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. Robert Brookins, Holy Trinity Church of God
C. PLEDGE TO THE FLAG
D. ROLL CALL
2. PROCLAMATIONS AND PRESENTATIONS

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 & MINUTES
A. AGENDA: Meeting of January 8, 2018
B. MINUTES: December 18, 2017 Regular Meeting

5. Consent Agenda Legislation
A. Award of Contract -

B. Award of Contract -

C. Resolution – appointing five (5) probationary police officers to the Reading Police Department

D. Resolution – authorizing the disposal of 2010 financial interest and gift forms for the City Clerk’s Office

E. Resolution – authorizing $20,000.00 in HOME Administrative Funding to Urban Design Ventures for HOME Program Technical Assistance services.

6. ADMINISTRATIVE REPORT

7. REPORT FROM OFFICE OF THE AUDITOR

8. REPORT FROM DEPT. DIRECTORS, BOARDS, AUTHORITIES, &
COMMISSIONS
Reading Public Library – Bronwen Gamble Exec. Director

9. ORDINANCES FOR FINAL PASSAGE

Bill No. 1-2018 – authorizing a utility easement at the Masano property at 1015 Lancaster Ave
*Introduced at the December 18 regular meeting*

Bill No. 2-2018 – restricting parking, and maintaining the requisite No Parking signs along both sides of North Second Street in the 000 block (between Washington Street and Penn Street), with the exception of 8 parking spaces to be located along the north side of North Second Street, between Court Street and Penn Street. The purpose is to comply with the conditions of PennDOT Highway Occupancy Permit No. 134367 and the 2nd and Washington Streets Intersection Improvement Project
*Introduced at the December 18 regular meeting*

Bill No. 3-2018 – authorizing the execution of a lease agreement for the installation of a monopole for T Mobile within Hampden Park near the baseball field located in the vicinity of Alsace Road
*Introduced at the December 18 regular meeting*

10. INTRODUCTION OF NEW ORDINANCES

A. Ordinance – approving three transfers within the 2017 Self Insurance Fund Budget: $21,000 from line item Water/Sewer Main Breaks into line item Premium Payments; $29,000 from Water/Sewer Main Breaks into line item Incurred Liability Claims; and $350,000 from line item W/C Claims Medical to line item Incurred Liability Claims

B. Ordinance - amending the City Code Chapter 396 Parks and Recreation, Part 3 Park Use as attached to correct and clarify

C. Ordinance – amending the City Code to correct the definition of “Contaminated Waste/Biological Waste/Biohazard Waste” in Chapter 540 – Tattoo and Piercing Establishments, Section 540-103 Word usage and definitions

D. Ordinance -

11. RESOLUTIONS

A. Resolution – appointing Angella Singletary to the Board of Ethics

B. Resolution – approving the transfer of the Restaurant Liquor License No. R-13447, LID No. 70652 from Wyomissing, PA into the City of Reading for Salguero’s Inc., for 702 North 8th Street, Reading PA

C. Resolution – appointing the Council Vice President
D. **Resolution** – appointing the City Clerk

E. **Resolution** – authorizing the execution of the Reading 18th Wonder Project PennDOT reimbursement grant agreement

12. **PUBLIC COMMENT – GENERAL MATTERS**
   Please see public speaking rules on second page

13. **COUNCIL BUSINESS/COMMENTS**

14. **COUNCIL MEETING SCHEDULE**

**Monday, January 15**
**City Hall Closed – Martin Luther King Holiday**

**Tuesday, January 16**
Nominations & Appointments Committee – Council Office – 4 pm
Strategic Planning Committee – Penn Room – 5 pm

**Monday, January 22**
Committee of the Whole – Penn Room – 5 pm
Regular Meeting – Council Chambers – 7 pm

**Saturday, January 27**
Strategic Planning – Penn Room – 8:30 am - 1 pm

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

**Wednesday, January 10**
Zoning Hearing Board – Council Chambers – 5:30 pm
Human Relations Commission – HRC office – 6 pm
Center City Community Organization – Holy Cross Church – 6 pm

**Thursday, January 11**
Police Pension Board – 3rd floor conference room – 9:30 am
Outlet Area Neighborhood Assn – St. Mark’s Lutheran Church – 6:30 pm

**Sunday, January 14**
College Heights Community Council – Nativity Lutheran Church – 7 pm

**Monday, January 15**
Library Board – 113 S 4th St – 4:30 pm

**Tuesday, January 16**
Fire Civil Service Board – Fire Training Center – 3 pm
Water Authority – Penn Room – 4 pm
HARB – Penn Room – 6:30 pm
Charter Board – Council Chambers – 7 pm

**Wednesday, January 17**
Officers & Employees Pension Board – Penn Room – 1:30 pm
Redevelopment Authority – Redevelopment Authority office – 3 pm

**Thursday, January 18**
Shade Tree Commission – Public Works – 6 pm

**Friday, January 19**
Fire Pension Board – Penn Room – 10 am

**Monday, January 22**
DID Authority – 645 Penn St 1st floor - noon

**16. ADJOURN**
Council President Waltman called the meeting to order.

The invocation was given by Nancy Lennert, President, Reading-Berks Conference of Churches.

All present pledged to the flag.

The Committee of the Whole meeting included an executive session on litigation.

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

Council President Waltman announced that Councilor Goodman-Hinnershitz is recovering from surgery and is excused from this meeting.

PROCLAMATIONS AND PRESENTATIONS
Fire Lieutenant Zulick introduced Gracie, a 1 ½ year yellow lab, donated by the ATF to assist with fires associated with arson. He noted Gracie’s skills that will aid in Reading and in other municipalities.

PUBLIC COMMENT
Council President Waltman stated that there are five (5) citizens registered to address Council on agenda matters and two (2) citizens registered on non-agenda matters. He inquired if any member of Council objected to suspending the rule requiring non-agenda comment at the end of the meeting. No one objected. Councilor Daubert read the remaining public comment rules, as per Council ordinance.

Steve Costa, of Blandon, expressed the belief that the Conversion Therapy ordinance is based on untested theories and studies. He expressed the belief that reparative therapy is positive
and can be beneficial to the patient. He expressed the belief that sexuality is flexible and can change over the course of a person’s lifetime. He suggested that Council take a deeper look at this issue prior to enacting legislation.

**Jocelyn Youngs, of North 13th St.,** expressed the belief that Conversion Therapy is an unethical practice that can harm individuals subjected to it. She stated that failure to obtain State and Federal legislation to address Conversion Therapy has stimulated the need to ask local municipalities to address this issue.

**Atticus Ranck, of North 8th St.,** stated that he works for the LGBT Center in Allentown and he described the effort to work with municipalities to create Conversion Therapy legislation. He expressed the belief that reparative therapy is a cruel practice. He described his personal experience with coming out.

**Ben Remkus, of Schuylkill Ave.,** stated that he is the president of Reading Pride, which was founded in 2006. He thanked Council for providing the LGBT community with one additional step towards true equal rights.

**Steve Ohnsman, pastor at Calgary UCC on Centre Ave.,** stated that he has been a pastor for 34 years. He explained that he is a heterosexual male and when he entered puberty he was immediately attracted to women. He noted that sexuality is ingrained in people and it is not a choice. He expressed the belief that reparative therapy will not change people.

