



CITY COUNCIL

Meeting Agenda

REGULAR MEETING
COUNCIL CHAMBERS

MONDAY, SEPTEMBER 12, 2016
7:00 P.M.

The Regular Meetings of City Council are filmed and can be viewed LIVE while the meeting is taking place or at your convenience at any time after the meeting on the City's website at www.ReadingPa.gov, under "Live and Archived Meeting Videos". 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 from Christ Episcopal Church

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

The purpose of the Executive Session on Monday, September 12th was related to _____ matters.

2. PROCLAMATIONS AND PRESENTATIONS

- Proclamation declaring October 1st as Marc Anthony Day

3. PUBLIC COMMENT – AGENDA MATTERS:

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

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

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

4. APPROVAL OF AGENDA

A. MINUTES: Regular Meeting of August 22, 2016

B. AGENDA: Regular Meeting of September 12, 2016

5. Consent Agenda Legislation

A. Resolution – promoting Officer Joseph Cadawallder to Sergeant

B. Resolution – promoting Officer Brett Sneeringer to Sergeant

C. Resolution – authorizing the Mayor to sign and submit a Pennsylvania Department of Education Keystone Recreation, Park and Conservation Fund Grant application to request \$75,000 in funding \$75,000 for the HVAC rehabilitation of the Reading Public Library Northeast Branch. Total project cost \$166,000.

C. Award of Contract –

6. ADMINISTRATIVE REPORT

7. REPORT FROM OFFICE OF THE AUDITOR

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

9. ORDINANCES FOR FINAL PASSAGE

Pending Legislation

Bill No. 2016 – creating the Reading Regional Water Authority *Introduced at the May 23 regular meeting*

Ordinance – amending the City’s Zoning Ordinance, Section 600-800, Districts, Section 600-1203 Conditional Use, Section 600-2100 Telecommunications Towers and Antennas, and Section 600-2206 Telecommunication Definitions *Introduced at the August 8 regular meeting*

10. INTRODUCTION OF NEW ORDINANCES

A. Ordinance - restricting parking by establishing a No Parking zone on the east side of Reed Street at the intersection of Buttonwood Street and Reed Street for a distance of approximately 28 feet. The purpose of the restriction is to establish a safe and sufficient turning space for vehicles turning from Buttonwood Street onto that section of Reed Street.

B. Ordinance – authorizing the transfer of cash reserves in the General Fund totaling \$85,000.00 from Fund Balance to Public Works

C. Ordinance – authorizing the transfer of cash reserves in the Sewer Fund in the amount of \$61,717.50 from Fund Balance (54-07-00-2980-000) to Engineering Costs (54-07-45-4816-000) and to Administrative costs (54-07-45-4823-000) and amends the 2016 Sewer Fund operating budget to allocate funds to Engineering to be performed on 6th and Canal Pump Station for Phase I.

11. RESOLUTIONS

A. Resolution – authorizing the City Solicitor to execute the reimbursement agreement in the RAS with No. R16050006 for the Rockland Street Project initiated by the Wyomissing Foundation

12. PUBLIC COMMENT – GENERAL MATTERS

Please see public speaking rules on second page

13. COUNCIL BUSINESS / COMMENTS

14. COUNCIL MEETING SCHEDULE

Monday, September 12

Committee of the Whole – Penn Room – 5 pm

Regular Meeting – Council Chambers – 7 pm

Wednesday, September 14

HARB Appeal – Council Chambers – 5 pm re 1604 Bern St

Monday, September 26

Committee of the Whole – Penn Room – 5 pm

Regular Meeting – Council Chambers – 7 pm

Monday, October 3rd

Nominations & Appointments Committee – Council Office – 4 pm

Strategic Planning Committee – Council Office – 5 pm

Monday, October 10th

Committee of the Whole – Penn Room – 5 pm

Regular Meeting – Council Chambers – 7 pm

15. BAC AND COMMUNITY GROUP MEETING SCHEDULE

City of Reading City Council
Regular Meeting
August 22, 2016

Council President Waltman called the meeting to order.

The invocation was given by Rev. Danny Moore, Holy Trinity Church of God.

All present pledged to the flag.

ATTENDANCE

Council President J. Waltman
Councilor Daubert, District 1
Councilor Goodman-Hinnershitz, District 2
Councilor Twyman, District 3
Councilor Marmarou, District 4
Councilor Reed, District 5
Councilor Slifko, District 6
City Auditor D. Cituk
City Solicitor C. Younger
City Clerk L. Kelleher
Managing Director G. Steckman
Mayor W. Scott

There was an executive session on litigation at the Committee of the Whole meeting.

PROCLAMATIONS AND PRESENTATIONS

No commendations were issued at this meeting.

PUBLIC COMMENT

Council President Waltman stated that there are six (6) citizens registered to address Council, three (3) on agenda matters and three (3) on non-agenda matters. He inquired if any Councilor objected to suspending the rule requiring non-agenda comment at the end of the meeting. As no one objected the rule was suspended.

Councilor Daubert read the public speaking rules that were adopted by Council.

Shelia Ehram, of South 15th St., stated that she circulated a petition in the East Reading area seeking support for the City's purchase of the East Reading pool and for the City to retain the swimming pool. She noted that she and some neighbors made an offer to purchase the pool which was accepted by all taxing authorities except the City. She expressed the belief that the City should fix the pool, as a splash park is better suited for young children and not teenagers and adults. She implored Council to purchase the property and allow it to remain as a swimming pool.

Richelle Smith, of South 15th St., stated that she and her husband were attracted to purchase their home in East Reading due to the home's proximity to Neversink Mountain and the East Reading Pool. She expressed the belief that a splash park will not be used by teenagers and adults. She noted that the pool offers employment opportunities to teenagers, as well as recreation. She agreed that the City should purchase the pool and continue operating it as a swimming pool.

Josh Smith, of South 15th St., echoed the comments made about the East Reading Pool and stated that the City should purchase the property and retain the pool.

Ralph Nieves, of North 8th St., stated that 146 North 5th Street was recently condemned by the City due to the property owner's failure to properly maintain the property. He stated that the condemnation required him to close his small business and seek space elsewhere. He noted that his past record has prevented him from moving to a new location. He stated that he learned from poor decisions he made in the past and changed his lifestyle. However, he is still unable to find a new location.

Joel Jenkins, of Weiser St., spoke in support of the senior citizen discount that the City used to apply to the trash and recycling program. He questioned why the discount was discontinued and asked that it be restored. He also suggested adopting legislation to reduce the leachate that comes from trash trucks.

Carmen Mares, of Cherry St., presented a petition requesting improved traffic control for the 10th and Cherry Street area due to continued vehicular speeding and a skate park. She described the difficulties children have safely crossing the street in this area.

Jason Orth stated that he missed the opportunity to register to speak and asked permission to comment. Council President Waltman allowed Mr. Orth to speak for there (3) minutes.

Jason Orth, of Cherry Street, agreed with the need for improved traffic controls in the 10th and Cherry Street area due to speeding vehicles and line of sight issues that makes crossing difficult and unsafe for children.

APPROVAL OF THE AGENDA & MINUTES

Council President Waltman called Council's attention to the agenda for this meeting, including the legislation listed under the Consent Agenda heading, and the minutes from the August 8th Regular Meeting of Council. Council President Waltman stated that the administration wishes to withdraw Consent Agenda item G Resolution pertaining to Berks Nature.

Councilor Marmarou moved, seconded by Councilor Daubert, to approve the minutes from the August 8th Regular Meeting of Council and the agenda, including the legislation listed under the Consent Agenda heading. The motion was approved unanimously.

Consent Agenda

A. Resolution 66-2016 – authorizing the RAWA Board to approve the collective bargaining unit with AFSCME

B. Award of Contract – for Laboratory Services 2016 to M.J. Reider Associates INC., 107 Angelica Street, Reading, PA 19611 who is not the lowest bidder, because this was an RFQ it was based on qualifications rather than price. The estimated total bid price is \$45,975.00.

C. Award of Contract – authorizing the purchase of a ladder truck for the Fire Department from Seagrave Fire Apparatus at the cost of \$1,030,575 (*to be distributed Monday*)

D. Award of Contract – for Traffic Signal Maintenance in order that the contract may be awarded to Telco, Inc, 1224 Cross Keys Road Reading, PA 19605 at the cost of \$33,048

E. Award of Contract – for furnishing Bituminous Materials and Asphalt Cements for pick-up to South Reading Blacktop, Division of Reading Materials, Birdsboro, PA at an estimated total bid price of \$106,900.00. This contract is from date of award of contract until May 31, 2018

F. Award of Contract – for the 2015 PennDOT Repaving Project to H&K Group Contractors, Skippack, PA. The total amount is \$772,304.95 subject to Penn DOT approval

WITHDRAWN G. Resolution 67-2016 – waiving the financial security on a Municipal Improvement Agreement for Berks Nature at Angelica Park -

H. Award of Contract – for streetlight maintenance to Hirneisen Electric Inc., Reading, at the cost of \$57,254.

ADMINISTRATIVE REPORT

The managing director and the mayor thanked the Public Works Department for their tireless work on various projects during the extreme heat during the summer months. He noted that the administration will soon be making a recommendation for an award of contract for the WWTP project.

AUDITOR'S REPORT

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

- 2012-16 Admissions Tax
- 2012-16 Real Estate Transfer Tax

The City Auditor noted that the presentation of the 2015 external audit will be delayed for approximately 30 days.

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

ORDINANCES FOR FINAL PASSAGE

Pending Legislation

Bill No. 2016 – creating the Reading Regional Water Authority *Introduced at the May 23 regular meeting*

Ordinance – amending the City’s Zoning Ordinance, Section 600-800, Districts, Section 600-1203 Conditional Use, Section 600-2100 Telecommunications Towers and Antennas, and Section 600-2206 Telecommunication Definitions *Introduced at the August 8 regular meeting*

A. Bill 34-2016 – amending the City Code, Chapter 5 Administrative Code, Section 5-806 Fiscal Provisions to provide improved clarity by providing a new Section 807 covering the Annual Budget and Capital Program, incorporating the Purchasing Policies currently identified as Section RE3117-005a-Ex A within Section 809, adding reserved sections for future use and renumbering Section 800 in its entirety, as attached in Exhibit A *Introduced at the August 8 regular meeting*

Councilor Marmarou moved, seconded by Councilor Slifko, to enact Bill No. 34-2016.

Councilor Slifko explained that this amendment cleans up Section 806 and provides improved clarity for the users. He noted that our Home Rule form of Government started in 1996 and over the past 20 years, this section has become muddled with amendments.

Councilor Goodman-Hinnershitz thanked the City Clerk and Assistant Solicitor Coleman for their hard work to reorganize these sections over the past few months.

Bill No. 34-2016 was enacted by the following vote:

Yeas: Daubert, Marmarou, Goodman-Hinnershitz, Reed, Slifko, Twyman, Waltman, President - 7
Nays: None - 0

B. Bill 35-2016 – authorizing the purchase of the East Reading Pool site *Introduced at the August 8 regular meeting*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Daubert, to enact Bill No. 35-2016.

Councilor Goodman-Hinnershitz provided background on the financial problems experienced by the East Reading Pool resulting in the property going on the tax sale list. She thanked the administration for taking a proactive approach and performing a study to assess the condition of the pool and its potential reuse as a splash park. She agreed that the purchase of the property is the first step and the decision for the reuse will follow separately.

Councilor Reed stated that she will most likely be the lone dissenting vote. She noted that around 2001 the City used approximately \$300K in CDBG funds to aid the pool and later the Chamber of Commerce dedicated resources to help reshape the management of the pool. She noted that privately run swimming pools are developing financial problems and closing elsewhere. She noted that over the past years, the Northwest Swimming Association, Hillside Swimming Association and Muhlenberg Swimming Association have all closed. She also noted that although the majority of Council will support the purchase of the pool, there is no guarantee that reuse will be a pool, a splash park or a parking lot.

Councilor Slifko stated that he supports the acquisition of the property to secure it and prevent it from becoming blighted; however, he will consider the reuse recommendation separately.

Councilor Daubert stated that he supports purchasing the property to secure the site and he supports a reuse that will benefit the community.

Councilor Goodman-Hinnershitz thanked the members of Council for their support.

