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 Chapel
C. PLEDGE TO THE FLAG
D. ROLL CALL
E. EXECUTIVE SESSIONS: April 22, April 29, May 6 and May 13 COW related to contracts and personnel

2. PROCLAMATIONS AND PRESENTATIONS
- Oath of office to EMS Lieutenant Craig Sweigart

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 May 13, 2019
B. MINUTES: April 22, 2019 Regular Meeting, Approving the summations of discussion from the April 29, 2019 COW and May 6 Strategic Planning COW

5. Consent Agenda Legislation
A. Resolution – authorizing the disposal of contract documents from the City Clerk's office in accordance with the PA Record Retention Policy as specified:
   - American Abatement 1992
   - American City Corp 1970
   - American District Telegraph Co 1983
   - American Equipment Corp 1971
American Body Armor & Equipment Inc 1989
American Bank & Trust Co 1972
American Meter Control Div of Singer Co 1971
American Safety Table Co 1955
American Television & Communications Corp 1971
Anchor Fire Protection Co 1980
Applegate’s Harley-Davidson Sales 1967, 1968
Arianna Inc 1952
Arnold Business Forms Co 1993
Arnold & Porter 1985, 1992
Arpro Inc 1986
Art Research & Technology 1991
Ashes & Embers Div of T P Bock Co Inc 1979

B. Resolution – authorizing the Police Chief to sign the Letter of Agreement with Let’s Think Wireless (LTW) for support services for 1 (one) year (3/1/19 – 2/28/20) and remit payment to LTW in the total amount of $99,069.36 for the provision of those services

C. Resolution – authorizing the replacement of the Riverside Fire Station Roof by Bachman Roofing, Building & Remodeling, Inc. at a cost of $159,895.00. Bachman Roofing, Building & Remodeling, is a State of Pennsylvania Cooperative Purchasing Program vendor

D. Award of Contract – for the Aggregated Pension Investment Advisor to UBS, Princeton, with associated fees paid by the Pension Funds

E. Award of Contract – to upgrade the Closed Caption Television (CCTV) truck used to evaluate and inspect sewer lines with computer equipment in the City to Golden Equipment Co., Mars, PA for the total submitted price of $170,633.00. This is a Costars purchase previously approved by the MERC.

6. ADMINISTRATIVE REPORT

7. REPORT FROM OFFICE OF THE AUDITOR
8. REPORT FROM DEPT. DIRECTORS, BOARDS, AUTHORITIES, & COMMISSIONS

9. ORDINANCES FOR FINAL PASSAGE

Pending Further Discussion

**Bill No. 4-2019** – amending the Ethics Code regarding attorneys retained to work with the Ethics Board *Introduced at the January 14 regular meeting; Tabled at the January 28 and February 19 regular meetings*

**Bill No. 5-2019** – amending the Charter Ordinance regarding attorneys retained to work with the Charter Board *Introduced at the January 14th regular meeting; Tabled at the January 28 and February 19 regular meetings*

A. **Bill 13-2019** – Amending the Capital Project Budget to reflect the funding of the Hillside Pool property purchase for $200,000 and revising the timeline for the Schlegel Pool rehabilitation project *Introduced at the April 22 regular meeting*

B. **Bill 14-2019** – Amending the Park Code to clarify that the Mt. Penn Preserve area includes boundaries located outside the municipal boundaries of the City making it agree with the executed Mutual Aide Agreement with Central Berks Police *Introduced at the April 22 regular meeting*

10. INTRODUCTION OF NEW ORDINANCES

A. **Ordinance** – amending the Administrative Code adding requirements for Repository Sale bids by adding Section 5-810

B. **Ordinance** – River Road Extension Project: To dedicate City of Reading Parcels for temporary easements and permanent right of way.

C. **Ordinance** – amend the Capital Projects Budget to reflect the transfer of budgeted funds required to complete the acquisition of the Hillside Pool and the former Letisse properties

D. **Ordinance** – amending the City Code Article 576 by adding a new part 14 for Handicapped Parking

E. **Ordinance** – amending the budget by increasing the hourly rate of the part-time Telecommunicater positions in the Police Department to $16 per hour, reducing the overtime expense in this area
11. RESOLUTIONS

Pending legislation – additional information required

**Resolution 37-2019** – authorizing the administration to remit payment in the amount of $219,589 to Empire for the demolition of 932 and 932A Penn Street *Tabled at the March 25 and April 8 regular meetings*

**Resolution 38-2019** – authorizing the payment of outstanding invoices in the amount of $7,222.23 to Leffler Energy for HVAC preventative repair and maintenance for the months of October to November 2018 *Tabled at the March 25 and April 8 regular meetings*

A. Resolution – reappointing Heminton Urena to the Blighted Property Review Committee

B. Resolution - authorizing the Mayor to sign a natural gas purchase agreement with the lowest responsible bidder immediately after the bid opening and receiving the recommendation from Public Works and all other purchasing policies shall not apply.

12. PUBLIC COMMENT – GENERAL MATTERS

*Please see public speaking rules on second page*

13. COUNCIL BUSINESS/COMMENTS

14. COUNCIL MEETING SCHEDULE

**Monday, May 13**
Committee of the Whole – Penn Room – 5 pm
Regular Meeting – Council Chambers – 7 pm

**Tuesday, May 14**
Housing & Blight Action Plan Presentation – Penn Room – 6 pm

**Monday, May 20**
Nominations & Appointments Committee – Council office – 4 pm
Finance COW – Penn Room – 5 pm

**Monday, May 27**
City Hall closed – Memorial Day holiday
**Tuesday, May 28**
Committee of the Whole – Penn Room – 5 pm
Regular Meeting – Council Chambers – 7 pm

**Wednesday, May 29**
Tour of the WWTP – Administration Bldg – 5 pm

15. BAC AND COMMUNITY GROUP MEETING SCHEDULE

**Tuesday, May 14**
Housing & Blight Action Plan Presentation – Council Chambers – 6 pm

**Wednesday, May 15**
O & E Pension Board – Penn Room – 1:30 pm

**Thursday, May 16**
18th Wonder Advisory Committee – RHA Conference room – 3 pm
Redevelopment Authority – 3rd floor conference room – 5 pm
Blighted Property Review Committee – Council Chambers – 6 pm
Shade Tree Commission – Public Works – 6 pm

**Friday, May 17**
Fire Pension Board – Penn Room – 10 am

**Monday, May 20**
DID Authority – 645 Penn St 1st floor – noon
Library Board – 113 S 4th St – 4:30 pm

**Tuesday, May 21**
Fire Civil Service Board – Fire Training Center – 3 pm
RAWA – 1801 Kutztown Rd – 4 pm
HARB – Penn Room – 6:30 pm
Charter Board – Council Chambers – 7 pm

**Wednesday, May 22**
Parking Authority – Penn Room – 11 am

**Tuesday, May 28**
Environmental Advisory Council – Public Works – noon
Housing Authority Workshop – Willis Center – 4 pm
Housing Authority – Willis Center – 5 pm
Planning Commission – Penn Room – 6 pm
16. ADJOURN

City of Reading City Council
Regular Meeting
April 22, 2019

Council President Waltman called the meeting to order.

The invocation was given by Kerry Kuhn, RBCC Street Missionary.

All present pledged to the flag.

The executive sessions held during the Committee of the Whole on April 15th and April 22nd were related to contracts, real estate and personnel.

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 Cepeda-Freytiz, District 6
Acting City Auditor P. Sleppy
Assist. Solicitor F. Lachat
City Clerk L. Kelleher
Acting Managing Director O. Deming
Mayor W. Scott

PROCLAMATIONS AND PRESENTATIONS
Council recognition certificates were issued to the following:
- School Crossing Guards
- Reading Muhlenberg Career and Technology Center SkillsUSA winners

PUBLIC COMMENT
Council President Waltman stated that there are seven (7) citizens registered to address Council on non-agenda matters. No one objected to suspending the rule requiring non-agenda comment at the end of the meeting. Councilor Reed read the public speaking rules that were adopted by Council.

Jane Cook, of N. 2nd Street, questioned why Reading lost its interstate transportation service. She stated that the service provided by Klein Transportation is too inconvenient. She noted her difficulties finding suitable transportation to her doctor appointments in New York.
**John Hefferon, of Mohnton,** described the property maintenance problems at a variety of properties located on Muhlenberg Street. He expressed the belief that properties with maintenance issues usually have a high amount of fee and fine delinquencies. Maintenance problems and delinquencies have a negative impact on the City and its residents. He expressed the belief that the City should not stay in Act 47, as Reading needs an increased police staffing.

**Annmarie Wolfe, Franklin Street,** suggested starting a group to provide City youth with positive summer activities. She asked City Council to speak to her after the conclusion of the meeting.

