
City of Reading City Council

Regular Meeting

August 13, 2007

A regular meeting of City Council was held on the above date for the transaction of general business.

Vaughn D. Spencer, President of Council, called the meeting to order.

The invocation was given by Rev. Calvin Kurtz representing the Reading-Berks Conference of Churches.

All present pledged to the flag.

ATTENDANCE

Council President Spencer
Councilor Fuhs, District 1
Councilor Sterner, District 3
Councilor Marmarou, District 4
Councilor Baez, District 5
Councilor Waltman, District 6

Mayor T. McMahon
City Auditor D. Cituk
City Solicitor C. Younger
City Clerk L. Kelleher
Public Works Director C. Jones
Sergeant at Arms, Captain R. Shafer

PROCLAMATIONS AND PRESENTATIONS

Inducting Elsayed "Steve" Elmarzouky into the Police Department Chaplaincy Corps. Presented by Lt. Lionel Carter.

Council Commendation:

Commending the artists, students and administrators who created the Por Que Vinimos: Why We Came, 2006 Pennsylvania Migrant Education Mural.

Mayoral Proclamations:

Recognizing F.O.C.U.S group members Gus Giddens and Glenn J. Key.

Presenting the Reading/Trinity Lutheran Scholarships. Scholarships presented by: Mayor Thomas McMahon, Pastor Opalinski and Vestry President Jeffery Wasmuth.

PUBLIC COMMENT

Council President Spencer announced that five citizens were registered to address Council on non-agenda matters. He inquired if Council objected to suspending the public speaking rules to allow citizens to speak at this point in the meeting. As no one objected, the public speaking rules were suspended for this meeting.

Nylssa Rivera, of Berks Women in Crisis, expressed her belief that the growth of violent crime in the City, from guns to pit bull attacks, has resurged the exodus from the City. She stated that these random attacks leave the streets unsafe for children, noting how she has not let her children play outside all summer. She asked the Council members to improve the quality of life for the citizens of Reading.

Shawn Irely was not present.

Evan Fedor, of McKnight St, expressed the belief that the huge increase in the recycling fee is outrageous. He requested information on the rationale behind the increase. He said that when calling City offices today he was told by City personnel that the increases were caused by those who choose not to pay the recycling fee.

Alex Brown, of Windsor St, described the on-going quality of life issues caused by drug sales and a problem neighbor. He noted his and his wife's recurrent telephone calls for police assistance. He stated that although some public officials have been helpful, others don't care. He stressed the need for citizens and public officials to work together to improve the quality of life and enforcement of City ordinances.

Mike Schorn, of Palm St, noted his support for the issues raised by the previous speaker. He also described the codes and zoning problems at the problem property described by the previous speaker.

Ed Ott, of Muhlenberg St, suggested that the City explore the availability of alternative energy applications through the use of windmills to provide power for public facilities. He provided his perspective on the problems with the recycling program.

APPROVAL OF AGENDA AND MINUTES

Council President Spencer called Council's attention to the minutes from the July 23, 2007 regular meeting and the agenda for this meeting. He noted the need to amend the agenda to include the following:

- Ordinance for introduction - the vacation of 1900 Madison Ave
- Ordinance for introduction - \$1 million 40 year loan for Our City Reading
- Resolution - eliminating the bond requirement of \$110% for the RC Theatre
- Resolution - Authorization to apply for MPOTEC police training funding
- Resolution - Authorizing a 40 year \$1 million loan to Our City Reading

Council President Spencer requested that the award of contract to Geodecisions be removed from the consent agenda and considered separately.

Councilor Baez moved, seconded by Councilor Marmarou, to approve the minutes from the July 23, 2007 regular meeting of Council as presented and the agenda as amended, including the legislation remaining under the consent agenda heading. The motion was approved unanimously.

CONSENT AGENDA

Award of Contract- to Windsor Service, 2415 Kutztown Road, Reading, PA, 19605, at a total bid price of \$206,777.50 for Playground Improvements at Brookline Playground for the Departments of Public Works and Community Development. **(Purchasing)**

Award of Contract- for Furnishing Bituminous Materials and Asphalt Cements for Pick-up to EJB Paving and Materials Co., 1119 Snyder Road, West Lawn, PA 19609 who is the low bidder at the unit prices submitted

for an estimated total bid price of \$95,050.00, for the Department of Public Works and the Reading Area Water Authority. **(Purchasing)**

Resolution- directing Met-Ed Energy to upgrade a company owned street light fixture, from a 175 watt mercury vapor to a 100 watt high pressure sodium vapor, in front of 1139 Church Street. **(Traffic Engineering)**