Council President Waltman expressed the belief that the City should have stepped in to secure Northwest and Hillside. Unfortunately, the City's financial position at the time prevented the City from assisting those organizations at their time of need. He agreed that the reuse of the property should provide a recreational resource for our youth and he suggested that the City consider a partnership with Olivet.

Bill No. 35-2016 was enacted by the following vote:

Yeas: Daubert, Marmarou, Goodman-Hinnershitz, Slifko, Twyman, Waltman, President - 6

Nays: Reed - 1

C. Bill 36-2016 – amending the 2016 budget by adding the PA DCNR Reimbursement Grant for the Keffer Park Playground *Introduced at the August 8 regular meeting*

Councilor Daubert moved, seconded by Councilor Reed, to enact Bill No. 36-2016.

Councilor Slifko explained that the next three (3) ordinances will add these transactions to the City's USL system which will allow the administration to track the financing of these projects.

Bill No. 36-2016 was enacted by the following vote:

Yeas: Daubert, Marmarou, Goodman-Hinnershitz, Reed, Slifko, Twyman, Waltman, President - 7

Nays: None - 0

D. Bill 37-2016 – amending the 2016 budget by adding the PA DCNR Reimbursement Grant for the 11th & Pike Playground Phase II Rehabilitation Project *Introduced at the August 8 regular meeting*

Councilor Marmarou moved, seconded by Councilor Daubert, to enact Bill No. 37-2016.

Bill No. 37-2016 was enacted by the following vote:

Yeas: Daubert, Marmarou, Goodman-Hinnershitz, Reed, Slifko, Twyman, Waltman, President - 7

Nays: None - 0

E. Bill 38-2016 – amending the 2016 budget by adding the PA DCNR Reimbursement Grant for the Pendora Park Playground Rehabilitation Project *Introduced at the August 8 regular meeting*

Councilor Daubert moved, seconded by Councilor Reed, to enact Bill No. 38-2016.

Bill No. 38-2016 was enacted by the following vote:

Yeas: Daubert, Marmarou, Goodman-Hinnershitz, Reed, Slifko, Twyman, Waltman, President - 7

Nays: None - 0

INTRODUCTION OF NEW ORDINANCES

No ordinances were introduced at this meeting.

RESOLUTIONS

A. Resolution 68-2016 – reappointing Kelly Christman to the Shade Tree Commission

Councilor Marmarou moved, seconded by Councilor Slifko, to adopt Resolution No. 68-2016.

Councilor Marmarou spoke of the skill and experience Ms. Christman brings to this board and the amount of work she contributes to the board's mission.

Councilor Slifko noted that Ms. Christman is a long term board member and he encouraged citizens to apply for the two (2) openings on this board.

Resolution No. 68-2016 was adopted by the following vote:

Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Slifko, Twyman, Waltman President - 7

Nays: None - 0

COUNCIL COMMENT

Councilor Marmarou thanked the Police Chief and Lt. Reilly for attending the community crime meeting in District 4 last week. He noted that 114 community members attended.

Councilor Daubert thanked the Public Works Department for their hard work during the extreme heat we have experienced this summer. He agreed with the need to consider traffic issues from a pedestrian's perspective.

Councilor Goodman-Hinnershitz thanked tonight's speakers and those who attended the entire Council meeting. She noted the upcoming race which will travel through Reading.

Councilor Reed noted that the Phightin Phils currently have the best record in baseball. She reminded everyone that school is starting next week and she asked everyone to be aware of the increased pedestrian traffic before and after school.

Councilor Twyman stated that he appreciates the positivity of the remarks about the East Reading Pool. He thanked everyone for attending tonight's meeting and for the comments made at the meeting.

Councilor Slifko thanked Steve Harrity and the Clean City program for performing over 74 cleanups with volunteers since the start of the warm weather season.

Councilor Marmarou announced that the College Heights Community Council will be meeting on Sunday, September 11th at 7 pm at Nativity Lutheran Church.

Councilor Goodman-Hinnershitz noted that the uniforms worn by the US Gymnastic team were supplied by Elite Sportswear, a Reading based company.

The managing director stated that he has started meeting with the public works director about the City's snow plow routes and equipment.

Council President Waltman reviewed the upcoming Council meeting schedule.

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

Respectfully submitted by Linda A. Kelleher CMC, City Clerk



AGENDA MEMO

POLICE DEPARTMENT

TO: City Council
FROM: Chief Andres Dominguez, Jr.
PREPARED BY: Chief Andres Dominguez, Jr.
MEETING DATE: September 12, 2016
AGENDA MEMO DATE: September 2, 2016
REQUESTED ACTION: Authorize the Promotion of *Two Officers to Sergeants*.

RECOMMENDATION

The Mayor and Police Chief recommend the promotion of the following officers:

Officer Brett Sneeringer, date of employment January 31, 2011, to the rank of Sergeant.

Officer Joseph Cadwallader, date of employment January 31, 2011, to the rank of Sergeant.

BACKGROUND

Officer Brett Sneeringer has been in patrol since July 13, 2015. Officer Joseph Cadwallader has been in patrol since January 1, 2011. The Police Chief has reviewed and found their performance, dependability, and conduct to be exemplary. The Mayor and Police Chief recommend them for promotion.

BUDGETARY IMPACT

None. These funded positions have current vacancies as of the appointment date.

PREVIOUS ACTIONS

None

SUBSEQUENT ACTION

Council to take action to approve a resolution to authorize the promotions of Officers Brett Sneeringer, and Joseph Cadwallader to the rank of Sergeant.

RECOMMENDED BY

The Mayor and Police Chief recommend approval.

RECOMMENDED MOTION

Approve/deny the resolution authorizing the promotion of Officers Brett Sneeringer, and Joseph Cadwallader to the rank of Sergeant effective _____, 2016.

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

RESOLUTION NO. _____ 2016

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

Authorizing the promotion of Officer Brett Sneeringer to the rank of Sergeant effective immediately.

Adopted by Council _____, 2016

Jeffrey S. Waltman
President of Council

Attest:

Linda A. Kelleher
City Clerk

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

RESOLUTION NO. _____ 2016

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

Authorizing the promotion of Officer Officer Joseph Cadwallader to the rank of Sergeant effective immediately.

Adopted by Council _____, 2016

Jeffrey S. Waltman
President of Council

Attest:

Linda A. Kelleher
City Clerk

AGENDA MEMO

WALLY SCOTT, MAYOR

GLENN STECKMAN, MANAGING DIRECTOR

TO: City Council
FROM: Ralph Johnson, Director of Public Works
PREPARED BY: Cindy DeGroot, Grants Coordinator
MEETING DATE: September 12, 2016
AGENDA MEMO DATE: September 7, 2016
REQUESTED ACTION: Council approve a resolution to authorize the Mayor to sign and submit a Pennsylvania Department of Education Keystone Recreation, Park, and Conservation Fund Grant Application for the Reading Public Library Northeast Branch HVAC Rehabilitation Project

RECOMMENDATION

The Administration recommends Council approve a resolution authorizing the Mayor to sign and submit a Pennsylvania Department of Education Keystone Recreation, Park and Conservation Fund Grant application to request funding (\$75,000) of the total project cost (\$166,000) for the HVAC rehabilitation of the Reading Public Library Northeast Branch.

BACKGROUND

The State Department of Education Keystone Recreation, Park and Conservation Fund Grant-Keystone Grant for Public Library Facilities provides grant funds for library rehabilitation. The Reading Public Library Northeast Branch is in need of a new HVAC system. The site's current HVAC system is the original system from 1974 and is no longer working properly. Parts to fix for the current system are no longer available. The City intends to rehabilitate NE Library's HVAC system by providing a new system to the site. The required (\$91,000) local match of the total project cost (\$166,000) has been applied to through the Community Development Block Grant Program funds.

BUDGETARY IMPACT

None

PREVIOUS ACTION

None

SUBSEQUENT ACTION

None

REVIEWED BY

Director of Public Works, Managing Director and Mayor

RECOMMENDED MOTION

Approve/Deny the resolution to authorize the Mayor to sign and submit a Pennsylvania Department of Education Keystone Recreation, Park and Conservation Fund Grant application for the rehabilitation of the Reading Public Library Northeast Branch HVAC system.

Drafted by	Pub. Works
Sponsored by/Referred by	Man. Dir & Pub Works Dir
Introduced on	N/A
Advertised on	N/A

Resolution No. ____2016

RESOLUTION AUTHORIZING THE MAYOR TO SIGN AND SUBMIT AN APPLICATION FOR A PENNSYLVANIA DEPARTMENT OF EDUCATION KEYSTONE RECREATION, PARK AND CONSERVATION FUND FOR PUBLIC LIBRARY FACILITIES FOR THE READING PUBLIC LIBRARY NORTHEAST BRANCH HVAC SYSTEM REHAILITATION PROJECT.

WHEREAS, THE Pennsylvania Department of Education Keystone Recreation, Park and Conservation Fund Keystone Grant for Public Library facilities provides funds to public libraries for rehabilitation purposes; and

WHEREAS, the City of Reading desires to rehabilitate the HVAC system of a public library facility, the Reading Public Library Northeast Branch.

WHEREAS, THE City of Reading is requesting \$75,000.00 of the total project cost of \$166,000.00 through the PED Keystone Recreation, Park and Conservation Fund Grant funds; and

WHEREAS, the local share of funding, \$91,000.00, will be available through the Community Development Block Grant Program funding; and

WHEREAS, the City of Reading acknowledges the responsibility to annually budget funds for maintenance and operation of the project facilities and ensures the undisturbed use of the Reading Public Library Northeast Branch as a public library for 50 years or the useful life of the project to be funded by the grant, whichever is shorter.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF READING that it agrees to comply with the requirements of the Pennsylvania Department Keystone Recreation, Park and Conservation Fund Grant for Public Library Facilities for the purpose of obtaining grant funds to rehabilitate the HVAC system of the Reading Public Library Northeast Branch.

ADOPTED BY COUNCIL _____, 2016

PRESIDENT OF COUNCIL

ATTEST: _____
CITY CLERK

**CITY OF READING
BERKS COUNTY, PENNSYLVANIA**

**ORDINANCE NO. ____ 2016
(Duly Enacted _____ 2016)**

AN ORDINANCE OF THE CITY OF READING, BERKS COUNTY, PENNSYLVANIA, SIGNIFYING THE INTENTION OF CITY COUNCIL TO ORGANIZE A MUNICIPAL AUTHORITY UNDER THE PROVISIONS OF THE PENNSYLVANIA MUNICIPALITY AUTHORITIES ACT, AS AMENDED AND SUPPLEMENTED, TO BE KNOWN AS THE “READING REGIONAL WATER AUTHORITY”; SETTING FORTH THE FORM OF THE ARTICLES OF INCORPORATION; APPOINTING THE FIRST MEMBERS OF THE BOARD OF THE AUTHORITY AND FIXING THEIR TERM OF OFFICE; DESIGNATING THE PURPOSES FOR SAID AUTHORITY; AUTHORIZING THE EXECUTION AND FILING OF THE ARTICLES OF INCORPORATION; AUTHORIZING THE TAKING OF ALL SUCH ACTION AS MAY BE NECESSARY OR APPROPRIATE TO ORGANIZE SAID AUTHORITY, INCLUDING THE PUBLICATION OF REQUIRED PUBLIC NOTICE; AND CONTAINING CLAUSES FOR SEVERABILITY, REPEAL, AND EFFECTIVE DATE.

WHEREAS, the City of Reading, Berks County, Pennsylvania (the “City”), is empowered to establish, organize, and incorporate an authority pursuant to §5603 of the Pennsylvania Municipality Authorities Act, 53 Pa. C.S.A. § 5601 et seq., Act 22 of 2001, effective June 19, 2001, which codifies and amends the Municipality Authorities Act of 1945, as amended and supplemented (the “Municipality Authorities Act”); and

WHEREAS, in preparation for the passage of this Ordinance, a public hearing was held by the City Council of the City pursuant to notice duly advertised as required by the Municipality Authorities Act.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the City Council of the City and **IT IS HEREBY ORDAINED AND ENACTED** by the authority of the same, as follows:

INTENT. It is the intent of the City Council of the City to organize an authority under provisions of the Municipality Authorities Act.