**Brian Mintzer, of Hampden Blvd.,** stated that he has addressed Council before about the multiple accidents that occur at Hampden Blvd. and Robeson St intersection when vehicles traveling east toward Hampden Blvd. proceed to make a left or right turn onto Hampden Blvd resulting in an accident as there is very limited line of sight at this intersection. He suggested making this block between North 13th St. and Hampden Blvd. one way west to alleviate this problem. He noted that last year two (2) individuals from Public Works came out to review the traffic in this location and he questioned the outcome of the visit. He also noted the problems created by vehicles parking in the alleyway in this location, as the alley is less than 17’ wide. He stated that having vehicles parking in the alley prohibit emergency vehicles to enter the alley.

*Note: the City Code prohibits parking in alleys less than 18’ wide: § 576-403. Parking prohibited in specific areas. C. Park a vehicle: (3) In an alley less than 18 feet wide.*

**Evelyn Morrison, of Church St.,** stated that she distributed letters from We The People to City Council at the April 8th Regular Meeting requesting an investigation and public hearing for the removal of the current City Clerk due to her abject rejection of the Term Limit petitions, preventing the Charter amendment referendum question from going on the May 21st ballot. She noted that the City Clerk injured 2000 people with her actions. She stated that no one on Council has responded to this letter; however, the mayor held a meeting with the acting managing director and assistant solicitor. She noted the need for Council to convene a similar meeting to address the City Clerk’s actions. She expressed the belief that City Council should follow through with direction from the citizens and noted her disappointment that City Council failed to respond. She stated that she spoke at the public meeting on Act 47 conducted by PFM and she suggested that PFM bring the DCED to Reading to conduct a public meeting for citizens about moving the City into receivership.

**Nate Rivera, of N. 13th St.,** was not present.

**APPROVAL OF THE AGENDA & MINUTES**

Council President Waltman called Council's attention to the agenda for this meeting and the minutes from the April 8th Regular Meeting of Council, along with the summations of discussion from the April 15th COW and the consent agenda legislation. He noted the need to move the Award
of Contract for the 6th and Canal pumping station from the Consent Agenda to the Resolution section.

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to approve the minutes from the April 8th Regular Meeting of Council, along with the summation of discussion listed and the agenda, as amended. The motion was approved unanimously.

Consent Agenda

A. Resolution 41-2019 – authorizing the disposal of contract documents from the City Clerk’s office in accordance with the PA Record Retention Policy as specified:

- A-1 Pipe Inc 1989
- A & A Diversified Contractors 1975
- A & A Painting Contractors 1991
- A C Pipe Inc 1982, 1985
- ADT Security Systems 1988
- AT&T 1987
- Academy of Natural Sciences 1993
- Accu-Weather 1977
- Addressograph Multigraph Corp 1978
- Advance Valve Installations 1978
- Advanced Cybernetics 1970
- Advanced Security Systems 1982
- Advanced Traffic Systems 1988
- Advanced Training Systems 1981
- Alconn Utilities & Lehigh 1961
- Foundations
- Allinson-Ross Corp 1993, 1994
- Almac Plastics of Penna Inc 1971

B. Resolution 42-2019 – authorizing the purchase of a 2019 F-150 XL 4x4 with accommodations for a Fire K-9 accordance for the Fire Department from New Holland Auto Group, a State of Pennsylvania Cooperative Purchasing Program vendor, for $55,372.71

C. Award of Contract – for ambulance bill collection services to Change Healthcare Technology Enabled Services, Alpharetta, Georgia

D. Award of Contract – rescinding the bituminous materials Contract Award to South Reading Blacktop, due to a clerical error, and awarding the contract to New Enterprise Stone and Lime, East Earl, PA in the amount of $55,000

ADMINISTRATIVE REPORT
The mayor opened himself to questions. He inquired if Council would like an update on the East Ends property.

Councilor Goodman-Hinnershitz stated that the property has been vacant since the East Ends Club was evicted two (2) years ago, leaving it a prime target for vandalism and other problems. She noted that the proper name of the historic facility is Mineral Spring Hotel.

The public works director explained that crews have been monitoring and inspecting the property and have installed security cameras around the property. He stated that the property is not being marketed as it needs repair work. He stated that to date crews have cleared the debris left behind by the previous tenant. He noted that shortly after the previous tenant moved out the copper pipes for the heating system were stolen. He also noted that the property sits above a stream which can cause problems but the property remains intact. He added that security gates have been installed to better secure the parking area which has reduced security problems and other improper activities this property.

Councilor Goodman-Hinnershitz thanked the public works crews for their work to provide better security. She noted that community members who regularly clean debris from the grounds reported less debris than in the past. She suggested putting a community work group together with the City to explore new uses for the property. She stated that the City is dealing with so many critical issues that it may be beneficial to seek some help to explore the reuse of this historic property.

Councilor Cepeda-Freytiz inquired about the location of this property. The public works director stated that the property sits at the north end of South 19th Street where Pendora Park abuts with Mineral Spring Park. He stated that the true name of the building is the Mineral Spring Hotel.

The mayor reminded Council of his initial plan to make the hotel property a bike hub due to its proximity to the trail system.

The mayor inquired if Councilor Goodman-Hinnershitz was able to address the Repository Sale bid on the East Reading Pool with Council, as the County is quite anxious to dispose of this property. He expressed the belief that the bid of $501 should not be accepted. He stated that all three governmental bodies must approve Repository bids – the City, the County and the School District. He suggested that the County begin demolishing properties on the Repository List. He noted the need to work together when considering Repository bids. He stated that the pool property could possibly be used as a neighborhood parking area.

Councilor Goodman-Hinnershitz stated that she has legislation in the planning process that will address the Repository bid process. She expressed concern with a bid of $501 for a half square block property in the middle of a residential neighborhood and the possibility that this property could become a larger blight factor for the neighborhood.
Council President Waltman suggested discussing these properties further at a future COW. He noted the need for the City to consider options for the pool property and noted that there was a study conducted to use the property for a spray park. The public works director stated that the cost was around $1M in 2016.

Councilor Cepeda-Freytiz agreed with the suggestion to form a community work group to consider options for the property. Councilor Goodman-Hinnershitz noted that in the past certain community members have tried to purchase this property during Repository Sales and return it to community use as a pool. However, the repair costs of approximately $1M make this impossible.

**AUDITOR’S REPORT**

None.

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

Juan Zabala, Blighted Property Review Committee (BPRC) member, stated that the BPRC is composed of seven members – four citizens and representatives from the Planning Commission, Redevelopment Authority and City Council – to promote reuse and reinvestment in properties.

The BPRC developed their hearing procedures after reviewing the processes used by Allentown and Harrisburg. Mr. Zabala stated that there are 60 days between each of the three step process starting with a letter and ending with the certification of the property as blighted. He noted that approximately 20-30% of the properties resolve their qualifying issues at some point during the blighted property process. He stated that to date there are 212 properties certified as blighted, 86 decertified (removed from the blighted property list), 12 properties demolished and four properties were rehabbed.

Mr. Zabala stated that the BPRC found that using the eminent domain process was long and expensive and that the BPRC encourages the City to begin marketing the 212 properties and then using the acquisition strategies developed by staff so the properties can be transferred to responsible owners – individuals, developers or organizations – on a “where is, as is” basis.

Council President Waltman thanked Mr. Zabala for providing the report.

**ORDINANCES FOR FINAL PASSAGE**

Pending Further Discussion
Bill No. 4-2019 – amending the Ethics Code regarding attorneys retained to work with the Ethics Board *Introduced at the January 14 regular meeting; Tabled at the January 28 and February 19 regular meetings*

Bill No. 5-2019 – amending the Charter Ordinance regarding attorneys retained to work with the Charter Board *Introduced at the January 14th regular meeting; Tabled at the January 28 and February 19 regular meetings*

A. Bill 12-2019 - amending the 2019 Budget, Agency Fund #31, to reflect the partial funding of the construction costs for the Pendora Park project using $250,000 in DCNR in grant monies as per contract agreement previously awarded in 2018 *Introduced at the April 8 regular meeting*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to enact Bill No. 12-2019.

The public works director explained that this project will upgrade the playsets, add ADA equipment, add a water feature similar to that installed at 11th and Pike, etc.

Bill No. 12-2019 was enacted by the following vote:

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

**INTRODUCTION OF NEW ORDINANCES**

Councilor Goodman-Hinnershitz read the following ordinances into the record:

**A. Ordinance** – Amending the Capital Project Budget to reflect the funding of the Hillside Pool property purchase for $200,000 and revising the timeline for the Schlegel Pool rehabilitation project.

**B. Ordinance** – Amending the Park Code to include the entire Mt. Penn Preserve area in the definition of Park

**RESOLUTIONS**

Pending legislation – additional information required

**A. Resolution 37-2019** – authorizing the administration to remit payment in the amount of $219,589 to Empire for the demolition of 932 and 932A Penn Street *Tabled at the March 25 and April 8 regular meetings*
A. Resolution 39-2019 – authorizing the extension of the 2014 contract with Advanced Disposal Services from January 1, 2019 to January 30, 2019 and agreeing to remit payment to Advanced Disposal Services in the total amount of $227,479.19 for the services provided from January 1 to January 30, 2019 Tabled at the March 25 and April 8 regular meetings

Councilor Reed moved, seconded by Councilor Sihelnik, to adopt Resolution No. 39-2019.

