
City of Reading City Council

Regular Meeting

August 27, 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 Soldier Calpety representing the Salvation Army.

All present pledged to the flag.

ATTENDANCE

Council President Spencer
Councilor Fuhs, District 1
Councilor Goodman-Hinnershitz, District 2
Councilor Sterner, District 3
Councilor Marmarou, District 4
Councilor Baez, District 5
Councilor Waltman, District 6

Mayor T. McMahon
Managing Director L. Churchill
City Auditor D. Cituk
City Solicitor C. Younger
City Clerk L. Kelleher
Public Works Director C. Jones

PROCLAMATIONS AND PRESENTATIONS

Council Commendation:

Honoring former Mayor Joseph Kuzminski for his many years of public service

Mayoral Proclamations:

Proclaiming September as National Save a Life Month.

Recognizing Youth Soccer Month

PUBLIC COMMENT

No one was registered to address Council.

APPROVAL OF AGENDA AND MINUTES

Council President Spencer called Council's attention to the agenda for tonight's meeting and the minutes from the regular meeting held on Monday, August 13, 2007. He noted the need to amend the agenda to include the following:

- Resolution authorizing the installation of street lights on Heckman's Court
- Ordinance for final passage vacating a portion of the 1900 block of Madison Ave.

Councilor Sterner moved, seconded by Councilor Baez, to adopt the agenda as amended and approve the minutes from the August 13, 2007 regular meeting of Council. The motion was approved unanimously.

CONSENT AGENDA

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) Tabled at the 08/13/07 meeting of Council; discussed at the 08/27/07 Committee of the Whole meeting.**

Award of Contract- to American Rock Salt Co., LLC, P. O. Box 190, Mt. Morris, NY, 14510, at a bid price of \$48.52 per ton for delivered salt and \$46.50 for picked-up salt for the Department of Public Works. **(Purchasing)**

Resolution- approving the certification of a Problem Oriented Policing course to the Municipal Police Officers Education and Training Commission. (Chief Heim)

Resolution – directing Met-Ed Energy to upgrade a company owned street light fixture, from a 70 watt high pressure sodium to a 100 watt high pressure sodium vapor, on Heckmans Court, behind 512 N. 11th Street and 532 N. 11th Street (Traffic Engineering)

ADMINISTRATIVE REPORT

Managing Director Leon Churchill highlighted the report distributed to Council at the meeting. The report covered the following:

- Berks Emergency Management Training
- Fire Department burn session planned for September 13
- Fire Diversity Board Appointments

REPORTS OF DIRECTORS, BOARDS, AUTHORITIES, AND COMMISSIONS

Mike Ehlerman, Chair of the Civic Center Authority, and Zane Collins, General Manager of the Sovereign Center, provided an update of the yearly activity at the Sovereign Center and the Sovereign Performing Arts Center. Mr. Ehlerman stated that overall the Sovereign Performing Arts Center (SPAC) and the Sovereign Center are performing well. However, he noted the difficulty small and medium size venues are having in booking concerts across the country. He stated that 450,000 people attended the 234 events held at the two venues. He added that more events were held at SPAC than at the Sovereign Center. He stated that \$400,000 was paid in amusement tax. He explained that the Sovereign Center and SPAC spend approximately \$2.5 million for supplies and pay out approximately \$3.4 million in wages. He added that the annual audit is not yet complete. However, to date the Sovereign Center has covered their debt payment of \$900,000 annually. He stated that \$1.3 million is generated by the hotel tax which enabled the Authority to build and operate both structures.

Mr. Ehlerman stated that the booking problems have been corrected and more events are scheduled between July and December than in any other year. He noted the great success of the venue's sports teams and the return of Skate America.

Councilor Sterner thanked Mr. Ehlerman and Mr. Collins for proving the nay-sayers of the past wrong.

Councilor Waltman stated that the Sovereign Center and SPAC are the first shot in the economic development arm that the City had.

Mr. Ehlerman agreed and noted that the activities at the Sovereign Center and the Performing Arts Center have also helped the Reading Parking Authority.

Councilor Goodman-Hinnershitz noted the great community spirit of the Civic Center Authority as they open these venues to community events such as graduations, championship basketball games, etc.

Mr. Ehlerman expressed the belief that the professional management at the Sovereign Center is responsible for the great success of the two facilities.