**Ernie Schlegel, of Pear St.,** stated that a local group is interested in seeking a Charter amendment that would make City Council elected at-large, rather than by districts. He noted the NAACP’s successful challenge to the creation of at-large elections in Ohio. He expressed the belief that the outcome of this litigation may make a change to at-large elections a violation of voting regulations. He read from some NAACP materials about this litigation. He suggested forming a Charter Review Commission to address the use of at-large elections vs. Council districts. He also suggested that the City consider creating additional Council districts to build more opportunity for a diverse governing body.

**Mark Ponce, of Temple,** stated that the illegal truck parking lot at 1700 N 10th Street (located behind the rear parking lot at William’s Family Restaurant) remains unresolved. He stated that the owner admitted at the zoning hearing board meeting that he has been operating this garage for 1 ½ years without the required permits or licenses. He described his personal experience with operating a parking lot and the citations that were issued to him. He questioned why this citizen is being treated differently.

The managing director asked the Police Chief to ticket the vehicles that are parking in this lot.

The Council President asked Mr. Ponce to provide his contact information to the managing director.
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 December 4th Regular Meeting of Council. He stated that the administration is withdrawing two (2) resolutions on the Consent Agenda:

B. Resolution 102-2017 – authorizing the Mayor to execute the Reading 18th Wonder Project grant agreement on behalf of the City of Reading.

E. Resolution 105-2017 - authorizing the City of Reading to make payment for the purchase of Building Blocks web-based software

Council President Waltman stated that City Council is withdrawing Bill No. 79-2017 from Pending Legislation and Resolution 101-2017 under the Resolution heading.

Councilor Marmarou moved, seconded by Councilor Daubert, to approve the minutes from the December 4th Regular Meeting of Council and the agenda, as amended, including the legislation listed on the Consent Agenda, as amended. The motion was approved unanimously.

Councilor Reed noted that the City of Easton and other municipalities had the political courage to enact legislation making the possession of a small amount of marijuana a summary offense. She noted that the Reading City Council had the courage to adopt a resolution supporting State Representative Jozwiak’s state bill to address the same. She noted that several measures from the local ordinance were moved into the resolution asking Representative Jozwiak to consider adding them to his bill.

Consent Agenda

A. Award of Contract –

C. Resolution 103-2017 – removing Kelly Christman from the Shade Tree Commission, due to her lack of attendance at all meetings held in 2017, after the required notification and as requested by the Shade Tree Commission ordinance

D. Resolution 104-2017 – appointing Jeremy Searfoss as Emergency Management Coordinator

ADMINISTRATIVE REPORT
The mayor reported that he received great comments about the holiday decorating in the downtown. He noted the need to find a solution to the parking stress that exists in Reading neighborhoods. He suggested looking at the sensible solution implemented in Philadelphia using neighborhood parking lots and creating parking areas behind homes.
The mayor noted the recent reopening of Kenhorst Blvd., which has been long overdue. He noted that the democratic process often creates a wealth of differing opinions that can be used to discover a balanced solution that helps and protects people.

The managing director recognized FM Searfoss for being the Emergency Management Coordinator. He stated that a recent change in law will prohibit municipalities from using an early call of bonds to obtain a reduced interest rate. He noted that the early bond call that the City is closing prior to the end of December will be the last opportunity the City has to save money, in this case $2.1M over the remaining term of the bond.

AUDITOR’S REPORT
City Auditor Cituk stated that the 2016 external audit is almost completed. Herbein & Co. will have the draft to Council on January 5th. A presentation to Council is planned for January 16th followed by the public presentation on Monday, January 22nd.

REPORT FROM DEPT. DIRECTORS, BOARDS, AUTHORITIES, & COMMISSIONS
None.

ORDINANCES FOR FINAL PASSAGE

<table>
<thead>
<tr>
<th>Pending Legislation</th>
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<tbody>
<tr>
<td><strong>WITHDRAWN BY COUNCIL</strong></td>
</tr>
</tbody>
</table>
| **Bill 79-2017** – amending the City Code by creating a new Chapter 184 Controlled Substances, Drug, Device and Cosmetics, which provides the police with the discretionary ability to charge a summary offense for the personal possession or personal use of small amounts of marijuana, rather than a misdemeanor under the Crimes Code *Introduced at the July 24 regular meeting; Tabled at the August 14 and 28 regular meetings*

| **Bill 96-2017** – amending City Code Chapter 325 Law Enforcement by adding a new Part 3 allowing property owners to be billed for excessive police and property maintenance calls *Introduced at the October 23 regular meeting; Tabled at the November 13th meeting*

| **Bill 97-2017** – amending City Code Chapter 212 by establishing a penalty and refundable appeal fee for Chapter 325, Part 3 Excessive Calls *Introduced at the October 23 regular meeting; Tabled at the November 13th meeting*

| **Bill 98-2017** – amending City Code Chapter 23, Part 14 Code and License Appeals Board by enabling the board to hear appeals applicable to Chapter 325 New Part 3 Excessive Enforcement *Introduced at the October 23 regular meeting; Tabled at the November 13th meeting* |
A. **Bill No. 108-2017** – amending City Code Chapter 5, Section 806 Fiscal Provisions by moving the language on the Reserve to a new Part D “Reserve”, adding language regarding the use of the Reserve and renumbering the section accordingly *Introduced at the November 27 regular meeting*

Councilor Reed moved, seconded by Councilor Slifko, to enact Bill No. 108-2017.

The managing director explained that this moves the updated Reserve language into the City’s Administrative Code.

Bill No. 108-2017 was enacted by the following vote:
- Yeas: Daubert, Marmarou, Reed, Slifko, Twyman, Waltman, President - 6
- Nays: None – 0

B. **Bill No. 109-2017** – amending the City Code Part 5-204 Council Organization and Procedures by correcting a reference to the Council Office and providing language consistent with Part 5-207 regarding the appointment of a Pro Tem in the event the Council President and Vice President are absent *Introduced at the December 4 regular meeting*


Councilor Reed explained that this provides clarification and consistency on the appointment of a substitute if both the President of Council and Vice President are absent.

Bill No. 109-2017 was enacted by the following vote:
- Yeas: Daubert, Marmarou, Reed, Slifko, Twyman, Waltman, President - 6
- Nays: None – 0

C. **Bill No. 110-2017** – amending the 2017 budget to reflect the funding of the closeout activities associated with the rehabilitation of Digesters 4 & 5 in the amount of $87,640.35 from the Reserve Fund to Construction Services *Introduced at the December 4 regular meeting*

Councilor Daubert moved, seconded by Councilor Reed, to enact Bill No. 110-2017.