Resolution- to upgrade a company owned street light fixture, from a 175 watt mercury vapor to a 100 watt high pressure sodium vapor, in front of 1209 Church Street **(Traffic Engineering)**

Resolution- directing Met-Ed Energy to upgrade a company owned street light fixtures in front of: 126 Plum Street, 1451 Centre Avenue and 1619 Centre Avenue. **(Traffic Engineering)**

Resolution- directing Met-Ed Energy to install and provide energy to a company owned street light fixture, in front of 1912 Palm Street. **(Traffic Engineering)**

Resolution- directing Met-Ed Energy to upgrade a company owned street light fixture, in an alley behind 241 West Greenwich Street. **(Traffic Engineering)**

Resolution- to upgrade a company owned street light fixture, in front of 530 Crescent Avenue. **(Traffic Engineering)**

Resolution- directing Met-Ed Energy to upgrade a company owned street light fixture, in front of 729 Miltmore Street. **(Traffic Engineering)**

Resolution- directing Met-Ed Energy to install streetlights located as follows **(Traffic Engineering):**

- 212 N. 10th Street.
- 400 block of Blair Avenue.
- 945 McKnight Street.
- 1129 Church Street.
- 1848 Forrest Street.
- 1816 Forrest Street.
- 524 Greenwich Street.
- 501 Greenwich Street.
- 251 N. 3rd Street.
- 242 S. 3rd Street.
- 214 S. 3rd Street.

306 Linden St.

Resolution- directing Met-Ed Energy to upgrade a company owned street light fixture, from a 250 watt mercury vapor to a 150 watt high pressure sodium vapor, at the intersection of Spring and Front Streets. **(Traffic Engineering)**

Resolution- authorizing the Mayor to file an application for a “Growing Greener II” grant in the amount of one million dollars (\$1,000,000.00) for the Goggle Works Apartments. **(Community Development)**

Resolution- authorizing the Mayor to file an application for a “Growing Greener II” grant in the amount of three hundred thousand dollars (\$300,000.00) for the South Third Street Helms Building Demolition project. **(Community Development)**

Resolution- authorizing to file an application for a “Growing Greener II” grant in the amount of five hundred thousand dollars (\$500,000.00) for the Reading Theatre project. **(Community Development)**

Resolution- authorizing to file an application for an Industrial Development Program (IDP) grant in the amount of seven hundred fifty-eight thousand dollars (\$758,000.00) for the Buttonwood Gateway project. **(Community Development)**

AWARD OF CONTRACT

Award of Contract- to GeoDecisions, 1515 Market Street, Suite 2020, Philadelphia, PA 19102, to conduct a signs and signal inventory throughout the City of Reading. GeoDecisions submitted a total proposal price of \$122,047.60. **(Purchasing)**

Council President Spencer asked Public Works Director Jones for an explanation. Public Works Director Jones explained that this contract will provide an inventory of signs and traffic signals throughout the City. This data will be added to the GIS system.

Councilor Fuhs moved, seconded by Councilor Sterner, to table the award of contract to GeoDecisions.

The motion to table the award of contract to DeoDecisions was approved by the following vote:

**Yea: Baez, Fuhs, Marmarou, Sterner, Waltman, Spencer
President – 6.**

Nay: None – 0.

ADMINISTRATIVE REPORT

Mayor McMahon read the report distributed to Council at the meeting covering:

- The transfer of warrants management procedures to the County Sheriff.
- Eliminating the requirement for police officers to personally appear before Magisterial District Justices to swear and sign criminal complaints when summonses are required.

Mayor McMahon explained that the cost of the recycling program is based on the result of the competitive bidding process and selection of the low bidder. He explained that the cost of the recycling program has increased in all municipalities.

AUDITOR'S REPORT

City Auditor Dave Cituk read the report distributed to Council at the meeting covering the following:

- Unemployment compensations for the second quarter of 2007.
- 2007 cable franchise fees.
- 2008 budget preparation.

Councilor Sterner inquired which employees are eligible to receive workman's compensation. City Auditor Cituk replied that eligibility is based on the funding that applies to full-time, part-time and seasonal employees.

REPORTS OF DIRECTORS, BOARDS, AUTHORITIES, AND COMMISSIONS

City Clerk Kelleher explained that a last minute change occurred. She explained that the Civic Center Authority will appear at a future meeting and the Chairman of the BARTA Board, Philip Rowe agreed to provide his report at this meeting.

Council President Spencer explained that BARTA stands for Berks Area Reading Transportation Authority.

