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: Pastor Chris Crowe, Harvest Bible Church
C. PLEDGE TO THE FLAG
D. ROLL CALL
E. EXECUTIVE SESSIONS:

2. PROCLAMATIONS AND PRESENTATIONS
   - Cutting the bread

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 14, 2019
   B. MINUTES: December 17, 2018 Regular Meeting
      Approving the summation of discussion from the December 17, 2018 COW and the Jan 7th Strategic Planning meeting

5. Consent Agenda Legislation
   A. Award of Contract – for Case Management software for the City Law Office to Needles, Owings Mills, MD at the cost of $14,065.00

   B. Award of Contract – for the 2019 Demolition Contract to Northeast Industrial, Shamokin PA for the demolition of 235 N. 3rd St., 710 Chestnut St., 712 Chestnut St., 714 Chestnut St., 364 N. Front St., 543 Maple St., 741 Neversink Alley, 743 Neversink Alley, and 997 River Road at the total award amount of $338,327.00.
C. Resolution – authorizing the City Clerk to dispose of 2011-12 Financial Interest Statements and Gift Reports, as per the State Retention and Disposition Schedule for Records issued in 2009 and adopted by Resolution 134-2009

D. Resolution – authorizing the award of the bio solids contract to J.P. Mascaro, the low bidder, at $2,590,821.00 for the disposal of byproducts resulting from the treatment of wastewater for the City's wastewater treatment plant.

E. Resolution – authorizing the hiring of the following probationary police officers, effective Jan 14th:
   Johann Reinhart
   Abviud Carvajal
   Jason Zagorski
   Christopher DeCarlo
   Robert Focht, Jr.
   Katelyn Super

F. Resolution – adopting the Hazard Plan Update entitled “Berks County Hazard Vulnerability Assessment and Mitigation Plan Update” hereinafter referred to as the “Hazard Plan Update”, together with its appendices, prepared by Skelly and Loy, Inc. for the management of natural hazards

G. Resolution – authorizing the appointment of the following probationary Firefighters and Paramedic/Firefighters, effective Feb 1st:
   For the position of Paramedic/Firefighter:
   Anthony Como
   Jonathon Krautsack
   Justin Edling
   Edward Yescavage
   Nathan Moyer
   For the position of Firefighters:
   Corbin Keiser
   Caleb Summers
   David Rottman
   Jesiah Newsome
   Tyler Sensenig
   Michael McCord
   Jason Lutz
   Joseph Cox

6. ADMINISTRATIVE REPORT

7. REPORT FROM OFFICE OF THE AUDITOR
8. REPORT FROM DEPT. DIRECTORS, BOARDS, AUTHORITIES, & COMMISSIONS
Reading Human Relations Commission – Kim Talbot Exec. Director

9. ORDINANCES FOR FINAL PASSAGE

Consider the override of the Mayor’s veto - Bill #85-2018 and #86-2018

A. Bill No. 85-2018 – authorizing a referendum to amend the Home Rule Charter Section 603 by adding a requirement for Council approval for the removal of any Department Director within 14 days of the receipt of the Mayor’s recommendation for removal. *Introduced at the December 3rd regular meeting; Enacted Dec 17th regular meeting, Vetoed on Dec 20th*

B. Bill No. 86-2018 – authorizing a referendum to amend the Home Rule Charter Section 404 by adding a requirement for Council approval for the removal of the Managing Director within 14 days of the receipt of the Mayor’s recommendation for removal. *Introduced at the December 3rd regular meeting; Enacted Dec 17th regular meeting, Vetoed on Dec 20th*

10. INTRODUCTION OF NEW ORDINANCES

A. Ordinance – amending City Code Chapter 396, Part 5 Memorial Structures on Public Property by lifting the moratorium for structures approved by the Memorial Review Committee and approved by Council resolution

B. Ordinance – authorizing the transfer of $24,191 from W/C Premium Payments to Liability Premium Payments

C. Ordinance – authorizing a reconciliation payment to Laureldale Borough in the amount of $611,032.00 and to the Muhlenberg Township Authority in the amount of $2,966,529.00 through available funds in Refund Prior Period Revenue, as per the Inter-municipal agreement of 2013 for the overpayments for the treatment and transportation of wastewater.

D. Ordinance – amending the Ethics Code regarding attorneys retained to work with the Ethics Board

E. Ordinance – amending the Charter Ordinance regarding attorneys retained to work with the Charter Board
11. RESOLUTIONS

A. Resolution – calling for the adoption of a comprehensive action plan to improve public safety in Reading

B. Resolution – reappointing Thomas Fox to the Zoning Hearing Board

C. Resolution – appointing Robert Conklin to the Planning Commission

C. Resolution – requesting an RFP for Crossing Guard services to go out by Jan 31st

12. PUBLIC COMMENT – GENERAL MATTERS

Please see public speaking rules on second page

13. COUNCIL BUSINESS/COMMENTS

14. COUNCIL MEETING SCHEDULE

Monday, January 14
Committee of the Whole – Penn Room – 5 pm
Regular Meeting – Council Chambers – 7 pm

Monday, January 21
**City Hall Closed – Martin Luther King Holiday**

Monday, January 28
Committee of the Whole – Penn Room – 5 pm
Regular Meeting – Council Chambers – 7 pm

15. BAC AND COMMUNITY GROUP MEETING SCHEDULE

Tuesday, January 15
Fire Civil Service Board – Fire Training Center – 3 pm
Water Authority – 1801 Kutztown Rd – 4 pm
HARB – Penn Room – 6:30 pm
Charter Board – Council Chambers – 7 pm

Wednesday, January 16
O & E Pension Board – Penn Room – 1:30 pm

Thursday, January 17
Redevelopment Authority – 3rd floor conference room – 5 pm
Blighted Property Review Committee – Council Chambers – 6 pm
Shade Tree Commission – Public Works – 6 pm

**Friday, January 18**
Fire Pension Board – Penn Room – 10 am

**Monday, January 21**
Library Board – 113 S 4th St – 4:30 pm

**Tuesday, January 22**
Environmental Advisory Council – Public Works – noon
Housing Authority – Willis Center – 4 pm
Planning Commission – Penn Room – 6 pm

**Wednesday, January 23**
Parking Authority – Penn Room – 5:30 pm
Stadium Commission – RBI Room – 7 pm

**Monday, January 28**
DID Authority – 645 Penn St 1st floor – noon

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

The invocation was given by Randall Grossman, Grace Bible Fellowship.

All present pledged to the flag.

The following executive sessions were held: personnel-related executive session during the Committee of the Whole meeting preceding this meeting.

ATTENDANCE
Council President Waltman
Councilor Sihelnik, District 1
Councilor Goodman-Hinnershitz, District 2
Councilor Twyman, District 3
Councilor Marmarou, District 4
Councilor Reed, District 5
Councilor Slifko, District 6
City Auditor D. Cituk
Acting Solicitor E. Kraft
Acting Managing Director O. Deming
City Clerk L. Kelleher
Mayor W. Scott

PROCLAMATIONS AND PRESENTATIONS
None.

PUBLIC COMMENT
Council President Waltman stated that there are eight (8) citizens registered to address non-agenda topics. He inquired if any Councilor objected to suspending the rule requiring non-agenda comment at the end of the meeting. No one objected. Councilor Reed read the public speaking rules that were adopted by Council.

Ann Marie Wolf, no address listed, spoke about the need to create positive activities to engage youth.
Evelyn Morrison, no address listed, expressed condolences to the families and participants of the violent events that have occurred. She expressed the belief that providing jobs and quality housing could help resolve the recent violence. She described her effort to collect signatures from Reading’s electorate to propose a Charter amendment on the May 2019 primary ballot that would create term limits for City elected officials. She explained that the proposed amendment would become effective in 30, 60 or 90 days and would affect any elected official that has already completed two (2) 4-year terms, including those seeking reelection during the May primary. She stated that the approval of this proposed amendment will allow the citizens to take back their government.

Annarose Ingarra-Milch, of Alsace Rd., stressed the need for the City to prepare a strategic plan to address violent crime that incorporates the involvement of all stakeholders, including law enforcement, citizens and representatives of agencies. She noted the importance of building solutions around consensus. She stated that the issue cannot be ignored any longer, noting the need to invest in developing a multifaceted solution to violent crime.

Alexander Nunn, of Muhlenberg Twp., stated that he is advocating for the retention of Bernhart’s Dam. He stressed the need for Reading officials to consider the impact the loss of the dam will have on all those who use this park. He noted that the removal of the dam could reopen the consent agreement between Exide and the City and create the need for further remediation of the park property. He suggested approaching Exide about the proposed dam removal, as the removal could require them to pay for further remediation of the property. He stated that he circulated a petition to retain the dam and he has collected 494 signatures over a two week period.