NAME OF AUTHORITY. The name of the authority shall be the “Reading Regional Water Authority”.

ARTICLES OF INCORPORATION. The proposed Articles of Incorporation of said Reading Regional Water Authority are as follows:

READING REGIONAL WATER AUTHORITY

ARTICLES OF INCORPORATION

To: The Secretary of the Commonwealth of Pennsylvania.

In compliance with requirements of the Pennsylvania Municipality Authorities Act, 53 Pa. C.S.A. § 5601 et seq., Act 22 of 2001, effective June 19, 2001, which codifies and amends the Municipality Authorities Act of 1945, as amended and supplemented (the “Municipality Authorities Act”), and pursuant to the ordinance enacted by the City Council of the City of Reading, Berks County, Pennsylvania, expressing the intention and desire of the City Council of said municipality to organize a municipality authority under said Municipality Authorities Act, the incorporating municipality does hereby certify:

The name of the Authority is “Reading Regional Water Authority”.

The Authority is formed under provisions of the Pennsylvania Municipality Authorities Act, 53 Pa. C.S.A. § 5601 et seq., Act 22 of 2001, effective June 19, 2001, which codifies and amends the Municipality Authorities Act of 1945, as amended and supplemented, with all powers authorized by said Municipality Authorities Act.

No other authorities have been organized under said Municipality Authorities Act, under the former Act of June 28, 1935 (P.L. 463, No. 191), or under the Act of May 2, 1945 (P.L. 382, No. 164), known as the “Municipality Authorities Act of 1945”, and is in existence in or for the incorporating municipality, except that the incorporating municipality has heretofore organized (i) the Reading Area Water Authority, (ii) the Reading Regional Airport Authority, (iii) the City of Reading Revitalization and Improvement Zone Authority, (iv) the Reading Downtown Improvement District Authority, and (v) the Berks Area Reading Transportation Authority, as a joint incorporating municipality, each under the provisions of the Act of May 2, 1945 (P.L. 382, No. 164), known as the “Municipality Authorities Act of 1945”, which authorities are in existence in or for said incorporating municipality.

The name of the incorporating municipality is the City of Reading, Berks County, Pennsylvania.

The names and addresses of the members of the City Council of the City of Reading, the incorporating municipality, are as follows:

<u>OFFICE</u>	<u>NAME</u>	<u>ADDRESS</u>
President	Jeffrey Waltman	723 N 4 th St Street Reading, PA 19601
Vice President	Donna Reed	1525 Argonne Rd Reading, PA 19601
Council Member	Chris Daubert	1135 Gregg Avenue Reading, PA 19607
Council Member	Stratton P. Marmarou	1515 Linden Street Reading, PA 19604
Council Member	Marcia Goodman- Hinnershitz	564 S 15th Reading, PA 19601
Council Member	Brian Twyman	849 N 11 th St Reading, PA 19604
Council Member	John Slifko	919 N 3rd St Reading, PA 19601

The terms of office of the first members of the Board of said Reading Regional Water Authority shall commence on the date of appointment and shall be computed from the first Monday in January of 2015.

The term of existence of the Reading Regional Water Authority shall be for a period of fifty (50) years.

Advertisement of notice of filing these Articles of Incorporation is submitted herewith.

IN WITNESS WHEREOF, the undersigned has executed these Articles on behalf of the City of Reading, Berks County, Pennsylvania, and has caused to be affixed the seal and attested this _____ day of _____ 2016.

**CITY OF READING
BERKS COUNTY, PENNSYLVANIA**

By: _____
Wally Scott, Mayor

Attest: _____
Linda A. Kelleher CMC, City Clerk

COMMONWEALTH OF PENNSYLVANIA :
 : SS.
COUNTY OF BERKS :

On this ____ day of _____, 2014, before me a Notary Public in and for said Commonwealth, personally appeared the above named Vaughn Spencer and Linda A. Kelleher, who stated that their official positions in the City of Reading are, respectively, the Mayor and City Clerk of the City of Reading, and who, in due form of law, acknowledged the foregoing Articles of Incorporation to be the act and deed of said City of Reading for the purposes therein specified.

Notary Public

NOTARIAL SEAL

My Commission Expires: _____

MEMBERS. The first members of the Board of said Reading Regional Water Authority, shall be specifically appointed members of said Board for the terms set commencing on the date of appointment and computed from the first Monday in January, 2017.

AUTHORITY TO EFFECT THE INCORPORATION OF THE AUTHORITY. The Mayor of the City is hereby authorized and directed to execute the Articles of Incorporation of the proposed Reading Regional Water Authority in substantially the form set forth in this Ordinance, and the City Clerk of the City is hereby authorized and directed to attest the same and to affix thereto the seal of the City. Such officers are authorized and directed to execute and deliver such other documents, agreements, certificates and instruments, and to do all acts necessary or appropriate to effect the incorporation of the proposed Reading Regional Water Authority, including, but not limited to, to cause notice of the substance of this Ordinance, including the substance of the foregoing Articles of Incorporation, and the proposed filing of such Articles of Incorporation, to be published as required by the Municipality Authorities Act.

The Mayor of the City and the City Clerk of the City are authorized and directed to file such Articles of Incorporation and the necessary proofs of publication with the Secretary of the Commonwealth of Pennsylvania and to do all other things necessary to effect the incorporation of the Reading Regional Water Authority, including payment of the required filing fees.

PURPOSES AND PROJECTS AUTHORIZED. The Reading Regional Water Authority shall have all the purposes, powers, and rights, as provided by the Municipality Authorities Act; provided, however, that the Authority shall be prohibited, without prior approval of City Council, from (a) undertaking any project which is not related to waterworks, water supply works or water distribution systems and (b) undertaking any project, whether or not related the waterworks, water supply works or water distribution systems, which involves the incurrence of any long term debt.

SEVERABILITY. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of this City that such remainder shall be and shall remain in full force and effect.

REPEALER. All ordinances or parts of ordinances inconsistent with this Ordinance shall be and the same expressly are repealed.

EFFECTIVE DATE. This Ordinance shall take effect upon its advertisement and enactment as required by law.

DULY ENACTED, THIS ____ DAY OF _____, 2016, BY THE COUNCIL OF CITY OF READING, BERKS COUNTY, PENNSYLVANIA, IN LAWFUL SESSION DULY ASSEMBLED.

Attest:

CITY OF READING
Berks County, Pennsylvania

Linda A. Kelleher CMC, City Clerk

By: _____
Jeffrey Waltman, President of Council

(SEAL)

Drafted by City Clerk/Asst. Solicitor
Referred by City Clerk/Asst. Solicitor
Introduced on August 8, 2016
Advertised on August 9, 2016

BILL NO. ____ 2016

AN ORDINANCE OF THE CITY OF READING, BERKS COUNTY, PENNSYLVANIA; PROVIDING FOR THE AMENDMENT OF THE ZONING ORDINANCE, AS CODIFIED AS CHAPTER 600 OF THE CITY CODE, AND PARTICULARLY PROVIDING FOR THE REPEAL AND REPLACEMENT OF §600-2100 TELECOMMUNICATIONS TOWERS AND ANTENNA; AMENDING PORTIONS OF §600-800 DISTRICTS, §600-1202 SPECIAL EXCEPTIONS REPEALING TELECOMMUNICATIONS, SECTION §600-1203 CONDITIONAL USE ADDING TELECOMMUNICATIONS AND §600-2200 DEFINITIONS RELATING TO THE LOCATION, PLACEMENT, CONSTRUCTION AND MAINTENANCE OF TOWER-BASED WIRELESS COMMUNICATIONS FACILITIES AND NON-TOWER WIRELESS COMMUNICATION FACILITIES; PROVIDING FURTHER FOR THE REGULATION OF SUCH FACILITIES WITHIN THE PUBLIC RIGHTS-OF-WAY AND OUTSIDE THE PUBLIC RIGHTS-OF-WAY; PROVIDING FOR THE ENFORCEMENT OF SAID REGULATIONS; SAVING CERTAIN PROVISIONS FROM REPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW THEREFORE, be it, and it is hereby **ORDAINED** by the City of Reading City Council County, Commonwealth of Pennsylvania, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

Findings of Fact.

By enacting this Ordinance, the City intends to:

- a. Promote the health, safety and welfare of City residents and businesses with respect to wireless communications facilities;
- b. Provide for the managed development of wireless communications facilities in a manner that enhances the benefits of wireless communication and accommodates the needs of both City residents and wireless carriers in accordance with federal and state laws and regulations;
- c. Establish procedures for the design, siting, construction, installation, maintenance and removal of both tower-based and non-tower based wireless communications facilities in the City, including facilities both inside and outside the public rights-of-way;
- d. Address new wireless technologies, including but not limited to, distributed antenna systems, data collection units, cable wi-fi and other wireless communications facilities;
- e. Encourage the co-location of wireless communications facilities on existing structures rather than the construction of new tower-based structures;
- f. Protect City residents from potential adverse impacts of wireless communications facilities and preserve, to the extent permitted under law, the visual character of established communities and the natural beauty of the landscape; and

- g. Update the City’s wireless facilities regulations to incorporate changes in federal and state laws and regulations.

SECTION I. Short Title.

This Ordinance shall be known as the “City of Reading Wireless Communications Facilities Ordinance.”

SECTION II. Amending Chapter 600-800 Districts as follows:

§ 600-810. C-H Commercial Highway District.

A. Dimensional requirements. Editor’s Note: See Table of Dimensional Requirements included at the end of this chapter.

B. Allowed uses.

(1) Permitted-by-right uses: [Amended 2-14-2011 by Ord. No. 8-2011 Editor’s Note: Amended during codification (see Ch. 1, General Provisions, Part 2).]

Banks and financial institutions, including drive-through

Beverage distributors, beer and soft drinks

Car wash

College or university, not including residential uses, unless such dwellings meet the requirements for a dwelling occupied by a "family"

Convenience stores, with or without auto fuel sales

Emergency health-care facility/office

Exercise clubs

Fire and ambulance station

Funeral homes

Gardens, crop farming and forestry

Home and garden supply centers

Laundromats

Miniature golf course

Motels and hotels

Municipal uses

Nursing homes or personal-care centers

Offices

Parking lots and structures

Passenger terminal facilities

Personal service businesses

Radio and television stations

Recreational facilities, public parks and non-motorized recreation trails

Residential uses: the same residential uses shall be allowed as are allowed in the R-3 District

Restaurants, including eat-in, takeout, drive-through service. This use shall not allow outdoor sale of ready-to-eat heated food on a regular basis on a lot that is not operated from a building on the lot.

Retail stores which may include drive-through facilities

Social clubs and associations, PLCB and non-PLCB licensed. Such use shall not be open between the hours of 12:00 midnight and 11:00 a.m. For any use that also meets the definition of a BYOB, Chapter 127, Part 3 (§§ 127-301 to 127-308), and § 127-202 shall also be met.

Taxi headquarters

Temporary employment agencies and service

Vehicle sales or rental

Veterinary hospitals

Wholesale sales and services

- (2) Accessory uses. See Part 10 unless otherwise noted.
 - (a) Amusement devices: pursuant to § 600-1010 of this chapter.
 - (b) Drive-through services: pursuant to § 600-1004 of this chapter.
 - (c) Entertainment: pursuant to § 600-1005.
 - (d) Home occupations, major or minor: see § 600-1006.
 - (e) Off-site parking areas: pursuant to § 600-1008.
 - (f) Telecommunications *non-tower* antenna *if co-located on a municipal facility or a tower that existed prior to the approval of this part and pursuant to Part 21 of this chapter. See § 600-2106.*
- (3) Conditional uses. In compliance with § 600-1203.
 - (a) Banquet hall.
 - (b) Bottle clubs.
 - (c) Group institution.
 - (d) Public utilities.
 - (e) Taverns and nightclubs.
 - (f) Treatment center.
 - (g) *Telecommunications towers and facilities, including poles subject to Part 21 of this chapter*
- (4) Special exception uses. In compliance with § 600-1202.
 - (a) Adaptive reuse.
 - (b) Amusement arcade.
 - (c) Auto service stations or auto repair.
 - (d) Day-care facilities.
 - (e) Manufactured/mobile home park.
 - (f) Pawn shop.
 - (g) Place of worship.
 - (h) Surface parking facility.
 - ~~(i) Telecommunications towers and facilities pursuant to Part 21 of this chapter.~~
 - ⊕ (i) Vehicle fuel sales.

