

**CITY COUNCIL MEETING
MONDAY, FEBRUARY 22, 2010**

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. Robert Brookins, Holy Trinity Church of God.

All present pledged to the flag.

ATTENDANCE

Council President Spencer
Councilor Acosta, District 1
Councilor Goodman-Hinnershitz, District 2
Councilor Sterner, District 3
Councilor Marmarou, District 4
Councilor Reed, District 5
Councilor Waltman, District 6
City Auditor D. Cituk
Legal Specialist T. Butler
Managing Director R. Hottenstein
City Clerk L. Kelleher
Sergeant at Arms Capt. R. Shafer
Public Works Director C. Jones

PROCLAMATIONS AND PRESENTATIONS

The following were issued by City Council in honor of:

- A. Recognition Certificates to Public Works Employees for their outstanding work during the recent snow events

- B. Commendation for National Dating Violence Prevention month, accepted by Officer Hevalow and Berks Women in Crisis.

- C. Commendation celebrating the activities and programs offered by the Unión Dominicana, accepted by the group.

PUBLIC COMMENT

Council President Spencer announced that one (1) citizen are registered to address Council on agenda matters and (3) citizens are registered to address Council on non-agenda matters. He inquired if any member of Council objected to suspending the rule to allow those speaking on non-agenda topics, to speak at this portion of the meeting. As no one objected that rule was suspended. Council President Spencer reminded those registered of the public speaking rules.

Ernie Schlegel, of Pear Street, questioned the purchase of the Trillium cleansing software, in light of the questionable management techniques and improper handling of other IT issues by the IT manager. He noted that the problems with IT management were described in the Blue Ribbon Panel report. He noted his support for change in IT managers prior to the purchase of any further software or computer equipment.

Steve Keiser, of Welsh Road, asked to have the time allocated to Tina Fuhrman also registered to speak about the same issue. As no one objected Mr. Keiser was provided with an additional three (3) minutes of speaking time.

Mr. Keiser described the various problems with the new housing permit process, such as the accidental disposable of some applications that had been stored in a recycling bucket in the Codes office. He inquired how the City will inform the landlords about the breach of secure personal information.

Hampdens Salon and Spa, Tara Thomas and Leslie Beirman – owners, described their disappointment with the snow plowing and the snow removal efforts of the City during the last major snow event. They stated that the improper removal of snow has created safety issues for employees and customers. They also questioned why this three-lane roadway was only open to accommodate two lanes of traffic. They noted the lack of curb-to-curb plowing has created a variety of problems for their business. They expressed the belief that as the City expects residents to comply with its rules and regulations, the City, when calling a snow emergency should plow curb to curb.

APPROVAL OF AGENDA & MINUTES

Council President Spencer called Council's attention to the agenda for this meeting. He stated that no additions to the agenda are required. He stated that the approval of the agenda will also approve the legislation listed under the Consent Agenda heading.

Councilor Goodman-Hinnershitz inquired if the location of the 8th and Oley sewage module was identified. Council President Spencer stated that Public Works Director

Jones clarified that the sewage module will be at the southeast corner of 8th and Oley Street. He asked that the document be corrected.

Councilor Sterner moved, seconded by Councilor Marmarou, to adopt the agenda, including the legislation listed under the Consent Agenda heading. The motion was approved unanimously.

CONSENT AGENDA LEGISLATION

A. Resolution 23-2010 sewage module review for new land development at 8th & Oley Sts (**Public Works**)

THE STATE OF THE CITY REPORT

Managing Director Hottenstein read the report distributed to Council at the meeting covering the following.

1. New Tax office hours during the 2010 tax season.
2. 2010 Jazz Fest events.
3. 2010 EMS collection recap.
4. Distribution of the housing permit audit results.

Councilor Waltman thanked Managing Director Hottenstein for providing the audit results. He stated that he looks forward to full discussion about the report at the March Work Session.