Margaret Shelly, of Muhlenberg Twp., suggested that Council consider options for the repair of the dam before considering its removal. She also suggested that the City explore the variety of local, state and federal funding resources available for the repair of the dam. She noted too that Exide may be willing to help with the cost of the repair to avoid the need to perform further remediation on the property. She noted the negative impact the loss of the dam would bring to those who use the property, including the wildlife that calls the park property home. She asked the City to be a good neighbor and consider the input of all affected citizens as the removal of the dam is considered.

Josh Gaydos, of Muhlenberg Twp., echoed the comments made by the last two speakers regarding Bernhart’s Dam and he expressed the belief that the City is moving
too quickly to consider the removal of this dam. He suggested exploring all options first, including obtaining public input prior to making a decision to remove the dam.

Juan Zabala, of McKnight St., noted the problem people have with locating a licensed HVAC contractor to perform work on their homes. He stated that the City has a list of licensed HVAC professionals that residents must use. He suggested loosening the requirements and allowing other outside contractors to work on these systems when licensed contractors are unavailable. He described his recent problem with the removal of a tree located on his property. He also questioned the City’s process to deny someone’s appointment to the Rec Commission, when they have one unpaid parking ticket. He noted the need for Council to reconsider the background check guidelines.

Councilor Slifko agreed with the need to examine how the background checks are conducted by Council staff.

Councilor Goodman-Hinnershitz agreed with the need to develop a sound plan to address violent crime within Reading.

Councilor Twyman agreed that the consideration of the removal of Bernhart’s Dam is moving too quickly and he encouraged residents to continue to provide input and engage others.

APPROVAL OF THE AGENDA & MINUTES
Council President Waltman called Council’s attention to the agenda for this meeting, the minutes from the December 3, 2018 regular Meeting, the minutes from the December 10th Special Meeting and the summation of discussion from the COW held on December 3rd.

Councilor Marmarou moved, seconded by Councilor Twyman, to approve the minutes from the December 3, 2018 Regular Meeting of Council, the December 10th Special Meeting and the summation of discussion as listed and tonight’s agenda. The motion was approved unanimously.

Consent Agenda
None

ADMINISTRATIVE REPORT
The mayor stated that he wishes he could disclose information about the ongoing investigation about the homicides that occurred last week. He stated that there are currently 15 gangs operating within the City. He noted that some people choose to
move to Reading to offer their families a better quality of life; however, some of those family members bring gang ties with them. He noted that this problem doesn’t belong solely to Reading, it is a problem shared by a multitude of other municipalities. He stated that he is meeting with the County Sheriff tomorrow to discuss increasing their presence within the City. He stated that he regularly reviews the crime map, which changes every day. He stressed the need for prayer as part of the solution to this problem. He noted his intent to meet with the State Police about increasing their presence in the City and the District Attorney about the need for funding for additional cameras and the expansion of the current camera system. He noted the importance of coupling the video captured on both the City’s camera system with that captured by the cameras located at residential properties and businesses.

Councilor Goodman-Hinnershitz stated that over the past weekend she developed Council consensus for the preparation of a resolution calling for the development of a comprehensive plan to address violent crime in Reading. She stated that this afternoon she agreed to delay the resolution until after January 1st so input can be obtained from the mayor.

The acting managing director invited the Public Works director to make remarks about the discussion about Bernhart’s Dam at the preceding Committee of the Whole (COW) meeting. Mr. Johnson explained that the issues related to the removal of Bernhart’s Dam were fully discussed at the COW meeting. (Note the COW meeting was streamed and is available on the City Council Video section of the City’s website.) He recapped some of the discussion that took place.

Council President Waltman noted that City Council agreed at the COW to explore options to retain the dam and to continue to obtain more public comment.

AUDITOR’S REPORT
City Auditor Cituk provided a brief report on the outcome and findings from the 2017 State Liquid Fuels audit performed by the Auditor General and the collection of Traffic Fines between 2007 and the 2nd quarter of 2018. He suggested that the City explore hiring additional police officers from the funding made available through an arbitration award that will force retired police officers to take the health care offered by their current employer.

REPORT FROM DEPT. DIRECTORS,板材, AUTHORITIES, & COMMISSIONS
City Arborist Lester Kissinger introduced the members of the Shade Tree Commission. He stated that the City formed the Shade Tree Commission in 1973 to oversee the City’s urban forest. He described the work and goals of the Commission, which includes identifying and treating trees affected by disease. He noted that there are currently 18 trees which must be removed due to the Emerald Ash Borer disease. He stated that the dedicated tax milage assigned to the Shade Tree Commission provides the Commission with the ability to function properly and assist some residential properties with the burden of tree management.

Councilor Goodman-Hinnershitz thanked the Commission for their work. She suggested developing an education program or literature about tree maintenance for those who purchase properties that have existing trees.

Councilor Slifko explained how shade trees in neighborhoods increase the quality of life in neighborhoods. He thanked the Commission for their work.

Mr. Johnson thanked this volunteer board and Mr. Kissinger for their work.

**ORDINANCES FOR FINAL PASSAGE**

**Pending**

**Bill 74-2018** – authorizing the Mayor to execute documents that will vacate Gregg Avenue between Kenhorst Boulevard and a certain 20-foot-wide alley; and said 20-foot-wide alley, which may include easements or quit claim deeds, as surveyed and described herein *Introduced at the November 5 special meeting; Tabled at the Nov 13, Nov 26, Dec 3 Regular Meetings; Tabled at the Dec 10 special meeting pending Planning Commission review ad recommendation*

**A. Bill No. 85-2018** – authorizing a referendum to amend the Home Rule Charter Section 603 by adding a requirement for Council approval for the removal of any Department Director within 14 days of the receipt of the Mayor’s recommendation for removal *Introduced at the December 3 regular meeting*

Councilor Slifko moved, seconded by Councilor Reed, to enact Bill No. 85-2018.

Councilor Slifko explained that the need for this Charter amendment was reviewed and discussed since the Charter was implemented in 1996 but the amendment was never moved forward for a variety of reasons. He explained that the issue is moving forward at this time due to the personnel decisions that occurred during the fall.
The acting managing director called for a point of order, noting the need to refrain from including discussion about personnel issues.

Councilor Slifko continued by explaining that this ordinance and the following ordinance will provide City voters with the ability to consider two (2) Charter amendments that will require Council approval for the termination of Department Directors and the Managing Director. He stated that as Council must approve the mayor’s appointments to these positions, it makes sense to have Council approval for the termination of those appointed to these positions. He noted that providing this balance will create a new level of stability for those appointed along with a new level of accountability as these employees will not be able to be terminated at the whim of the mayor. He stressed that these amendments in no way alter the form of government as the amendments modify only one of the mayor’s many powers so a Government Study Commission is unnecessary in this case. He expressed the belief that this change may help attract qualified professionals to these key positions and retain those professionals as the Charter intended.

Councilor Goodman-Hinnershitz noted that if Council approves the enactment of these two (2) ordinances they will move forward to the May primary ballot. She stated that the amendments will be approved or rejected by the City’s electorate.

The mayor expressed the belief that the mayor should retain the ability to solely decide on the termination of Department Directors and the Managing Director when they have done something either wrong or illegal. He expressed the belief that he should not have to consult with a board to make decisions on the termination of these individuals. He questioned how he would recover, if the board refuses to approve the termination request that he deems necessary. He questioned if he could get around seeking approval if he has the person arrested instead. He expressed the belief that he should retain the sole power to fire directors and that he is willing to discuss the termination with Council after the fact. He noted that with the most recent personnel issue, one person acted like this decision created a great void for City operations which it did not. He stated that the decisions he has made have been sound and apolitical over the past three (3) years, noting that he does not take part in politics. However, moving this ordinance forward creates the appearance that he made improper personnel decisions. He suggested the further discussion and clarification about the terms of the ordinance language before the bills are approved and referred to the May primary ballot.

The mayor again stated that the decisions he has made over the past three (3) years were sound and that he stands by his prior decisions. He stated that he does not play
politics or make political decisions. He stated that he too does not favor this form of
government and that he prefers the Commission form where Council is held
accountable and can be removed from office for the decisions they make. He expressed
the belief that Council is too quick to blame the administration without including
themselves. He again expressed the belief that he made the right decisions.

Councilor Sihelnik noted her observations about various personnel decisions made over
time and the proposed modifications to the Charter. She stated that while this issue
intersects on various personnel levels, she expressed the belief that the issue should be
considered by a Government Study Commission to allow broad citizen participation
and vetting before the proposed amendment is put forward to the voters.