Bill No. 110-2017 was enacted by the following vote:
- Yeas: Daubert, Marmarou, Reed, Slifko, Twyman, Waltman, President - 6
- Nays: None – 0

D. **Bill No. 111-2017** – levying the real estate taxes at the current rate for the fiscal year beginning the first day of January, 2018, and ending the thirty-first day of December, 2018, replacing bill no. 100-2017 *Introduced at the December 4 regular meeting*

Councilor Daubert moved, seconded by Councilor Marmarou, to enact Bill No. 111-2017.
Bill No. 111-2017 was enacted by the following vote:
  Yeas:  Daubert, Marmarou, Reed, Slifko, Twyman, Waltman, President - 6
  Nays:  None – 0

E. Bill No. 112-2017 – decreasing the rate charged to property owners for recycling services and combined curbside collection as listed below:

<table>
<thead>
<tr>
<th>Service</th>
<th>Old Rate</th>
<th>New Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Combined billing rate for</td>
<td>$294.00</td>
<td>$289.43</td>
</tr>
<tr>
<td>municipal trash and recycling service</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Billing rate for recycling service</td>
<td>$74.04</td>
<td>$69.47</td>
</tr>
</tbody>
</table>

Introduced at the December 4 regular meeting

Councilor Slifko moved, seconded by Councilor Daubert, to enact Bill No. 112-2017.

The managing director explained that this is the second rate reduction, totaling $22 per year, since recycling was outsourced in 2016.

Council President Waltman stated that it is refreshing to see this rate fall, as he believes it was too high in prior years.

Bill No. 112-2017 was enacted by the following vote:
  Yeas:  Daubert, Marmarou, Reed, Slifko, Twyman, Waltman, President - 6
  Nays:  None – 0

F. Bill No. 113-2017 – amending the 2017 General Fund budget to reflect the approval of a contribution from Berks Alliance in the amount of $50,000 to be used to fund the purchase of 2 fully equipped motorcycles for the police department Introduced at the December 4 regular meeting

Councilor Marmarou moved, seconded by Councilor Reed, to enact Bill No. 113-2017.

The managing director stated that through this donation, the City will be able to create a motorcycle patrol.

Bill No. 113-2017 was enacted by the following vote:
  Yeas:  Daubert, Marmarou, Reed, Slifko, Twyman, Waltman, President - 6
  Nays:  None – 0

G. Bill No. 114-2017 – amending the City Code Chapter 212-116 Housing Fee Schedule by reducing the late fee for failure to submit annual housing renewal forms and for failure to apply for a housing permit, as attached in Exhibit A Introduced at the December 4 regular meeting

Councilor Slifko thanked the administration for reviewing and reducing these fees after hearing the input of a District 6 constituent.

**Bill No. 114-2017** was enacted by the following vote:
- Yeas: Daubert, Marmarou, Reed, Slifko, Twyman, Waltman, President - 6
- Nays: None – 0

**H. Bill No. 115-2017** – amending the City Code Chapter 308 Housing, Section 104 by adjusting the submission requirements for the annual housing renewal forms *Introduced at the December 4 regular meeting*

Councilor Slifko moved, seconded by Councilor Reed, to enact Bill No. 115-2017.

**Bill No. 115-2017** was enacted by the following vote:
- Yeas: Daubert, Marmarou, Reed, Slifko, Twyman, Waltman, President - 6
- Nays: None – 0

**I. Bill No. 116-2017** – amending the City Code Chapter 212 Fee Schedule by adding fees for telecommunications devices, DAS, etc. *Introduced at the December 4 regular meeting*

Councilor Daubert moved, seconded by Councilor Reed, to enact Bill No. 116-2017.

**Bill No. 116-2017** was enacted by the following vote:
- Yeas: Daubert, Marmarou, Reed, Slifko, Twyman, Waltman, President - 6
- Nays: None – 0

**J. Bill No. 117-2017** – authorizing the purchase of property located at 932a Penn Street for a fire station *Introduced at the December 4 regular meeting*

Councilor Marmarou moved, seconded by Councilor Slifko, to enact Bill No. 117-2017.

The managing director explained that the purchase of this property will enable the City to move forward with a new fire station in the 900 block of Penn Street, which will consolidate two (2) older stations that no longer meet the ISO regulations. He stated that after the acquisition is complete the City can move forward to do an RFP for a project manager.

Councilor Daubert stated that he is struggling with this issue as he is unsure if the demolition of the property for a fire station is the best use of the property.

Council Reed agreed that a fire station is not the best use of this property that sits on the City’s main commercial corridor. She noted that while she understands the need for consolidation of the fire stations, this property should not come off the tax rolls.
Council President Waltman expressed the belief that Council approval will be required for other components such as the project manager, financing, etc.

Councilor Slifko questioned if the reuse for a fire station is written in stone Councilor Slifko expressed the belief that public meetings with affected residents should occur first. He moved to amend the ordinance to strike the words “for a fire station”.

Councilors Reed and Daubert stated that they would be more comfortable with this amendment.

The City Clerk reviewed the language in the ordinance and stated that the words “for a fire station” are not in the ordinance. The reference to the fire station is in the agenda memo and in the heading to describe the ordinance.

Councilor Slifko withdrew the motion to amend.

**Bill No. 117-2017 was enacted by the following vote:**
- Yeas: Daubert, Marmarou, Reed, Slifko, Twyman, Waltman, President - 6
- Nays: None – 0

**K. Bill No. 118-2017** – amending the City Code by creating a new Chapter 185 Conversion Therapy *Introduced at the December 4 regular meeting*

Councilor Reed moved, seconded by Councilor Slifko, to enact Bill No. 118-2017.

Councilor Daubert stated that he will enthusiastically support the enactment of this ordinance. He stated that as a public educator he has personally seen the catastrophic results of reparative therapy.

Councilor Slifko moved to amend the ordinance to replace a member of Council on the appeals board with a mental health professional. Councilor Daubert provided a second.

**Bill No. 118-2017 was amended by the following vote:**
- Yeas: Daubert, Marmarou, Reed, Slifko, Twyman, Waltman, President - 6
- Nays: None – 0

Councilor Reed voiced her support for this legislation. She expressed her hope that her generation is the last to question if LBGT is a choice and recognize the LGBT community, as a whole and as individuals.

Councilor Slifko thanked everyone who assisted with drafting this legislation that will silence a harmful practice. He noted that nine (9) states have enacted this or similar legislation along with 27 municipalities. He noted that Reading is the 4th municipality in Pennsylvania to successfully address this issue.
Bill No. 118-2017 was enacted, as amended, by the following vote:
   Yeas: Daubert, Marmarou, Reed, Slifko, Twyman, Waltman, President - 6
   Nays: None – 0

L. Bill No. 119-2017 – amending the 2017 Budget by providing additional funding for Republic to cover the additional customers coming on to the City’s trash collection program *Introduced at
the December 4 regular meeting*

Councilor Reed moved, seconded by Councilor Daubert, to enact Bill No. 119-2017.

The managing director explained that this adjustment was necessitated by more customers moving onto the City’s combined trash and recycling collection program.