AUDITOR'S REPORT

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

1. 2010 Admissions tax collection.
2. 2010 Transfer tax collections.
3. 2009 Cable Franchise fee collections.
4. Audit of the AHO process with a description of the audit on the AHO process

Councilor Goodman-Hinnershitz expressed the belief that the audit report on the housing permit process is exactly the type of in-depth report needed by City Council.

ORDINANCES FOR FINAL PASSAGE

A. Bill No. 2-2010 - amending the FY 2006-2012 Capital Improvements Plan for the

City Of Reading (**Finance Dir**) *Introduced at the January 11 regular meeting; tabled at the January 25 and February 8 regular meetings*

Councilor Sterner moved, seconded by **Councilor Reed**, to enact **Bill No. 2-2010**.

Councilor Goodman-Hinnershitz moved, seconded by **Councilor Acosta**, to table **Bill No. 2-2010**.

Bill No. 2-2010 was tabled by the following vote:

Yea: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Waltman, Spencer,
President - 6.

Nay: Sterner- 1.

INTRODUCTION OF NEW ORDINANCES

Council President Spencer read the following ordinances into the record:

A. Ordinance - amending the Codified Ordinances Chapter 1, Part 5 by adding additional members to the City of Reading Diversity Board (**Law**)

B. Ordinance - amending the City of Reading Codified Ordinances Section 1-118 Rules of Procedure adding a new Section E –Voting, making other clarifications and re-lettering the section as required (**Council Staff & Law**)

RESOLUTIONS

A. Resolution No. 8- 2010 - authorizing amending the FFY2010 CDBG Action Plan by moving the Recreation Activity For Teens Program from the Millmont Elementary School at 400 Summit Avenue to the City of Reading’s Third and Spruce Recreation Center (**CD Dir**) *Tabled at the January 25 and February 8 regular meetings*

Councilor Marmarou moved, seconded by **Councilor Reed**, to table **Bill No. 8-2010**.

Bill No. 8-2010 was tabled by the following vote:

Yea: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman,
Spencer, **President - 7.**

Nay: None - 0.

B. Resolution 24–2010 to deny the conditional use application for 1041 Penn St
(Law) To be distributed Monday

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to adopt Resolution No. 24-2010.

Council President Spencer stated that City Council held a Conditional Use hearing on the application to expand the number of rental units at 1041 Penn St. on January 6th. He stated that the decision was drafted based on the testimony at the hearing.

Councilor Goodman-Hinnershitz expressed her belief in the process and noted her appreciation for the assistance received from the Law Department.

Councilor Acosta stated that the denial of this application sends a clear message about the need to obey the City's laws and regulations. He stated that it also sends a clear message to those who are purchasing properties to make sure the zoning designation is correct prior to purchasing the property.

Councilor Reed also noted the importance of neighborhood input on this and other issues, as it helps to provide clarity and the neighborhood's perspective on the issue.

Resolution No. 24-2010 adopted by the following vote:

Yea: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer, President - 7.

Nay: None - 0.

COUNCIL COMMENT

Councilor Marmarou inquired if the statements made regarding the accidental disposal of the housing permit applications are true.

Councilor Reed stated that she learned about this issue when it was raised at the Centre Park meeting that occurred last Thursday. Managing Director Hottenstein promised to provide follow-up.

Councilor Marmarou also noted that he is upset with the handling of the snow during the last event. He stated if the City called a snow emergency and required residents to move cars the City should remove snow curb to curb. He stated that this remark does not reflect on employees, but on the management decision. He expressed the belief that if the City could send crews to collect chairs from parking spaces, they could also

send crews to remove snow.

Councilor Marmarou also stated that he is upset with the management decision to begin the curbing project in District 4, in the 13th and Union area. He stated that doing the excavation for the revamping of the handicap curbs during the cold winter months has prevented completion of the project, as it's been too cold to pour concrete. The unfinished project has created safety issues for all pedestrians going to and from 13th and Union elementary School, as the unfinished curbing forces them to walk in the street. He questioned why this project wasn't put on hold until warmer weather months.