Council President Spencer noted that the City is fortunate to have Zane Collins back at the Sovereign Center. Mr. Collins stated that he worked at this facility five years ago as the Director of Operations. He explained that he was recently asked to return to Reading as the Sovereign Center's General Manager. He noted the great economic development progress Reading's made over the past five years.

AUDITOR'S REPORT

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

- 2007 Admissions Tax
- 2007 Real Estate Transfer Tax
- Municipal Sewage Rate Calculation

ORDINANCES FOR FINAL PASSAGE

Bill No. 22-2007 - amending Chapter 20, Part 1 Solid Waste, of the City of Reading Codified Ordinances (**Managing Director**) *Introduced at the 03/12/07 meeting of Council; tabled at the 03/26/07 and 04/09/07 meeting of Council; discussed at the 04/16/07 Work Session; will remain tabled pending a public meeting.*

Councilor Waltman moved, seconded by Councilor Baez, to enact Bill 22-2007.

Mayor McMahon left the meeting at this point.

Councilor Fuhs complimented the Administration and Mr. Denbowski for working to address recommendations made by citizens at the recent public hearing.

Councilor Goodman-Hinnershitz agreed that the public meeting held was quite productive. She thanked the Administration for responding to the concerns expressed by the community.

Councilor Waltman agreed with the inclusion of an appeals board. He asked the Administration to be conscientious in enforcement. He added that at times changes made to current systems compound problems without addressing underlying issues.

Bill 22-2007 was enacted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner – 5.

Nay: Waltman, Spencer President – 2.

Bill No. 60-2007 - placing a referendum question before City voters on the 2007 General Election ballot which would amend the City of Reading Home Rule Charter by removing the relationship between the salary of the Mayor and City Auditor (**Council Staff/Solicitor**) ***Introduced at the 07/09/07 meeting of Council; tabled at the 07/23/07 meeting of Council pending an advisory opinion from the Charter Board.***

Councilor Goodman-Hinnershitz moved, seconded by Councilor Baez, to enact Bill 60-2007.

Council President Spencer announced that the advisory opinion was obtained from the Charter Board on Council's ability to have more than two Charter amendment referendum questions on the election ballot. He stated that the Charter Board opined that the restrictions listed in Chapter 11 Citizens Rights and Participation does not limit the governing body's ability to place Charter amendments before the voting public.

Councilor Goodman-Hinnershitz noted the need to educate the public on the meaning of the questions appearing on the ballot.

Bill 60-2007 was enacted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President – 7.

Nay: None – 0.

Bill No. 62-2007 - amending the current agreement between the City of Reading and Citizens Bank of Pennsylvania. **(Solicitor/Council Staff)**
Introduced at the 07/23/07 meeting of Council; tabled at the 08/13/07 meeting of Council; discussed at the 08/27/07 Committee of the Whole meeting.

Councilor Marmarou moved, seconded by Councilor Fuhs, to table Bill 62-2007.

Bill 62-2007 was tabled by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President – 7.

Nay: None – 0.

Council President Spencer noted the need to correct some of the terms contained in the lease agreement.

Bill No. 64-2007 - renaming of sections of River Road and Front Street – from Schuylkill Avenue to Riverfront Drive – to Riverfront Drive.
(Council Staff)

Councilor Fuhs moved, seconded by Councilor Sterner, to table Bill 64-2007.

Bill 64-2007 was tabled by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President – 7.

Nay: None – 0.

Bill No. 65-2007 - amending the purchasing procedures contained in the City of Reading Codified Ordinances. **(Spencer)**

Councilor Goodman-Hinnershitz moved, seconded by Councilor Marmarou, to table Bill 65-2007.

Bill 65-2007 was tabled by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President – 7.

Nay: None – 0.

Bill No. 66-2007 - 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)**

Councilor Fuhs moved, seconded by Councilor Baez, to table Bill 66-2007.

Bill 66-2007 was tabled by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President – 7.

Nay: None – 0.

Bill 67-2007 – vacating a portion of the 1900 block of Madison Ave

Councilor Fuhs moved, seconded by Councilor Waltman, to enact Bill 67-2007.

Bill 67-2007 was enacted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President – 7.

Nay: None – 0.