Council President Waltman explained that this and the following resolution authorize the payment of services provided to the City outside the parameters of an existing contract. He noted that both were fully vetted by Council prior to moving the resolutions forward for action. Councilor Goodman-Hinnershitz explained that the process to vet these payments included advice from the City’s Law Office.

Resolution No. 39-2019 was adopted by the following vote:

    Yeas: Cepeda-Freytiz, Goodman-Hinnershitz, Marmarou, Reed, Sihelnik, Twyman, Waltman – 7
    Nays: None – 0

B. Resolution 40-2019 – authorizing the payment of outstanding invoices in the amount of $36,937.80 for legal services performed by Campbell Durrant Beatty Palombo & Miller, P.C. in labor and employment matters and authorizing the retention of Campbell Durrant until December 31, 2019 or until Council approves an engagement with labor counsel based on the upcoming RFQ/RFP Tabled at the March 25 and April 8 regular meetings

Councilor Sihlenik moved, seconded by Councilor Reed, to adopt Resolution No. 40-2019.

Council President Waltman explained that in this case the City contracted with two (2) attorneys to handle labor matters and the attorneys changed law firms.

Resolution No. 40-2019 was adopted by the following vote:

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

C. Resolution 44-2019 – authorizing the installation of a memorial plaque by the Reading Rotary on the left side of the pavilion in Essick Park to honor deceased District 6 Councilman John Slifko, as recommended by the Memorial Review Committee.
Councilor Twyman moved, seconded by Councilor Reed, to adopt Resolution No. 44-2019.

Councilor Reed noted former Councilor Slifko’s deep connection to Essick Park.

Councilor Twyman agreed, noting former Councilor Slifko’s involvement in bringing the community together to rehab this park last summer.

Councilor Goodman-Hinnershitz agreed, noting that John’s work epitomizes what everyone should be doing to bring communities together.

Resolution No. 44-2019 was adopted by the following vote:

Yeas: Cepeda-Freytiz, Goodman-Hinnershitz, Marmarou, Reed, Sihelnik, Twyman, Waltman – 7
Nays: None – 0

D. Resolution 45-2019 – authorizing the installation of a granite podium and seven (7) granite benches dedicated to the Persian Gulf Era Conflict in the Memorial Walkway area of City Park by the Berks County Monument Preservation Fund for the Persian Gulf War Era Memorial Committee.

Councilor Goodman-Hinnershitz moved, seconded by Councilor Marmarou, to adopt Resolution No. 45-2019.

Councilor Goodman-Hinnershitz thanked the Berks County Monument Preservation Committee and the various veteran organizations for their adoption and care for the various orphaned monuments and for their creation of a destination in City Park dedicated to those who have fought to serve the Country.

Resolution No. 45-2019 was adopted by the following vote:

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

E. Resolution 46-2019 – appointing Ernest Schlegel to the Library Board

Councilor Marmarou moved, seconded by Councilor Twyman, to adopt Resolution No. 46-2019.

Councilors Marmarou and Twyman spoke about Mr. Schlegel’s past successful work with the Library Board and their pleasure that Mr. Schlegel wants to return to working on this board.

Resolution No. 46-2019 was adopted by the following vote:
F. Resolution 47-2019 – affirming the language in Charter Article IV regarding the appointment of the managing director, undertaking the Charter required process to hire a managing director

Councilor Reed moved, seconded by Councilor Twyman, to adopt Resolution No. 47-2019.

The mayor inquired about this resolution as he has not heard about this issue before. He asked the assistant solicitor if he looked into this issue.

The assistant solicitor stated that he did review the resolution and discussed the issue with City Council. He stated that it is his opinion that the Charter does not provide Council with the statutory authority to appoint a managing director. However, Council decided to move in this direction.

Council President Waltman noted that as this is a legal issue, there should only be limited discussion about the merits of the resolution. He noted hope that the issue will work itself out as the issue moves forward.

Councilor Cepeda-Freytiz stated that to provide clarity, it’s important to note that the mayor appointed an acting or temporary managing director and did not undertake the Charter required process to appoint a permanent managing director. She stated that as the time period for the temporary managing director has ended, the Charter requires Council to seek a permanent managing director.

The mayor objected to the resolution going to a vote without further discussion about the direction Council is taking, as he had no prior knowledge that Council was moving in this direction.

Council President Waltman stated that the differences in opinion are not going to be resolved at this meeting. He stated that there are different opinions about the meaning of the language in the Charter.

The mayor expressed the belief that the administration has not violated the Charter.

Council President Waltman called for the vote.

Resolution No. 47-2019 was adopted by the following vote:
Yeas: Cepeda-Freytiz, Goodman-Hinnershitz, Marmarou, Reed, Sihelnik, Twyman, Waltman – 7  
Nays: None – 0

Moved From the Consent Agenda

**E. Award of Contract** – for plumbing services for the 6th & Canal Pump Station project to Eastern Environmental Contractors at the bid price of $263,630

Councilor Goodman-Hinnershitz moved, seconded by Councilor Twyman, to award the 6th & Canal Pump Station plumbing contract to Eastern Environmental Contractors.

The public works director explained that this project went through the RFP process and it is a component of the Consent Decree WWTP Project.

The award of contract listed was approved by the following vote:

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

**COUNCIL COMMENT**

Councilor Sihelnik highlighted the numerous community events that took place over the past weekend. She noted the upcoming Great American Cleanup scheduled for this Saturday and she encouraged all to volunteer in some capacity.

Councilor Sihelnik stated that she is the Council liaison on the DID Authority and she learned at the today’s meeting about the start of merchant meetings that will facilitate communication and collaboration between downtown businesses. She also highlighted the upcoming free Downtown Concert Series.

Councilor Sihelnik announced the paid fellowship opportunity at Berks Nature. She stated that those interested should contact Berks Nature.

Councilor Reed described the cleanup performed on the Schuylkill River Trail area over the past weekend.

Councilor Reed thanked the Berks Beer Guild for creating a fabulous collaboration stout to raise funds to restore the base of the McKinley monument in City Park. She stated that this initial restoration would not be possible without their help. She stated that as one of the two eagles that were originally installed on the monument was located there may be a 2nd restoration phase for this monument in the future. She stated that there is also interest in restoring the water feature.

Councilor Reed announced the Arbor Day activity planned by the Shade Tree Commission at First Energy Stadium this Friday at 10 am.
Councilor Cepeda-Freytiz thanked those who spoke at tonight’s meeting. She inquired if the acting managing director has been following up about the property maintenance issues raised by Mr. Hefferon. She suggested that Ms. Wolfe speak with Olivet or the Rec Commission about her ideas for rec programs. She asked the Law Office to address the issues raised by Ms. Morrison regarding the We The People petition issue.

Councilor Goodman-Hinnershitz announced the drug drop off program this Saturday morning at First Energy Stadium, noting that the first 500 people participating will receive tickets to a Fightin Phils game. She noted the need for an update on the repair of Egelman’s Dam.

Councilor Twyman thanked those who spoke at tonight’s meeting and stayed for its entirety. He noted the importance of public participation in local government. He wished everyone a happy Earth Day and he spoke about the importance of Arbor Day.

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

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

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  
Contract  
American Abatement 1992  
American City Corp 1970  
American District Telegraph Co 1983  
American Equipment Corp 1971  
American Highway Sign Co 1980, 1981  
American Body Armor & Equipment Inc 1989  
American Bank & Trust Co 1972  
American Meter Control 1971  
Div of Singer Co  
American Safety Table Co 1955  
American Television & Communications Corp 1971  
Anchor Fire Protection Co 1980  
Applegate’s Harley-Davidson Sales 1967, 1968  
Arianna Inc 1952  
Arnold Business Forms Co 1993  
Arnold & Porter 1985, 1992  
Arpro Inc 1986  
Art Research & Technology 1991  
Ashes & Embers Div of 1979
T P Bock Co Inc  
Asplundh Chipper Co Div of  
Asplundh Tree Expert Co  

Passed Council _____________________

__________________________________
President of Council

Attest:

_____________________________
City Clerk
CITY OF READING
RESOLUTION NO. _________2019

AUTHORIZING THE SIGNING AND PAYMENT OF THE LETTER OF AGREEMENT WITH LET’S THINK WIRELESS (LTW) FOR THE PARTS, MAINTENANCE AND SUPPORT OF THE VSU SURVEILLANCE SYSTEM.

WHEREAS, the City of Reading awarded a contract for the Phase 2 expansion of the VSU camera surveillance system to LTW in 2012; and

WHEREAS, the value of the contract was for $650,000 for purchase and installation of the cameras and network making up the system; and

WHEREAS, the City continues to utilize said system on a daily basis as part of its public safety enforcement efforts; and

WHEREAS, said system requires periodic external support and parts to maintain and operate;

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

Section 1: The City Council agrees to permit the Police Chief to sign the Letter of Agreement with LTW for support services for 1 (one) year (3/1/19 – 2/28/20) and remit payment to Let’s Think Wireless in the total amount of $99,069.36 for the provision of those services.

