



CITY COUNCIL

Committee of the Whole

Monday, June 10, 2019

Penn Room

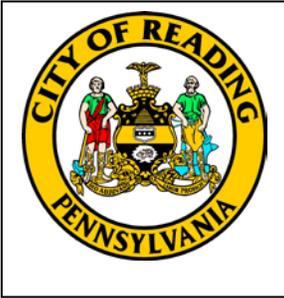
5:00 pm

Agenda

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

All electronic recording devices must be located behind the podium area in Council Chambers and located at the entry door in all other meeting rooms and offices, as per Bill No.27-2012.

- I. Reading for 100 Resolution**
- II. Reconfiguration of River Road**
- III. Update on rescheduled Joint Meeting for the Housing Strategy**
- IV. Agenda Review**
- V. Executive Session re contracts and litigation**
Dana South
IMA's
- VI. Adjourn**



COMMITTEE of the WHOLE

CITY COUNCIL

SUMMARY
May 28, 2019
5:00 P.M.

COUNCIL MEMBERS PRESENT:

S. Marmarou, B. Twyman, D. Reed, M. Goodman-Hinnershitz, L. Sihelnik, J. Waltman

OTHERS PRESENT:

L. Kelleher, S. Smith, P. Sleppy, A. Dominguez, D. Pottiger, O. Deming, F. Lachat, J. Kelly, W. Stoudt, R. Johnson, O. Robinson

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

I. Government Study Commission

Ms. Kelleher distributed information on creating a government study commission from the DCED handbook. She expressed the belief that the question can be on either the primary or general election ballot. She stated that the question and the candidates must be on the same ballot. She stated that candidates have three weeks to circulate petitions.

Mr. Waltman questioned what happens when the commission is formed and its members elected. Ms. Kelleher stated that after the members take the oath the Commission begins deliberating and must submit their report to the citizens within nine months.

Mr. Waltman requested clarification that the question and the candidates are on the same ballot. Ms. Kelleher stated that they are.

Mr. Kelly stated that this is generally done when a municipality is looking to change its form of government. Ms. Kelleher agreed. She stated that the commission may recommend a Council/Manager or other type of government.

Mr. Lachat reminded all that the commission members would set their own direction.

Ms. Goodman-Hinnershitz stated that she was a member of the original government study commission. She stated that she is also surprised that the question and the candidates are on the same ballot. She stated that commission members will study the issues and make recommendations. She agreed that it is pre-emptive to opine on their recommendations. She stated that elected officials have no control over their recommendations.

Ms. Kelleher stated that candidates must be registered to vote. She stated that officials are eligible to serve.

Mr. Waltman stated that it is interesting that the question and the candidates would be on the same ballot. He stated that a voter can vote no for the question but then choose candidates that are no longer necessary.

Mr. Waltman questioned the language of the questions that may be placed on the ballot. Ms. Kelleher read them aloud:

1. "Shall a government study commission of (seven, nine or eleven) members be elected to study the existing form of government of the municipality; to consider the advisability of the adoption of an optional form of government and to recommend whether or not an optional plan of government should be adopted?"
2. "Shall a government study commission of (seven, nine or eleven) members be elected to study the existing form of government of the municipality, to consider the advisability of the adoption of a home rule charter; and if advisable, to draft and to recommend a home rule charter?"
3. "Shall a government study commission of (seven, nine or eleven) members be elected to study the existing form of government of the municipality; to consider the advisability of the adoption of an optional form of government or a home rule charter; to recommend the adoption of an optional form of government, or to draft and recommend a home rule charter?"

Mr. Waltman recommended having the question on the 2020 primary and allowing the commission to meet for most of 2020.

Ms. Reed expressed the belief that the work can be done to have the question on the 2019 general election ballot. She stated that many problems have been encountered with this form of government.

Ms. Sihelnik questioned Council's capacity to be ready for the 2019 general ballot. She noted the amount of outreach and education needed. She expressed the belief that a government study commission is appropriate at this time but warned against rushing through the process.

Ms. Goodman-Hinnershitz noted the extensive amount of public education needed in addition to locating appropriate candidates. She noted the need to be careful or the result may not be better than the current Charter. She stated that there is also an upcoming administrative transition. She noted the need to be thoughtful while moving through the process.

Mr. Waltman questioned when a Charter Review Commission must be empaneled. Ms. Kelleher stated that it must begin before the end of 2019. She stated that she requested the opinion of the solicitor whether both commissions should operate simultaneously. She stated that she has not had a response.

Ms. Klahr arrived at this time.