Bill No. 119-2017 was enacted by the following vote:
   Yeas: Daubert, Marmarou, Reed, Slifko, Twyman, Waltman, President - 6
   Nays: None – 0

**INTRODUCTION OF NEW ORDINANCES**

<table>
<thead>
<tr>
<th>Pending – Additional Documentation Required</th>
</tr>
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<tbody>
<tr>
<td><strong>Ordinance</strong> – authorizing the establishment of a Trust Fund for other post-employment benefits by depositing and segregating funds for the exclusive use of certain post-employment benefits, appointment of Trust Fund Trustees, and the execution of the Trust Agreement.</td>
</tr>
</tbody>
</table>

Councilor Daubert read the following ordinances into the record:

**A. Ordinance** – authorizing a utility easement at the Masano property at 1015 Lancaster Ave

**B. Ordinance** – restricting parking, and maintaining the requisite No Parking signs Along both sides of North Second Street in the 000 block (between Washington Street And Penn Street), with the exception of 8 parking spaces to be located along the north side of North Second Street, between Court Street and Penn Street. The purpose is to comply with the conditions of PennDOT Highway Occupancy Permit No. 134367 and the 2nd and Washington Streets Intersection Improvement Project.

**C. Ordinance** – authorizing the execution of a lease agreement for the installation of a monopole for T Mobile within Hampden Park near the baseball field located in the vicinity of Alsace Road

**RESOLUTIONS**

**WITHDRAWN BY COUNCIL**
A. Resolution 101-2017 – urging the County Commissioners to adopt legislation that will provide a new revenue source for the demolition of properties certified as blighted by the City or County Blighted Property Review Committees *Tabled at the December 4 regular meeting*

B. Resolution 106-2017 – appointing M. Scot Case to the Environmental Advisory Council

C. Resolution 107-2017 – reappointing Walter Pawling to the Reading Housing Authority

Councilor Daubert moved, seconded by Councilor Marmarou, to adopt Resolution Nos. 106 & 107-2017.

Councilors Marmarou and Slifko noted the attributes both applicants bring to the table.

*Resolution Nos. 106 & 107-2017 were adopted by the following vote:*

- **Yeas:** Daubert, Marmarou, Reed, Slifko, Twyman, Waltman, President - 6
- **Nays:** None – 0

**COUNCIL COMMENT**

Councilor Daubert thanked everyone for their support over his four (4) year term. He stated that he always tried to make the best decisions for the people of Reading. He expressed the belief that he will miss attending the various Council sessions.

Councilor Reed wished Councilor Goodman-Hinnershitz a speedy recovery. She noted that she has enjoyed working with Councilor Daubert and she will miss his contributions to the various discussions.

Councilor Reed noted the upcoming events planned for the Pagoda for Christmas Eve and New Year’s Eve.

Councilor Slifko thanked Councilor Daubert for always approaching his responsibilities with integrity, honesty and intelligence.

Councilor Marmarou wished Councilor Daubert well.

Councilor Twyman also wished Councilor Daubert well and wished everyone peace, love and blessed holidays.

The Auditor wished Councilor Daubert well and wished everyone joyous holidays.

Councilor Waltman thanked the administration for working with Council during a very productive 2017. He expressed the belief that Councilor Daubert is a benchmark for ethics in
government. He noted that serving on City Council is a humbling experience if done for the right reasons.

The mayor noted that the Solicitor is also retiring in early January and he noted his 18 years of steady service.

Council President Waltman reviewed the revised December Council schedule.

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

Respectfully submitted by Linda A. Kelleher CMC, City Clerk
RESOLUTION NO.______2018

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

Authorizing the hiring of the following as probationary patrol officers effective January 15, 2018:

Adopted by Council on__________________2018

________________________________
President of Council

Attest:

________________________________
City Clerk
RESOLUTION NO.______2018

Whereas, by virtue of Resolution 134-2009, adopted December 14, 2009, the City of Reading declared its intent to follow the procedures for the disposition of records set forth in the Retention and Disposition Schedule for Records of Pennsylvania Municipalities issued in 2009; and

Whereas, in accordance with Act 428 of 1968 (as amended) each individual act of disposition shall be approved by resolution of the governing body of the municipality:

NOW THEREFORE, the Council of the City of Reading hereby resolves as follows:

In accordance with the above cited schedule, Council hereby authorizes the disposition of the following public records:

City Clerk
Financial Interest Statements, 2010
Gift Reports, 2010

Adopted by Council on__________________2018

____________________________________
President of Council

Attest:

____________________________________
City Clerk
TO: City Council
FROM: Tami Davies-Coleman, CD Manager
DATE: December 29, 2017
SUBJECT: 2018 HOME Program TA Consultant Contract Approval

CITY OF READING, PENNSYLVANIA

MEMORANDUM

TO: CITY COUNCIL
PREPARED BY: TAMI DAVIES-COLEMAN
COMMUNITY DEVELOPMENT MANAGER
MEETING DATE: DECEMBER 29, 2017
AGENDA MEMO DATE: JANUARY 8, 2018
REQUESTED ACTION: APPROVAL OF CONTRACT WITH URBAN DESIGN VENTURES FOR HOME PROGRAM TECHNICAL ASSISTANCE

RECOMMENDATION: It is recommended that City Council pass the attached resolution authorizing a payment for the amount of $20,000.00 of HOME Administrative Funding to Urban Design Ventures for HOME Program Technical Assistance services.

BACKGROUND:
The City of Reading administers funds from HUD for HOME projects that provide safe and affordable housing for low to mod income families in the City as well as contracts with agencies to administer programs using HOME Program funds. The intended purpose of this payment is to contract with a consulting firm that offers assistance in preparing contracts, policies and procedures, reports, plans, environmental reviews, subsidy layering, monitoring, and general guidelines and processes of the HOME Program.

BUDGETARY IMPACT: The total contract cost is estimated at $20,000.00. The city is requesting the use of HOME Program Administrative funds.

PREVIOUS ACTION: None.

RECOMMENDED BY: Mayor, Managing Director, and Community Development Director.
RECOMMENDED MOTION: Approve/deny the Council resolution approving the Urban Design Ventures payment for the amount of $20,000.00.

Attach.
Resolution No.____2018

WHEREAS the City of Reading will be administering HOME Program funds, and

WHEREAS the City of Reading wishes to contract with a HOME Program Consultant for Technical Assistance services, and

WHEREAS the HOME Program Administrative funds allow for payment of these services,

NOW THEREFORE, BE IT RESOLVED that the CITY COUNCIL of the CITY OF READING

Hereby authorizes the CITY OF READING to make payment for such a contract on our behalf.

AND BE IT FURTHER RESOLVED that the CITY COUNCIL of the CITY OF READING

Hereby allocates HOME Program Administrative resources in the amount of $20,000 to said project.

Adopted on___________2018

_______________________
President of Council

Attest

______________________
City Clerk
BILL NO._______-2017
AN ORDINANCE

AUTHORIZING THE MAYOR TO EXECUTE A UTILITY EASEMENT AGREEMENT BETWEEN THE CITY OF READING AND MASANO CORPORATION THEREBY CONVEYING UNTO THE CITY OF READING A UTILITY EASEMENT LOCATED WITHIN PARCEL ID 530663325674, SITUATE IN CITY READING, BERKS COUNTY, PENNSYLVANIA.