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
WHEREAS, In accordance with the City of Reading Purchasing Policy; Section 2.02 (Approval Authority), purchases and contracts of $35,000 and higher must be approved by City Council; and

WHEREAS, the City of Reading Department of Fire and Rescue Services, and Public Works Department request approval for Bachman Roofing, Building & Remodeling, Inc. to replace the roof on the Riverside Fire Station at a cost of $159,895.00. Bachman Roofing, Building & Remodeling, a State of Pennsylvania Cooperative Purchasing Program vendor; and

WHEREAS, the City of Reading City Council approved the line item in the City of Reading’s 2019 Capital Budget; and

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

In accordance with the City of Reading Purchasing Policy, City Council hereby authorizes the City of Reading Department of Fire and Rescue Services, and Public Works Department’s to proceed with the replacement of the roof on the Riverside Fire Station.

Adopted by Council on________________, 2019

By: ______________________________
    Jeffrey Waltman, Council President

Attest: ____________________________
        City Clerk
TO: City Council
FROM: Lilliana Castillo, Pension Coordinator
PREPARED BY: Lilliana Castillo, Pension Coordinator
MEETING DATE: May 13, 2019
AGENDA MEMO DATE: May 8, 2019
RECOMMENDED ACTION: Awarding of Contract for the Aggregated Pension Investment Advisor

RECOMMENDATION
The recommendation is to award the contract for Aggregated Pension Investment Advisor to UBS, 100 Overlook Center, Suite 100, Princeton, NJ 08540.

BACKGROUND
The contract will consist of the management of the plans investment managers to ensure the highest possible rate of return while maintaining the security of the funds, preservation of principal and the generation of income and liquidity of funds as specified by the City’s investment policy.

As well as to manage the City’s pension funds through regular reporting requirements that identify monthly returns compared to the Pension Board’s determined benchmarks.

BUDGETARY IMPACT
The fee is being paid from the Pension Boards.
On the first $50 million: .18%
On the next $50 million: .07%
On the next $150 million: .04%
Assets over $250 million: .02%

PREVIOUS ACTION
None.

SUBSEQUENT ACTION
Formal action by Council is required to award the contract at the May 13, 2019 meeting.

RECOMMENDED BY
Pension Coordinator and the Pension Board.

RECOMMENDED MOTION
Approve/Deny the recommendation for the Aggregated Pension Investment Advisor so that the contract may be awarded to UBS.

BIDDER

Morrison
1405 McFarland Road
Pittsburgh, PA 15216

Russell Investments
71 South Wacker Drive Suite 2125
Chicago, IL 60606

INR
115 West State Street Suite 300
Media, PA 196063

DaHab
423 South Country Road
Bay Shore, New York

UBS
100 Overlook Center, Suite 100
Princeton, NJ 08540

SEI
1 Freedom Valley Drive
Oaks, PA 19456

Marquette
300 South High Street
West Chester, PA 19382

Mill Creek
161 Washington Street Suite 1500
Conshohocken, PA 19428

BIDDER

Investment Performance Services
642 Newtown Yardley Road Suite 205
Newtown, PA 18940

Beirne Wealth
4905 W. Tilghman Street Suite 210
Allentown, PA 18104
Stifel
501 North Broadway St
St. Louis, Missouri 63102

U.S. Asset Management
503 Martindale Street 7th Fl
Pittsburgh, PA 15212-5844

Introduced on: Jan 14, 2019
Advertised on:
TO: City Council
FROM: Robert Gensemer, Systems Superintendent
PREPARED BY: Robert Gensemer, Systems Superintendent
MEETING DATE: May 13, 2019
AGENDA MEMO DATE: May 8, 2019
RECOMMENDED ACTION: Awarding of project to upgrade the Closed Caption Television (CCTV) truck used to evaluate and inspect sewer lines in the City

RECOMMENDATION
The recommendation is to award the project for the Sewer Department CCTV Truck upgrade by to Golden Equipment Co., 391 Mars-Valencia Road – PO Box 873 Mars, PA 16046 for the total submitted price of $170,633.00. This is a Costars purchase previously approved by the MERC.

BACKGROUND
The current truck and equipment is 10 years old. The truck is in good shape, however, the computer and cameras are 10 year old technology and are showing signs of major wear and tear. When they break replacement parts are next to impossible to find.

The new system will allow us to save more video for future benchmark comparisons and increase our efficiency and speed. The newer technology also allows us to better control the cameras and transporters within the sewer lines. Another expected benefit is we will be able to perform better evaluations and inspections because the cameras take more detailed pictures and video.

BUDGETARY IMPACT
The Utilities Division has determined there are sufficient funds to cover the project.

PREVIOUS ACTION
None

SUBSEQUENT ACTION
Formal action by Council is required to approve the CCTV Truck Upgrade.

RECOMMENDED BY
Utilities Division Manager, Systems Superintendent, NASSCO Certified Operator
RECOMMENDED MOTION
Approve/Deny the recommendation for the upgrade of the CCTV Truck by Golden Equipment Co. using Aries camera equipment and Prologic camera control software to run the system for $170,633.00.

cc: File
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> 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.
TO: City Council
FROM: Osmer Deming, Managing Director
       Jamar Kelly, Administrative Services Director
       Ralph Johnson, Public Works Director
PREPARED BY: Don Pottiger, Controller
MEETING DATE: April 22, 2019
AGENDA MEMO DATE: April 16, 2019
REQUESTED ACTION: Amend the Capital Projects Fund 2019 budget to reflect the
                   revision of the Capital Projects Fund ordinance listing of the approved
                   2019 projects. This will provide the budgeted funds needed to purchase
                   the Hillside Pool property for the purpose of public recreation.

RECOMMENDATION
The Managing Director recommends the above changes in the Capital Projects Fund budget.

BACKGROUND
City Council has previously approved the purchase of the Hillside Pool property. Money needs to
be allocated to complete this purchase. Currently, the city has budgeted monies for a major
rehabilitation of the Schlegel Pool. The Administration is preparing a grant application to provide
funds for a study of the pool facilities in order to better determine the needs. This process will
extend the timeline of the project. These funds will now be used to purchase the Hillside Pool
property at a sale price of $200,000.00. The administration has requested that this amendment to
the project budgeted timeline be approved so that settlement on the purchase can take place on or
before May 20, 2019.

BUDGETARY IMPACT
The authorization of the amendment to the project budget timeline will not impact the budget
because both items will be paid through the same budget account number.

PREVIOUS ACTIONS
None
SUBSEQUENT ACTION
Council to take action to approve an ordinance to amend the Capital Projects Fund budgeted list of projects for the authorization to acquire the Hillside Pool property.

RECOMMENDED BY
The Managing Director recommends approval.

RECOMMENDED MOTION
Approve/deny the ordinance to amend the Capital Projects Fund budgeted project listing to approve the funding needed to acquire the Hillside Pool property.
BILL NO. _____-2019
AN ORDINANCE

AMENDING THE BILL NO 84-2018 THE 2019 CAPITAL PROJECT ORDINANCE -
TO AMEND THE CAPITAL PROJECTS TO REFLECT THE PURCHASE OF THE
HILLSIDE POOL PROPERTY AND REVISING THE PROJECT SCHEDULE FOR THE
SCHLEGEL POOL REHABILITATION PROJECT.

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

Section One: The 2019 Capital Project Ordinance is hereby amended by changing the
ordinance to reflect the funding of the Hillside Pool property purchase
and revising the timeline for the Schlegel Pool rehabilitation project. A
grant application is being prepared to fund the study of the
improvements needed at Schlegel Pool. This necessitates a delay in
performing the improvements. The Hillside Pool property has become
available for purchase and is as an asset the City would like to acquire
for recreational use.

Section Two: This amendment to the project listing will require no change to the
budget, since both projects would be paid from the Capital Projects
Fund Building & Building Improvements budget line item (34-07-74-
4801). The amount needed to acquire the property is $200,000.00.

Section Three: This Ordinance shall be effective ten (10) days after adoption pursuant
to Sections 219 and 221 of the City of Reading Home Rule Charter.