Mr. Lachat stated that a Charter Review Commission is needed even if a government study commission is being formed.

Mr. Twyman agreed that this will be a complicated process and that it should not be rushed. He noted the need to manage the process carefully. He stated that the Charter Review Commission is also important. He stated that if good work is done by the government study commission, additional Charter Reviews may not be necessary.

Ms. Reed noted the abysmal voter turnout for the recent primary election. She expressed the belief that people are disillusioned and need hope for change. She stated that the government study commission can be organized in a timely manner. She noted the overall apathy of voters.

Mr. Krall arrived at this time.

Mr. Waltman expressed the belief that a government study commission would be a two year process. He stated that he would support having the question and candidates on the 2020 primary. He requested an outline of the steps needed for both the Charter Review Commission and the government study commission along with timelines. He expressed the belief that educating the public on both at the same time will be difficult.

Ms. Goodman-Hinnershitz noted her hope that she would not be seen as a roadblock. She noted the need for Council to make informed decisions.

Mr. Marmarou agreed that a government study commission is important but noted the need to move forward cautiously and thoughtfully.

Mr. Lachat stated that Council can submit Charter questions for the ballot directly and suggested that some issues that are non-political be corrected using this method. He suggested that Council place several questions on the 2019 general election ballot while the Charter Review Commission reviews other issues.

Mr. Kelly suggested that the City work closely with Marita Kelly from DCED on the government study commission. He noted her expertise in this area. Mr. Waltman agreed.

Mr. Waltman stated that Ms. Kelleher should work with Mr. Twyman on the Charter Review Commission and with Ms. Sihelnik on the government study commission. He stated that the outline and timeline will be discussed at the next meeting. He noted the need for public input.

Ms. Goodman-Hinnershitz expressed the belief that the business community had a negative impact on the government study commission in the past. She noted the need to work with all stakeholders throughout the process.

II. Agenda Review

- Ordinance dedicating City parcels for temporary easements and permanent right of way for the River Road Extension Project

Mr. Krall distributed a project plan highlighting the affected parcels.

Mr. Waltman questioned if the Windsor and Ritter playground is one of the parcels. Mr. Krall stated that it is not.

Mr. Krall stated that one parcel is near the Northwest branch library and this will be a temporary easement during construction. He stated that a very small piece of one parcel will become part of the road. Mr. Johnson stated that this is currently a small wooded patch that is owned by the City.

Mr. Krall stated that the Windsor and Ritter playground parcel will be addressed at a later time.

Ms. Reed noted the problems created by the repair shop across the street from the Windsor and Ritter playground. She stated that these problems must be addressed in the near future or they will be exacerbated by the construction. She stated that this business causes parking, traffic and pedestrian problems.

Ms. Goodman-Hinnershitz stated that she avoids using Windsor St because of these problems. She requested a report on what can legally be done to address the problems.

Ms. Reed stated that she will be introducing legislation declaring that there is no parking on the north side of the street in this block. Mr. Deming suggested that this will cause enforcement issues. He noted his concern that the business uses these parking areas and it will have a negative impact on the business.

Ms. Reed stated that the business causes problems with school buses and that the area is also unsafe for pedestrians. She stated that the business also uses much of the public parking causing problems for residents. She questioned why the business has more rights to public spaces than residents.

Mr. Johnson questioned if the business is on the north side of Windsor. Ms. Reed stated that it is between Eckert and Lincoln Sts on the south side.

Mr. Johnson stated that he will assess the situation and report his findings to Council.

Mr. Marmarou stated that this is not a new issue. He stated that PennDOT has also given their opinion in the past.

Ms. Reed stated that she has never had feedback from PennDOT on this situation.

Ms. Goodman-Hinnershitz noted the problems created in neighborhoods when zoning relief is granted. She stated that there has not been enough enforcement and that others will start these same bad behaviors because some are not being punished. She stated that this business flagrantly violates regulations and that all elected and appointed officials take an oath to uphold all laws. She requested a legal opinion about what can be done at this location. She stated that this business does not own the entire block.

Ms. Reed suggested that there may also be environmental issues as oil changes are occurring in the street.

Mr. Deming stated that a thorough assessment will be completed.

- Ordinance amending the capital budget to reflect the funding of the Hillside Pool property purchase and revising the timeline for the Schlegel Pool rehabilitation project

Ms. Goodman-Hinnershitz stated that she invited Ms. Klahr to provide an update and answer questions.

Ms. Kelleher distributed a memo from Mr. Deming.