WHEREAS, the Masano Corporation is the legal owner of real property situate at 1015 Lancaster Avenue, Reading, Berks County, Pennsylvania; and

WHEREAS, within the easement area there is a City-owned 72-inch corrugated metal stormwater pipe running across the property and under the building at 1015 Lancaster Avenue (See Exhibit "A" of Attachment "A"); and

WHEREAS, the City of Reading Planning Commission has conditioned plan approval for improvements to the building on the Masano Corporation granting of a utility easement to the City of Reading.

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

SECTION 1. The Mayor is authorized to execute a Utility Easement Agreement (attached as Exhibit “A”), which includes the legal description and sketch of said easement area.

SECTION 2. This Ordinance shall be effective ten (10) days after passage, as per Home Rule Charter Sections 219 & 221.

Enacted___________________________,
2017

_______________________________________
President of Council
Attest:

______________________________
City Clerk

Sent to Mayor ______
Date: __________
Signed by Mayor ______
Date: __________
Vetoed by Mayor: ______
Date: __________
Over-ridden by Council:
Date: __________
UTILITY EASEMENT AGREEMENT (STORM)

THIS UTILITY EASEMENT AND CONVEYANCE AGREEMENT, made this ______ day of October, 2017 BY AND BETWEEN MASANO CORPORATION, a Pennsylvania corporation, having an address of 815 Lancaster Avenue, Reading, Berks County, Pennsylvania, 19607 (hereinafter “Grantor”) and the CITY OF READING, a Pennsylvania municipal corporation, having an address of 815 Washington Street, Reading, Berks County, Pennsylvania, 19601 (hereinafter “Grantee”);

WITNESSETH, that Grantor for and in consideration of the sum of One Dollar ($1.00) lawful money of the United States of America and other valuable consideration, unto it paid at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain and sell, unto Grantee, its successors, heirs and assigns, the free and uninterrupted use, liberty and privilege of use, in and along the easement area within the premises owned by Grantor situated north of Lancaster Avenue in the City of Reading, said easement area (the “Easement”) as more fully depicted on Grantor’s land development plan recorded at Instrument No. 2017________, Berks County Records (the “Plan”), a copy of which is attached hereto as Exhibit “A” and incorporated herein by reference, the grant of the Easement being an acknowledgement of the existence of a 72 inch corrugated metal stormwater pipe (the “Pipe”) within the Easement, under and subject to the following:

1. Grantee shall restore any disturbed area to substantially the same condition as existed prior to any repair or maintenance work, including paving, if applicable, provided, however, that Grantee shall not be liable for any restoration, repair or physical damage to that portion of Grantor’s building delineated as “Proposed Addition” on the Plan.
2. Grantee shall schedule maintenance activities with Grantor in advance in coordination with the Grantor and conduct them in a fashion reasonably designed to minimize disruption of the Grantor's activities.

3. Grantor reserves the right to use and enjoy the surface of the Easement.

4. Grantee shall have no right whatsoever to enter Grantor’s building for any maintenance activities, or any other reason without Grantor’s prior consent.

5. Grantee, its successors and assigns, shall defend, indemnify and hold Grantor, its successors and assigns, harmless from and against any and all liabilities, including death and personal injury, injury to property, costs and damages, including without limitation reasonable attorney's fees, that may be occasioned by the activities of Grantee over and, in and through the Easement, provided, however, that Grantee shall not be liable for any physical damage to that portion of Grantor's building delineated as “Proposed Addition” on the Plan.

6. In the event there exists any easement of record for the Pipe other than the within Easement containing provisions inconsistent herewith, such provisions shall supercede this Agreement.

7. Grantee, its successors and assigns, shall have and hold the Easement herein granted to and for its and its use perpetually which shall be deemed a covenant running with the land.

8. The rights and liabilities herein created shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, and intending to be legally bound, the parties hereto set their hands and seals the day and year first above written.
GRANTOR:

MASANO CORPORATION

By: ________________________________

John J. Masano, President
GRANTEE:

THE CITY OF READING

By: ____________________________

Wally Scott, Mayor

[ACKNOWLEDGMENTS APPEAR ON THE NEXT PAGE]
GRANTOR ACKNOWLEDGMENT

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF BERKS

On this ___ day of ____________, 2017, before me, the undersigned officer, personally appeared John J. Masano, who acknowledged himself to be the President of Masano Corporation, and that he as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as such officer.

In Witness Whereof, I hereunto set my hand and official seal.

__________________________________
Notary Public
GRANTEE ACKNOWLEDGMENT

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF BERKS

I, ________________________, a Notary Public in and for the County and State aforesaid, do hereby certify that ________________________, ________________________ for The City of Reading, Pennsylvania, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument appeared before me in person and acknowledged that he/she signed and delivered the said instrument as his/her own free and voluntary act on behalf of The City of Reading, Pennsylvania for the uses and purposes therein set forth.

Given under my hand and notarial seal this ______ day of __________, 20__.

______________________________
City Clerk, City of Reading

My Commission Expires:

______________________________
EXHIBIT A
B I L L  N O. ______ - 2017
A N  O R D I N A N C E

PROVIDING FOR NO PARKING RESTRICTIONS AND LIMITED PARKING ON
NORTH SECOND STREET, BOTH SIDES OF THE 000 BLOCK
IN THE CITY OF READING

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The City of Reading agrees to restrict parking, and to maintain the
requisite No Parking signs along both sides of North Second Street in the
000 block (between Washington Street and Penn Street), with the
exception of 8 parking spaces to be located along the north side of North
Second Street, between Court Street and Penn Street, as depicted on the
PennDOT HOP permit drawing titled “Proposed Conditions Plan” prepared
by Bogia Engineering, Inc. dated 10/26/2017. The purpose is to comply
with the conditions of PennDOT Highway Occupancy Permit No. 134367
and the 2nd and Washington Streets Intersection Improvement Project.

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__________________, 2017

________________________________
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: __________
TO: City Council
FROM: Pat Beisswanger, Risk & Safety Coordinator
PREPARED BY: Pat Beisswanger, Risk & Safety Coordinator
MEETING DATE: January 8, 2018
AGENDA MEMO DATE: November 27, 2017

REQUESTED ACTION: To approve three transfers within the 2017 Self Insurance Fund Budget: $21,000 from line item Water/Sewer Main Breaks into line item Premium Payments; $29,000 from Water/Sewer Main Breaks into line item Incurred Liability Claims; and $350,000 from line item W/C Claims Medical to line item Incurred Liability Claims.

RECOMMENDATION: The Risk & Safety Coordinator is asking Council to approve these transfers within the Self Insurance Fund to cover deficits currently in the Premium Payments Account and Incurred Liabilities Account.

BACKGROUND: More claims than anticipated were closed and/or settled by legal staff, causing the account to become deficit. The Premium Payments deficit was caused by the purchase of a new insurance policy for Cyber Liability Insurance and an increase in premium on the City’s Auto Liability Insurance.