Adopted _______________________, 2019

_____________________________________
President of Council

Attest:
Sent to Mayor ______
Date: __________
Signed by Mayor ______
Date: __________
Vetoed by Mayor: ________
Date: __________
Over-riden by Council:
Date: __________

City Clerk
### CITY OF READING
### CAPITAL PROJECT FUND (CIP)
### FIVE YEAR PLAN - 2019 to 2023

<table>
<thead>
<tr>
<th>FUND REQUESTING PROJECT</th>
<th>PROJECT</th>
<th>2019</th>
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<td>Administrative Services - Information Technology</td>
<td>Additional Computer Replacement Costs</td>
<td>$ 49,4</td>
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<td>Administrative Services - Information Technology</td>
<td>Computer Replacement</td>
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<td>Administrative Services - Information Technology</td>
<td>Infrastructure Replacement</td>
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<td><strong>Subtotal - Administrative Services</strong></td>
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<td>Fire Station Improvements - 3rd &amp; Court</td>
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<td>Fire - Suppression</td>
<td>Apparatus Replacements</td>
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<td>Fire - Suppression</td>
<td>Station Construction - Penn Street</td>
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<td>Fire - Suppression</td>
<td>Station Construction - 9th &amp; Marion Streets</td>
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<td>Motorcycles</td>
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<td>Police - Patrol</td>
<td>Bomb Squad Robot</td>
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<td>Simulators - Driving and Shooting</td>
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<td>Radio Room - Front Desk Improvements</td>
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<td>Police - Patrol</td>
<td>Building - Evidence, Motorcycles &amp; Command Vehicle Storage</td>
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<td>Public Works - Garage</td>
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<td>Public Works - Garage</td>
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<td>Bucket Truck for Electrician</td>
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<td>Public Works - Garage</td>
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<td>Public Works - Garage</td>
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<td>Public Works - Parks</td>
<td>Projected Park &amp; Playground Equipment Improvements</td>
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<td>Public Works - Parks</td>
<td>Projected Parks Division Vehicle Replacement</td>
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<td>Public Works - Parks</td>
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<td>Public Works - Parks</td>
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<tr>
<td>Public Works - Parks</td>
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<td>Public Works - Parks</td>
<td>Angelica Park ADA Project</td>
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<tr>
<td>Public Works - Parks</td>
<td>Angelica Park ADA Project</td>
<td>$</td>
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<tr>
<td>Public Works - Parks</td>
<td>Baer Park Playground / 6th and Amity Playground</td>
<td>$</td>
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<td>Public Works - Parks</td>
<td>Baer Park Playground / 6th and Amity Playground</td>
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<td>Public Works - Parks</td>
<td>Schuylkill River Trail</td>
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<td>Public Works - Parks</td>
<td>Schuylkill River Trail</td>
<td>$</td>
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<tr>
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<td>11th and Pike Playground</td>
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<td>Angelica Park - Land Swap</td>
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<tr>
<td>Public Works - Public Property</td>
<td>Reading Public Library Façade Improvements</td>
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<td>Public Works - Public Property</td>
<td>Reading Public Library Lock System Replacement</td>
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<td>Reading Public Library Camera System Replacement</td>
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<td>Southeast Library HVAC Replacement (carryover)</td>
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<td>Public Works - Public Property</td>
<td>Northeast Library Ceiling &amp; Lights Improvements</td>
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<td>3rd &amp; Spruce HVAC Replacement</td>
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<td>3rd &amp; Spruce Roof Replacement</td>
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<td>City Park Lighting Upgrades</td>
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<td>10th &amp; Spruce Building Improvements</td>
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<td>Pagoda Wall Improvements</td>
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<td>First Energy Stadium Repairs</td>
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<td>Sidewalk Repairs to City Owned Property</td>
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<td>Buttonwood Gateway</td>
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Summary:
Projects costs paid from Grant Funding

Project costs paid from Capital Projects Fund
(using commuter tax revenues as per ACT 47 guidelines)
<table>
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<tr>
<th>Service</th>
<th>Budget Amount</th>
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<tr>
<td>Administrative Services - Information Technology</td>
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<tr>
<td>Fire - Suppression</td>
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AN ORDINANCE

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

THE CITY OF READING CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

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

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

Enacted by Council _________________, 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: ______________
Chapter 396 Parks and Recreation
Part 3
Park Use
Adopted 5-12-2003 By Ord. No. 14-2003(Ch. 16, Part 1, Of The 2001 Code Of Ordinances); Amended in full 8-14-2017 by Ord. No. 77-2017; Amended by 8-27-2018 by Ord. No. 52-2018

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

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

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

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

CITY — The City of Reading, including but not limited to, the Public Works Director or their designee and the Police Chief or their designee.

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

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

PARK — Any area zoned as preservation, park, preserve, playground, recreation center, swimming pool, watershed including the Mt. Penn Preserve area or other place devoted to active or passive recreational use owned by the City of Reading within the City's municipal boundaries. During times of park closure, Skyline Dr. will remain open to vehicular traffic but said traffic must continue through the Preserve and not stop, stand or park within it.

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

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

PERSON — Any individual, firm, partnership, corporation or association, or any agent, assistant, employee or representative thereof.
SOLICITING – Persons selling goods or services by sample or taking orders for future delivery with or without accepting advance payment for the goods. Persons seeking any form of contributions.

VEHICLE – Any conveyance (except baby carriages and motorized wheel chairs) including motor vehicles, buses, trailers of all types, campers, motorized bicycles, snowmobiles, all-terrain vehicles (ATVs), pushcarts or vehicles propelled by other than muscular power.

VENDING – Selling or trading any item or service.

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

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

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

A. General uses and activities. Prohibitions

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

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

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

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

(6) Throw stones or projectiles to injure any public property or to injure the natural beauty of the park.

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

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

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

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

(11) Engage in camping, archery, golfing, or horseback riding. Camping includes overnight stays in a tent or recreational vehicle. Horseback riding is allowed in parts of the Mt. Penn Preserve area.

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

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

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

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

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

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

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

(20) Set off any fireworks without a permit. Permits for the use of fireworks must be obtained from the Fire Marshall or his designee. Permits will ensure that fireworks are properly conducted and supervised in designated areas.

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

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

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

C. Use of fire.

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

(2) All smoking materials must be disposed of properly.

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

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

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

(1) Ice fishing is prohibited at Lake Ontelaunee

(2) Only persons having attained 16 years of age may fish at Bernhart's Reservoir

(3) Fishing in or upon the entire premises known as Egelman’s Park is prohibited.

(4) Using a boat upon any body of water owned or controlled by the City is prohibited.
(5) Boats may not be launched onto the Schuylkill River or Tulpehocken Creek from the banks of the City-owned or controlled riverfront unless such boat or craft can be hand-carried over City-owned or controlled property.

(6) Swimming, bathing, wading or floating at any place except in a public swimming or wading pool is prohibited.

(7) Ice skating is prohibited.

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

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

§ 396-308. Geo-Caching.

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

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

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

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

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

- The City of Reading and the Reading Recreation Commission, its officers, board of directors, managing agents and their personnel or representatives do not assume responsibility or liability for injury to any person or damage to any property sustained as a result of the placement or existence of the geocache, or use of the geocache by any person with any device or for any purpose. Participants in geocaching also absolve the City of Reading, its officials, and its employees of any liability.

- Cache(s) shall not be placed in PVC pipe, ammo cans, or have any military markings. Cache owners should use their discretion to determine what would be a permissible container to house the cache contents.
• The cache may not be placed within natural areas, wild plant sanctuaries, stream banks, riparian zones, wetlands, historical sites, exemplary nature communities, ecologically sensitive areas, unique geological features, dam structures, or unsafe areas.

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

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

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

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

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

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

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

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

§ 396-309. Bicycles.

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

§ 396-310. Permits.
(1) All permits issued by the City, as defined herein, Recreation Commission, and/or Pagoda Foundation shall be subject to park rules and regulations and a person to whom such permits may be granted shall be bound by such rules and regulations as fully as though the same were inserted in such permits.

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

(3) As a condition of issuing a permit, the City, as defined herein, Recreation Commission, and/or Pagoda Foundation may require a permit applicant to secure liability insurance, to post bond or to make any other guarantees the City considers reasonable.

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

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

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

§ 396-311. Severability.

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

§ 396-312. Enforcement

The Park Code of the City of Reading shall be enforced by City of Reading Police Department.

The provisions of the Park Code may be enforced by the Central Berks Police Department and the State Police within in all areas owned by the City of Reading municipal boundaries or including the Mount Penn Preserve.

§ 396-313. Penalty.

Whoever violates or fails to comply with the provisions of this Part, or any regulations made thereunder shall be, upon conviction thereof, sentenced to pay a fine of not more than $1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation continues shall constitute a separate offense.
ORDINANCE NO. _______2019

AMENDING THE ADMINISTRATIVE CODE BY CREATING A NEW PART 5-810 CORRECTING THE PROCESS TO APPROVE OR REJECT BIDS AT BERKS COUNTY TAX CLAIM BUREAU REPOSITORY SALES ALLOWING FOR THE CONVEYANCE OF PROPERTIES

WHEREAS: As per the Real Estate Tax Sale Law, “Act No. 542 of 1947, P.L. 1368 as amended, bids made at the Berks Tax Claim Repository Sale must be approved by the taxing district – the County, the School District and the City – which can allow property to be conveyed to a new owner and eliminates the taxing districts property interest in properties on the Repository List; and

WHEREAS: In the past the County Commissioners authorized the Tax Claim Bureau Solicitor to accept or reject the bids for the County and the School Board assigned this same responsibility to the District’s Business Manager; and

WHEREAS: Until 2012, City Council authorized the solicitor to accept or reject Repository Sale bids at each individual Tax Claim Repository Sale allowing for the conveyance of these properties through the adoption of a resolution; and

WHEREAS: In 2016, this responsibility was transferred to the mayor without City Council’s knowledge or authorization; and

WHEREAS: The City of Reading Home Rule Charter Section 215 c requires City Council to approve ordinances to levy taxes and 215 j requires City Council to approve ordinances to purchase, convey, or lease lands or buildings”; and

WHEREAS: City Council is also responsible for authorizing the exoneration or forgiveness of property taxes by resolution; thus City Council must also authorize the forgiveness of taxes made through the Repository Sale process.