Ms. Klahr stated that she was hoping to acquire this property since 2012. She stated that the former Hillside Pool property adjoins both the Mt. Penn Preserve and Hillside playground. She stated that this acquisition will allow Hillside playground to expand. She stated that a spray ground will be installed.

Ms. Klahr stated that Schlegel Pool is at maximum capacity and spray grounds are more economical than pools. She stated that the City is eligible for a matching grant up to \$1 million to make improvements.

Ms. Klahr stated that this acquisition will count towards the required Angelica swap. She stated that she understands Council's concerns with routine maintenance and

security. She reminded all that the City is in danger of not receiving future funding if the swap is not completed. She stated that the City will benefit in the long term even if the property is not improved immediately.

Mr. Waltman reminded all that Council already voted to acquire the property. He stated that the capital budget needs to be amended to complete the acquisition.

Mr. Twyman stated that he shares Ms. Klahr's desire to acquire the property. He stated that this acquisition has been discussed with the School District and the Rec Commission. He stated that security, lighting, and maintenance issues can be addressed and that they should not deter Council from moving forward. He noted the importance of future funding and the need to be transparent through this process.

Mr. Waltman stated that if this property is not acquired, the City will need to purchase other property to complete the Angelica swap.

Ms. Reed questioned if this parcel will complete the swap. Mr. Waltman stated that the parcel is 2.62 acres. Ms. Klahr explained that the swap is based on land value not parcel size.

Ms. Reed suggested that part of the parcel be subdivided and put on the tax rolls. She questioned the area needed for the spray ground. Ms. Klahr stated that there is no design or plan in place because the City does not yet own the parcel.

Mr. Waltman again stated that Council has already authorized the purchase of the parcel. He stated that this ordinance amends the capital budget to authorize the funding to make the purchase.

Ms. Klahr stated that if the parcel is subdivided it will be worth less and will require the City to acquire additional parcels to complete the swap.

Ms. Reed questioned if this parcel will complete the swap. Ms. Klahr stated that this is still being analyzed by the National Park Service.

Ms. Sihelnik questioned if the land is assessed as is or based on future value. Ms. Klahr stated that it is based on the land as is.

Ms. Sihelnik noted her concern that there is still no plan. She noted the need to engage all stakeholders and to consider a public private partnership. She stated that she now has enough information to release the funds.

Ms. Goodman-Hinnershitz expressed the belief that it is important for Council to understand the issues. She stated that the Christmas on the Mountain event requires additional storage. She expressed the belief that this storage can be included in the plan based on the parcel size.

Ms. Klahr stated that she has spoken with Mr. Profit and stated that storage, lighting and security will be provided for Christmas on the Mountain. She stated that she cannot begin the design of the spray ground until the City owns the property.

Mr. Johnson reminded all that the Angelica swap was brought before Council by Thomas Coleman several years ago. He stated that he and Mr. Coleman worked hard to find land to covert and it was a struggle. He expressed the belief that this acquisition would provide most of the swap necessary.

Mr. Deming stated that he was part of a meeting with DCNR and the National Park Service (NPS). He questioned if they are relying on the City to finish this acquisition. Ms. Klahr stated that they are.

Ms. Klahr reminded all that the swap is necessary because of the diminished use of the Angelica baseball fields and part of the parking lot. She stated that much hard work has been done to not have to swap the acreage of the entire park.

Mr. Johnson agreed and stated that the Fire Training Center is also part of the swap.

Ms. Klahr explained that the swap cannot be for land that the City already owns.

Ms. Sihelnik questioned if it could be for land owned by a City authority. Ms. Klahr stated that she is unsure but that she was told by the NPS that a property owned by the Redevelopment Authority was not eligible.

Ms. Klahr stated that the 300 block of S 3rd St will be improved this summer by the South of Penn façade program. She stated that the program uses Wyomissing Foundation and City funds.

Ms. Goodman-Hinnershitz noted the need to be mindful to keep strong relationships with DCNR, DCED and NPS.

Ms. Sihelnik stated that she is encouraged by this communication. She thanked Mr. Deming for his memo and Ms. Klahr for attending. She encouraged Ms. Klahr to attend meetings to provide briefings as necessary.

Ms. Klahr, Mr. Deming and Mr. Stoudt left the meeting at this time.

III. Interim Auditor

Mr. Waltman stated that two candidates have been interviewed.

Ms. Sihelnik noted her appreciation of the candidates. She thanked all for allowing Council the time to fully consider this appointment.

Mr. Waltman requested Council's candidate preference and thoughts.

Mr. Twyman noted his support of Maria Rodriguez for the appointment. He congratulated her on her write-in campaign to be elected auditor at the general election.