§ 600-811. M-C Manufacturing Commercial District.

A. Dimensional requirements. Editor's Note: See Table of Dimensional Requirements included at the end of this chapter.

B. Allowed uses.

- (1) Permitted-by-right uses. [Amended 2-14-2011 by Ord. No. 8-2011]
 - Manufacture or industrial processing within an enclosed building involving the following: (as listed on the North American Industrial Classification System, as applicable)
 - Assembly and packaging
 - Electronic and electrical equipment
 - Fabricated metals products
 - Food and beverage products
 - Leather and leather products (not including curing, tanning and finishing of hides)
 - Machinery
 - Medical and scientific equipment and related products
 - Motor freight transportation and warehousing
 - Non-PUC telecommunications facilities
 - Paper and allied products (other than raw paper pulp)

Petroleum and coal products, other than asphalt manufacture or petroleum refining
 Pottery and ceramics
 Primary metals industries
 Railroad transportation
 Research and development facilities
 Rubber, synthetic rubber, resins and miscellaneous products
 Sporting goods, toys, jewelry
 Stone, clay and glass products
 Textiles and apparel
 Tobacco products
 Transportation equipment
 Transportation and public utilities
 Wood products and furniture
 Auto repair and car washes, in compliance with § 600-1105
 Banks and financial institutions
 College or university, not including residential uses
 Convenience stores with fuel sales
 Employee agencies and services
 Exercise club
 Fire and ambulance stations
 Flex space buildings that include one or more permitted-by-right business uses
 Gardens, crop farming and forestry
 Lumber and building material supply center, retail or wholesale
 Municipal uses
 Offices and medical laboratories
 Radio and television stations
 Recreation facilities, public parks and non-motorized recreation trails
 Restaurants, which may not include drive-through service. This use shall not allow outdoor sale of ready-to-eat heated food on a regular basis on a lot that is not operated from a building on the lot.
 Retail and wholesale sales and services
 Self-storage facilities
 Swimming pool as principal use
 Taxi headquarters
~~Telecommunications towers and facilities, pursuant to Part 21 of this chapter.~~
 Facilities may be placed on a leased area.
 Trade, vocational and hobby schools, not including residential uses
 Vehicle sales or rental
 Warehouse, distribution and storage facilities

(2) Accessory uses. See Part 10, unless otherwise noted.

(a) Drive-through services for allowed principal uses: pursuant to § 600-1004 of this chapter.

(b) Entertainment: pursuant to § 600-1005 of this chapter.

(c) Swimming pools, accessory.

(d) Telecommunications *non-tower* antenna *if co-located on a municipal facility or a tower that existed prior to the approval of this part and pursuant to Part 21 of this chapter. See § 600-2106.*

(e) Wind turbine as an accessory use in compliance with § 600-1012.

(3) Conditional uses. In compliance with § 600-1203.

(a) Banquet hall.

(b) Public utilities, other than City-owned or City-operated uses and other than utility lines.

(c) Taverns and nightclubs.

(d) Telecommunications antenna, towers and facilities, including poles, subject to Part 21 of this chapter.

(4) Special exception uses. In compliance with § 600-1202.

(a) Day-care facilities.

(b) Kennels.

(c) Manufacture or industrial processing of chemicals and allied products.

(d) Manufacture of plastics and polymers.

C. Additional requirements.

(1) A minimum of 10% of the lot shall be devoted to areas landscaped with trees and shrubs and vegetative ground cover. This area shall not be used for any other purpose.

(2) All activities shall take place indoors; all outdoor storage shall be screened from public streets and adjacent off-street parking areas by fencing, landscaping or other appropriate measures.

(3) Landscaped buffer strips, meeting Part 14 with a minimum of 10 feet wide in M-C Zones and 25 feet wide in H-M Zones, and plant screening shall be provided in every case where an industrial use abuts a principally residential use. In addition, where a residential district is located across a street or alley from a new or expanded industrial use, a ten-foot wide landscaped buffer strip shall be provided alongside such street or alley along such adjacent front, side or rear lot line.

(4) Truck loading and unloading areas shall be provided in an amount sufficient to permit the transfer of goods in other than a public street or front yard setback areas.

(5) Entrance and exit to permitted uses shall be clearly marked.

(6) Any glare, vibration or noise resulting from the use shall not be evident beyond the boundaries of the zoning district.

(7) The operation shall not result in the dissemination of smoke, dust, chemicals or odors into the air to such a degree as to be detrimental to the health, safety and welfare of any adjacent residents.

(8) Wind turbines shall be allowed that are attached to a roof of a building and do not extend a total of more than 25 feet above the roof of the building.

(9) A minimum seventy-five-foot setback shall apply from the average water level of the Schuylkill River for any new or expanded vehicle parking, outdoor storage area or building. This requirement shall not apply for recreational uses open for free for use by the general public.

§ 600-812. H-M Heavy Manufacturing District.

A. Dimensional requirements. Editor's Note: See Table of Dimensional Requirements included at the end of this chapter.

B. Allowed uses.

(1) Permitted-by-right uses:

(a) Manufacturing or industrial processing involving the following: (as listed in the North American Industrial Classification System, where applicable)

[1] Assembly and packaging.

[2] Electronic and electrical equipment.

[3] Fabricated metals products.

[4] Food and beverage products.

[5] Instruments and related products.

[6] Leather and leather products.

[7] Machinery.

- [8] Paper and allied products.
 - [9] Petroleum and coal products, other than asphalt.
 - [10] Primary metals industries.
 - [11] Railroad transportation.
 - [12] Rubber, synthetic rubber, resins and miscellaneous products.
 - [13] Stone, clay and glass products.
 - [14] Textile and apparel products.
 - [15] Tobacco products.
 - [16] Transportation equipment.
 - [17] Transportation and public utilities.
 - [18] Wood products and furniture.
- (b) Banks and financial institutions.
 - (c) College or university, not including residential uses.
 - (d) Exercise clubs.
 - (e) Fire and ambulance station.
 - (f) Flex space buildings, including two or more permitted business uses.
 - (g) Gardens, crop farming and forestry.
 - (h) Landing area for a helicopter, provided it meets requirements of State and Federal Aviation Agencies.
 - (i) Municipal uses.
 - (j) Offices.
 - (k) Radio and television stations.
 - (l) Recreation facilities, public parks and non-motorized recreation trails.
 - (m) Research and development facilities.
 - (n) Self-storage facilities.
 - ~~(o) Telecommunications facilities other than towers and antennas. Lot size may be reduced to 2,500 square feet when on leased parcel, provided the structure may not be located in setback areas.~~
 - ~~(p) Telecommunications towers and antennas pursuant to Part 21 of this chapter. For accessory antenna, see § 600-2106C(3).~~
 - ~~(q) Trade, vocational and hobby schools, not including residential uses.~~
 - ~~(r) Warehousing, storage, distribution, trucking or intermodal transfer facilities.~~
 - ~~(s) Wind turbine as an accessory use in compliance with § 600-1012.~~
- (2) Accessory uses. See Part 10 unless otherwise noted.
- (a) Telecommunications *non-tower* antenna *if co-located on a municipal facility or a tower that existed prior to the approval of this part and pursuant to Part 21 of this chapter. See § 600-2106.*
- (3) Conditional uses. See § 600-1203.
- (a) Group institution.
 - (b) Junkyard.
 - (c) Manufactured home parks.
 - (d) Massage parlor (not including "massage therapy"), which shall meet the same regulations as a sexually oriented business, in addition to the City of Reading Code requirements.
 - (e) Sexually oriented business: pursuant to § 600-1203.
 - (f) Temporary shelter.
 - (g) Treatment center.
 - (h) Telecommunications antenna, towers and facilities, including poles, pursuant to Part 21 of this chapter.*

(4) Special exception uses:

- (a) Manufacture of plastics and polymers.
- (b) Manufacture and industrial processing of chemicals and allied products.
- (c) Manufacture of asphalt.
- (d) Solid waste transfer facility.
- (e) Such other manufacturing and industrial uses as the applicant proves to the satisfaction of the Zoning Hearing Board will be similar to allowed uses and will not create hazards to public health and safety.

C. Additional requirements. Section 600-811C shall also apply to the H-M District.

§ 600-816. MU Municipal District.

A. Dimensional requirements. Editor's Note: See Table of Dimensional Requirements included at the end of this chapter.

B. Allowed uses.

(1) Permitted-by-right uses:

- (a) Wastewater treatment operations.
- (b) Law enforcement operations.
- (c) Firefighting and rescue service operations.
- (d) Recycling operations.
- (e) Multiple principal uses and occupancies on single parcels within the Municipal Use District are expressly authorized; where common (City) ownership makes subdivision otherwise unnecessary; "area and bulk" standards shall apply to the property as a whole. The adequacy of separations between uses shall be established by agreement between the City's representative and a qualified design professional, and to the satisfaction of the incumbent tenants and their continuing operations. Municipal use parcels are not required to front on a public street, though sufficient (driveway) access must nonetheless be provided.
- (f) Governmental offices and public works facilities.
- (g) Public recreation facilities.
- (h) Non-motorized recreation trails.

(2) Accessory uses. See Part 10 unless otherwise noted.

- (a) Telecommunications *non-tower* antenna *if co-located on a municipal facility or a tower that existed prior to the approval of this part and pursuant to Part 21 of this chapter.* See § 600-2106.

(3) *Conditional Permit uses:*

- (a) *Telecommunications towers, antennas and facilities, including poles, pursuant to Part 21 of this chapter.*

SECTION III. Amending Chapter 600-2206 Telecommunications Definitions by adding the following:

1. *Antenna*—any system of wires, rods, discs, panels, flat panels, dishes, whips, or other similar devices used for the transmission or reception of wireless signals. An Antenna may include an omnidirectional antenna (rod), directional antenna (panel), parabolic antenna (disc) or any other wireless antenna. An antenna shall not include Tower-Based Wireless Communications Facilities defined below. .
2. *Co-location*—the mounting of one or more WCFs, including Antennae, on an existing Tower-Based WCF or utility or light pole.

3. *Distributed Antenna Systems (DAS)*—network of spatially separated Antenna sites connected to a common source that provides wireless service within a geographic area or structure.
4. *Emergency*--a condition that (1) constitutes a clear and immediate danger to the health, welfare, or safety of the public, or (2) has caused or is likely to cause facilities in the Rights-of-Way to be unusable and result in loss of the services provided.
5. *FCC*—Federal Communications Commission.
6. *Monopole*—a WCF or site which consists of a single pole structure, designed and erected on the ground or on top of a structure, to support communications Antennae and connecting appurtenances.
7. *Non-Tower Wireless Communications Facility (Non-Tower WCF)*—all non-tower wireless communications facilities, including but not limited to, Antennae and related equipment. Non-Tower WCF shall not include support structures for Antennae and related equipment.
8. *Persons*—individuals, corporations, companies, associations, joint stock companies, firms, partnerships, limited liability companies, corporations and other entities established pursuant to statutes of the Commonwealth of Pennsylvania; provided that Person does not include or apply to the City or to any department or agency of the City.
9. *Right-of-Way or ROW*—the surface of and space above and below any real property in the City in which the City or Commonwealth has a regulatory interest, or interest as a trustee for the public, as such interests now or hereafter exist, including, but not limited to, all Streets, highways, avenues, roads, alleys, sidewalks, tunnels, viaducts, bridges, skyways, or any other public place, area or property under the control of the City or Commonwealth, and any unrestricted public or utility easements established, dedicated, platted, improved or devoted for Utility purposes, but excluding lands other than Streets that are owned by the City or Commonwealth. The phrase “in the Right(s)-of-Way” means in, on, over, along, above and/or under the Right(s)-of-Way.
10. *Stealth Technology*—camouflaging methods applied to wireless communications towers, Antennae and other facilities which render them more visually appealing or blend the proposed facility into the existing structure or visual backdrop in such a manner as to render it minimally visible to the casual observer. Such methods include, but are not limited to, architecturally screened roof-mounted Antennae, building-mounted Antennae painted to match the existing structure and facilities constructed to resemble trees, shrubs, flag poles and light poles.
11. *Substantially Change*—(1) any increase in the height of a Wireless Support Structure by more than 10%, or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty (20) feet, whichever is greater, except that the mounting of the proposed Wireless Communications Facility may exceed the size limits set forth herein if necessary to avoid interference with existing antennas; or (2) any further increase in the height of a Wireless Support Structure which has already been extended by more than 10% of its originally approved height or by the height of one additional antenna array.
12. *Tower-Based Wireless Communications Facility (Tower-based WCF)*—any structure that is used for the purpose of supporting one or more Antennae, including, but not limited to, self-supporting lattice towers, guy towers and monopoles, utility poles and light poles. DAS hub facilities are considered to be tower-based WCFs.