Whereas the Council of the City of Reading hereby ordains as follows:
Section 1. Amending the Administrative Code by creating a new Part 5-810 correcting the process to approve or reject bids at Berks County Tax Claim Bureau Repository Sales allowing for the conveyance of properties, as follows:

5-810. Repository Sale Bids The Real Estate Tax Sale Law,” Act No. 542 of 1947, P.L. 1368 as amended, requires that bids made at the Berks Tax Claim Repository Sale must be approved by the taxing district – the County, the School District and the City – which can allow property to be conveyed to a new owner and eliminates the taxing districts property interest in those properties. City Council shall adopt a resolution authorizing the Solicitor to accept or reject a Repository sale bid, after inviting input from the mayor at a Council meeting or session, within 60 days of receipt from the County Tax Claim Director or his or her designee.

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

By: __________________________
    Council President

Attest: _______________________
    City Clerk
Submitted to Mayor: _______________
Date: ______________
Received by the Mayor’s Office: _______________
Date: ______________
Approved by Mayor: _______________
Date: ______________
Vetoed by Mayor: _______________
Date: ______________
BILL NO. _____-2019

AN ORDINANCE
DEDICATING CITY PROPERTY FOR THE USE OF ROAD RIGHT OF WAY AND TEMPORARY CONSTRUCTION EASEMENTS FOR THE RIVER ROAD EXTENSION PROJECT

Whereas: The River Road Extension Project is an approved street construction project in the City of Reading intended to improve the transportation corridor between the Riverview Industrial Park and the Schuylkill Avenue Bridge; and

Whereas: The City of Reading is currently working with the Pennsylvania Department of Transportation (PennDOT) to complete the design and construction of River Road Extension Project; and

Whereas: The City of Reading owns property that lies within areas planned for temporary construction easements and for permanent street right-of-way; and

Whereas: The City of Reading wishes to dedicate these pieces of property for this intended use.

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

Section One: That the terms, descriptions and conditions are approved for the portion of property described on the attached Exhibit A, titled “Right-of-Way Claim Information, Parcel No. 80”, so noted for permanent right-of-way.

Section Two: That the terms, descriptions and conditions are approved for the portions of the properties described on the attached Exhibit A, titled “Right-of-Way Claim Information, Parcel No. 80”; and Exhibit B, titled “Right-of-Way Claim Information, Property No. 67”, so noted for temporary construction easements.

Section Three: The City of Reading conveys this dedication for one dollar ($1).

Section Four: This Ordinance shall be effective ten (10) days after adoption pursuant to Sections 219 and 221 of the City of Reading Home Rule Charter.

Adopted _________________________, 2019
Attest:

__________________________
City Clerk

Sent to Mayor ______
Date: ____________
Signed by Mayor ______
Date: ____________
Vetoed by Mayor: _______
Date: ____________
Over-ridden by Council:
Date: ____________
REQUESTED ACTION: Amend the Capital Projects Fund 2019 budget to reflect the revision of the Capital Projects Fund ordinance listing of the approved 2019 projects. This will provide the budgeted funds needed to complete the acquisitions of both the Hillside Pool and the former Letisse properties.

RECOMMENDATION
The Managing Director recommends the above changes in the Capital Projects Fund budget.

BACKGROUND
City Council has previously introduced on April 22nd the ordinance to fund the acquisition of the Hillside Pool property. The City had acquired the former Letisse property at a Sheriff sale on March 8th. Additional monies are needed to pay for closing costs to complete the acquisition of the Hillside Pool property, and to pay for taxes owed on the former Letisse property to complete its acquisition. The city has budgeted monies for a vehicle lease project which is being re-evaluated, so these budgeted funds will be transferred in order to pay these costs. The estimated costs to complete the Hillside property acquisition will be $16,000.00, and the estimated costs to complete the former Letisse property will be $19,000.00. The administration has requested that this amendment to the project budget be approved so that both acquisitions can be completed on or before May 31, 2019.

BUDGETARY IMPACT
The authorization of the amendment to the budget will not impact the budget. The increase in the Capital Projects Fund – Public Works - Public Property – Building & Building Improvements budget line item (34-07-74-4801-000) of $35,000.00 will be funded by the decrease in the Capital
Projects Fund – Public Works – Garage – Contracted Services budget line item (34-07-14-4216-000) in the amount of $35,000.00.

PREVIOUS ACTIONS
None

SUBSEQUENT ACTION
Council to take action to approve an ordinance to amend the Capital Projects Fund budget in order to pay all costs needed to complete the acquisition of both the Hillside Pool and former Letisse properties.

RECOMMENDED BY
The Managing Director recommends approval.

RECOMMENDED MOTION
Approve/deny the ordinance to amend the Capital Projects Fund budget in order to provide the funding needed to complete the acquisition of both the Hillside Pool and former Letisse properties

Drafted by: Acting MD
Referred by: Acting MD
Introduced on: May 13, 2019
Advertised on:

BILL NO. _____-2019
AN ORDINANCE
AMENDING THE BILL NO 84-2018 THE 2019 CAPITAL PROJECT ORDINANCE - TO AMEND THE CAPITAL PROJECTS TO REFLECT THE TRANSFER OF BUDGETED FUNDS REQUIRED TO COMPLETE THE ACQUISITION OF THE HILLSIDE POOL AND THE FORMER LETISSE PROPERTIES.

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

Section One: The 2019 Capital Project Ordinance is hereby amended by changing the ordinance to reflect the funding needed to complete the acquisition of both the Hillside Pool and the former Letisse properties. The monies will be used to cover taxes and closing costs for the settlement on the Hillside Pool property, and to cover back taxes for the Letisse property.

Section Two: The expenditures will be paid for by the increase in the Capital Projects Fund – Public Works – Public Property – Building & Building Improvements budget line item (34-07-74-4801-000) for the amount of $35,000.00, and the line item will be funded by the decrease in the Capital Projects Fund – Public Works – Garage – Contracted Services budget line item (34-07-14-4216-000) for the amount of $35,000.00. The amount allocated to the Hillside Pool property
acquisition is $16,000.00, and the amount allocated to the former Letisse property acquisition is $19,000.00.

Section Three: This Ordinance shall be effective ten (10) days after adoption pursuant to Sections 219 and 221 of the City of Reading Home Rule Charter.

Adopted _________________________, 2019

______________________________________
President of Council

Attest:

______________________________________
City Clerk

Sent to Mayor ______
Date: __________
Signed by Mayor ______
Date: __________
Vetoed by Mayor: ______
Date: __________
Over-ridden by Council:
Date: __________
## CITY OF READING
### CAPITAL PROJECT FUND (CIP)
#### FIVE YEAR PLAN - 2019 to 2023

<table>
<thead>
<tr>
<th>FUND REQUESTING PROJECT</th>
<th>PROJECT</th>
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**Subtotal - Public Works** 3,192,135.00

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<td>Administrative Services - Information Technology</td>
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<td>Fire - Suppression</td>
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<tr>
<td>Police - Patrol</td>
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| Public Works - Garage           |                              | 464,000.00 |
| Public Works - Parks            |                              | $          |

**Total** 6,760,940.00

**Summary:**
- Projects costs paid from Grant Funding
- Project costs paid from Capital Projects Fund (using commuter tax revenues as per ACT 47 guidelines)
- Total projects budgeted in 2019
AN ORDINANCE AMENDING THE CITY OF READING CODIFIED ORDINANCES, CHAPTER 5, ADMINISTRATIVE CODE, PART 7, CITY HEALTH OFFICER, SECTION 5-701, DUTIES OF CITY HEALTH OFFICER, ELIMINATING THE OBLIGATION OF THE HEALTH OFFICER TO EVALUATE AND ISSUE HANDICAP PARKING PRIVILEGES AND AMENDING CHAPTER 576, VEHICLES AND TRAFFIC, CREATING A NEW PART 14 ENTITLED “HANDICAPPED PARKING” SETTING FORTH SPECIFIC REGULATIONS FOR EVALUATING AND ISSUING HANDICAP PARKING APPLICATIONS

WHEREAS, the Administrative Code currently imposes upon the City Health Officer the duty of evaluating and issuing handicap parking privileges; and

WHEREAS, there are no criteria listed in the Administrative Code for the City Health Officer to use in evaluating applications for handicap parking spaces; and

WHEREAS, it is necessary to facilitate and provide adequate parking on public streets for handicapped persons with specific criteria to prevent the proliferation of handicapped parking spaces that could be a detriment of the community;

WHEREAS, the Pennsylvania Department of Transportation in its Handicap Placard Parking with a Placard application, MV-145, already requires a certification from a health care provider who is licensed in Pennsylvania or a contiguous state; and

WHEREAS, the vast majority of municipalities in the Commonwealth of Pennsylvania do not use a health officer for the purposes of evaluating applications for handicap parking spaces and having the City Health Officer perform this function is unnecessary and redundant; and

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION ONE. Chapter 5, Part 7: City Health Officer, is hereby amended such that the duties listed under D, “Evaluate and issue handicap parking privilege” are hereby deleted and removed.