INTRODUCTION OF NEW ORDINANCES

Council President Spencer read the following Ordinances into the record:

Ordinance- amending the Codified Ordinances of the City of Reading, by transferring the law regarding the parking of trucks, trailers and mobile homes from Chapter 15 Motor Vehicles and Traffic to Chapter 10 Health and Safety. **(Fuhs)**

Ordinance- increasing the salary of the Public Works Director **(Managing Director)**

RESOLUTIONS

Resolution 88-2007 - appointing Joe Kuzminski to the Reading Area Water Authority *Tabled at the 07/09/07, 07/23/07 and 08/13/07 meetings of Council.*

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

Resolution 88-2007 was tabled by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Waltman, Spencer President - 6.

Nay: Sterner - 1.

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)** *Tabled at the 08/13/07 meeting of Council; discussed at the 08/27/07 Committee of the Whole meeting.*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Sterner, to table Resolution 111-2007.

Resolution 111-2007 was tabled by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President - 7.

Nay: None - 0.

Resolution 117-2007 - appointing Councilor Dennis Sterner to serve as an alternate on the Reading Area Transportation Study (RATS) Coordinating Committee

Councilor Baez moved, seconded by Councilor Fuhs, to adopt Resolution 117-2007.

Councilor Goodman-Hinnershitz thanked Councilor Sterner for volunteering to serve on this important committee. She asked that Mr. Sterner and Mr. Waltman provide timely updates on the activities of the committee.

Councilor Waltman also noted the time and commitment of Public Works Director Charlie Jones and Traffic Engineer John Giardiello on the Transportation Technical Committee.

Resolution 117-2007 was adopted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President – 7.

Nay: None – 0.

Resolution 118-2007 - reconfirming Sandy Hummel as acting Human Resources Director for a period of 90 days. **(Managing Director)**

Councilor Waltman moved, seconded by Councilor Baez, to adopt Resolution 118-2007.

Managing Director Churchill explained the search for Human Resources Director. He announced that a candidate should be selected by the end of October.

Resolution 118-2007 was adopted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President – 7.

Nay: None – 0.

COUNCIL COMMENT

Councilor Fuhs complimented the Call Center for the work they do to assist City residents. He also noted his recent tour of the Oakbrook area with Officer Folk who is an excellent example of Reading's finest. He announced that the recent shootings at Oakbrook resulted in an arrest due to the good work of the Reading Police Department.

Councilor Fuhs thanked the Mayor and Police Chief Heim for their diplomatic handling to resolve the \$1.1 million problem with County District Attorney Mark Baldwin.

Councilor Marmarou noted that, for the first time in many years, the move-in weekend for Albright students was quiet and resulted in no citizen complaints or problems. He thanked Albright for their assistance in handling the issues.

Councilor Marmarou complimented Reading citizens for getting involved in assisting in solving the homicide at the McDonald's restaurant at 9th & Spring Streets.

Councilor Goodman-Hinnershitz agreed with the need for a healthy and cooperative partnership between the Reading Police Department and Reading citizens. She invited all Southeast Reading community groups to attend a thank you celebration at the Pagoda on Wednesday, August 29 at 6:30 pm.

Councilor Goodman-Hinnershitz and Councilor Baez thanked the Call Center for working to assist Reading residents.

Councilor Baez questioned why payments to the City are sent to a Philadelphia lock box rather than to City Hall.

Managing Director Churchill stated that the City contracts with Wachovia for \$34,000 annually for a three year period. He stated that without this contract the City would have to employ several employees and it would easily cost three or four times more than that charged by Wachovia.

Councilor Baez stated that she and the Codes Department would be visiting the 15th Ward this coming weekend. She also noted the upcoming community group meetings.

Councilor Sterner thanked former Mayor Joe Kuzminski for his many years of service.

Councilor Sterner noted the upcoming crime watch meetings in District 3

Council President Spencer reminded Managing Director Churchill for the necessary follow-up about customer satisfaction with the Call Center.

Council President Spencer explained that he did not support the amendment of the Solid Waste Ordinance due to set-out issues. He also questioned if the changes made to the Solid Waste Ordinance were major enough to cause Charter violations. He also disagreed with the fee associated with the appeals process in the Solid Waste Ordinance.

Council President Spencer thanked the Civic Center Authority for their work. He requested that the Authority consider holding a few of their meetings during the evening hours when the general public is able to attend.

Council President Spencer reviewed the upcoming meeting schedule.

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

Linda Kelleher
City Clerk