BARTA Chairman Philip Rowe distributed an executive summary to Council. He explained that BARTA was incorporated as a municipal corporation in 1973 and currently operates a fleet of 94 vehicles that serve nearly 3 million passengers annually. He stated that ridership has increased by 5.5% in 2006-2007. He stated that BARTA is currently working on the replacement of fleet as some of the buses are over 20 years old. He explained that BARTA hopes to replace some vehicles with newer hybrid electric buses.

Mr. Rowe described the good service provided by all BARTA employees. He also described BARTA's work to restore commuter rail service between Reading and Philadelphia.

Councilor Marmarou asked Mr. Rowe for an update on the Schuylkill Valley Metro project. Mr. Rowe explained that the project is stalled due to lack of funding to cover the cost of approximately \$650 million.

Mayor McMahon explained that a committee is currently looking at using diesel fuel vehicles and using existing rail lines to lower the cost of the project.

Councilor Marmarou noted the professionalism by all BARTA employees.

ORDINANCES FOR FINAL PASSAGE

Bill No. 61-2007 - establishing the process by which the provisions of the Housing Ordinance will be implemented. **(Arrived at through collaborative efforts of Council Staff, the Solicitor's Office, Codes Division, Zoning and the Managing Directors Office)**

Councilor Marmarou moved, seconded by Councilor Fuhs, to enact Bill 61-2007.

Councilor Sterner explained that the enactment of the permit process is the next step the City needs to take to implement the new housing permit process. He stated that the new process will be multi-phased and work to handle all types of rental. The new housing permit process requires that a rental property have proper zoning permits.

Council President Spencer explained that this process will be applied to about 7,000 properties currently having housing permits.

Bill 61-2007 was enacted by the following vote:

Yea: Baez, Fuhs, Marmarou, Sterner, Waltman – 5.

Nay: Spencer President – 1.

Bill No. 62-2007 - amending the current agreement between the City of Reading and Citizens Bank of Pennsylvania. **(Solicitor/Council Staff)**

Councilor Waltman moved, seconded by Councilor Fuhs, to enact Bill 62-2007.

City Solicitor Younger explained that the amendment of this agreement will extend the arrangement the City has with Citizens Bank located behind First Energy Stadium. The City currently has a lease arrangement that allows Citizens Bank employees and customers to use a parking area currently owned by the City.

Councilor Fuhs questioned the City's obligation to provide parking for Citizens Bank.

Public Works Director Jones explained that the building is owned by Citizens Bank but that a portion of the parcel is owned by the City. He explained that there is plenty of available space to provide make-up parking should a City construction project disturb the current arrangement.

Councilor Waltman moved, seconded by Councilor Baez, to table Bill 62-2007.

Bill 62-2007 was tabled by the following vote:

Yea: Baez, Fuhs, Marmarou, Sterner, Waltman, Spencer President – 6.

Nay: None – 0.

Bill No. 63-2007 - amending the City of Reading Codified Ordinances by adding Part 17 to Chapter 10, Health and Safety, which adopts regulations governing Sidewalk Vending **(Endorsed by the Public Safety Committee)**

Councilor Sterner moved, seconded by Councilor Marmarou, to enact Bill 63-2007.

Mr. Sterner explained that this ordinance will provide some regulation for those who run sidewalk vendor businesses.

Bill 63-2007 was enacted by the following vote:

**Yea: Baez, Fuhs, Marmarou, Sterner, Waltman, Spencer
President – 6.**

Nay: None – 0.

INTRODUCTION OF NEW ORDINANCES

Council President Spencer read the following Ordinances into the record:

Ordinance- renaming of sections of River Road and Front Street – from Schuylkill Avenue to Riverfront Drive – to Riverfront Drive. **(Council Staff)**

Ordinance- amending the purchasing procedures contained in the City of Reading Codified Ordinances. **(Spencer)**

Ordinance- authorizing the Mayor to execute a certain agreement between the City of Reading and Land Displays, Inc., to provide an easement for the installation of a digital sign on the Penn Street bridge. **(Managing Director)**

Ordinance- the vacation of 1900 Madison Ave

Ordinance - \$1 million 40 year loan for Our City Reading

RESOLUTIONS

Resolution88-2007 - appointing Joe Kuzminski to the Reading Area Water Authority. ***Tabled at the 07/09/07 and 07/23/07 meeting of Council.***

Councilor Sterner moved, seconded by Councilor Marmarou, to table Resolution 88-2007.

Resolution 88-2007 was tabled by the following vote:

**Yea: Baez, Fuhs, Marmarou, Sterner, Waltman, Spencer
President – 6.**

Nay: None – 0.

Resolution 108-2007 - appointing Stephen H. Price, Esq. to the position of Administrative Hearing Officer, responsible for hearing,

administering and overseeing all zoning matters that might come before him. **(Solicitor)**

Councilor Marmarou moved, seconded by Councilor Baez, to adopt Resolution 108-2007.