Councilor Reed stated that she will support these ordinances due to the changes in
upper management that have occurred over 20+ years through several administrations.
She agreed that the proposed amendments do not change the form of government and
alters only one of the powers vested in the mayor.

Councilor Slifko stated that should the mayor believe something improper has
happened, he has the ability to place the errant Department Director or Managing
Director on a 14 day administrative leave while he briefs City Council on the issue and
seeks Council approval.

Councilor Twyman agreed with the need for a Government Study Commission due to
the ongoing nature of this issue; however, he also agreed with the need to move these
amendments forward to the voters for their consideration, as a form of government
change is not proposed. He expressed the belief that the various personnel changes
across different administrations have not always been beneficial to the City. He noted
the belief that the issues that caused these amendments to move forward have been
detrimental to City operations, which concerns him.

Councilor Goodman-Hinnershitz noted that the proposed amendments will provide an
improvement by bringing the mayor and Council together to make crucial personnel
decisions. She stated that the amendments do not create conflict. Instead the
amendments encourage the mayor and City Council to work together in a collaborative
decision making process.

Council President Waltman stated that he agrees with the Acting Solicitor’s opinion
regarding the need for a Government Study Commission, as he believes this proposed
amendment modifies the mayor’s powers in a large way. He agreed that while the
proposed amendments do not change the form of government, the amendments do
greatly change the structure or the power of the government by weakening the powers of the mayor. He expressed the belief that Council should not be involved in the day to day operations of the City. He suggested that the amendments create situations that place the City at risk and create dysfunction. He expressed the belief that these amendments do not create stability. He suggested not making reactionary decisions but instead empanel a Government Study Commission to consider the governmental structure and operation overall. He expressed the belief that the approval of these amendments would create more problems than they would solve.

Councilor Goodman-Hinnershitz called for the question. No one disagreed.

**Bill No. 85-2018 was enacted by the following vote:**

*Yeas: Goodman-Hinnershitz, Marmarou, Reed, Slifko, Twyman - 5*

*Nays: Sihelnik, Waltman, President – 2*

**B. Bill No. 86-2018** – authorizing a referendum to amend the Home Rule Charter Section 404 by adding a requirement for Council approval for the removal of the Managing Director within 14 days of the receipt of the Mayor’s recommendation for removal

*Introduced at the December 3 regular meeting*

Councilor Slifko moved, seconded by Councilor Reed, to enact Bill No. 86-2018.

Councilor Slifko stated that the concept for this ordinance was already fully discussed.

Council President Waltman expressed the belief that the proposed ordinance creates dysfunction.

The mayor expressed the belief that this ordinance strips away key powers of the mayor eliminating his ability to clean house, as he did when coming into the position.

Councilor Twyman agreed with moving this amendment forward to the voters.

**Bill No. 86-2018 was enacted by the following vote:**

*Yeas: Goodman-Hinnershitz, Marmarou, Reed, Slifko, Twyman - 5*

*Nays: Sihelnik, Waltman, President – 2*

**C. Bill No. 87-2018** – authorizing a $4,000,000 budget transfer from the Fund 54 Proceeds on PennVest Loan line item, to the Fund 54 WWTP Projects Fund, Construction -
PennVest line item to cover anticipated construction costs for the Fritz Island WWTP upgrade through the end of 2018 *Introduced at the November 26 regular meeting*

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 87-2018.

The acting managing director stated that this is a housekeeping measure.

*Bill No. 87-2018 was enacted by the following vote:*

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

**D. Bill No. 88-2018** – transfer of funds totaling $23,000 from the EMS and Training Divisions to the Suppression Division in the Department of Fire and Rescue Services for fuel for Fire apparatus through the end of 2018 *Introduced at the November 26 regular meeting*

Councilor Reed moved, seconded by Councilor Sihelnik to enact Bill No. 88-2018.

The acting managing director described the need for this housekeeping measure.

*Bill No. 88-2018 was enacted by the following vote:*

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

**E. Bill No. 89-2018** – amending the City Code Section 467-103 to freeze the 2019 increase in sewer rates in accordance with the recommendations in the Sewer Rate Study *Introduced at the December 3 regular meeting*

Councilor Slifko moved, seconded by Councilor Reed, to enact Bill No. 89-2018.

Councilor Slifko explained that due to the receipt of low interest PennVEST loans, the City does not need to continue to increase sewer rates by 4% annually to fund the WWTP project. The acting managing director agreed noting that this rate freeze was supported by the current sewer rate study.

*Bill No. 89-2018 was enacted by the following vote:*
Yeas: Goodman-Hinnershitz, Marmarou, Reed, Sihelnik, Slifko, Twyman, Waltman, President - 7
Nays: None – 0

F. Bill No. 90-2018 – amending the 2018 Solid Waste Fund Budget to reflect the refunding of grant revenues from the PaDEP used to purchase a Bobcat Skid-Steer Loader and accessories used with the recycling baler in the amount of $23,500 Introduced at the December 3 regular meeting

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to enact Bill No. 90-2018.

Bill No. 90-2018 was enacted by the following vote:

Yeas: Goodman-Hinnershitz, Marmarou, Reed, Sihelnik, Slifko Waltman, President - 6
Nays: Twyman – 1

10. INTRODUCTION OF NEW ORDINANCES
None

COUNCIL COMMENT
Councilor Marmarou made remarks about the County Commissioner’s desire to outsource or sell the Berks Heim facility, noting that this facility provides high quality care for the elderly and infirm. He noted the need for all Berks County citizens to loudly object. He suggested that the County has mismanaged Berks Heim which created the current financial problems. He noted the skill and dedication of those employed at Berks Heim and described the impact this move has had on those employees. He questioned the Commissioner’s opposition to meeting with the employees to discuss the potential sale of this facility. He suggested that the Commissioners review and make reductions in all operational areas managed by the County. He urged everyone to discuss this issue with the Commissioners and to oppose the sale.

Councilor Marmarou suggested that the City increase the police manpower by employing the approach taken during the Korean War, when retired officers were brought back to serve as volunteers. He noted the impact police visibility has to deter crime. He also suggested seeking donations to improve and expand the City’s camera system.
The auditor suggested that as the recent arbitration ruling requires re-employed retired police officers to take the health care benefit provided by their new employer, that the City can use those savings to hire additional police officers.

Councilor Goodman-Hinnershitz noted the tragedies that occurred last week and expressed sympathy to the families involved. Due to her belief in the need to get input from the administration, she is delaying the approval process for the resolution directing the creation of a comprehensive plan to address violence. She described her personal experiences with violent property crimes within her neighborhood, noting that at times hearing gun shots is expected and normal. She noted her resolve to move this issue forward in 2019 with the inclusion of actionable strategies and a timeline for implementation, created by all the stakeholders. She stressed the need to avoid talking in circles and to put words into action.

Councilor Sihelnik explained that Bill 74-2018, which was tabled several times over the past two (2) months was withdrawn by the petitioner. She noted that with a year’s experience in this position, she has witnessed the conflict in this form of government and although she voted no on the proposed charter amendments this evening, she expressed the need for a Government Study Commission to consider the form of government and potential solutions.

Councilor Sihelnik commended the South of Penn 55+ community group and their activities over the past year. She noted the importance of neighbors and neighborhoods to build tight knit communities throughout the City. She challenged every resident to make an effort in 2019 to build a tight knit community in their individual neighborhoods.

Councilor Slifko agreed with the comments Councilor Marmarou made about Berks Heim and he suggested that Council consider a resolution opposing the outsourcing or sale of Berks Heim in early 2019. He suggested that the Commissioners instead search for a creative solution to allow the retention of this facility, due to the quality of care provided. He agreed with the need for a City comprehensive crime plan referred to by Councilor Goodman-Hinnershitz.

Councilor Reed recalled the upswings in violent crime in the past and how the prior administrations responded. She noted that 2018 started with a quadruple homicide and ends with a triple homicide. She questioned why this room is not packed with citizens demanding action, as happened in the past. She questioned if violent crime is becoming the norm and if citizens are growing complacent. She suggested reviewing this sudden spike to find root causes. She noted that an upcoming recession will exacerbate violent
crime. She suggested that all stakeholders come together to develop a plan that will create a better city and she suggested that residents begin helping police by providing them with information about activities in their neighborhoods. She noted the need for less pontification and more action.

Councilor Twyman wished everyone a happy holiday. He noted his struggle to find proper process and cooperation between the branches of this government. He stated that his goal for 2019 will be to push for economic development projects to stimulate job creation. He also noted his hope that the Parking Authority will correct operational and financial issues, as they play a pivotal role in economic development.