13. *City*—City of Reading, Berks County, PA
14. *Wireless*—transmissions through the airwaves including, but not limited to, infrared line of sight, cellular, PCS, microwave, satellite, or radio signals.
15. *Wireless Communications Facility (WCF)*—the Antennae, nodes, control boxes, towers, poles, conduits, ducts, pedestals, electronics and other equipment used for the purpose of transmitting, receiving, distributing, providing, or accommodating wireless communications services.
16. *Wireless Communications Facility Applicant (WCF Applicant)*—any person that applies for a wireless communication facility building permit, zoning approval and/or permission to use the public ROW or other City owned land or property.
17. *Wireless Support Structure*—a freestanding structure, such as a Tower-Based Wireless Communications Facility or any other support structure that could support the placement or installation of a Wireless Communications Facility if approved by the City.

SECTION IV. Repealing and replacing §600-2100 Telecommunications Towers and Antenna as follows:

§600-2101 Purpose and Scope.

- A. The purpose of this Ordinance is to establish uniform standards for the siting, design, permitting, maintenance, and use of wireless communications facilities in City of Reading. While the City recognizes the importance of wireless communications facilities in providing high quality communications service to its residents and businesses, the City also recognizes that it has an obligation to protect public safety and to minimize the adverse visual effects of such facilities through the standards set forth in the following provisions.

§600-2102. General Requirements for All Tower-Based Wireless Communications Facilities.

The following regulations shall apply to all Tower-Based Wireless Communications Facilities:

1. Standard of Care. Any Tower-Based WCF shall be designed, constructed, operated, maintained, repaired, modified and removed in strict compliance with all current applicable technical, safety and safety-related codes, including but not limited to, the most recent editions of the American National Standards Institute (ANSI) Code, National Electrical Safety Code, National Electrical Code, as well as the accepted and responsible workmanlike industry practices of the National Association of Tower Erectors. Any Tower-Based WCF shall at all times be kept and maintained in good condition, order and repair by qualified maintenance and construction personnel, so that the same shall not endanger the life of any person or any property in the City.
2. Wind. Any Tower-Based WCF structures shall be designed to withstand the effects of wind according to the standard designed by the American National Standards Institute as prepared by the engineering departments of the Electronics Industry Association, and Telecommunications Industry Association (ANSFEINTIA-222-E Code, as amended).
3. Height. Any Tower-Based WCF shall be designed at the minimum functional height and shall not exceed a maximum total height of one hundred fifty (150) feet, which height shall include all subsequent

additions or alterations. All Tower-Based WCF applicants must submit documentation to the City justifying the total height of the structure.

4. Public Safety Communications. No Tower-Based WCF shall interfere with public safety communications or the reception of broadband, television, radio or other communication services enjoyed by occupants of nearby properties.
5. Maintenance. The following maintenance requirements shall apply:
 - a. Any Tower-Based WCF shall be fully automated and unattended on a daily basis and shall be visited only for maintenance or emergency repair.
 - b. Such maintenance shall be performed to ensure the upkeep of the facility in order to promote the safety and security of the City's residents.
 - c. All maintenance activities shall utilize nothing less than the best available technology for preventing failures and accidents.
6. Radio Frequency Emissions. No Tower-Based WCF may, by itself or in conjunction with other WCF's, generate radio frequency emissions in excess of the standards and regulations of the FCC, including but not limited to, the FCC Office of Engineering Technology Bulletin 65 entitled "Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields", as amended.
7. Historic Buildings or Districts. No Tower-Based WCF may be located on a building or structure that is listed on either the National or Pennsylvania Registers of Historic Places or the official historic structures and/or historic districts list maintained by the City, or has been designated by the City as being of historic significance.
8. Identification. All Tower-Based WCF's shall post a notice in a readily visible location identifying the name and phone number of a party to contact in the event of an emergency, subject to approval by the City.
9. Lighting. Tower-Based WCF shall not be artificially lighted, except as required by law and as may be approved by the City. If lighting is required, the applicant shall provide a detailed plan for sufficient lighting, demonstrating as unobtrusive and inoffensive an effect as is permissible under state and federal regulations.
10. Appearance. Towers shall be galvanized and/or painted with a rust-preventive paint of an appropriate color to harmonize with the surroundings.
11. Noise. Tower-Based WCF's shall be operated and maintained so as not to produce noise in excess of applicable noise standards under state law and the City Code, except in emergency situations requiring the use of a backup generator, where such noise standards may be exceeded on a temporary basis only.
12. Aviation Safety. Tower-Based WCF's shall comply with all federal and state laws and regulations concerning aviation safety.
13. Retention of Experts. The City may hire any consultant(s) and/or expert(s) necessary to assist the City in reviewing and evaluating the application for approval of the Tower-Based WCF and, once approved, in reviewing and evaluating any potential violations of the terms and conditions of this Ordinance. The

applicant and/or owner of the WCF shall reimburse the City for all costs of the City's consultant(s) in providing expert evaluation and consultation in connection with these activities prior to the issuance of any zoning permit.

14. Timing of Approval. Within thirty (30) calendar days of the date that an application for a Tower-Based WCF is filed with the City, the City shall notify the applicant in writing of any information that may be required to complete such application. All applications for Tower-Based WCF's shall be acted upon within one hundred-fifty (150) days of the receipt of a fully completed application for the approval of such Tower-Based WCF and the City shall advise the applicant in writing of its decision. If additional information was requested by the City to complete an application, the time required by the applicant to provide the information shall not be counted toward the one hundred fifty (150) day review period.
15. Non-Conforming Uses. Non-conforming Tower-Based WCF's which are hereafter damaged or destroyed due to any reason or cause may be repaired and restored at their former location, but must otherwise comply with the terms and conditions of this Ordinance.
16. Removal. In the event that use of a Tower-Based WCF is planned to be discontinued, the owner shall provide written notice to the City of its intent to discontinue use and the date when the use shall be discontinued. Unused or abandoned WCFs or portions of WCFs shall be removed as follows:
 - a. All unused or abandoned Tower-Based WCFs and accessory facilities shall be removed within three (3) months of the cessation of operations at the site unless a time extension is approved by the City.
 - b. If the WCF and/or accessory facility is not removed within six (6) months of the cessation of operations at a site, or within any longer period approved by the City, the WCF and accessory facilities and equipment may be removed by the City and the cost of removal assessed against the owner of the WCF.
 - c. Any unused portions of Tower-Based WCFs, including Antennas, shall be removed within six (6) months of the time of cessation of operations. The City must approve all replacements of portions of a Tower-Based WCF previously removed.
17. Permit Fees. The City may assess appropriate and reasonable permit fees directly related to the City's actual costs in reviewing and processing the application for approval of a Tower-Based WCF, as well as related inspection, monitoring and related costs. The Fee Schedule is located in Chapter 212.

§600-2103 Tower-Based Facilities Outside the Rights-of-Way

- A. The following regulations shall apply to Tower-Based Wireless Communications Facilities located outside the Rights-of-Way:
 1. Development Regulations:
 - a. Prohibited in Residential Zones. No Tower-Based WCF shall be located in a district zoned residential or within 500 feet of a lot in residential use or a residential district boundary. Tower-Based WCF's are permitted only by Conditional Use in such districts as specified in §600- 800 Districts – sections 810, 811, 812, 816.

- b. Gap in Coverage. An applicant for a Tower-Based WCF must demonstrate that a significant gap in wireless coverage exists with respect to all wireless operators in the applicable area and that the type of WCF being proposed is the least intrusive means by which to fill that gap in wireless coverage. The existence or non-existence of a gap in wireless coverage shall be a factor in the City's decision on an application for approval of Tower-Based WCF's.
 - c. Sole Use on a Lot. A Tower-Based WCF is permitted as a sole use on a lot subject to the minimum lot area and yards complying with the requirements for the applicable zoning district in Section 600-800.
 - d. Combined with Another Use. A Tower-Based WCF may be permitted on a property with an existing use or on a vacant parcel in combination with another industrial, commercial, institutional or municipal use, subject to the following conditions:
 - i. The existing use on the property may be any permitted use in the applicable district as per Section 600-800, and need not be affiliated with the communications facility.
 - ii. Minimum Lot Area. The minimum lot shall comply with the requirements for the applicable district and shall be the area needed to accommodate the Tower-Based WCF and guy wires, the equipment building, security fence, and buffer planting.
 - iii. Minimum Setbacks. The Tower-Based WCF and accompanying equipment building shall comply with the requirements for the applicable zoning district, provided that no Tower-Based WCF shall be located within five hundred (500) feet of a lot in residential use or a residential district boundary.
2. Notice. Upon receipt of an application for a Tower-Based WCF, the City shall mail notice thereof to the owner or owners of every property zoned residential on the same street within 500 linear feet of the parcel or property of the proposed facility and of every property zoned residential not on the same street within 500 feet of the parcel or property of the proposed facility if the application will be heard as a Conditional Use or a Variance.
 3. Co-Location. An application for a new Tower-Based WCF shall not be approved unless the City finds that the wireless communications equipment planned for the proposed Tower-Based WCF cannot be accommodated on an existing or approved structure or building. Any application for approval of a Tower-Based WCF shall include a comprehensive inventory of all existing towers and other suitable structures within a two-mile radius from the point of the proposed tower, unless the applicant can show to the satisfaction of the City that a different distance is more reasonable, and shall demonstrate conclusively why an existing tower or other suitable structure cannot be utilized.
 4. Design Regulations:
 - a. The WCF shall employ the most current Stealth Technology available in an effort to appropriately blend into the surrounding environment and minimize aesthetic impact. The application of the Stealth Technology chosen by the WCF applicant shall be subject to the approval of the City.
 - b. Any height extensions to an existing Tower-Based WCF shall require prior approval of the City. The City reserves the right to deny such requests based upon aesthetic and land use impact, or any other lawful considerations related to the character of the City.

- c. Any proposed Tower-Based WCF shall be designed structurally, electrically, and in all respects to accommodate both the WCF applicant's Antennas and comparable Antennae for future users.

5. Surrounding Environs:

- a. The WCF applicant shall ensure that the existing vegetation, trees and shrubs located within proximity to the WCF structure shall be preserved to the maximum extent possible.
- b. The WCF applicant shall submit a soil report to the City complying with the standards of Appendix I: Geotechnical Investigations, ANSI/EIA 222-E, as amended, to document and verify the design specifications of the foundation of the Tower-Based WCF, and anchors for guy wires, if used.

6. Fence/Screen:

- a. A security fence having a maximum height of six (6) feet shall completely surround any Tower-Based WCF, guy wires, or any building housing WCF equipment.
- b. An evergreen screen that consists of a hedge, or a row of evergreen trees shall be located along the perimeter of the security fence.
- c. The WCF applicant shall submit a landscape plan for review and approval by the City Planning Commission for all proposed screening.

7. Accessory Equipment:

- a. Ground-mounted equipment associated to, or connected with, a Tower-Based WCF shall be underground. In the event that an applicant can demonstrate that the equipment cannot be located underground to the satisfaction of the City Engineer, then the ground mounted equipment shall be screened from public view using Stealth Technologies, as described above.
- b. All utility buildings and accessory structures shall be architecturally designed to blend into the environment in which they are situated and shall meet the minimum setback requirements of the underlying zoning district.

8. Additional Antennae. As a condition of approval for all Tower-Based WCFs, the WCF applicant shall provide the City with a written commitment that it will allow other service providers to co-locate Antennae on Tower-Based WCFs where technically and economically feasible. The owner of a Tower-Based WCF shall not install any additional Antennae without obtaining the prior written approval of the City.