SECTION TWO. Chapter 576 Vehicles and Traffic is hereby amended to create a new Part 14, entitled “Handicapped Parking Regulation” which shall read as follows:

Part 14
Handicapped Parking Regulations
A. Regulations

§ 576-1401. Definitions.

The following words, whether in the singular or plural, when used in this Part, shall have the meanings ascribed to them in this Part except in those instances where the context clearly indicates otherwise:

**ADJACENT PROPERTY OWNERS**
Owners of properties in the City of Reading which share a common property line with the property occupied by the resident for whom a handicapped parking space is requested.

**APPLICANT**
One who is handicapped or who is a severely disabled veteran who occupies real estate as his or her principal residence in the City of Reading and who files an application for the installation of a handicapped parking sign.

**CITY**
The City of Reading, Berks County, Pennsylvania.

**HANDICAPPED PARKING SPACE**
A parking space reserved for use by handicapped persons or severely disabled veterans utilizing vehicles lawfully bearing handicapped registration or severely disabled veterans plates or placards.

**PENNDOT**
The Pennsylvania Department of Transportation.

**PLACARD**
An instrument of notice that is hung from the inside rearview mirror of a vehicle indicating that said vehicle is currently authorized to park in a handicapped parking space.

§ 576-1402. Application for Handicapped Parking Space

Any applicant wishing to reserve a handicapped parking space in front of or near his or her residence on any street within the City upon which public parking is currently permitted shall submit a written request to the Zoning Administrator on a form drafted by the Zoning Administrator. This requirement shall not apply to any currently pending application submitted prior to the effective date of this Ordinance. Information on said form shall include:

1. The name, address and telephone number of the applicant.

2. The registration number of the handicapped or severely disabled veteran registration plate or placard issued by PennDOT to the resident or the applicant on behalf of the resident.

3. Proof of ownership of a vehicle by the applicant or the resident for whom the handicapped parking space is requested along with the make, model and license plate number of such vehicle.

4. A description of the physical impairment of the resident, a statement as to whether the impairment is permanent or temporary (if temporary, a detailed statement of the anticipated term of the impairment) and whether a device such as wheelchair, crutches or walker is used by such resident for
locomotion. The applicant shall supply with the written request proof of the resident's asserted medical disability from a medical doctor, doctor of osteopathy or doctor of podiatry medicine (collectively, "physician"). The physician's statement must be signed by the resident's physician, must not be issued more than six months prior to the date of the written request and must specifically set forth the nature of the impairment, how the impairment limits the resident's mobility and the estimated duration of the resident's impairment.

5. The location of the requested handicapped parking space.

6. The names, addresses and telephone numbers (if listed in a published telephone directory) of adjacent property owners of all real estate sharing a common property line with the resident's.

7. Copy and proof of a valid driver's license issued to the applicant.

§ 576-1403. Review Process and Criteria

Both the Zoning Administrator, or his or her designee, and the Director of Public Works, or his or her designee, shall meet regularly to review all applications for handicapped parking spaces and before granting an application, shall do an in-person inspection of the proposed space.

The grant or denial of a handicapped parking space application shall lie solely and absolutely in the discretion of both the Zoning Administrator and the Public Works Director. While the possession of a handicapped or severely disabled veteran's registration plate or placard does not guarantee that the applicant's request will be granted, the following factors in rendering a decision on each request shall be as follows:

1. Whether the person for whom the handicapped parking space is requested is a resident;

2. Whether PennDOT has issued a handicapped or severely disabled veteran registration plate or placard to the resident or on behalf of the resident for whom the request is made. Notwithstanding the foregoing, should no one residing in the dwelling with the resident have such a handicapped or severely disabled veteran registration plate from PennDOT, the resident or the applicant shall not be entitled to the issuance of a handicapped parking space under this article.

3. Whether there exists a reasonably accessible and practicable off-street parking space to serve the location, it being understood that if such off-street parking place exists, the City shall not grant the request;

4. Whether the resident has any other handicapped parking spaces reserved unto him in the City such that there shall be no more than one parking space per resident;

5. The recommendations and findings of any traffic and/or engineering studies, if any, for the location;

6. The nature of the resident's disability, and whether that disability creates a need for a reserved handicapped parking space that outweighs the public interest in maintaining that space for general public use;

7. All information set forth in the written request of the applicant; and;
8. Any other information which the Zoning Administrator and the Director of Public Works deems applicable or appropriate under the particular facts and circumstances of each request.

§ 576-1404. Notice to Adjacent Property Owner

The Zoning Administrator shall, in writing, notify the adjacent property owners that an application has been submitted and that they can submit to the City in writing, their support or opposition to the request. The notice shall set forth the date and time by which such written support or objection must be received by the Zoning Administrator. This requirement shall not apply to any currently pending application submitted prior to the effective date of this Ordinance.

§ 576-1405. Renewals

All applications, which are approved in accordance with this Part, shall be subject to an annual renewal process. An applicant may request renewal of an approved handicap parking space by submitting an application for renewal. An application for renewal shall be made on a form provided by the Zoning Administrator. Failure to file an application shall subject the applicant to the removal of his or space as an approved handicapped space.

§ 576-1406. Changes in Conditions

In the event that the disabled person experiences a material improvement in his or her physical condition (as supported by documentation from his/her treating physician) to the extent that the disabled person would no longer qualify under the criteria set forth this Part, the disabled person shall immediately notify the Zoning Administrator of such change in condition within 15 days of notice from the treating physician to the disabled person. Upon receipt of such notice, the Zoning Administrator shall cause the removal of any painted blue curb and the handicap-parking-only sign from the location.

Upon the death of a disabled person, the personal representative of the disabled person shall immediately notify the Zoning Administrator of such change in condition within 15 days of notice of such event. Upon receipt of such notice, the Zoning Administrator shall cause the removal of any painted blue curb and the handicap-parking-only sign from the location.

In the event that the disabled person would no longer reside at the address of the location of an approved handicap parking space for a period of more than 30 consecutive days for whatever reason, the disabled person shall immediately notify the Zoning Administrator of such change in condition within 15 days of moving from said residence.

SECTION 3. 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_______________________, 2019

___________________________________
Jeffrey Waltman, President of Council

Attest:

_______________________________
City Clerk

Submitted to Mayor: __________
Date: __________

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

Approved by Mayor: __________
Date: __________

Vetoed by Mayor: __________
Date: __________
TO: City Council  
FROM: Osmer Deming, Managing Director and Jamar Kelly, Director of Administrative Services  
PREPARED BY: Danny C. Gilmore Jr., Human Resource Manager  
MEETING DATE: May 8, 2019  
AGENDA MEMO DATE: May 13, 2018  
REQUESTED ACTION: Increase the hourly rate from $12 per hour to $16 per hour for the part-time telecommunicators position.

RECOMMENDATION

The Managing Director and The Director of Administrative Services recommend an increase to the hourly rate for the part-time telecommunicator position to $16 per hour (current at $12 per hour) to be competitive with similar local organizations and increase the quality of candidates applying for the aforementioned position.

BACKGROUND

The telecommunicator position plays a vital role to keep police officers safe and inform of potential harm. Moreover, it is important to have well trained and staffed personnel who can facilitate correct information to the police officers on the street. In order to fulfill this task, the city has recognized the need to increase the hourly rate of part-time telecommunicators to address the excessively high rate of turnover which has increased the workload for the current staff.

BUDGETARY IMPACT

The authorization of a pay increase for the part-time telecommunicator position will not impact the budget. The Special Service Division has 14 part-time positions budgeted for 2019, however, they are only utilizing 4 of the 14 part-timer positions budgeted for 2019.

PREVIOUS ACTIONS

None
SUBSEQUENT ACTION
Council to take action to approve a resolution for the authorization of a pay increase for the part-time telecommunicator position.

RECOMMENDED BY
The Managing Director recommends approval.

RECOMMENDED MOTION
Approve/deny the resolution authorizing Council to take action to approve a resolution for the authorization of a pay increase for the part-time telecommunicator position.
BIL NO. _____-2019
AN ORDINANCE

AMENDING THE 2019 POSITION ORDINANCE - TO AUTHORIZE A PAY RATE INCREASE FOR PART-TIME TELECOMMUNICATOR POSITION IN THE POLICE SPECIAL SERVICE DIVISION.