BUDGETARY IMPACT: NONE

PREVIOUS ACTION: NONE

SUBSEQUENT ACTION: NONE

RECOMMENDED BY: Donald Pottiger, Controller, Danny Gilmore, Jr., Human Resources Manager and Pat Beisswanger, Risk & Safety Coordinator

RECOMMENDED MOTION: Approve the following transfers within the Self Insurance Fund: $21,000 from line item Water/Sewer Main Breaks, Acct# 52-11-00-4130 to line item Premium Payments, Acct# 52-11-00-4752; transfer $29,000 from line item Water/Sewer Main Breaks, Acct# 52-11-00-4130 to line item Incurred Liabilities, Acct# 52-11-00-4749; and transfer $350,000 from W/C Medical line item Acct# 52-11-27-4751 to Incurred Liabilities line item, Acct# 52-11-00-4749.
AN ORDINANCE

AN ORDINANCE AMENDING THE 2017 CITY OF READING SELF INSURANCE FUND BUDGET BY AUTHORIZING THE TRANSFER OF FUNDS FROM LINE ITEMS WITHIN THE SELF INSURANCE FUND BUDGET.

Section 1. Amending the City of Reading 2017 Self Insurance Fund Budget by authorizing three transfers in the Human Resources/Risk & Safety Division to cover deficits in two accounts in the Risk & Safety Division Self Insurance Fund Budget:

1. Transferring $21,000 from Water/Sewer Main Breaks, Acct# 52-11-00-4130 to the Premium Payments Acct# 52-11-00-4752.
2. Transferring $29,000 from Water/Sewer Main Breaks, Acct # 52-11-00-4130 to the Incurred Liability Claims Acct # 52-11-00-4749; and
3. Transferring $350,000 from W/C Claims Medical, Acct # 52-11-27-4751 to the Incurred Liability Claims Acct # 52-11-00-4749.

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: ________________________, 2018

________________________________
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:________________________
BILL NO. _______ 2018

AN ORDINANCE

AN ORDINANCE AMENDING THE CITY OF READING CODE OF ORDINANCES, CHAPTER 396 PARKS AND RECREATION, PART 3 PARK USE AS ATTACHED TO CORRECT AND CLARIFY

THE CITY OF READING CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Amending the City of Reading Code of Ordinances, Chapter 396 Parks and Recreation, Part 3 Park Use as attached to correct and clarify.

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

Enacted by Council ________________, 2018

______________________________
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: ____________
Chapter 396 Parks and Recreation
Part 3
Park Use

[Adopted 5-12-2003 By Ord. No. 14-2033 (Ch. 16, Part 1, of the 2001 Code Of Ordinances)]

§ 396-301. Short title.
This Part shall be known and may be cited as the "Reading Park Code."

§ 396-302. Purpose.
The purpose of this Part is to create an atmosphere conducive to the enjoyment of, and to protect the substantial public investment in, the City's parks.

§ 396-303. Definitions.
A. Intent. For the purpose of this Part, all words used in the present tense include the future tense. All words in the singular number include the plural number, unless the natural construction of the word indicates otherwise. The word "shall" is mandatory and not directory.

B. As used in this Part, certain words are defined as follows:

CITY — The City of Reading.

DIRECTOR OF PUBLIC WORKS — The official appointed and confirmed and/or his designee so designated, or his authorized representatives.

NATURAL AREA - A geographical area (as in a city) having a physical and cultural individuality developed through natural growth rather than design or planning

PARK — Any area zoned as preservation, park, reserve, playground, recreation center, swimming pool, watershed or other place whatsoever owned, operated or used by the City and devoted to active or passive recreational use whether within or without the corporate City limits.

PEDALCYCLE — any wheeled vehicle propelled manually by pedaling without the use of a motor (unicycle, bicycle, tricycle, etc.)

PERMIT — The written authorization, issued by the City of Reading Director of Public Works, to conduct activities governed by this Part.

PERSON — Any individual, firm, partnership, corporation or association, or any agent, assistant, employee or representative thereof.

SOLICITING — Persons selling goods or services by sample or taking orders for future delivery with or without accepting advance payment for the goods. Persons seeking any form of contributions.
VEHICLE – Any conveyance (except baby carriages and motorized wheel chairs) including motor vehicles, buses, trailers of all types, campers, motorized bicycles, snowmobiles, all-terrain vehicles (ATVs), pushcarts or vehicles propelled by other than muscular power.

VENDING – Selling or trading any item or service.

§ 396-304. Time of use.
Parks are open 7:00 a.m. until 7:00 p.m. prevailing time from October 1 through April 30 and 7:00 a.m. until 9:00 p.m. prevailing time from May 1 through September 30, except with a permit.

This shall not apply to City personnel engaged in the performance of their duties or to those having a permit or authorization from the Police Department or the Reading Recreation Commission to conduct activities during closed hours.

§ 396-305. Rules of conduct.
No person shall do any of the acts hereinafter described within the limits of any City parks and playgrounds:

A. General uses and activities. Prohibitions

(1) Disfigure, disturb, injure, tamper with, move or remove any flower, fruit, plant, tree, shrub, bench, apparatus, public sign, notice, bridge, table, fireplace, railing, paving or paving materials, monument, sculpture, stake, post, or other boundary marker, or other property whatsoever.

(2) Move or remove any wood, turf, grass, soil, rock, sand or gravel in any way to injure the natural beauty of the area.

(3) Climb, stand, roller skate, roller blade, skateboard or sit upon monuments, sculptures, vases, planters, fountains, railings, fences or upon any other property not designated or customarily used for such purposes.

(4) Hunt for, shoot at, chase, catch or kill, or attempt to shoot at, chase, catch or kill, with or without dogs, any bird or animal except at Lake Ontelaunee where the Commonwealth of Pennsylvania Game Commission has been authorized to control game propagation and hunting, except that no hunting shall be allowed within 1,000 feet of any picnic area; nor shall one remove or have in one’s possession the young of any wild animal, the eggs or nest, or young wild creature.

(5) Release any waterfowl, bird, animal, or fish in any City park or playground.
(6) Throw stones or projectiles to injure any public property or to injure the natural beauty of the park.

(7) Dump or discard any refuse including waste materials or litter of any kind, junk, dead animal or offensive matter of any kind except in the containers provided by the City for the deposit of such items. Where receptacles are not provided, all such rubbish or waste shall be carried away from the park or playground by the person responsible for its presence, and properly disposed of elsewhere.

(8) Post or erect any bills, notices or advertising matter of any kind without a permit.

(9) Sell or offer for sale any merchandise, food, article or thing whatsoever, without a permit.

(10) Violate any posted rules for, or to misuse, any park, picnic area, court, playfield, swimming pool or other recreational area.

(11) Engage in camping, archery, golfing, or horseback riding. Camping includes overnight stays in a tent or recreational vehicle.

Horseback riding is allowed in parts of the Mt. Penn Preserve area.

(12) Have any ceremony or any musical, theatrical or other entertainment event without a permit.

(13) Engage in any unlawful gaming or have possession of any instrument or device for gambling without a permit.

(14) Bring food trucks or carts or ice cream trucks or carts into a park without valid Health and Business licenses and a permit.

(15) Consume, drink or have possession or custody of any alcoholic beverages including malt or brewed beverages or vinous or spirituous liquors except where a valid Commonwealth of Pennsylvania Liquor Control Board license is displayed.

(16) Use controlled substances without a permit.

(17) Solicit contributions for any purpose, whether public or private, except with a permit.

(18) Play, engage, or take part in any game or competitive sport for money or other valuable thing.