9. Access Road. An access road, turnaround space and parking shall be provided to ensure adequate emergency and service access to Tower-Based WCF. Maximum use of existing roads, whether public or private, shall be made to the extent practicable. Road construction shall at all times minimize ground disturbance and the cutting of vegetation. Road grades shall closely follow natural contours to assure minimal visual disturbance and minimize soil erosion. Where applicable, the WCF owner shall present documentation to the City that the property owner has granted an easement for the proposed facility.

10. Bond. Prior to the issuance of a permit, the owner of a Tower-Based WCF outside the ROW shall, at its own cost and expense, obtain from a surety licensed to do business in Pennsylvania and maintain a bond

or other form of security acceptable to the City Solicitor, in an amount of \$100,000 to assure the faithful performance of the terms and conditions of this Ordinance. The bond shall provide that the City may recover from the principal and surety any and all compensatory damages incurred by the City for violations of this Ordinance, after reasonable notice and opportunity to cure. The owner shall file the bond with the City.

11. Visual or Land Use Impact. The City reserves the right to deny an application for the construction or placement of any Tower-Based WCF based upon visual and/or land use impact.
12. Inspection. The City reserves the right to inspect any Tower-Based WCF to ensure compliance with the provisions of this Ordinance and any other provisions found within the City Code or state or federal law. The City and/or its agents shall have the authority to enter the property upon which a WCF is located at any time, upon reasonable notice to the operator, to ensure such compliance.

§600-2104 Tower-Based Facilities in the Rights-of-Way

- A. The following regulations shall apply to Tower-Based Wireless Communications Facilities located in the Rights-of-Way:
 1. Prohibited in Residential Zones. No Tower-Based WCF shall be located within a residential zone or within 500 feet of a lot in residential use or a residential district boundary. Tower-Based WCF's are only permitted in such districts as specified in §600-800 Districts, sections 810, 811, 812 and 816.
 2. Gap in Coverage. An applicant for a Tower-Based WCF must demonstrate that a significant gap in wireless coverage exists with respect to all wireless operators in the applicable area and that the type of WCF being proposed is the least intrusive means by which to fill that gap in wireless coverage. The existence or non-existence of a gap in wireless coverage shall be a factor in the City's decision on an application for approval of Tower-Based WCF's in the ROW.
 3. Notice. Upon receipt of an application for a Tower-Based WCF, the City shall mail notice thereof to the owner or owners of every property zoned residential on the same street within 500 linear feet of the property or parcel of the proposed facility and of every property zoned residential not on the same street within 500 feet of the parcel or property of the proposed facility if the application will be heard as a Conditional Use or a Variance.
 4. Co-location. An application for a new Tower-Based WCF in the ROW shall not be approved unless the City finds that the proposed wireless communications equipment cannot be accommodated on an existing structure, such as a utility pole or traffic light pole. Any application for approval of a Tower-Based WCF shall include a comprehensive inventory of all existing towers and other suitable structures within a one-mile radius from the point of the proposed tower, unless the applicant can show to the satisfaction of the City that a different distance is more reasonable, and shall demonstrate conclusively why an existing tower or other suitable structure cannot be utilized.
 5. Time, Place and Manner. The City shall determine the time, place and manner of construction, maintenance, repair and/or removal of all Tower-Based WCF's in the ROW based on public safety, traffic management, physical burden on the ROW, and related considerations. For public utilities, the time, place and manner requirements shall be consistent with the police powers of the City and the requirements of the Public Utility Code.

6. Equipment Location. Tower-Based WCF's and accessory equipment shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, or to otherwise create safety hazards to pedestrians and/or motorists or to otherwise inconvenience public use of the ROW as determined by the City. In addition:
 - a. In no case shall ground-mounted equipment, walls, or landscaping be located within 18 inches of the face of the curb;
 - b. Ground-mounted equipment that cannot be undergrounded shall be screened, to the fullest extent possible, through the use of landscaping or other decorative features to the satisfaction of the City.
 - c. Required electrical meter cabinets shall be screened to blend in with the surrounding area to the satisfaction of the City.
 - d. Any graffiti on the tower or on any accessory equipment shall be removed at the sole expense of the owner within ten (10) business days of notice of the existence of the graffiti.
 - e. Any underground vaults related to Tower-Based WCF's shall be reviewed and approved by the City.
7. Design Regulations.
 - a. The WCF shall employ the most current Stealth Technology available in an effort to appropriately blend into the surrounding environment and minimize aesthetic impact. The application of the Stealth Technology chosen by the WCF applicant shall be subject to the approval of the City.
 - b. Any height extensions to an existing Tower-Based WCF shall require prior approval of the City, and shall not increase the overall height of the Tower-Based WCF to more than one hundred fifty (150) feet. The City reserves the right to deny such requests based upon aesthetic and land use impact, or any other lawful considerations related to the character of the City.
 - c. Any proposed Tower-Based WCF shall be designed structurally, electrically, and in all respects to accommodate both the WCF applicant's Antennas and comparable Antennae for future users.
8. Visual or Land Use Impact. The City reserves the right to deny the construction or placement of any Tower-Based WCF in the ROW based upon visual and/or land use impact.
9. Additional Antennae. As a condition of approval for all Tower-Based WCFs in the ROW, the WCF applicant shall provide the City with a written commitment that it will allow other service providers to co-locate Antennae on Tower-Based WCFs where technically and economically feasible. The owner of a Tower-Based WCF shall not install any additional Antennae without obtaining the prior written approval of the City.
10. Relocation or Removal of Facilities. Within sixty (60) days following written notice from the City, or such longer period as the City determines is reasonably necessary or such shorter period in the case of an Emergency, an owner of Tower-Based WCF in the ROW shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any WCF when the City, consistent with its

police powers and applicable Public Utility Commission regulations, shall determine that such removal, relocation, change or alteration is reasonably necessary under the following circumstances:

- a. The construction, repair, maintenance or installation of any City or other public improvement in the Right-of-Way;
 - b. The operations of the City or other governmental entity in the Right-of-Way;
 - c. Vacation of a street or road or the release of a utility easement; or
 - d. An Emergency as determined by the City.
11. Compensation for ROW Use. In addition to permit fees as described in Section §600-2102.17 above, every Tower-Based WCF in the ROW is subject to the City's right to fix annually a fair and reasonable compensation to be paid for use and occupancy of the ROW. Such compensation for ROW use shall be directly related to the City's actual ROW management costs including, but not limited to, the costs of the administration and performance of all reviewing, inspecting, permitting, supervising and other ROW management activities by the City. The owner of each Tower-Based WCF shall pay an annual fee to the City to compensate the City for the City's costs incurred in connection with the activities described above. The Annual ROW management fee for Tower-Based WCF's shall be determined by the City and authorized by ordinance and shall be based on the City's actual ROW management costs as applied to such Tower-Based WCF.
12. Bond. Prior to the issuance of a permit, the owner of a Tower-Based WCF in the ROW shall, at its own cost and expense, obtain from a surety licensed to do business in Pennsylvania and maintain a bond, or other form of security acceptable to the City Solicitor, in an amount of \$100,000 to assure the faithful performance of the terms and conditions of this Ordinance. The bond shall provide that the City may recover from the principal and surety any and all compensatory damages incurred by the City for violations of this Ordinance, after reasonable notice and opportunity to cure. The owner shall file a copy of the bond with the City.

§600-2105 General Requirements for All Non-Tower Wireless Communications Facilities

- A. The following regulations shall apply to all Non-Tower Wireless Communications Facilities that do not substantially change the physical dimensions of the Wireless Support Structure to which they are attached:
1. Permitted in All Zones Subject to Regulations. Non-Tower WCF's are permitted in all zones subject to the restrictions and conditions prescribed below and subject to the prior written approval of the City.
 2. Upon receipt of an application for any Non-Tower-Based WCF, the City shall mail notice thereof to the owner or owners of every property zoned residential on the same street within 500 linear feet of the parcel or property of the proposed facility and of every property zoned residential not on the same street within 500 feet of the parcel or property of the proposed facility if the application will be heard as a Conditional Use or a Variance.
 3. Standard of Care. Any Non-Tower WCF shall be designed, constructed, operated, maintained, repaired, modified and removed in strict compliance with all current applicable technical, safety and safety-related codes, including but not limited to the most recent editions of the American National Standards Institute (ANSI) Code, National Electrical Safety Code, and National Electrical Code. Any WCF shall at all

times be kept and maintained in good condition, order and repair by qualified maintenance and construction personnel, so that the same shall not endanger the life of any person or any property in the City.

4. Wind. Any Non-Tower WCF structures shall be designed to withstand the effects of wind according to the standard designed by the American National Standards Institute as prepared by the engineering departments of the Electronics Industry Association, and Telecommunications Industry Association (ANSFEINTIA-222-E Code, as amended).
 5. Public Safety Communications. No Non-Tower WCF shall interfere with public safety communications or the reception of broadband, television, radio or other communication services enjoyed by occupants of nearby properties.
 6. Aviation Safety. Non-Tower WCF's shall comply with all federal and state laws and regulations concerning aviation safety.
 7. Radio Frequency Emissions. No Non-Tower WCF may, by itself or in conjunction with other WCF's, generate radio frequency emissions in excess of the standards and regulations of the FCC, including but not limited to, the FCC Office of Engineering Technology Bulletin 65 entitled "Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields", as amended.
 8. Removal. In the event that use of a Non-Tower WCF is discontinued, the owner shall provide written notice to the City of its intent to discontinue use and the date when the use shall be discontinued. Unused or abandoned WCFs or portions of WCFs shall be removed as follows:
 - a. All abandoned or unused WCFs and accessory facilities shall be removed within three (3) months of the cessation of operations at the site unless a time extension is approved by the City.
 - b. If the WCF or accessory facility is not removed within three (3) months of the cessation of operations at a site, or within any longer period approved by the City, the WCF and/or associated facilities and equipment may be removed by the City and the cost of removal assessed against the owner of the WCF.
 9. Timing of Approval. Within thirty (30) calendar days of the date that an application for a Non-Tower WCF is filed with the City, the City shall notify the applicant in writing of any information that may be required to complete such application. Within ninety (90) calendar days of receipt of a complete application, the City shall make its final decision on whether to approve the application and shall advise the applicant in writing of such decision. If additional information was requested by the City to complete an application, the time required by the applicant to provide the information shall not be counted toward the City's ninety (90) day review period.
 10. Permit Fees. The City may assess appropriate and reasonable permit fees directly related to the City's actual costs in reviewing and processing the application for approval of a Non-Tower WCF or \$1,000, whichever is less.
- B. The following regulations shall apply to all Non-Tower Wireless Communications Facilities that Substantially Change the Wireless Support Structure to which they are attached:

1. Permitted in All Zones Subject to Regulations. Non-Tower WCF's are permitted in all zones subject to the restrictions and conditions prescribed below and subject to the prior written approval of the City.
2. Upon receipt of an application for any Non-Tower-Based WCF, the City shall mail notice thereof to the owner or owners of every property zoned residential on the same street within 500 linear feet of the parcel or property of the proposed facility and of every property zoned residential not on the same street within 500 feet of the parcel or property of the proposed facility if the application will be heard as a Conditional Use or a Variance.
3. Standard of Care. Any Non-Tower WCF shall be designed, constructed, operated, maintained, repaired, modified and removed in strict compliance with all current applicable technical, safety and safety-related codes, including but not limited to the most recent editions of the American National Standards Institute (ANSI) Code, National Electrical Safety Code, and National Electrical Code. Any WCF shall at all times be kept and maintained in good condition, order and repair by qualified maintenance and construction personnel, so that the same shall not endanger the life of any person or any property in the City.
4. Wind. Any Non-Tower WCF structures shall be designed to withstand the effects of wind according to the standard designed by the American National Standards Institute as prepared by the engineering departments of the Electronics Industry Association, and Telecommunications Industry Association (ANSFEINTIA-222-E Code, as amended).
5. Public Safety Communications. No Non-Tower WCF shall interfere with public safety communications or the reception of broadband, television, radio or other communication services enjoyed by occupants of nearby properties.
6. Historic Buildings. Non-Tower WCFs may not be located on a building or structure that is listed on either the National or Pennsylvania Registers of Historic Places or the official historic structures and/or historic districts lists maintained by the City or has been designated by the City as being of historic significance.
7. Aviation Safety. Non-Tower WCF's shall comply with all federal and state laws and regulations concerning aviation safety.
8. Maintenance. The following maintenance requirements shall apply:
 - a. The Non-Tower WCF shall be fully automated and unattended on a daily basis and shall be visited only for maintenance or emergency repair.
 - b. Such maintenance shall be performed to ensure the upkeep of the facility in order to promote the safety and security of the City's residents.
 - c. All maintenance activities shall utilize nothing less than the best available technology for preventing failures and accidents.
9. Radio Frequency Emissions. No Non-Tower WCF may, by itself or in conjunction with other WCF's, generate radio frequency emissions in excess of the standards and regulations of the FCC, including but not limited to, the FCC Office of Engineering Technology Bulletin 65 entitled "Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields", as amended.