Councilor Waltman stated that he is pleased that Councilor Goodman-Hinnershitz and the mayor agreed to cooperate on the development of a comprehensive crime plan and neighborhood issues. He noted that a similar crime spike with 29 homicides took place around 2005 when the City had 215 police officers. He expressed the belief that the transient nature of City residents spurs the belief that violence must be used to solve problems. He recalled growing up during a time where the overall community played a role in guiding youngsters and others, which encouraged better behavior and deterred criminal behavior. He urged people to report neighborhood activities to the police which will collectively help eliminate evil forces. He noted the need for the development of a plan using a collaborative approach.

The mayor stated that the City cannot control everything and cannot keep people on a good moral compass. He suggested people look to a higher power to reset the moral compass.

Councilor Waltman reviewed the upcoming meeting schedule for January.

Councilor Goodman-Hinnershitz noted the New Year’s Eve celebration at the Pagoda starting at 10 pm.

Councilor Goodman-Hinnershitz moved, seconded by Councilor Marmarou, to adjourn the regular meeting of Council.

Respectfully submitted by Linda A. Kelleher CMC, City Clerk
RECOMMENDED ACTION
The recommendation is to award the contract for Case Management to Needles, 10461 Mill Run Circle, Suite 900 Owings Mills, MD 21117.

BACKGROUND
This project consists of case management software and training for the City Law Office, for a case management system and associated implementation services for the Office to provide improved automation capabilities, including access to information, accuracy of data, and reporting, supporting their mission of public protection.

BUDGETARY IMPACT
The Law Department and Controller has confirmed there are sufficient funds to cover the project. The total award amount is $14,065.00.

PREVIOUS ACTION
None

SUBSEQUENT ACTION
Formal action by Council is required to award the contract at the January 28, 2019 Council meeting.

RECOMMENDED BY
Mayor, Acting Managing Director, Public Works Director, Controller and Purchasing Coordinator.

RECOMMENDED MOTION
Approve/Deny the recommendation for the Case Management Project in order that the contract may be awarded to Needles.

cc: File

To the Mayor
City Hall
Reading PA

The following bid was opened and scheduled with a Contract to be awarded or the bid rejected.

THE BID FOR THE CASE MANAGEMENT PROJECT, LEGAL DEPARTMENT, AND THE CITY OF READING, PENNSYLVANIA.

<table>
<thead>
<tr>
<th>BIDDER</th>
<th>BID AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Needles</td>
<td>$14,065.00</td>
</tr>
<tr>
<td>10461 Mill Run Circle, Suite 900, Owings Mill, MD 21117</td>
<td></td>
</tr>
<tr>
<td>Column Technologies</td>
<td>$190,525.00</td>
</tr>
<tr>
<td>10 E 22nd St., Suite 300, Lombard, IL 60148</td>
<td></td>
</tr>
<tr>
<td>Knowtech Inc.</td>
<td>Please see attached</td>
</tr>
<tr>
<td>20-6 Cranberry Ridge, Reading, PA 19606</td>
<td></td>
</tr>
<tr>
<td>Legal Files Software Inc.</td>
<td>Please see attached</td>
</tr>
<tr>
<td>801 S. Durkin Drive, Springfield, IL 62704</td>
<td></td>
</tr>
<tr>
<td>Image Soft Inc.</td>
<td>Please see attached</td>
</tr>
<tr>
<td>25900 W 11 Mile Suite 100, Southfield, MI 48034</td>
<td></td>
</tr>
<tr>
<td>Abacus Data System</td>
<td>Please see attached</td>
</tr>
<tr>
<td>4850 Eastgate Mall, San Diego, CA 92121</td>
<td></td>
</tr>
<tr>
<td>SSG</td>
<td>Please see attached</td>
</tr>
<tr>
<td>300 First Avenue, Suite 103</td>
<td></td>
</tr>
</tbody>
</table>

20
Needham, MA. 02494

Legal Edge Software
1150 First Avenue, Suite 501
King of Prussia, PA 19406

TAMMI REINHART
Purchasing Coordinator

Please see attached
RECOMMENDED ACTION:
Awarding of 2018 Demolition Contract

RECOMMENDATION
The recommendation is to award the contract for the 2018 Demolition Contract to Northeast Industrial, 507 N. Shamokin Street, Shamokin, PA 17872.

BACKGROUND
This project consists of the demolition of 235 N. 3rd St., 710 Chestnut St., 712 Chestnut St., 714 Chestnut St., 364 N. Front St., 543 Maple St., 741 Neversink Alley, 743 Neversink Alley, and 997 River Road.

BUDGETARY IMPACT
The Community Development Department and Controller has confirmed there are sufficient funds to cover the project. The total award amount is $338,327.00.

PREVIOUS ACTION
None

SUBSEQUENT ACTION
Formal action by Council is required to award the contract at the January 28, 2019 Council meeting.

RECOMMENDED BY
Mayor, Acting Managing Director, Public Works Director, Controller and Purchasing Coordinator.

RECOMMENDED MOTION
Approve/Deny the recommendation for 2018 Demolition Contract in order that the contract may be awarded to Northeast Industrial.
To the Mayor  
City Hall  
Reading PA  

The following bid was opened and scheduled with a Contract to be awarded or the bid rejected.

**THE BID FOR 2018 DEMOLITION CONTRACT, COMMUNITY DEVELOPMENT DEPARTMENT, AND THE CITY OF READING, PENNSYLVANIA.**

<table>
<thead>
<tr>
<th>BIDDER</th>
<th>BID AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northeast Industrial</td>
<td>$338,327.00</td>
</tr>
<tr>
<td>507 N. Shamokin Street</td>
<td></td>
</tr>
<tr>
<td>Shamokin, PA 17872</td>
<td></td>
</tr>
<tr>
<td>SDL Construction LLC</td>
<td>$422,230.00</td>
</tr>
<tr>
<td>325 Eisenhower</td>
<td></td>
</tr>
<tr>
<td>Orwigsburg, PA 17961</td>
<td></td>
</tr>
</tbody>
</table>

TAMMI REINHART  
Purchasing Coordinator
TO: City Council
FROM: Fire Chief William I. Stoudt, Jr.
PREPARED BY: Fire Chief William I. Stoudt, Jr.
MEETING DATE: January 14, 2019
AGENDA MEMO DATE: January 8, 2019
REQUESTED ACTION: Authorize the Hiring of 8 Firefighters and 5 Paramedic/Firefighters

RECOMMENDATION
The Mayor and Fire Chief recommend the hiring of the following Civil Service Testing Candidates:

For the position of Paramedic/Firefighter:
Anthony Como
Jonathon Krautsack
Justin Edling
Edward Yescavage
Nathan Moyer

For the position of Firefighter:
Corbin Keiser
Caleb Summers
David Rottmann
Jesiah Newsome
Tyler Sensenig
Michael McCord
Jason Lutz
Joseph Cox

BACKGROUND
There are current vacancies as a result of retirements and promotions. The above named candidates took the written, physical agility and oral examination for the position of Firefighter and/or Paramedic/Firefighter and are among the top candidates on the current certified list.
**BUDGETARY IMPACT**
These funded positions have become vacant due to retirement or promotion and are part of the current year’s budget, in addition, these hiring’s will lessen the departments need to fill current vacancies with overtime.

**PREVIOUS ACTIONS**
None

**SUBSEQUENT ACTION**
Council to take action to approve a resolution to authorize the above names candidates to the positions listed.

**RECOMMENDED BY**
The Mayor and Fire Chief recommend approval.

**RECOMMENDED MOTION**
Approve/deny the resolution authorizing the hiring of the named individuals to the positions listed.

---

**RESOLUTION NO. ___ 2019**

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

Authorizing conditional offers of employment to the following probationary Firefighters and Paramedic/Firefighters to be effective February 1, 2019:

**For the position of Paramedic/Firefighter:**
- Anthony Como
- Jonathon Krautsack
- Justin Edling
- Edward Yescavage
- Nathan Moyer

**For the position of Firefighters:**
- Corbin Keiser
- Caleb Summers
- David Rottman
The department’s offer of employment is conditional upon successful completion of the required training.

Adopted by Council__________________________, 2019

_______________________
Jeffrey Waltman
President of Council

Attest:

_______________________
Linda A. Kelleher CMC
City Clerk
TO:    City Council
FROM: Osmer Deming Managing Director
       Director, Ralph Johnson, Public Works Director
PREPARED BY: David Anspach, Plant Manager Wastewater
             William Reilly, Wastewater Manager
MEETING DATE:
AGENDA MEMO DATE:
RECOMMENDED ACTION: Council approval of $2,590,821.00
biosolids bid contract to be awarded to J.P Mascaro & Sons
RECOMMENDATION:
Administration recommends Council approval of the biosolids contract. The Contract was placed
through the bidding process and has successfully achieved bids. The lowest bid is accepted to
perform the labor and disposal.
BACKGROUND:
City of Reading wastewater treatment plant produces biosolids, a byproduct of treating
wastewater, and requires for the disposal by approved DEP method. Vendors were sought and bid
process conducted resulting in the above recommendation.
BUDGETARY IMPACT:
The 2019 budget account 54-07-44-4235 will be utilized to provide funds for this contract bid.
SUBSEQUENT ACTION:
The biosolids bid contract must be approved by Council.
RECOMMENDED BY:
The Managing Director, Acting Director of Administrative Services, and Director of Public Works.