(19) Engage in any disorderly conduct or behavior tending to breach the public peace.
(20) Discharge firearms, paintball guns, air or spring rifles or slings.

(21) Set off any fireworks without a permit. Permits will ensure that fireworks are properly conducted and supervised in designated areas.

(22) Operate a licensed or unlicensed motor vehicle of any type, including motor bikes, mopeds, motorcycles, ATVs and snowmobiles.

(23) Stand or park any vehicle, except at designated locations.

B. Control of pets. Pets must be on a leash which is no longer than six (6) feet and must be under the control of the owner or temporary custodian thereof. All City health codes including Reading Code of Ordinances Chapter 141 Animals and Chapter 288 Health & Safety, Part 1 Health Code, Section 288-111 Animal Maintenance governing animal maintenance shall apply including cleaning up and removing all waste.

C. Use of fire.

(1) Fires are permitted only in a City owned non-portable fireplace or picnic stove or in a privately owned stove or similar device designed specifically for the cooking of food. Fire is prohibited in the Lake Ontelaunee watershed area.

(2) Discard lighted matches, cigars or cigarettes or any other lighted material. All smoking materials must be disposed of properly.

(3) Bonfires or any form of open burning are prohibited without a Special Events Permit.

All fires shall be continuously under the care and direction of the user beginning with the time it is kindled until it is extinguished. Embers must be disposed of properly.

§ 396-306. Use of bodies of water for fishing, boating, swimming, wading, floating or ice skating.

(1) Ice fishing is allowed at Lake Ontelaunee but ice thickness is not monitored by any agency or unless otherwise posted.

(2) Only persons having attained 16 years of age may fish in the mud dam in or at Bernhart’s Reservoir which is situated east of the smaller spillway separating it from the main reservoir.

(3) Fishing in or upon the entire premises known as Egelman’s Park is prohibited.
(4) Using a boat upon any body of water owned or controlled by the City is prohibited.

(5) Launch any type of boat or craft Boats may not be launched onto the Schuylkill River or Tulpehocken Creek from the banks of the City-owned or controlled riverfront unless such boat or craft can be hand-carried over City-owned or controlled property.

(6) Swim, bathe, wade or float at any place except in a public swimming or wading pool is prohibited.

(7) Ice skating is prohibited.

§ 396-307. Use of Roller Skates, Roller Blades, Skateboards

Roller skates, roller blades, and skateboards shall stay on pathways and must yield to pedestrians on pathways. Also see Chapter 396 Parks and Recreation, Part 5 Memorial Structures on Public Property, Section 396-502 Maintenance of existing memorial structures, Letter D Vandalism.

§ 396-308. Geo-Caching.

(1) Geo-caching is allowed on public property.

(2) The following guidelines apply to all geocaches placed within City of Reading parks and recreation facilities:

- All geocaches must be registered at www.geocaching.com.

- There should be no earth disturbance or vegetative impact to any site, nor should the cache be readily discernable by the general public.

- All cache seekers and cache owners must abide by park hours and all other park rules and regulations. Cache owners should also review and follow the listing requirements and guidelines at: http://www.geocaching.com/about/guidelines.aspx.

- The City of Reading and the Reading Recreation Commission, its officers, board of directors, managing agents and their personnel or representatives do not assume responsibility or liability for injury to any person or damage to any property sustained as a result of the placement or existence of the geocache, or use of the geocache by any person with any device or for any purpose. Participants in geocaching also absolve the City of Reading, its officials, and its employees of any liability.
• Cache(s) shall not be placed in PVC pipe, ammo cans, or have any military markings. Cache owners should use their discretion to determine what would be a permissible container to house the cache contents.

• The cache may not be placed within natural areas, wild plant sanctuaries, stream banks, riparian zones, wetlands, historical sites, exemplary nature communities, ecologically sensitive areas, unique geological features, dam structures, or unsafe areas.

• A cache may remain at the approved site for no more than three (3) years, at which time it must be removed, and the site restored to its original condition.

• Distracting, nuisance or otherwise inappropriate geocaches on public or City-owned property will be removed and treated as abandoned property.

• The placement of “Premium Member Only” geocaches will not be permitted in any City park, recreation facilities, or publicly owned properties. These caches require a monthly fee to access their coordinates and therefore make it impossible for the Commission and the City to monitor their locations. All caches on public lands shall be available to the public without a fee.

• Cache Owner shall delete site location(s) from all publications and/or website(s) within seven (7) days of removal from their geocache sites.

• Geocaching is a privilege that may be revoked if policy and guidelines are not met. The City of Reading and the Recreation Commission reserve the right, at their discretion, to remove a geocache when it deems the geocache conflicts with park development, infrastructure repairs, maintenance, natural ecosystems, historical resources, or any other reason.

• It is mutually agreed that the geocache and its contents have no monetary value, and will not contain hazardous, illegal or pornographic materials of any kind.

Additional regulations may be set by the City and the Recreation Commission.

(3) All rules and regulations as stipulated above and provided by the Reading Recreation Commission must be followed.

§ 396-309. Bicycles.
All bicycles shall be operated in compliance with all provisions relating to pedalcycles as specified in the Pennsylvania Vehicle Code.

§ 396-310. Permits.

(1) All permits issued by the City shall be subject to park rules and regulations and a person to whom such permits may be granted shall be bound by such rules and regulations as fully as though the same were inserted in such permits.

(2) Any person to whom such permits may be granted shall be liable for any loss, damage or injury sustained by reason of negligence of such person.

(3) As a condition of issuing a permit, the City may require a permit applicant to secure liability insurance, to post bond or to make any other guarantees the City considers reasonable.

(4) No person shall conduct any activities for which a permit is required without first securing a valid permit to conduct such activities.

(5) Permits must be produced and exhibited upon request of any authorized person who shall desire to inspect the permit for the purpose of enforcing compliance with exceptions for permitted special events.

(6) No person shall make any alteration to a permit.

§ 396-311. Severability.

If any provision, paragraph, word, section, or subsection of this ordinance is invalidated by a court or competent jurisdiction, remaining provisions, shall not be affected and shall remain in full force and effect.

§ 396-312. Penalty.

Whoever violates or fails to comply with the provisions of this Part, or any regulations made thereunder shall be, upon conviction thereof, sentenced to pay a fine of not more than $1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation continues shall constitute a separate offense.
AN ORDINANCE OF THE CITY OF READING AMENDING THE CODE OF ORDINANCES CHAPTER 540 - TATTOO AND PIERCING ESTABLISHMENTS TO CORRECT THE DEFINITION OF CONTAMINATED WASTE/BIOLOGICAL WASTE/BIOHAZARD WASTE

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

SECTION 1. The Code of Ordinances of the City of Reading is hereby amended to correct the definition of “Contaminated Waste/Biological Waste/Biohazard Waste” in Chapter 540 – Tattoo and Piercing Establishments, Section 540-103 Word usage and definitions to read:

CONTAMINATED WASTE/BIOLOGICAL WASTE/BIOHAZARD WASTE. Any liquid or semiliquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semiliquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; sharps and any wastes containing blood and other potentially infectious materials, as defined in 29 Code of Federal Regulations Part 1910.1030 (latest edition), known as “Occupational Exposure to Bloodborne Pathogens” and/or PA Chapter 284 Infectious and Chemotherapeutic Waste. 105 CMR 480.000 “Storage and Disposal of Infectious or Physically Dangerous Medical or Biological Waste.”

