they must be picked up by Public Works.

Mr. Marmarou expressed the belief that store and property owners should take responsibility for their sidewalks and the public areas.

Mr. Steckman expressed the belief that DID may not have the right equipment for the job. He stated that blowing trash is not the same as removing it. He suggested that DID invest in several mini street sweepers. He stated that there are an excessive amount of cigarette butts but no containers for them. He stated that there are cigarette butt recycling programs. He questioned if ambassadors were full time. Mr. Broad stated that they are.

Mr. Steckman stated that the Administration is working on ways to increase visitors to the downtown area. He questioned if the ambassadors would be able to keep up with an increase in visitors. Mr. Broad stated that he would like to meet with Mr. Steckman to discuss this and to discuss adding additional trash and cigarette butt containers.

Mr. Steckman suggested that he and Mr. Broad meet to discuss these issues. He noted his hope that there would be open communication and that the City will help in any way that it can. Mr. Broad stated that he would like to begin meeting and stated that he will also share his equipment list with the City to review any future needs.

Mr. Slifko suggested that the new collection system include a small surcharge on each property to address public cleanliness.

Mr. Waltman reminded all about his trash rant paper. He stated that the City is addressing the many set out issues but that the largest issue may be people's mindset about litter. He recommended having two police officers working all day every day to fine people for littering. He stated that the City's current policies are teaching people that littering is okay because someone else will clean it up. He stated that the City should not appear the way it currently does.

Ms. Goodman-Hinnershitz agreed that there needs to a change in mindset. She stated that when people are done with something they simply drop it and no longer feel responsible. She stated that it will be a challenge to educate people and that a comprehensive approach is needed. She stated that the "Keep America Beautiful" campaign was very powerful in the past.

Mr. Steckman explained that the Administration is working on an education campaign that will include door hangers, flyers in the water bills, more public trash containers, public service announcements, and increased requirements for businesses (including trash pick-up more than one time per week). He stated that this campaign will begin within the next two months.

Ms. Reed stated that trash and litter are different issues. Mr. Steckman stated that both issues will be addressed. He noted the need to get trash/recycling programs back into the schools.

Mr. Daubert stated that littering is a bad habit. He stated that he is encouraged by the Administration's approach.

Mr. Marmarou stated that leaf removal is also a problem in the College Heights area. He stated that residents blow leaves into the catch basins and they won't drain correctly during rain events. He suggested that this also be included in the flyers. Mr. Steckman stated that this will also be addressed. He stated that he is also working to have a warning painted on each catch basin. He stated that enforcement will begin if issues continue.

Mr. Waltman noted his agreement with enforcement. He stated that litter must be addressed. Mr. Steckman stated that this is not an issue that can be corrected overnight. He stated that the program will be evaluated over time and improvements made as necessary.

Ms. Reed stated that trash and litter are tied to quality of life violations. She questioned if tickets would continue to be issued. Mr. Steckman stated that he met recently with Mr. Johnson to address the condition of City properties. He noted the need for the City to set a good example during this process. He stated that the City needs a tracking and data system to better manage problem properties.

Mr. Scott noted the condition of the upper floors of the properties in the 500 block of Cherry St. He stated that this must also be addressed. He stated that people also look up and that pigeons are using the upper floors in this block. Mr. Broad stated that he is aware of this situation but that DID does not have enforcement powers.

Mr. Scott suggested that Mr. Broad work with Property Maintenance to address this situation.

Mr. Broad also explained that DID does not clean Parking Authority properties. He stated that the lot at 7th & Court Sts is full of trash and when not picked up it blows around the downtown. He stated that an ambassador was cleaning up around the railroad tracks and was told that he was trespassing and could not clean in that area.

Mr. Steckman stated that cleaning the railroad areas can be dangerous. He stated that Mr. Johnson has been in contact with Norfolk Southern and that a clean-up will be done shortly. He noted the need for open communication.

Mr. Broad left the meeting at this time.

II. East Reading Pool Property Update

Mr. Scott stated that the proposal for the spray park is \$1.26 million. He stated that he will provide Council with a copy of the proposal. He expressed the belief that the City should take possession of the property.

Ms. Goodman-Hinnershitz noted her concern that the person who is trying to buy the property privately will not be able to address the structural issues. She noted her concern that the retaining wall will fail and there will be a major catastrophe. She noted her support for the City to take possession of the property and use it for recreational purposes.

Mr. Waltman requested that the Administration prepare a report to Council that includes maintenance expenses.

Mr. Steckman expressed the belief that a spray park would be a very nice attraction. He stated that it would not be expensive to acquire and maintain the property compared to the costs associated with pools.

Mr. Scott stated that many City residents don't see what the City does for them. He stated that this would be a very visible project and that it would be greatly appreciated by residents.