RECOMMENDED MOTION:
Approve/Deny the amendments to the approved 2019 budget as presented.

Drafted by: Wastewater Mgr
Sponsored/Referred by: PW Director/Managing Director
Introduced on: Jan 14, 2019
Advertised on: N/A

RESOLUTION NO. ____2019

AUTHORIZING THE BIOSOLIDS CONTRACT AWARD TO J.P MASCARO THE BIOSOLIDS DISPOSAL CONTRACT FOR $2,590,821.00.

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

Authorizing the award of the bio solids contract to J.P. Mascaro, the low bidder, at $2,590,821.00 for the disposal of byproducts resulting from the treatment of wastewater for the City’s wastewater treatment plant. The project will be funded by account code 54-07-44-4235 in the 2019 budget year.

ADOPTED ON_______________, 2019

________________________________
President of Council

ATTEST:

________________________________
City Clerk
RESOLUTION NO.______2019

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, 2011
  - Financial Interest Statements, 2012
  - Gift Reports, 2011
  - Gift Reports, 2012

Adopted by Council on__________________2019

_____________________________
President of Council

Attest:

_____________________________
City Clerk
RESOLUTION NO._______2019

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

Authorizing the hiring of the following as probationary patrol officers effective January 14, 2019:

Johann Reinhart
Abviud Carvajal
Jason Zagorski
Christopher DeCarlo
Robert Focht, Jr.
Katelyn Super

Adopted by Council on__________________2019

__________________________________
President of Council

Attest:

__________________________________
City Clerk
CITY OF READING

Berks County, Pennsylvania

RESOLUTION NO. __________ 2019

A RESOLUTION OF THE CITY OF READING CITY COUNCIL OF BERKS COUNTY, PENNSYLVANIA, TO ADOPT THE HAZARD VULNERABILITY ASSESSMENT AND MITIGATION PLAN UPDATE FOR THE CITY OF READING

WHEREAS, the County Commissioners of Berks County authorized the preparation of a Hazard Vulnerability Assessment and Mitigation Plan Update (“Hazard Plan Update”) on behalf of the County’s municipalities; and

WHEREAS, Skelly and Loy, Inc., was selected as the consultant to assist the County in the preparation of the Hazard Plan Update; and


WHEREAS, the Steering Committee and the Berks County Department of Emergency Services recommended that the County Commissioners and each municipality in Berks County adopt the Hazard Plan Update; and

WHEREAS, the Reading City Council recognizes that the Hazard Plan Update is a non-binding, policy-oriented guidance document for the management of natural hazards in the municipality and therefore desires to adopt the Hazard Plan Update prepared by Berks County as their municipal Hazard Plan Update.

NOW, THEREFORE, BE IT RESOLVED by the City of Reading City Council of Berks County, Pennsylvania, as follows:

Section 1: The Governing Body adopts the Hazard Plan Update entitled “Berks County Hazard Vulnerability Assessment and Mitigation Plan Update” hereinafter referred to as the “Hazard Plan Update”, together with its appendices, prepared by Skelly and Loy, Inc.,
in the form and content presented at a duly advertised public meeting, as the municipal Hazard Plan Update for the City of Reading.

Section 2: The Hazard Plan Update as adopted by the Governing Body shall include the following chapters and all charts, tables, diagrams, appendices, figures and textual matter contained therein:

1. Introduction
2. Community Profile
3. Planning Process
4. Risk Assessment
5. Capability Assessment
6. Mitigation
7. Plan Maintenance Procedures
8. Plan Adoption

Section 3: The Hazard Plan Update shall include the maps entitled:

1. Location Map
2. Flooding Hazards
3. Flooding Hazards Comparison
4. Geologic Hazards
5. Wildfire Hazards
6. Hopewell Wildfire Location Map
7. Density of Repetitive Loss Properties by Municipality
8. Regional Growth Areas Impacted by 100-year Floodplains

Section 4: This Resolution shall become effective and be in force immediately.

DULY ADOPTED this _____ day of _______________, 2019, by the City of Reading City Council of Berks County, Pennsylvania, in lawful session duly assembled.

By: __________________________
   President

Attest: _______________________
   City Clerk
AN ORDINANCE DIRECTING THE BERKS COUNTY BOARD OF ELECTIONS TO PLACE A REFERENDUM QUESTION BEFORE CITY VOTERS ON THE 2019 PRIMARY BALLOT WHICH WOULD AMEND THE CITY OF READING HOME RULE CHARTER BY REQUIRING COUNCIL APPROVAL FOR THE REMOVAL OF DEPARTMENT DIRECTORS.

WHEREAS, Section 603 of the City of Reading Home Rule Charter requires Council approval of the Mayor’s appointment of Department Directors and provides the Mayor with the sole power to remove any Department Director; and

WHEREAS, it has been recommended that the power of the Mayor to remove Department Directors be modified as set forth in Section 2 below.

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

SECTION 1. Directing the Berks County Board of Elections to place the following referendum question to voters of the City of Reading on the 2019 primary ballot:

Home Rule Charter Section 603 – Heads of departments, offices and agencies

“Shall Section 603 of the Reading City Charter be amended to require Council approval for the removal of any Department Director within 14 days of the receipt of the Mayor’s recommendation for removal?”

Simple Explanation

The current City Charter requires Council approval for the appointment of all Department Directors, but gives the Mayor the sole power to remove
those officials. The proposed amendment would require Council approval for removals as well, thereby providing a check on at will dismissals.

SECTION 2. In the proposed amendment, the language of Charter Section 603 shall be deleted and replaced as follows:

Section 603. Heads of Departments, Offices, and Agencies.

(a) Appointment. Except as otherwise provided by this Charter, the Mayor shall appoint and remove the head of any department office, and agency, subject to approval by a majority of Council. An appointment shall not be effective unless Council by resolution confirms it or fails to reject it within 60 days after the appointment. The appointee shall serve unless rejected by City Council or until removal from office, whichever is sooner.

(b) Removal. The Mayor shall have the power at any time to remove the head of any department, office, or agency immediately under the Managing Director’s direction and supervision, but only with the approval of a majority of Council. The Mayor shall notify the Managing Director and Council in writing of the recommended removal and the reasons therefore, and Council shall within 14 days of the receipt of the Mayor’s recommendation vote to approve or disapprove.

SECTION 3. This ordinance shall become effective ten (10) days after its adoption, in accordance with Section 221 of the City of Reading Home Rule Charter.

Enacted , 2018

President of Council

Attest:

City Clerk
Submitted to Mayor:  
Date: 12/18/18  
Received by Mayor's Office:  
Date:  
Approved by Mayor:  
Date:  
Vetoed by Mayor:  
Date:  

should have public meeting first to inform public of reason.
BILL NO. 2018
AN ORDINANCE

AN ORDINANCE DIRECTING THE BERKS COUNTY BOARD OF ELECTIONS TO PLACE A REFERENDUM QUESTION BEFORE CITY VOTERS ON THE 2019 PRIMARY BALLOT WHICH WOULD AMEND THE CITY OF READING HOME RULE CHARTER BY REQUIRING COUNCIL APPROVAL FOR THE REMOVAL OF THE MANAGING DIRECTOR.

WHEREAS, Section 308 (f) of the City of Reading Home Rule Charter requires the Mayor to appoint the Managing Director with the approval of Council; and

WHEREAS, Section 401(a) of the Home Rule Charter requires the Mayor to appoint the Managing Director with the approval of Council; and

WHEREAS, Section 404 of the Home Rule Charter provides the procedures by which the Managing Director may be removed from office; and

WHEREAS, Section 404 of the Home Rule Charter currently provides that the Managing Director may be removed from office by the Mayor at any time, without cause; and

WHEREAS, it has been recommended that the Mayor’s power to remove the Managing Director be modified as set forth in Section 2 below.

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

SECTION 1. Directing the Berks County Board of Elections to place the following referendum question to voters of the City of Reading on the 2019 primary ballot:

Home Rule Charter Section 404 Removal [of Managing Director]
“Shall Section 404 (a), (b) of the Reading Home Rule Charter be amended to require Council approval for the removal of the Managing Director within 14 days of the receipt of the Mayor’s recommendation for removal?”