Council President Spencer explained that this hearing officer will assist the Codes office with implementing the new Housing Permit Ordinance and the procedure adopted earlier this evening.

Councilor Sterner explained that this Administrative Hearing Officer will help to expedite the process that will serve approximately 7,000 rental units.

Resolution 108-2007 was adopted by the following vote:

**Yea: Baez, Fuhs, Marmarou, Sterner, Waltman, Spencer
President – 6.**

Nay: None – 0.

Resolution 109-2007 - amending the 2007 CDBG Action Plan, by reducing and canceling certain activities and purchasing two fire engines. **(Community Development)**

Councilor Waltman moved, seconded by Councilor Fuhs, to adopt Resolution 109-2007.

Resolution 109-2007 was adopted by the following vote:

**Yea: Baez, Fuhs, Marmarou, Sterner, Waltman, Spencer
President – 6.**

Nay: None – 0.

Resolution 110-2007 - reappointing Doris Persky Leisawitz to the Board of Ethics. **(Administrative Oversight)**

Councilor Marmarou moved, seconded by Councilor Sterner, to adopt Resolution 110-2007.

Councilor Marmarou noted Mrs. Leisawitz's dedicated public service throughout the City.

Resolution 110-2007 was adopted by the following vote:

**Yea: Baez, Fuhs, Marmarou, Sterner, Waltman, Spencer
President – 6.**

Nay: None – 0.

Resolution 111-2007 - allowing the transfer of an existing handicapped parking space permit from one block to another block, even if the two (2) per block limit has already been reached. **(Solicitor/Public Works/Council Staff)**

Councilor Marmarou moved, seconded by Councilor Fuhs, to table Resolution 111-2007.

Resolution 111-2007 was tabled by the following vote:

**Yea: Baez, Fuhs, Marmarou, Sterner, Waltman, Spencer
President – 6.**

Nay: None – 0.

Resolution 112-2007 – eliminating the bond requirement of \$110% for the RC Theatre

Councilor Waltman moved, seconded by Councilor Sterner, to adopt Resolution 112-2007.

Resolution 112-2007 was adopted by the following vote:

**Yea: Baez, Fuhs, Marmarou, Sterner, Waltman, Spencer
President – 6.**

Nay: None – 0.

Resolution 113-2007 - Authorization to apply for MPOTEC police training funding

Councilor Marmarou moved, seconded by Councilor Baez, to adopt Resolution 113-2007.

Resolution 113-2007 was adopted by the following vote:

**Yea: Baez, Fuhs, Marmarou, Sterner, Waltman, Spencer
President – 6.**

Nay: None - 0.

Resolution 114-2007 - Authorizing a 40 year \$1 million loan to Our City Reading

Councilor Waltman moved, seconded by Councilor Baez, to adopt Resolution 114-2007.

Councilor Waltman noted the fabulous projects occurring City-wide and the many that were supported by Our City Reading.

Resolution 114-2007 was adopted by the following vote:

**Yea: Baez, Fuhs, Marmarou, Sterner, Waltman, Spencer
President - 6.**

Nay: None - 0.

COUNCIL COMMENT

Councilor Fuhs thanked the Reading Police Department for their work to handle prostitution and other criminal issues that have occurred in District 1 and City-wide.

Councilor Fuhs noted the 6th annual anti-drug march planned for the Saturday, August 18.

Councilor Fuhs thanked the Public Works Department for all the improvements made to the Brookline area and Angelica Park.

Councilor Sterner congratulated all those accepting proclamations and commendations this evening. He noted the importance mural projects have to deter graffiti.

Councilor Sterner agreed with the difficulty problem properties and problem neighbors can create in good neighborhoods.

Councilor Marmarou described the vandalism, graffiti, and litter at the upper pavilion in Hampden Park. He asked the Administration to work with the School District to correct these vast problems.

Council President Spencer questioned the dramatic increase in the recycling fee.

Public Works Director Jones explained that the market for recycled materials has flattened causing the price of recycling collection to increase. He explained that the prior contract was not bid out for many years, thus the cost of collection was compressed. He explained that the State grant monies received by the City are used to purchase recycling trucks and other programmatic materials.

Council President Spencer noted the severe spikes in quality of life problems over the summer months.

Council President Spencer noted the existence of leash laws and requested the Police Department and Humane Society enforce where appropriate.

Council President Spencer highlighted the Council meeting schedule.

Councilor Baez moved, seconded by Councilor Waltman, to adjourn the regular meeting of Council.

Linda Kelleher
City Clerk