Ms. Reed noted her concern with another park for the City to maintain. She stated that the City's current parks are not maintained adequately. She suggested that the City dispose of small parcels before taking on more.

Mr. Steckman stated that the spray park would require little staff time.

Ms. Reed expressed the belief that people will clog the drains on purpose. She questioned where the funds are for the project. She noted the need for Council to ensure that the City is spending its tax dollars wisely. She expressed the belief that City services are already stretched too thin.

Mr. Steckman expressed the belief that the City must invest in its infrastructure. He stated that the capital budget is currently under review and that this project may be included in the 2017 capital budget. He agreed that the City parks need much improvement but he also noted the City's need to be more aggressive with grant and other funding sources. He stated that Act 47 puts the City first in line for State funding.

Mr. Slifko expressed agreement in securing the land. He stated that the budget issues for the spray park must be looked at in totality of other expenses. He cautioned taking action beyond securing the property due to possible long-term investment costs.

Mr. Marmarou questioned when the pool ceased operations. Ms. Goodman-Hinnershitz stated that it was Labor Day 2015.

Mr. Marmarou questioned why they continue getting water bills. Ms. Goodman-Hinnershitz stated that this was outside the scope of the current discussion.

Mr. Twyman agreed with securing the parcel but not to moving forward with the spray park until Council has additional information. He stated that the City's STAR designation also presents grant opportunities. He agreed that spending for this project must be reviewed in relation to total City expenditures. He suggested that perhaps Pandora Park and Neversink Playground be enhanced instead of adding this spray park. He stated that

the City doesn't have long-range plans and that the City's work culture appears that some people don't want to work hard.

Mr. Scott questioned if there was support to purchase the property. Mr. Waltman stated that an ordinance will be introduced this evening to purchase the property. He expressed the belief that it was a huge loss to the City when Northwest Swimming Pool and Hillside Pool closed. He noted the need for the City to invest in its youth and in recreation. He stated that a spray pool will add to the equity of the City and that people need to think beyond "poor". He stated that this would greatly enhance this neighborhood.

Ms. Goodman-Hinnershitz stated that she is close to the neighborhood culture about the pool property. She noted her support to purchase the property and be creative with funding and possible future projects.

Mr. Waltman stated that either the City takes the property now or it will get it after a disaster. He noted the need to be proactive and that an ordinance will be introduced to purchase the property this evening.

III. Mineral Spring Hotel Update

Mr. Younger stated that the August 1 hearing was postponed. He stated that Judge Lillis has recused himself from the case and that it has been reassigned to Judge Rowley. He stated that a hearing will be held in the near future.

Mr. Twyman questioned if the property has been vacated and secured. He stated that this has been in process for six months already. Mr. Scott stated that it has not. He noted his hope that the process would move forward more quickly but that it needed to be addressed at the Court of Common Pleas. He stated that if East Ends is ordered out of the building that Council will then be able to determine if they forgive the past due amounts.

Mr. Twyman noted the need for more clarity on the process. Mr. Younger stated that it would need to be in executive session.

Ms. Marmarou reminded all that bad weather is coming and that maintenance issues must be addressed.

IV. Decriminalization of Parking Tickets

Mr. Scott stated that the Parking Authority is working with Vince's Towing to remove cars from the streets. He stated that they are hoping to piggyback on the City's contract. He stated that they are ready for tickets to be decriminalized and are waiting for Council's vote. He expressed the belief that people should not go to jail for non-payment of parking tickets.

Mr. Steckman stated that Easton collects more revenue from parking tickets since the process has been decriminalized. He explained that they provide a slight discount if paid quickly. He stated that a third party collector is used for those who do not pay.

Mr. Scott expressed the belief that the former Parking Authority Board was problematic. He stated that the Administration is currently reviewing garage leases and the contract with Stacey's Towing. He stated that he will provide updates as information is learned.

Ms. Kelleher stated that the contract with Stacey's Towing was awarded during Mr. Lee's tenure as Executive Director.

Ms. Goodman-Hinnershitz stated that the decriminalization of parking tickets is on this evening's agenda for final passage.

Mr. Waltman questioned if the program is ready. Mr. Steckman stated that it is.

Mr. Younger explained that the ordinance amends the appeal process. He stated that appeals will be heard by an Independent Hearing Officer. He stated that people can still appeal to the Court of Common Pleas. He stated that warrants will not be issued for unpaid tickets.

Ms. Reed questioned how the Independent Hearing Officer would be chosen. She questioned if they would need to have a legal background. Mr. Younger expressed the belief that the Parking Authority would issue an RFP.

Ms. Reed stated that this is not defined in the ordinance. Mr. Scott expressed the belief that the Independent Hearing Officer could be an attorney or a retired judicial officer. He stated that the Parking Authority would determine how to fill the position.