Simple Explanation
The current City Charter requires Council approval for the appointment of the Managing Director, but gives the Mayor the sole power to remove him or her, at any time, without cause. The proposed amendment would require Council approval for removals as well, thereby providing a check on at will dismissals.

SECTION 2. In the proposed amendment, the language of Charter Section 404(a) and 404(b) shall be deleted and replaced as follows:

Section 404. Removal

(a) The Managing Director may be removed from office by the Mayor at any time, with or without cause, but only with the consent of a majority of Council. The Mayor shall notify the Managing Director and Council in writing of the recommended removal and the reasons therefore, and Council shall within 14 days of the receipt of the Mayor’s recommendation vote to approve or disapprove.

(b) Nothing herein shall prohibit the Mayor from placing the Managing Director on administrative leave for a period not to exceed 14 days, but only for cause shown.”

SECTION 3. This ordinance shall become effective ten (10) days after its adoption, in accordance with Section 221 of the City of Reading Home Rule Charter.

Enacted 12/12/2018

President of Council

Attest:
City Clerk

Submitted to Mayor: __________________________
Date: 12/18/18

Received by Mayor’s Office: __________________
Date: __________________________

Approved by Mayor: ______________________
Date: __________________________

Vetoed by Mayor: ______________________
Date: 12/28/18

Should have public meeting 1st
To inform public of reason.
AMENDING CITY CODE CHAPTER 396 PARKS AND RECREATION, PART 5 MEMORIAL STRUCTURES ON PUBLIC PROPERTY BY MODIFYING THE MORATORIUM

Whereas the Council of the City of Reading hereby ordains as follows:

Section 1. Amending City Code Chapter 396 Parks and Recreation, Part 5 Memorial Structures on Public Property by modifying the moratorium, as follows:

Part 5

Memorial Structures on Public Property
[Adopted 11-12-2013 by Ord. No. 55-20113; amended in its entirety 1-23-2017 by Ord. No. 7-2017]

§ 396-501. Evaluation of proposed monuments, statuary, markers and plaques.

A. Any organization or entity wishing to place upon public property any artwork, artwork installation, monument, statue, marker or plaque (the memorial structure) for the purpose of memorializing an individual, group, or event, shall submit such proposal to the Director of Public Works.

B. A Memorial Review Committee (the MRC) shall have the responsibility of reviewing each such proposal. The Committee shall be composed of the Historic Preservation Specialist, a City Planner, the Public Works Operations Division Manager, the City Clerk and the Director of the Berks County Office of Veterans Affairs. The Director of Public Works shall appoint a MRC Chairperson from the membership.

C. The MRC shall provide a written evaluation of each proposal based on the following factors: the suitability of the proposed location of the memorial structure; the appropriateness of the design thereof; the appropriateness and anticipated longevity of the proposed material comprising the memorial; the proposers' plan and ability for long-term maintenance and upkeep of the memorial; and provisions for insuring the memorial against damage, vandalism and disrepair. In addition, if the proposed location of a memorial structure has been subject to a master- or comprehensive-planning initiative, the proposed memorial should be in comport with any such valid plan. The MRC shall provide this written evaluation to City Council with a recommendation.

D. At its discretion, the MRC may request the approval for or advice of a proposed memorial structure from the Planning Commission.
E. Any proposed memorial structure located within or immediately adjacent to a designated historic or conservation district shall be subject to the advance approval of the Historic Architectural Review Board.

F. Approval of the placement or relocation of any memorial structure shall require the approval of City Council.

§ 396-502. Maintenance of existing memorial structures.
A. It shall be the policy of the City of Reading that the maintenance and upkeep of any memorial structure shall be the responsibility of the entity placing such approved structure on public property. A plan for the perpetual care thereof shall be specified in a memorandum of understanding to which the Director of Public Works shall be a party.

B. In the event a memorial structure falls into disrepair and is not promptly repaired, at the sole discretion of the Director of Public Works, the City may remove such structure and dispose of it.

C. The MRC shall have purview over existing memorial structures and may promulgate policies and programs that encourage their perpetual care, upkeep and repair with little or no public expense.

D. Vandalism to any memorial structure or the grounds that the structure sits on shall be enforced by the PA Crimes Code 18 Pa. C.S. §3304 Criminal Mischief, §3307 Institutional Vandalism and §5509 Desecration, Theft or Sale of Venerated Objects.

E. The following shall be prohibited:
   (1) The use of any scooter, skateboard, rollerskates, pedalcycle, or any other human powered or motor powered vehicle or conveyance on any memorial structure or on the grounds where any memorial structure sits located on public property, or using any object or substance that could cause damage to any memorial structure or the grounds where the structure sits located on public property. An offense under this section is a summary offense punishable by a fine not to exceed $500.

§ 396-503. Moratorium.
The Council of the City of Reading places a moratorium on the placement of any additional memorial structure on public lands, unless the structure is reviewed and recommended by the MRC and approved by City Council resolution. The moratorium shall commence on December 1, 2013, and shall continue until such date when the Council may choose to rescind this section.

Section 2. All ordinances or resolutions, or parts of ordinances or resolutions, insofar as they are inconsistent with this Ordinance are hereby repealed.

Section 3. This ordinance shall become effective ten (10) days after it adoption, in accordance with Sections 219 & 221 of the City of Reading Home Rule Charter.

Enacted: _______________________, 2019
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 14, 2019
AGENDA MEMO DATE: December 17, 2018
REQUESTED ACTION: To approve transfers within the 2018 Self Insurance Fund Budget: $14,191 from line item W/C Premium Payments into line item Liability Premium Payments; and $10,000 from line item W/C Medical Claims to line item Liability Premium Payments.
RECOMMENDATION: The Risk & Safety Coordinator is asking Council to approve these transfers within the Self Insurance Fund so premiums can be paid for the Pollution Liability Insurance Policy and the Cyber Liability Insurance Policy which begins in 2018.
BACKGROUND: Not enough money was budgeted in 2018 in the Liability Premium Payments account which resulted in the deficit in this account.
BUDGETARY IMPACT: NONE
PREVIOUS ACTION: NONE
SUBSEQUENT ACTION: NONE
RECOMMENDED BY: Danny Gilmore, Jr., Human Resources Manager and Pat Beisswanger, Risk & Safety Coordinator
RECOMMENDED MOTION: Approve the following transfers within the Self Insurance Fund: transfer $14,191 from line item W/C Premium Payments, Acct# 52-11-27-4752 to line item Liability Premium Payments, Acct# 52-11-00-4752; and transfer
AN ORDINANCE AMENDING THE 2018 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 2018 Self Insurance Fund Budget by authorizing two transfers in the Human Resources/Risk & Safety Division to cover deficits in an account in the Risk & Safety Division Self Insurance Fund Budget:

1. Transferring $14,191 from W/C Premium Payments, Acct # 52-11-27-4752 to the Liability Premium Payments Acct # 52-11-00-4752; and
2. Transferring $10,000 from W/C Claims Medical, Acct # 52-11-27-4751 to the Liability Premium Payments Acct # 52-11-00-4752.

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: ________________________
TO: City Council

FROM: Osmer Deming, Managing Director
       Director, Ralph Johnson, Public Works Director

PREPARED BY: David Anspach, Wastewater Manager

MEETING DATE: 

AGENDA MEMO DATE: 

RECOMMENDED ACTION: Council approval of a reconciliation payment to Municipalities.

RECOMMENDATION: Administration recommends Council approval of the funds for a check to be drawn for the reconciliation funds.

BACKGROUND: The Inter-Municipal Agreement (IMA) sets a predetermined rate at which the contributing municipality agrees to pay the city for the treatment and transportation of wastewater. A reconciliation between the predetermined rate and the actual volume received is to be periodically conducted to correct any deviations.

This is the first reconciliation conducted since the inception of the 2013 agreement resulting in the following reconciliations:

Muhlenberg Township Authority: $2,996,529.00
Laureldale Borough: $611,032.00
BUDGETARY IMPACT:

The funds will be drawn on account: 54-07-00-4711 “Refund Prior Period Revenue”.

SUBSEQUENT ACTION:
The reconciliation must be approved by Council.

RECOMMENDED BY:
The Managing Director, Director of Administrative Services, and Director of Public Works.

RECOMMENDED MOTION:
Approve/Deny the reconciliation as presented.

Drafted by: Wastewater Mgr
Sponsored/Referred by: PW Director/Managing Director
Introduced on: Jan 14, 2019
Advertised on: N/A

BILL NO. ____2018

AN ORDINANCE

AUTHORIZING A RECONCILIATION PAYMENT TO LAURELDALE BOROUGH $611,032.00 AND MUHLENBERG TOWNSHIP AUTHORITY $2,966,529.00 FOR OVERPAYMENTS OF TREATMENT AND TRANSPORTATION OF WASTEWATER.