10. Removal. In the event that use of a Non-Tower WCF is discontinued, the owner shall provide written notice to the City of its intent to discontinue use and the date when the use shall be discontinued. Unused or abandoned WCFs or portions of WCFs shall be removed as follows:
 - a. All abandoned or unused WCFs and accessory facilities shall be removed within three (3) months of the cessation of operations at the site unless a time extension is approved by the City.
 - b. If the WCF or accessory facility is not removed within three (3) months of the cessation of operations at a site, or within any longer period approved by the City, the WCF and/or associated facilities and equipment may be removed by the City and the cost of removal assessed against the owner of the WCF.
11. Timing of Approval. Within thirty (30) calendar days of the date that an application for a Non-Tower WCF is filed with the City, the City shall notify the applicant in writing of any information that may be required to complete such application. Within ninety (90) calendar days of receipt of a complete application, the City shall make its final decision on whether to approve the application and shall advise the applicant in writing of such decision. If additional information was requested by the City to complete an application, the time required by the applicant to provide the information shall not be counted toward the City's ninety (90) day review period.
12. Retention of Experts. The City may hire any consultant(s) and/or expert(s) necessary to assist the City in reviewing and evaluating the application for approval of the WCF and, once approved, in reviewing and evaluating any potential violations of the terms and conditions of this Ordinance. The applicant and/or owner of the WCF shall reimburse the City for all costs of the City's consultant(s) in providing expert evaluation and consultation in connection with these activities prior to the issuance of the zoning permit.
13. Bond. Prior to the issuance of a permit, the owner of each individual Non-Tower WCF shall, at its own cost and expense, obtain from a surety licensed to do business in Pennsylvania and maintain a bond, or other form of security acceptable to the City Solicitor, in an amount of \$25,000 for each individual Non-Tower WCF, to assure the faithful performance of the terms and conditions of this Ordinance. The bond shall provide that the City may recover from the principal and surety any and all compensatory damages incurred by the City for violations of this Ordinance, after reasonable notice and opportunity to cure. The owner shall file a copy of the bond with the City.
14. Permit Fees. The City may assess appropriate and reasonable permit fees directly related to the City's actual costs in reviewing and processing the application for approval of a Non-Tower WCF, as well as related inspection, monitoring and related costs. The Fee Schedule is located in Chapter 212.

§600-2105 Non-Tower Wireless Facilities Outside the Rights-of-Way

The following additional regulations shall apply to Non-Tower Wireless Communications Facilities located outside the Rights-of-Way that Substantially Change the Wireless Support Structure to which they are attached:

1. Development Regulations. Non-Tower WCFs shall be co-located on existing structures, such as existing buildings or Tower-Based WCF's subject to the following conditions:
 - a. Such WCF does not exceed a maximum height of one hundred fifty (150) feet.
 - b. If the WCF applicant proposes to locate the communications equipment in a separate building, the building shall comply with the minimum requirements for the applicable zoning district.
 - c. A six (6) foot high security fence shall surround any separate communications equipment building. Vehicular access to the communications equipment building shall not interfere with the parking or vehicular circulations on the site for the principal use.
2. Design Regulations.
 - a. Non-Tower WCFs shall employ Stealth Technology and be treated to match the supporting structure in order to minimize aesthetic impact. The application of the Stealth Technology chosen by the WCF applicant shall be subject to the approval of the City.
 - b. Non-Tower WCFs, which are mounted to a building or similar structure, may not exceed a height of fifteen (15) feet above the roof or parapet, whichever is higher, unless the WCF applicant obtains a conditional use permit.
 - c. All Non-Tower WCF applicants must submit documentation to the City justifying the total height of the Non-Tower structure. Such documentation shall be analyzed in the context of such justification on an individual basis.
 - d. Antennae, and their respective accompanying support structures, shall be no greater in diameter than any cross-sectional dimension than is reasonably necessary for their proper functioning.
 - e. Non-Commercial Usage Exemption. The design regulations enumerated in this Section shall not apply to direct broadcast satellite dishes installed for the purpose of receiving video and related communications services at residential dwellings.
3. Removal, Replacement, Modification.
 - a. The removal and replacement of Non-Tower WCFs and/or accessory equipment for the purpose of upgrading or repairing the WCF is permitted, so long as such repair or upgrade does not increase the overall size of the WCF or the numbers of Antennae.
 - b. Any material modification to a wireless telecommunication facility shall require a prior amendment to the original permit or authorization.
4. Visual or Land Use Impact. The City reserves the right to deny an application for the construction or placement of any Non-Tower WCF based upon visual and/or land use impact.
5. Inspection. The City reserves the right to inspect any WCF to ensure compliance with the provisions of this Ordinance and any other provisions found within the City Code or state or federal law. The City and/or its agents shall have the authority to enter the property upon which a WCF is located at any time, upon reasonable notice to the operator, to ensure such compliance.

§600-2106 Non-Tower Wireless Facilities in the Rights-of-Way

A. The following additional regulations shall apply to all Non-Tower Wireless Communications Facilities located in the Rights-of-Way:

1. Co-location. Non-Tower WCFs in the ROW shall be co-located on existing poles, such as existing utility poles or light poles.
2. Design Requirements :
 - a. WCF installations located above the surface grade in the public ROW including, but not limited to, those on streetlights and joint utility poles, shall consist of equipment components that are no more than six (6) feet in height and that are compatible in scale and proportion to the structures upon which they are mounted. All equipment shall be the smallest and least visibly intrusive equipment feasible.
 - b. Antennae and all support equipment shall be treated to match the supporting structure. WCFs and accompanying equipment shall be painted, or otherwise coated, to be visually compatible with the support structure upon which they are mounted.
3. Compensation for ROW Use. In addition to permit fees as described above, every Non-Tower WCF in the ROW is subject to the City's right to fix annually a fair and reasonable compensation to be paid for use and occupancy of the ROW. Such compensation for ROW use shall be directly related to the City's actual ROW management costs including, but not limited to, the costs of the administration and performance of all reviewing, inspecting, permitting, supervising and other ROW management activities by the City. The owner of each Non-Tower WCF shall pay an annual fee to the City to compensate the City for its costs incurred in connection with the activities described above. The Annual ROW management fee for Non-Tower WCF's shall be determined by the City and authorized by ordinance and shall be based on the City's actual ROW management costs as applied to such Non-Tower WCF.
4. Time, Place and Manner. The City shall determine the time, place and manner of construction, maintenance, repair and/or removal of all Non-Tower WCF's in the ROW based on public safety, traffic management, physical burden on the ROW, and related considerations. For public utilities, the time, place and manner requirements shall be consistent with the police powers of the City and the requirements of the Public Utility Code.
5. Equipment Location. Non-Tower WCF's and accessory equipment shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, or to otherwise create safety hazards to pedestrians and/or motorists or to otherwise inconvenience public use of the ROW as determined by the City. In addition:
 - a. In no case shall ground-mounted equipment, walls, or landscaping be located within 18 inches of the face of the curb;
 - b. Ground-mounted equipment shall be located underground. In the event an applicant can demonstrate, to the satisfaction of the City Engineer or his designee, that ground-mounted equipment cannot be installed underground, then all such equipment shall be screened, to the

fullest extent possible, through the use of landscaping or other decorative features to the satisfaction of the City.

- c. Required electrical meter cabinets shall be screened to blend in with the surrounding area to the satisfaction of the City.
 - d. Any graffiti on the tower or on any accessory equipment shall be removed at the sole expense of the owner within ten (10) business days of notice of the existence of the graffiti.
 - e. Any underground vaults related to Non-Tower WCF's shall be reviewed and approved by the City.
6. Relocation or Removal of Facilities. Within sixty (60) days following written notice from the City, or such longer period as the City determines is reasonably necessary or such shorter period in the case of an Emergency, an owner of a WCF in the ROW shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any WCF when the City, consistent with its police powers and applicable Public Utility Commission regulations, shall have determined that such removal, relocation, change or alteration is reasonably necessary under the following circumstances:
- a. The construction, repair, maintenance or installation of any City or other public improvement in the Right-of-Way;
 - b. The operations of the City or other governmental entity in the Right-of-Way;
 - c. Vacation of a street or road or the release of a utility easement; or
 - d. An Emergency as determined by the City.
7. Visual or Land Use Impact. The City retains the right to deny an application for the construction or placement of a Non-Tower WCF based upon visual and/or land use impact.

§600-2107 Violations Applicable to All Wireless Facilities

1. Penalties. Any Person violating any provision of this Ordinance shall be subject, upon finding by a magisterial district judge, to a penalty not exceeding five hundred dollars (\$500), for each and every offense, together with attorneys' fees and costs. A separate and distinct violation shall be deemed to be committed each day on which a violation occurs or continues to occur. In addition to an action to enforce any penalty imposed by this Ordinance and any other remedy at law or in equity, the City may apply to a Federal District Court for an injunction or other appropriate relief at law or in equity to enforce compliance with or restrain violation of any provision of this Ordinance.
2. Determination of Violation. In the event a determination is made that a Person has violated any provision of this Ordinance, such Person shall be provided written notice of the determination and the reasons therefore. Except in the case of an Emergency, the Person shall have thirty (30) days to cure the violation. If the nature of the violation is such that it cannot be fully cured within such time period, the City may, in its reasonable judgment, extend the time period to cure, provided the Person has commenced to cure and is diligently pursuing its efforts to cure. If the violation has not been cured within the time allowed, the City may take any and all actions authorized by this Ordinance and/or federal and/or Pennsylvania law and regulations.

SECTION V. Amending §600-1203 Conditions for Conditional Use by adding Telecommunications Facility, Towers and Antenna as follows:

§600-1203. Conditions for conditional uses.

N. Telecommunications facility, towers and antenna (*Note see §600-800, 2100 and 2206*)

- (1) The applicant shall present a plan showing the following items:
 - (a) Locations of all existing uses and proposed telecommunications facilities
 - (b) Elevations of any existing uses and proposed telecommunications facilities
 - (c) Vehicular access, fencing and any easements for access and utilities
 - (d) The locations desired with two (2) alternative locations
- (2) The telecommunications facility shall comply with all State and Federal laws and regulations concerning aviation safety.
- (3) The applicant shall provide Stealth Technology to camouflage the proposed facility to make them more visually appealing and blend the proposed facility to render it minimally visible to the casual observer defined.
- (4) The City may retain the assistance of a consultant and/or expert to assist in the review and evaluation of the application. The applicant shall be responsible for all costs charged by the consultant and/or expert in connection with these activities. All associated fees and costs must be paid to the City prior to the issuance of the zoning permit, if the application is approved.
- (5) If additional information is requested by the City or the consultant/and or expert from the applicant, the time required by the applicant to provide the additional information shall not be counted toward the 150 day review period.

SECTION VI. Amending Section §600-1202 Special Exceptions by eliminating telecommunication towers and renumbering the section as required as follows:

§ 600-1202. Conditions for special exception uses.