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

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

Section 4: This Ordinance shall become effective in ten (10) days in accordance with Charter Section 219 after passage.
Enacted _________________, 2018

_________________________________
Council President

Attest:

_________________________________
City Clerk

Submitted to Mayor: _____________
Date: ____________

Received by the Mayor’s Office: ____________
Date: ____________

Approved by Mayor: _____________
Date: ____________

Vetoed by Mayor: ____________
Date: ____________
RESOLUTION NO.__________________

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

That Angella Singletary is appointed to the Board of Ethics with a term ending January 8, 2021.

Adopted by Council ______________________, 2018

________________________________________
President of Council

Attest:

________________________________________
Linda A. Kelleher
City Clerk
RESOLUTION NO. 2018

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

APPROVING the transfer of the Restaurant Liquor License No. R-13447, LID No. 70652 from Wyomissing, PA into the City of Reading as per the application submitted by Salguero’s Inc., for 702 North 8th Street, Reading PA, as attached.

Adopted by Council__________________________, 2018

___________________________________
President of Council

Attest:

_______________________
Linda A. Kelleher CMC
IN RE: APPLICATION OF SALGUERO’S INC. FOR THE TRANSFER OF A LIQUOR LICENSE FROM WYOMISSING TO READING PA FOR 702 N 8th ST., READING, BERKS COUNTY, PA

DECISION OF THE CITY OF READING CITY COUNCIL ON THE TRANSFER OF A LIQUOR LICENSE INTO THE CITY

AND NOW, this 8th day of January, 2018, after a hearing held on December 19, 2017, upon the application of Salguero’s Inc, for 702 North 8th Street, Reading, PA 19601 (applicant), notice of such hearing having been first sent, posted and advertised in accordance with the provisions of 47 P.S. §4-461(b.3), the City of Reading City Council (hereinafter “Council”) renders the following decision:

FINDINGS OF FACT

City Council finds the following facts:
1. The applicant is Salguero’s Inc., 702 North 8th Street, Reading PA 19604 (hereinafter Applicant).
2. Applicant leases a bar/restaurant space from Big Mill LP at 702 North 8th Street, Reading PA (hereinafter Subject Property), at the time of application and at the time of the hearing.
3. The Subject Property is located in the CN (Commercial Neighborhood) zoning district as that term and district is defined by the City of Reading Zoning Ordinance, as amended, and the terms of 47 P.S. §4-461(b.3).
4. Applicant is seeking permission to transfer Restaurant Liquor License No. R-13447, LID No. 70652 from Wyomissing, PA into the City of Reading, PA.

5. At the hearing, the Applicant’s attorney, Latisha Bernard Schuenemann, Esq., testified for the applicant. In summary she stated:
   - The applicant entered into an agreement in July to purchase the liquor license currently assigned to a restaurant in Wyomissing. The applicant plans to open a new restaurant in a space leased from Big Mill LP, located at 702 North 8th Street.
   - The restaurant plans to offer liquor for eat-in diners with some take out. The owner owns another restaurant in Reading with a license and has no violations.
   - This is a commercial area and the license will not be a detriment to the health, welfare and safety of this mixed use neighborhood.

6. The applicant, Carlos Salguero testified that:
   - He plans to have the restaurant operational from 10 am – 10 pm on Monday-Saturday and from 12 pm to 10 pm on Sundays. He is focused on a family oriented restaurant where diners have the option to have wine or beer with their meals.
   - He is not seeking entertainment or late night operations. He stated that this restaurant will be more formal than his current restaurant.
   - He plans to have seating for approximately 80 diners. The restaurant will be on the Nichols Street side of the building and off-street parking will be provided at the Nichols Street and Save-a-Lot parking lots.

7. There was no testimony in opposition to the application for the transfer of the license from City staff or the public.

**DISCUSSION**

The Applicant is seeking permission to transfer Restaurant Liquor License No. R-13447, LID No. 70652 from Wyomissing, PA into the City of Reading, PA. The license will be used at 702 North 8th St, Reading PA, owned by the Big Mill LP in a commercial/retail space.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. The Subject Property at 702 North 8th Street is located in the CN (Commercial Neighborhood) Zoning District.
2. Hearing was held on December 19, 2017.
3. Applicant requests permission to transfer Restaurant Liquor License No. R-13447, LID No. 70652 from Wyomissing, PA into the City of Reading, PA.

4. City of Reading City Council is permitted to approve or deny the request to transfer a liquor license into Reading as per 47 P.S. §4-461(b.3) based on the affect the transfer will have on the welfare, health, peace and morals of the municipality or its residents.

5. The PaLCB quota for the City of Reading is 29 licenses. There are currently 63 retail licenses active within the City; of those, there are a total of 5 restaurant licenses in safekeeping. City Council must make a decision to approve or deny the transfer within 45 days after the request to transfer is made.

6. The Applicant is not seeking relief from any other City requirements.

7. There was no testimony at the hearing in opposition to the application for the license at this location from City staff or the public.

DECISION

After reviewing the Applicant’s request in detail, City Council enters the following decision:

As per 47 P.S. §4-461(b.3), City Council has the authority to approve or deny the transfer of a liquor license into the City of Reading based on the affect the transfer will have on the welfare, health, peace and morals of the municipality or its residents. The application of Salguero’s Inc., 702 North 8th Street, Reading PA 19601, to transfer a Restaurant Liquor License No. R-13447, LID No. 70652 from Wyomissing, PA into the City of Reading, PA. is hereby APPROVED.

This is the decision of the City of Reading City Council by a vote of ___ to ___.

RESOLUTION NO._______2018

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

Appointing _______________________________ as Council Vice President for a term expiring the first Monday of January 2020.

Adopted by Council ______________________, 2018

________________________________________
Jeffrey S. Waltman
President of Council

Attest:

_____________________________________
Linda A. Kelleher
City Clerk
RESOLUTION NO._______2018

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

Appointing _______________________________ as City Clerk.

Adopted by Council ________________________, 2018

________________________________________
Jeffrey S. Waltman
President of Council

Attest:

________________________________________
Linda A. Kelleher
City Clerk
RESOLUTION NO. ________2018

RESOLUTION OF THE COUNCIL OF THE CITY OF READING, BERKS COUNTY, PENNSYLVANIA FOR MAYOR TO EXECUTE REIMBURSEMENT AGREEMENT

WHEREAS, The City was awarded a PennDOT / Federal-Aid Transportation Alternative Program grant for the “Reading 18th Wonder Project”, and

WHEREAS, The City wishes to execute a reimbursement agreement with PennDOT to receive the funding for this project

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Reading hereby authorizes the Mayor to execute said Reading 18th Wonder Project grant agreement on behalf of the City of Reading.

ADOPTED BY COUNCIL _____________________________2018

_____________________________________________
COUNCIL PRESIDENT

ATTEST:

________________________
CITY CLERK