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

Section One: Council hereby authorizes the reconciliation payment to Laureldale Borough in the amount of $611,032.00. Council further authorizes the reconciliation payment to Muhlenberg Township Authority in the Amount of $2,966,529.00. The reconciliation will be made through available funds in the amount from Refund Prior Period Revenue (54-07-00-4711-000). Reconciliations are per Inter-municipal agreement of 2013 for the overpayments of treatment and transportation of wastewater.

Section Two: This Ordinance shall become effective ten (10) days after its adoption in accordance with 219 and 221 of the Home Rule Charter of the City of Reading.

ENACTED __________________, 2018

_____________________________
President of Council
ATTEST:

________________________________
City Clerk

Submitted to Mayor by: _________________
Date Submitted: _________________
Received in Mayor’s Office by: _________________
Date Received: _________________
Approved by Mayor: _________________
Date Approved: _________________
Vetoed by Mayor: _________________
Date Vetoed: _________________
BILL NO. _____-2019
AN ORDINANCE
AN ORDINANCE AMENDING THE CITY OF READING CODE OF ETHICS, PART 10 OF THE CITY’S ADMINISTRATIVE CODE, REGARDING ALL ATTORNEYS RETAINED TO WORK WITH THE BOARD OF ETHICS.
THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:
SECTION 1. Amending the City of Reading Code of, Part 10 of the City’s Administrative Code, regarding all attorneys retained to work with the Board of Ethics, as attached in Exhibit A.
SECTION 2. This Ordinance shall become effective within ten (10) days of the date of passage and approval by the Mayor or override of the Mayor’s veto.
Enacted on __________ 2019

____________________________________
President of Council
Attest:
____________________________________
City Clerk
Sent to Mayor ______
Date: ________
Signed by Mayor ______
Date: ________
Vetoed by Mayor: ______
Date: ________
Over-ridden by Council: ______
Date: ________

EXHIBIT A

SECTION 2 - Board of Ethics
A. Composition and Structure of Board.
1. Composition. The Board established under Section 1201 of the City of Reading Home Rule Charter shall be composed of five (5) residents of the City of Reading.

2. Terms of Service. Members of the Board shall serve for terms of three (3) years, except that members shall continue to serve until their successors are appointed and
qualified. The terms of the initial members shall be staggered, with one member serving a term of one year, two members serving for two years, and two members serving for three years.

3. **Vacancy.** An individual appointed to fill a vacancy occurring other than by the expiration of a term of office shall be appointed for the unexpired term of the member he/she succeeds and is eligible for appointment thereafter according to the terms herein.

4. **Election of Chairperson and Vice Chairperson.** The Board shall elect a chairperson and a vice chairperson annually at a meeting held in July of each year. The vice chairperson shall act as chairperson in the absence of the chairperson or in the event of a vacancy in that position.

5. **Quorum.** A majority of the members of the Board shall constitute a quorum and, except as provided in Sections 9.C. and 9.D., the votes of a majority of the members present are required for any action or recommendation of the Board.

6. **Staff.** The Board shall appoint a solicitor, a secretary and such other staff as may be deemed necessary. The solicitor, secretary and such other staff as may be necessarily appointed need not be members of the Board.

The Board shall also appoint a Solicitor, as per Charter Section § 1201 Conflict of Interest and Code of Ethics C. The Board shall, from time to time, determine an amount to be paid as reasonable compensation to the Solicitor for such services.

The Solicitor shall be a member in good standing of the Berks County Bar and shall have so been for at least five (5) years. The Solicitor may not:

A. **Hold a position of employment or appointment with the City of Reading or any City Authority, Board or Commission.** This shall not prohibit another member of the Solicitor’s law firm from having such a contractual obligation, provided the Solicitor does not obtain assistance from the other member regarding matters before the Ethics Board.

B. **Have any contractual obligation with the City of Reading or any City Authority, Board or Commission.** This shall not prohibit another member of the Solicitor’s law firm from having such a contractual obligation, provided the Solicitor does not obtain assistance from the other member regarding matters before the Ethics Board.

C. **Actively participate in or contribute to any political campaign in the City of Reading for a candidate running for or from the office of the Mayor, President of Council, Council Member, or Auditor.** This does not abridge the right of the Solicitor to vote or attend a debate, speech or similar event that
is held primarily for the purpose of communicating a candidate’s platform or position on issues of public concern. The Solicitor need not be a resident of the City of Reading and shall not be a Board member.

7. **Meetings.** The Board shall meet at the call of the Chairperson or at the call of a majority of its members.

8. **Investigative Officer.** The Board shall appoint an investigating officer as set forth herein. The Board shall, from time to time, determine an amount to be paid as reasonable compensation to the investigating officer as payment for such services. The investigative officer shall be a member in good standing of the Berks County Bar and shall have so been for at least five (5) years.

   The Investigative Officer may not:

   A. **Hold a position of employment or appointment with the City of Reading or any City Authority, Board or Commission.** This shall not prohibit another member of the Investigator’s law firm from having such a contractual obligation, provided the Solicitor does not obtain assistance from the other member regarding matters before the Ethics Board.

   B. **Have any contractual obligation with the City of Reading or any City Authority, Board or Commission.** This shall not prohibit another member of the Investigator’s law firm from having such a contractual obligation, provided the Solicitor does not obtain assistance from the other member regarding matters before the Ethics Board.

   C. **Actively participate in or contribute to any political campaign in the City of Reading for a candidate running for or from the office of the Mayor, President of Council, Council Member, or Auditor.** This does not abridge the right of the Investigative Officer to vote or attend a debate, speech or similar event that is held primarily for the purpose of communicating a candidate’s platform or position on issues of public concern. The Investigative Officer need not be a resident of the City of Reading and shall not be a Board member. The Investigating Officer is authorized to retain the services of additional investigators and may only delegate non-discretionary functions.

9. **Hearing Officer.** The Board shall appoint a Hearing Officer, in accordance with § 5-1009. Complaint and Investigation Procedure E herein. The Board shall, from time to time, determine an amount to be paid as reasonable compensation to the Hearing Officer as payment for such services. The Hearing Officer shall be a member in good standing of the Berks County Bar and shall have so been for at least five (5) years.

   The Hearing Officer may not:
A. Hold a position of employment or appointment with the City of Reading or any Authority, Board or Commission. This shall not prohibit another member of the Hearing Officer’s law firm from having such a contractual obligation, provided the Solicitor does not obtain assistance from the other member regarding matters before the Ethics Board.

B. Have any contractual obligation with the City of Reading or any Authority, Board or Commission. This shall not prohibit another member of the Hearing Officer’s law firm from having such a contractual obligation, provided the Solicitor does not obtain assistance from the other member regarding matters before the Ethics Board.

C. Actively participate in or contribute to any political campaign in the City of Reading for a candidate running for or from the office of the Mayor, President of Council, Council Member, or Auditor. This does not abridge the right of the Hearing Officer to vote or attend a debate, speech or similar event that is held primarily for the purpose of communicating a candidate’s platform or position on issues of public concern. The Hearing Officer need not be a resident of the City of Reading and shall not be a Board member.
BILL NO. _____-2019

AN ORDINANCE

AN ORDINANCE AMENDING THE CITY OF READING CITY CODE PART 23, SECTION 6 CHARTER BOARD ALL ATTORNEYS RETAINED TO WORK WITH THE CHARTER BOARD.

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

SECTION 1. Amending the City of Reading City Code Part 23, Section 6 Charter Board all attorneys retained to work with the Charter Board, as attached in Exhibit A.

SECTION 2. This Ordinance shall become effective within ten (10) days of the date of passage and approval by the Mayor or override of the Mayor’s veto.

Enacted on _____________2019

____________________________________
President of Council

Attest:

____________________________________
City Clerk

Sent to Mayor ______
Date: ____________

Signed by Mayor ______
Date: ____________

Vetoed by Mayor: ______
Date: ____________

Over-ridden by Council:
Date: ____________

EXHIBIT A

City Code Chapter 23, Part 6 Charter Board
A. Composition and structure of Board.
   (1) Composition. The Board established under Amendment I of the City of Reading Home Rule Charter ("Charter") shall be composed of five residents of the City of Reading. Board members shall be appointed by the Mayor with the consent of City Council.
(2) Terms of service. Members of the Board shall serve for terms of five years, except that the members shall continue to serve until their successors are appointed and qualified. The terms of the initial members shall be staggered, with members serving terms of one, two, three, four, and five years, respectively.