- A. Adaptive reuse.
- B. Bed-and-breakfast inn.
- C. Cemeteries. Cemeteries shall be allowed as provided in Part 8 and shall meet the following standards:
- D. Day-care facilities.
- E. Colleges, universities, primary and secondary schools and trade/hobby schools.
- F. Amusement arcade.
- G. Home occupations, major.
- H. Hospitals and centers for the care of children.
- I. Kennels.
- J. Life-care retirement facility and nursing home.
- K. Nursing homes. See "life-care retirement facility and nursing home" in this section.
- L. Parks, playgrounds and public buildings. This term includes parks and playgrounds operated by the federal, state or local government or nonprofit organizations as well as public buildings operated by governmental agencies.
- M. Pawn shops.
- N. Places of worship. The proposed use shall be a bona fide nonprofit religious use.
- O. Private surface parking facilities (lot or structure).
- P. Swimming pools as a principal use.
- ~~Q. Telecommunications towers and facilities. Telecommunications towers and facilities shall be allowed as provided in the zoning district regulations, provided they meet the standards outlined in Part 21 of this chapter in addition to any stipulations set forth by the Zoning~~

~~Hearing Board. See § 600-2106C(3) for antenna attached to a building.~~

SECTION VII. Miscellaneous

1. Police Powers. The City, by granting any permit or taking any other action pursuant to this Chapter, does not waive, reduce, lessen or impair the lawful police powers vested in the City under applicable federal, state and local laws and regulations.

2. Severability. If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held illegal or invalid by any court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision, and such holding shall not render the remainder of this Chapter invalid.

3. Effective Date. This Ordinance shall become effective ten (10) days after enactment by the City Council.

ENACTED AND ORDAINED this ____ day of _____, 2016.

ATTEST:

City Clerk

Council President

Submitted to Mayor by: _____
Date Submitted: _____
Received in Mayor's Office by: _____
Date Received: _____
Approved by Mayor: _____
Date Approved: _____
Vetoed by Mayor: _____
Date Vetoed: _____

AGENDA MEMO

City Council

TO: City Council
FROM: James Fegley, Charter Board Chair
PREPARED BY: Shelly Katzenmoyer, Deputy City Clerk
MEETING DATE: September 12, 2016
AGENDA MEMO DATE: August 19, 2016
RECOMMENDED ACTION: Council approval of a Budget Transfer allocating additional funds to the Charter Board for legal expenses

RECOMMENDATION:

The Charter Board requests a budget transfer to pay for legal services rendered and potential legal services.

- Authorizing the transfer of \$35,000 from the Fund Balance (01-00-00-2990-000) to the Charter Board (01-17-91-4777-000)

BACKGROUND:

The Charter Board expects to expend its 2016 budget by mid-September. The Charter Board is currently processing several complaints, one of which is proceeding to the Evidentiary Hearing stage.

BUDGETARY IMPACT:

This transfer will reduce the Fund Balance by the amount of \$35,000.

PREVIOUS ACTION:

None.

SUBSEQUENT ACTION:

The budget amendment must be approved by Council ordinance.

RECOMMENDED BY:

Charter Board

RECOMMENDED MOTION:

Approve/Deny the amendments to the 2016 budget as presented.

Drafted by: Deputy City Clerk
Sponsored/Referred by: Charter Board
Introduced on: September 12, 2016
Advertised on: N/A

BILL NO. ____ 2016

AN ORDINANCE

AUTHORIZING A BUDGET AMENDMENT IN THE AMOUNT OF \$35,000.00 FOR BUDGET YEAR 2016 FROM FUND BALANCE TO THE CHARTER BOARD

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

Section One: Council hereby authorizes the amendment of the 2016 Budget as follows:

- Authorizing the transfer of \$35,000 from the Fund Balance (01-00-00-2990-000) to the Charter Board (01-17-91-4777-000)

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 _____, 2016

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: Public Works
Sponsored/Referred by: Public Works Director
Introduced on: September 12, 2016
Advertised on: N/A

BILL NO. _____ - 2016

AN ORDINANCE

PROVIDING FOR NO-PARKING RESTRICTIONS

REED STREET, IN THE CITY OF READING

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

- SECTION 1.** The City of Reading agrees to restrict parking by establishing a No Parking zone on the east side of Reed Street at the intersection of Buttonwood Street and Reed Street for a distance of approximately 28 feet. The purpose of the restriction is to establish a safe and sufficient turning space for vehicles turning from Buttonwood Street onto that section of Reed Street.
- SECTION 2.** This ordinance shall become effective ten (10) days after its adoption, in accordance with Sections 219 & 221 of the City of Reading Home Rule Charter.

Enacted _____, 2016

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: _____

AGENDA MEMO

Finance Department

TO: City Council

FROM: Glenn Steckman, Managing Director
Josephina Encarnacion, Acting Admin. Services Director
Ralph Johnson, Public Works Director

PREPARED BY: Josephina Encarnacion, Acting Admin. Services Director

MEETING DATE: September 12, 2016

AGENDA MEMO DATE: September 7, 2016

RECOMMENDED ACTION: Council approval of payment for the transfer of cash reserves in the General Fund and amending the 2016 General Fund operating budget to allocate funds for the purchase of items previously being charged to Revenue Fund 01-07-52-3977, Interdepartmental Direct Sewer Reimbursement.

RECOMMENDATION:

Administration recommends Council approval of the transfer of cash reserves in the General Fund and amending the 2016 General Fund operating budget to allocate funds for the purchase of items previously being charged to Revenue Fund 01-07-52-3977, Interdepartmental Direct Sewer Reimbursement.

BACKGROUND:

In order to finalize the purchase of items previously charged Revenue Fund 01-07-52-3977, the administration is asking the council to approve the use of the General Fund's fund balance to allocate funds.

BUDGETARY IMPACT:

These amendments would reduce the 2016 General Fund budgeted surplus by \$0. The net effect would be to reduce the budgeted 2016 General Fund's fund balance from \$0 to \$0.

PREVIOUS ACTION:

None.

SUBSEQUENT ACTION:

The budget amendment must be approved by Council.

RECOMMENDED BY:

The Managing Director, Acting Director of Administrative Services, and Director of Public Works.

RECOMMENDED MOTION:

Approve/Deny the amendments to the approved 2016 budget as presented.

Drafted by:	Public Works
Sponsored/Referred by:	Pub Works Dir/Man Dir
Introduced on:	September 12, 2016
Advertised on:	N/A

BILL NO. ____ 2016

AN ORDINANCE

AUTHORIZING AN APPROPRIATION TRANSFER WITHIN THE GENERAL FUND IN THE AMOUNT OF \$85,000.00 FOR PURCHASE OF ITEMS PREVIOUSLY BEING CHARGED TO REVENUE FUND 01-07-52-3977, INTERDEPARTMENTAL DIRECT SEWER REIMBURSEMENT.

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

Section One: Council hereby authorizes the transfer of cash reserves in the General Fund totaling \$85,000.00 from Fund Balance (01-00-00-2990-000) as described:

- \$45,000 to 01-07-74-4405
- \$15,000 to 01-07-71-4401
- \$ 5,000 to 01-07-71-4510
- \$ 5,000 to 01-07-74-4505
- \$ 5,000 to 01-07-74-4402
- \$10,000 to 01-07-14-4308

And amends the 2016 General Fund operating budget to allocate funds for items previously charged to Revenue Fund 01-07-52-3977, Interdepartmental Direct Sewer Fund.

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 _____, 2016

President of Council

ATTEST:

City Clerk
Submitted to Mayor by: _____

TO: City Council

FROM: Glenn Steckman, Managing Director
Josephina Encarnacion, Acting Admin. Services
Director
Ralph Johnson, Public Works Director

PREPARED BY: Ralph Johnson, Public Works Director/Amy Morriss WWTP Manager

MEETING DATE: September 12, 2016

AGENDA MEMO DATE: September 7, 2016

RECOMMENDED ACTION: Council approval of payment for design engineering for the 6th and Canal Pump Station Phase I project through use of sewer fund retained earnings reserves.

RECOMMENDATION:

Administration recommends Council approval of the transfer of cash reserves in the Sewer Fund and amending the 2016 Sewer Fund operating budget to allocate funds for the costs of engineering for the 6th and Canal Pump Station Phase I project.

BACKGROUND:

The engineering design costs for 6th and Canal Pump Station Phase I project had not been previously budgeted for in the Sewer Fund, since they were being paid through the use of cash reserves from previous years' surpluses. However, due to changes in internal procedures, it now mandates that these expenditures be reflected in the Sewer Fund budget in order to prepare purchase orders for payment of these costs.

BUDGETARY IMPACT:

The net effect would be to reduce the budgeted 2016 Sewer Fund retained earnings balance by \$61,717.50.

SUBSEQUENT ACTION:

The budget amendment must be approved by Council.

RECOMMENDED BY:

The Managing Director, Acting Director of Administrative Services, and Director of Public Works.

RECOMMENDED MOTION:

Approve/Deny the amendments to the approved 2016 budget as presented.

Drafted by: WWTP Mgr
Sponsored/Referred by: Pub. Works Dir.
Introduced on: September 12, 2016
Advertised on: N/A

BILL NO. ____ 2016

AN ORDINANCE

AUTHORIZING AN APPROPRIATIONS TRANSFER WITHIN THE SEWER FUND IN THE AMOUNT OF \$61717.50 FOR ENGINEERING COSTS TO BE PERFORMED ON 6th AND CANAL PUMP STATION – PHASE I.

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

Section One: Council hereby authorizes the transfer of cash reserves in the Sewer Fund in the amount of \$61,717.50 from Fund Balance (54-07-00-2980-000) to Engineering Costs (54-07-45-4816-000) and to Administrative costs (54-07-45-4823-000) and amends the 2016 Sewer Fund operating budget to allocate funds to Engineering to be performed on 6th and Canal Pump Station for Phase I.

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 _____, 2016

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: _____

54-07-44-180-D

		USL Account #	Total Costs Already Paid	Remaining Budget	
	\$ 198,771.00	54-07-45-4816			
	\$13,000	54-07-45-4823			
	<hr/> \$ 211,771.00 <hr/> <hr/>	XX-XX-XX-XXXX			
Engineering	\$ 198,771.00				
	<hr/> \$ 211,771.00 <hr/> <hr/>		<hr/> \$ 150,053.50 <hr/> <hr/>	<hr/> \$ 61,717.50 <hr/> <hr/>	\$ 61,717.50
Invoice #1	4,542.65	4,542.65	\$ 4,542.65	\$ 207,228.35	
Invoice #2	29,721.03		\$ 34,263.68	\$ 177,507.32	
Invoice #3	22,901.42	52,622.45	\$ 57,165.10	\$ 154,605.90	

Invoice #4	19,272.80	19,272.80	\$ 76,437.90	\$ 135,333.10
Invoice #5	8,982.82	8,982.82	\$ 85,420.72	\$ 126,350.28
Invoice #6	20,883.23	missing from project accounting	\$ 106,303.95	\$ 105,467.05
Invoice #7	12,046.81	12,046.81	\$ 118,350.76	\$ 93,420.24
Invoice #8	19,721.25	19,721.25	\$ 138,072.01	\$ 73,698.99
Invoice #9	11,981.49	11,981.49	\$ 150,053.50	\$ 61,717.50

CITY OF READING

**REQUEST FOR APPROPRIATION
TRANSFER**

2016

Appropriation Transfer
No.

Requested by Division of Sewer

Prepared by Amy Morriss

Date 9/6/2016

FROM		AMOUNT	TO	
Account Number	Account Name		Account Number	Account Name
54-07-00-2980-00	Retained Earnings	\$ 48,717.50	54-07-45-4816	Engineering Costs
54-07-00-2980-00	Retained Earnings	\$ 13,000.00	54-07-45-4823	Administration Costs

Drafted by Utilities Div Mgr
Sponsored by/Referred by Managing Director
Introduced on N/A
Advertised on N/A

RESOLUTION NO. ____2016

Whereas, the City of Reading has been awarded a grant in the amount of \$292,700 (MPMS No. 103165) for the Rockland Street Project; and

Whereas, the Pennsylvania Department of Transportation's Transportation Alternatives Program (TAP) requires execution of a reimbursement agreement, No. R16050006, to proceed.

The Council of the City of Reading hereby resolves as follows:

That the City Solicitor be authorized to execute the reimbursement agreement in the RAS with No. R16050006 for the Rockland Street Project.

Adopted by Council _____, 2016

President of Council

Attest:

City Clerk