Mr. Daubert stated that the constituents that he's spoken with are very strongly in favor of this approach.

Mr. Marmarou agreed with Mr. Daubert.

Ms. Goodman-Hinnershitz also agreed. She stated that she never understood why parking tickets were approached in the same way as other offenses.

Mr. Scott stated that Lancaster is also pursuing this. He stated that he hopes the State will be approached to address this and suggested that licenses be suspended for non-payment of parking tickets.

V. RAWA Dissolution Update

Mr. Waltman stated that the meeting has been set up for this Wednesday at 4:30 pm. He stated that after the meeting he will send detailed notes to all of Council for their review and to offer input.

Mr. Johnson stated that the RAWA Board is waiting for Council to approve the approval of the collective bargaining agreement. Mr. Waltman stated that this will be addressed at Wednesday's meeting. He stated that the City and RAWA are operating under the 4th addendum. He stated that he is unsure if the collective bargaining agreement approval by Council is required.

Mr. Johnson stated that the union is becoming concerned about the delay.

Mr. Murray clarified that the 4th addendum does not require Council's approval. However the dissolution of RAWA does require Council approval of contracts as per the Municipal Authorities Act. He stated that he will review this at the meeting on Wednesday.

Mr. Waltman stated that the agreement has not been reviewed by Council. Mr. Johnson stated that labor regulations do not allow the agreement to be reviewed by Council.

Mr. Waltman noted the need for Council to understand the costs and have a summary of changes. Mr. Johnson stated that he cannot provide this information due to labor regulations.

Mr. Slifko questioned how Council could make a decision without any details.

Mr. Waltman again noted the need for additional information. Mr. Johnson stated that he will provide what he is able at the meeting on Wednesday.

Mr. Waltman noted the need for Mr. Younger to attend the meeting. Mr. Twyman agreed.

Mr. Waltman stated that he will prepare an agenda before the meeting. He stated that RAWA employees continue to do a great job.

VI. Agenda Review

An ordinance will added for introduction authorizing the purchase of the East Reading Pool parcel.

The Administration requested the addition of three ordinances for introduction:

- Adding a budget line for PA DCNR grant for Keffer Park Playground Rehab project

- Adding a budget line for PA DCNR grant for 11th & Pike Playground Rehab project
- Adding a budget line for PA DCNR grant for Pendorf Park Rehab project

Council reviewed this evening's agenda including:

- Police Promotion Resolutions

Mr. Twyman stated that there have been many promotions recently. He questioned if they were based on achievements or another reason. Mr. Scott stated that recently people are getting promoted and then leaving the force. He stated that the Civil Service process is followed. He noted the need to address this issue as consistency is needed in command staff.

Mr. Marmarou stated that this puts the Chief in a bad position. He noted his agreement that this issue must be addressed. He questioned how many more times it could happen. Mr. Steckman stated that there are sixteen officers remaining who are eligible for the DROP program. He noted the need to address this moving forward.

Mr. Waltman expressed the belief that there should be a minimum time commitment after taking the new rank.

Mr. Twyman questioned if the promotions were necessary. Mr. Marmarou stated that they are. He stated that a command staff is necessary.

Ms. Reed cautioned Council about having this discussion when there are names on the table.

Mr. Slifko questioned if this could be addressed in contract language. Mr. Steckman stated that the Administration is pursuing this.

Ms. Goodman-Hinnershitz expressed the belief that this is two issues and should not be directed at those whose names are on the table.

- Ordinance adopting the operation of Community Development Department Fund 32

Mr. Palacios stated that this will allow Accounting to keep better records of CD revenue and expenses.

Mr. Cituk explained that the CDBG budget is passed by Council but has not been entered into the USL accounting system in the past. He stated that this ordinance will put it into the accounting system.

Mr. Twyman requested clarification that it was never entered into the accounting system before. Mr. Cituk again stated that it was never entered into the accounting system before.

Mr. Steckman stated that this is an audit finding that is being corrected.

- Ordinance amending Chapter 600 Zoning Telecommunications Facility Exemptions

Mr. Waltman stated that the public hearing was held on August 1.

Ms. Kelleher explained that additional wireless capability is needed for devices and smartphones. She stated that wireless companies are adding towers and antennas and the City needs to better regulate them. She stated that this is the first step in the process. She stated that the entire section will be amended. She stated that the regulations will be based on the results of a 2013 lawsuit in another PA municipality.

VII. Executive Session

Mr. Waltman announced the need for Council to enter executive session to discuss a litigation matter. Council entered executive session at 6:40 pm and exited at 6:53 pm.

The meeting adjourned at 6:53 pm.

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