Ms. Sihelnik noted the need to choose the most qualified candidate. She expressed the belief that Ms. Rodriguez has the best background and is experienced in this office.

Ms. Goodman-Hinnershitz reminded all of the need to keep the appointment process and the election process separate. She expressed the belief that Ms. Rodriguez is the best candidate and can commit to being a full-time auditor.

Ms. Reed expressed the belief that both candidates are very qualified. She stated that in the past Council did not appoint a candidate who was running for the position so it would not impact the election.

Ms. Goodman-Hinnershitz concurred with Ms. Reed but stated that this was not done with Mr. Slifko. Ms. Reed disagreed and stated that when Mr. Slifko was originally appointed 2015 he did not run for election until 2017.

Mr. Waltman stated that Ms. Rodriguez will not have opposition in the election. He stated that an appointment resolution will be added to this evening's agenda.

IV. Agenda Review (continued)

Council reviewed this evening's agenda including the following:

- Award of Contract to UBS for the Aggregated Pension Investment Advisor

Mr. Waltman questioned if this contract should be moved to the resolution section. He noted the need to provide the total cost of the contract.

Mr. Deming and Mr. Stoudt returned and Deputy Chief Robinson left the meeting at this time.

Mr. Waltman noted the need for Council to have the overall cost of the three pension plans annually. Mr. Kelly stated that he will provide this information at Council's next meeting.

Mr. Waltman stated that this contract award will remain on the consent agenda.

- Award of Contract for routine police vehicle maintenance and emergency repairs on an as needed basis to Maaco Collision, Car Starts, and Manderbach Ford

Mr. Deming stated that this will allow the timely repair of vehicles.

- Award of Contract for the large wastewater conveyance pump diagnosis and repair to Flygt Service and Repairs

Mr. Deming stated that these costs are not to exceed \$300,000 annually.

Ms. Goodman-Hinnershitz questioned if this contract should be moved to the resolution section due to the cost.

Ms. Kelleher stated that the cost is based on the need for repairs and may not be \$300,000 annually.

Ms. Goodman-Hinnershitz stated that the contract award can remain on the consent agenda.

- Administrative Report

Mr. Marmarou requested that the police retiree healthcare costs be explained during the Administrative Report.

Mr. Deming stated that he is working with Ms. Tavarez. He stated that the first batch of retirees will come off the City healthcare plan on June 1. He stated that this includes the retiree and their spouses or dependents.

Mr. Deming stated that he will have a summer intern and their first task will be to audit other retirees who could receive similar healthcare from their current employer. He stated that these retirees and their spouses/dependents may also be removed from the City plan.

Mr. Deming noted the need to assess those who are filing large or frequent claims which directly impact the City's cost for healthcare. He stated that Ms. Tavarez is also verifying that the premiums being paid is consistent with contract language.

Mr. Marmarou thanked Mr. Deming for his report and requested that it also be made at the general meeting. He expressed the belief that many residents are concerned with this issue. He noted his dismay at the FOP comment published in the Reading Eagle. He stated that he was not a member of Council or the Police Department when this contract provision was originally approved.

Mr. Twyman questioned if 138 people will be removed from the City's healthcare plan on June 1. Mr. Deming stated that originally there were 25 retirees that would be affected. He stated that the number of people on the plan was 84 due to spouses and dependents. He stated that now 21 retirees will be affected and 138 retirees remain on the City's healthcare plan.

Mr. Twyman questioned the approximate savings. Mr. Deming stated that it is approximately \$45,000 per month and approximately \$500,000 annually.

Mr. Pottiger left the meeting at this time.

- Ordinance amending the Administrative Code by adding requirements for Repository Sale bids

Mr. Waltman stated that this amendment would provide approval from Council and the Mayor.

Mr. Lachat stated that some of the language is not correct and that this process is for municipalities that use a commission form of government. He expressed the belief that for Reading this would be the Mayor's responsibility. Additionally, he stated that State law does not allow rejection of a bid without cause.

Mr. Waltman questioned how a sale can be prevented. Mr. Lachat stated that there are several ways.

Mr. Waltman stated that this will unify consent. He noted the need for Council not to overstep its duties.

Mr. Deming stated that the Mayor has told him that he is willing to give this power to Council.

Ms. Goodman-Hinnershitz stated that she requested this amendment. She noted the need for a joint effort as neighborhoods are impacted. She stated that the legal language must be clear.

Mr. Lachat stated that the Tax Claim Bureau will screen buyers. He stated that approving these sales waives the municipality's right to collect delinquent taxes, fines, etc.