(3) Vacancy. An individual appointed to fill a vacancy occurring other than by the expiration of a term of office shall be appointed for the unexpired term of the member he/she succeeds and is eligible for appointment thereafter according to the terms herein. 7. Editor’s Note: Former § 1-599.22D, Removal of members, added 8-23-2010 by Ord. No. 59-2010, which immediately followed this subsection, was repealed 3-26-2012 by Ord. No. 39-2012.

(4) Election of Chairperson and Vice Chairperson. The Board shall elect a Chairperson and Vice Chairperson upon seating of the members and thereafter annually at a meeting held in July of each year. The Vice Chairperson shall act as the Chairperson in the absence of the Chairperson or in the event of a vacancy in that position.

(5) Quorum. A majority of the members of the Board shall constitute a quorum and the votes of a majority of the members present are required for any action or recommendation of the Board.

(6) Staff. The Board shall appoint a Solicitor, a secretary, and such other staff as may be deemed necessary. The Solicitor, secretary, and such other staff as may be necessarily appointed shall not be members of the Board.

The Solicitor shall not:

(a) Hold a position of employment with the City of Reading or any City Authority, Board, or Commission. This shall not prohibit another member of the Solicitor’s law firm from having such a contractual obligation, provided the Solicitor does not obtain assistance from the other member regarding matters before the Ethics Board.

(b) Have any contractual obligation with the City of Reading or any Authority, Board, or Commission. This shall not prohibit another member of the Solicitor’s law firm from having such a contractual obligation, provided the Solicitor does not obtain assistance from the other member regarding matters before the Ethics Board.

(c) Actively participate in or contribute to any political campaign in the City of Reading for a candidate running for or from the office of Mayor, President of Council, Council Member, or Auditor. This does not abridge the right of the Solicitor or Investigative Officer to vote or attend a debate, speech or similar event that is held primarily for the purpose of communicating a candidate’s platform or position on issues of public concern.

(7) Meetings. The Board shall meet at the call of the Chairperson or at the call of a majority of its members.
(8) Investigative Officer.

<a> (a) The Board shall appoint an investigative officer ("Investigative Officer") who shall serve at the pleasure of the Board. The Investigative Officer is charged with determining jurisdiction, conducting preliminary and full investigations, issuing written findings reports, prosecuting complaints before evidentiary hearings, and performing such other duties as set forth herein. The Investigative Officer shall conduct his/her work independently and without comment or inquiry from the Board, except as provided in Subsection A(8)(d) below.

(b) The Investigative Officer shall be a member in good standing of the Pennsylvania Bar Association and shall have so been for at least five years. The Investigative Officer need not be a resident of the City of Reading and shall not be a Board member. The Investigative Officer is authorized to retain the services of an investigator and other professional staff and/or consultants, and shall only delegate nondiscretionary functions.

(c) The Investigative Officer shall not:

1. Be the current or former Solicitor to the Board and the Investigative Officer shall not serve in the future as Solicitor to the Board on any matter investigated or prosecuted by the Investigative Officer.
2. Seek the advice of the Solicitor to the Board, and the Solicitor to the Board shall not seek the advice of the Investigative Officer, on substantive aspects of any complaint or referral before the Board.
3. Hold a position of employment with the City of Reading or any City Authority, Board, or Commission.
4. Have any contractual obligation with the City of Reading or any Authority, Board, or Commission.
5. Actively participate in or contribute to any political campaign in the City of Reading for a candidate running for or from the office of Mayor, President of Council, Council Member, or Auditor. This does not abridge the right of the Solicitor or Investigative Officer to vote or attend a debate, speech or similar event that is held primarily for the purpose of communicating a candidate's platform or position on issues of public concern.

(d) In addition to all other responsibilities of the Investigative Officer, he/she shall provide to the Board every six months a summary of each complaint received, its procedural status, and if it has been dismissed, the reasons for its dismissal. Said summary shall not contain any identifying information of any person involved as a witness, complainant or subject of the complaint.

B. Prohibitions. Due to the nature of their appointment, Board members have a duty to avoid any known conflicts of interest, especially actions or behaviors in violation of
the City Charter or its full and impartial enforcement. The prohibitions in this section
are in addition to all other duties, responsibilities, and obligations imposed upon Board
members.

(1) No member may hold or campaign for any other public office.
(2) No member may hold office in any political party or political organization or
political committee.
(3) No member may hold a position of employment with City government or
appointment to any other board, authority, or commission formed by the City of
Reading.
(4) No member may actively participate in or contribute to any political campaign
in the City of Reading for a candidate running for the office of Mayor, President of
Council, Council member, or Auditor. This does not abridge the right of a member to
vote or attend a debate, speech or similar event that is held primarily for the purpose of
communicating a candidate’s platform or position on issues of public concern.
(5) No member shall receive compensation but shall be reimbursed by the City for
documented expenses actually incurred.

C. Mandate to fund. City Council shall appropriate sufficient funds for the Board to
perform its enforcement, advisory, and educational duties, including expenses for
independent counsel, investigative personnel, investigations, hearings, appeals, staff,
any other necessary personnel, and professional educational programming.
RESOLUTION NO. _______ 2019

A RESOLUTION CALLING ON THE CITY OF READING TO ADOPT A COMPREHENSIVE ACTION PLAN TO IMPROVE PUBLIC SAFETY

WHEREAS, the City Council of the City of Reading, together with the Mayor, are committed to ensuring a safe and non-violent community; and

WHEREAS, during 2018 there has been an increase in the number of homicides in the City of Reading; with 21 murders as of December 31, 2018, the highest number since 2005; and

WHEREAS, this increase in violence creates an environment of fear and poses a serious threat to the City of Reading’s public health and safety, the economic vitality of all businesses, and the protection that all citizens deserve; and

WHEREAS, the City Council of the City of Reading recognizes that the Reading Police Department, in coordination with the Office of the Berks County District Attorney, have directed their efforts and resources, with diligence, to protect Reading’s citizens; and

WHEREAS, the people of the City of Reading - families, youth, community organizations, and churches – continue to step forward to take the lead in advocating for action to address this violence; and

WHEREAS, elected officials of the City of Reading have the responsibility to listen to the concerns of citizens and to act swiftly and meaningfully on issues of public safety; and

WHEREAS, to effectively improve public safety requires a comprehensive plan of action that incorporates data driven best practices; and

WHEREAS, the development of this plan should be a shared responsibility of key stakeholders and community leaders;

WHEREAS, this plan must provide clear definition of the goals, strategies, resources, and action steps needed to improve public safety in the City of Reading as well as immediate timelines to accomplish the goals; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Reading is committed to establish a Public Safety Action Team responsible for the development and
implementation of a comprehensive public safety strategic plan, along with any supporting legislation, to improve public safety within the City of Reading.

Adopted by Council ____________________________, 2019

_____________________________ Council President

Attest:

_____________________________ City Clerk
RESOLUTION NO._______2019

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

That Thomas Fox is reappointed to the Zoning Hearing Board with a term ending January 1, 2024.

Adopted by Council ______________________, 2019

______________________________
President of Council

Attest:

______________________________
Linda A. Kelleher
City Clerk
R E S O L U T I O N NO._______2019

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

That Robert Conklin is appointed to the Planning Commission with a term ending April 1, 2021.

Adopted by Council ______________________, 2019

______________________________
President of Council

Attest:

______________________________
Linda A. Kelleher
City Clerk
RESOLUTION NO._______-2019

REQUESTING THE CITY ADMINISTRATION TO PUT FORTH AN RFP FOR THE OUTSOURCING OF THE CROSSING GUARD PROGRAM.

WHEREAS, City of Reading and Reading School District have had a partnership to provide crossing guard services, managed by the Reading Police Department Traffic Division, to protect children traveling to and from school buildings for decades; and

WHEREAS, Properly managing this program, training personnel and attracting competent staff to adequately staff approximately 50 intersections has become challenging in Reading and in other communities nationwide and various municipalities have outsourced this program; and

WHEREAS, City Council and the School District recognize and agree with the trend for municipalities to outsource this program to a company experienced in providing quality service to protect children traveling to and from school buildings and allowing officers working in the Traffic Division to return to the duties of a sworn police officer.

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

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are incorporated herein by this reference.

Section 2. Requesting that the City Administration put forth an RFP to outsource the Crossing Guard Program which will allow the City and Reading School District to improve the Safe Corridor concept for children traveling to and from school buildings and requesting that the RFP include language requiring the contractor to retain those individuals that are currently filling the Crossing Guard positions for the new program and work to attract other Reading residents to the unfilled positions.

Section 3. Requesting that the RFP be advertised by January 31, 2019 and forwarding the contract for Council approval no later than April 22, 2019 so this new program can be operational for the 2019-20 academic year.
Adopted by Council___________________, 2019

____________________________________
President of Council

Attest:

____________________________________
City Clerk