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

Section One: The 2019 Position Ordinance is hereby amended by changing the ordinance to authorize a pay rate increase for the part-time telecommunicator position.

Section Two: Persons hired into the aforementioned positions will be paid from the General Fund Police Special Service Division Salaries budget line item (01-08-29-4016). There is no expected budget impact.

Section Three: This Ordinance shall be effective ten (10) days after adoption pursuant to Sections 219 and 221 of the City of Reading Home Rule Charter.

Adopted _______________________, 2019

_____________________________________
President of Council

Attest:
______________________________________
City Clerk

Sent to Mayor ______
Date: __________
Signed by Mayor ______
Date: __________
Vetoed by Mayor: _______
Date: __________
Overridden by Council:
Date: __________
CITY OF READING

Berks County, Pennsylvania

RESOLUTION NO. ___________ 2019

AUTHORIZING THE PAYMENT TO EMPIRE SERVICES FOR MATERIALS THAT WERE PROVIDED AND FOR LABOR THAT WAS PERFORMED IN THE DEMOLITION OF 932 PENN STREET and 932A PENN STREET.

WHEREAS, the City of Reading owns real property located at 932 Penn Street and 932(A) Penn Street; and

WHEREAS, in 2017, the City of Reading Building Code Official and the former Managing Director determined that there was a need to demolish all buildings situated at said location; and

WHEREAS, in 2018, the City of Reading Building Code Official and the former Managing Director used the City’s emergency demolition procedures by obtaining three bids from three local demolition contractors; and

WHEREAS, the City of Reading Public Works Director selected Empire Services as the lowest bidder for this demolition; and

WHEREAS, the City of Reading former Managing Director had identified this site as the potential location for the construction of a future fire station; and

WHEREAS, the City of Reading Public Works Director determined that if a fire station would be built on this site that the type of demolition envisioned by Empire Services would require additional excavation with an expanded scope of work; and

WHEREAS, in an attempt to save the City of Reading costs for additional future excavation, the City of Reading Public Works Director, after getting permission from the former Managing Director, instructed Empire Services to use appropriate stone fill to make future construction of a building on the site practicable; and

WHEREAS, in the summer of 2018, the City administration and Empire Services entered into a contract for said demolition and stone fill in the total amount of $219,589.00; and
WHEREAS, Empire Services performed its contractual duties by demolishing said buildings and by providing said stone fill and the City of Reading has no reason to question the workmanship of this demolition; and

WHEREAS, the City of Reading has a legal obligation under Pennsylvania law to pay Empire Services in accordance with the duties set forth in the above referenced contract and in accordance with the legal doctrines of quantum merit and unjust enrichment.

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

Section 1: The City Council agrees to remit payment to Empire Services in the total amount of $219,589.00 in accordance with the contract authorized by the former Managing Director City administration for the demolition of 932 and 932A Penn Street for the services provided in regards to the project.

Section 2: The City Council in no way agrees with or condones the methods used by the former Managing Director City administration to procure this contract for the demolition of said properties. By agreeing to remit payment for these services, the City of Reading City Council is not setting precedence for the payment of any future contracts or projects that do not follow the proper procurement procedures contained within the Administrative Code.

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

By: __________________________
   Council President

Attest: _______________________
   City Clerk
CITY OF READING
RESOLUTION NO. _________2019

AUTHORIZING THE PAYMENT OF OUTSTANDING INVOICES LEFFLER ENERGY
FOR PAYMENT OF OUTSTANDING INVOICES FOR HVAC PREVENTATIVE
REPAIR AND MAINTENANCE.

WHEREAS, Leffler Energy (Leffler) has been the City’s contracted HVAC preventative
maintenance and repair for over 30 years; and

WHEREAS, at some point under a previous administration the City mistakenly concluded
that Leffler was approved for HVAC preventative maintenance and repair under the
Commonwealth of Pennsylvania’s COSTARS cooperative purchasing agreement and
therefore the City could order services from Leffler without going through the City’s
purchasing process;” and

WHEREAS, although Leffler had COSTARS approval, the approval only covered supply
and delivery of certain fuels; and

WHEREAS, the City recently entered into a cooperative purchasing agreement with the
Reading Housing Authority and procures HVAC preventative maintenance and repair with
other contractors through that agreement and will not procure any future services through
Leffler without future compliance with the City’s purchasing policy; and

WHEREAS, the Mayor’s Economic Review Committee (MERC) reviewed the outstanding
final invoices for Leffler and flagged these invoices based on the City’s failure to comply
with the City’s purchasing policy as outlined above; and

WHEREAS, Leffler has billed the City $48,975.84 for services performed over the course
of January 2018 to present; and

WHEREAS, Leffler is still owed $7,222.23 for the months of October to November 2018;
and

WHEREAS, MERC requested the City get approval from City Council prior to their
approving the payment; and

WHEREAS, City Council recognizes that the City Administration, by way of the Mayor’s
Expenditure Review Committee, has implemented financial oversight such that projects
and contracts adhere to the purchasing policy contained within the Administrative Code.
NOW, THEREFORE, BE IT RESOLVED by the City of Reading City Council of Berks County, Pennsylvania, as follows:

Section 1: The City Council agrees to remit payment Leffler in the total amount of $7,222.23 for the services provided in regards to the project.

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
RESOLUTION NO._________2019

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

That Heminton Urena is reappointed to the Blighted Property Review Committee with a term ending May 13, 2022

Adopted by Council _________________, 2019

______________________________
Vice President of Council

Attest:

______________________________
Linda A. Kelleher
City Clerk
TO: City Council
FROM: Managing Director
PREPARED BY: Kevin Lugo, Sustainability & Solid Waste Manager
MEMO DATE: May 8, 2019
RECOMMENDED ACTION: Secure Pre-Approval for Natural Gas Procurement Contract

RECOMMENDATION
The recommendation is for Council to give the Mayor pre-approval to sign a contract with a third-party natural gas supplier.

BACKGROUND
The City of Reading currently has approximately two dozen natural gas accounts with UGI South, the established utility company. In Pennsylvania utility companies own, maintain, and improve natural gas infrastructure. They coordinate movement of the gas through their infrastructure but do not directly supply the gas. To reduce the cost of gas service, the Public Works Department is undertaking an effort to bring all accounts together and leverage the City’s purchasing power to secure a lower gas rate from a third-party energy supply company.

The City’s purchasing and approval policies require a formal solicitation process, followed by City Council approval, for all contracts exceeding $35,000 in value. Because natural gas is a commodity, its price is constantly shifting in response to market conditions. When responding to solicitations, most supply companies only guarantee their submission prices for the same business day. It is therefore advantageous to the City of Reading to open submissions and sign a contract on the same day. Normal purchasing policies, including City Council approval, add additional time to the approval process and will hinder the City’s ability to get the best gas rate.

BUDGETARY IMPACT
The winning bid will cover approximately 218,376 CCF (21,838 DTH) of natural gas annually for 1-3 years, based on historic usage. Using the utilities established Price to Compare of $0.56555 per CCF, the total annual value of a natural gas supply contract is expected to be on the order of $125,000. By choosing a third-party supplier, the City will seek to lower the rate and therefore overall cost of this contract.

PREVIOUS ACTION
In November 2018, City Council approved Resolution 109-2018 providing pre-approval for the Mayor to sign a third-party electricity agreement. This process resulted in prompt contract execution and saved the City an estimated $400,000-$800,000 over three years.

SUBSEQUENT ACTION City staff will open, review, and recommend a submission to the Mayor for final approval. The law office will review terms and conditions and the Mayor will sign a final contract. Once a contract is signed, a purchase order will be created and the contract will begin as described in the RFP.

RECOMMENDED BY
Managing Director, Public Works Director, Sustainability & Solid Waste Manager.

RECOMMENDED MOTION
Approve/Deny the recommendation authorizing the Mayor with pre-approval for this electricity procurement.
RESOLUTION NO. _______2019

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A PURCHASE AGREEMENT TO OBTAIN NATURAL GAS SUPPLY FOR THE CITY OF READING.

Whereas, purchases of $10,000 or more require a formal solicitation process and purchases of $35,000 or more require approval from City Council; and

Whereas, the City of Reading is seeking a third-party energy supplier, and the cost of this contract is estimated to be approximately $125,000 annually; and

Whereas, prices for natural gas fluctuate daily and, if the City does not sign a contract on the day the bids are submitted, the City stands to pay a higher gas rate and lose some of the planned savings; and

Whereas, obtaining Council’s authorization after bid submissions are opened would prevent the City from entering into a contract on the same business day.

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

That in accordance with the reasons cited above, Council authorizes the Mayor to sign a natural gas purchase agreement with the lowest responsible bidder and all other
purchasing policies shall not apply.

Adopted on _____________, 2019

_________________________________
Jeffrey Waltman
President of Council

Attest:

_________________________________
Linda A. Kelleher
City Clerk