Mr. Waltman stated that the City must buy and sell property by ordinance. He stated that this keeps the Mayor's veto power intact.

Ms. Kelleher stated that Council approval will be via resolution.

Mr. Pottiger returned at this time.

Mr. Waltman expressed the belief that this amendment was fair and that the process will not be used frequently. Mr. Lachat agreed.

Ms. Goodman-Hinnershitz thanked all for considering this amendment.

- Ordinance amending the Capital Budget to reflect the transfer of budgeted funds required to complete the acquisition of the Hillside Pool property
- Ordinance amending the Capital Budget to reflect the transfer of budgeted funds required to complete the acquisition of the former Letisse property

Ms. Kelleher stated that the ordinances were separated per Council's request. She stated that these are the settlement costs for the properties.

Mr. Deming stated that the City may be refunded some of the payments.

- Ordinance amending the Code of Ordinances by adding Handicapped Parking

Mr. Waltman stated that this would automatically approve eligibility for a parking space based on the PennDOT authorization.

Mr. Deming explained that the City currently does not have a Health Officer and that there is a backlog of applications. He stated that this new process would allow Mr. Johnson and Mr. Hunter to review the applications and approve/deny a parking space. He stated that he used other municipality's regulations as a model.

- Resolution authorizing the administration to remit payment to Empire for the demolition of 932 and 932A Penn St

Ms. Goodman-Hinnershitz stated that she supports the payment to the contractor but that discussions must continue on the process used to demolish the properties.

Mr. Waltman stated that Council has received independent legal advice that it may pay the contractor.

- Resolution authorizing the payment of outstanding invoices to Leffler Energy for HVAC repairs and maintenance for the months of October and November 2018

Mr. Waltman stated that Council has received independent legal advice that it may pay the contractor.

- Resolution authorizing the purchase of a new ambulance from Speclin Emergency Vehicle Sales and Services at a cost of \$169,983 through the PA CoStars purchasing co-op

Mr. Deming stated that this resolution is required under the City's purchasing policies.

Mr. Waltman questioned if this was a general fund or capital expense. Chief Stoudt stated that it is a capital expense.

- Resolution authorizing the Reading Skatepark Association to submit a Greenways, Trails and Recreation Program grant of \$250,000 for a custom cement skate park in Reading

Ms. Sihelnik stated that she is glad to see that this project is moving forward. She stated that there is no City competition for this grant. She stated that no City funds are being used and the Skatepark Association will raise the rest of the funding.

V. Other Matters

- 18th Wonder

Mr. Twyman questioned if there has been progress on the construction project.

Ms. Sihelnik stated that progress is being made and the group is working to meet the June 30 deadline. Mr. Johnson and Mr. Deming agreed.

- Reading Parking Authority

Mr. Twyman stated that Council has had many discussions and no progress has been made. He expressed the belief that it is time to move forward. He noted the bad communication between Council and the Parking Authority.

Mr. Waltman stated that he will make one last attempt to contact the Board chair. He noted the need for the commitment to meet in early June. He stated that this issue will be discussed at next week's meeting. He stated that if there is no commitment that other options will be assessed.

Ms. Goodman-Hinnershitz noted the need for Council consensus on possible actions.

VI. Executive Session

Mr. Waltman announced the need for an executive session on personnel and land acquisition. All exited the meeting except for the seven members of Council, Mr. Lachat, Ms. Kelleher, Ms. Smith, Mr. Deming, and Mr. Pottiger.

Council entered executive session at 6:35 pm.

Mr. Pottiger and Mr. Deming left the meeting after the land acquisition discussion.

The executive session ended and the meeting adjourned at 6:59 pm.

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

BILL NO. _____ - 2019

AN ORDINANCE

PROVIDING FOR THE RECONFIGURATION OF RIVER ROAD FOR THE DEVELOPMENT OF THE SCHUYLKILL RIVER TRAIL – NORTH GAP, PHASE 1, IN THE CITY OF READING

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The City of Reading agrees to reconfigure River Road between the Penn Street Bridge and the Buttonwood Street Bridge to accommodate the development of the Schuylkill River Trail – North Gap, Phase 1 Project. The Project will shift the current four drive lanes along this section of River Road to two drives lanes plus a walking and biking trail separated by a median strip, all located within the existing curb lines. The existing right of way of River Road will not change. The section under and near the Buttonwood Street Bridge will be permanently closed. The reconfiguration shall be as shown on the attached project drawings titled “Schuylkill River Trail – North Gap, Phase 1” prepared by Spotts, Stevens and McCoy, Inc. dated 2019.

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 _____, 2019

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: _____