Councilor Marmarou noted the change in meeting locations for the outlet neighborhood group. The group usually meets at Saint Mark's church; however due to the lack of snow removal the meeting has been moved to Saint Luke's, located at 9th and Green, at 6:30 pm on Thursday evening.

Councilor Sterner noted that this group applied for Weed and Seed funding and to be a Weed and Seed designated area.

Captain Shafer stated that the Outlet Area group has received a Weed and Seed designation and a grant. He stated that staff support will be offered by Officer Liggett.

Councilor Reed recalled the information about the accidental disposal of the housing permit applications from the Centre Park meeting last Thursday and reported that those city officials responding to the issue stated that the applications were stored in recycling bins. The bins were taken to the recycling center and then returned to the City's possession. She requested that Managing Director Hottenstein follow up so proper facts can be gathered.

Councilor Reed stated that the issue with the Bushong Mill Dam has resurfaced as grant money for the dam removal has become available. She noted that the Administration asked the City's EAC to address this issue at their January meeting. She announced an upcoming community meeting about the Bushong Mill Dam on Thursday, March 4th at the Christ Lutheran Church. She noted that City Council rejected the request to remove the dam last April. She stated that she recently learned that the solicitor has discovered that the dam is City owned. She asked the solicitor to provide clarity about the form of action Council needs to take to approve or reject the removal of the dam; ordinance or resolution.

Councilor Waltman stated that he also does not understand the resurrection of this issue, as nothing has changed. He stated that the issue remains as it was last year, when it was rejected by the body of Council. He stated that if the sentiment of the body of Council has not changed, the issue should not be put back on the agenda.

Addressing Mr. Keiser's remarks about the accidental disposal of the housing permits applications, Councilor Waltman agreed that numerous meetings were held with landlords and realtors and internal staff to discuss various factions of the housing permit process. He stated that a new ordinance was built to use the best practices available. He stated that he is almost sorry that they tried to fix the process as there are currently so many processes within the new housing permit application process that are broken.

Councilor Waltman congratulated the Reading High School boys and girls basketball teams on their county championship. He noted the great sportsmanship of these young adults. He also commended all basketball teams around Berks County.

Councilor Goodman-Hinnershitz noted the need for the City to define snow removal at a level that meets the City's capacity. She expressed the belief that snow should be removed curb-to-curb during snow emergencies. She commended those employees and neighbors who worked to clear snow from their neighborhoods.

Councilor Goodman-Hinnershitz thanked her husband for sending flowers to celebrate her birthday.

Councilor Goodman-Hinnershitz announced the meeting of the 18th of the Cotton Community Watch on this Wednesday evening at 7pm at 18th and Cotton. She stated that the meeting will be held only if the weather cooperates.

Councilor Acosta inquired how many employees assisted during the last major snow event. Public Works Director Jones stated that at the height of the event, 24 employees were used, pulling employees from other City areas such as Sanitary Sewer, RAWA, and Parks. He stated that ten (10) employees were on duty from the Parks department. He stated that although there were removal issues, he expressed the belief that the crew did well with the available personnel. He noted his appreciation for the work of the crew.

Councilor Acosta invited City Council and the community to the event to celebrate the liberation of the Dominican community at the Inn at Reading, this Friday at 4pm.

Councilor Sterner congratulated those honored with commendations and recognition certificates this evening.

Councilor Sterner, in response to Mr. Keiser's comments, stated that City staff is working internally to address the breaks in the housing permit process. He expressed his belief that although this system is not perfect, it's by far better than that originally used.

Public Works Director Jones explained the snow emergency basics. He noted his reluctance to declare snow emergencies over the last few years, as Public Works staff has been greatly reduced. He stated that the original plan drafted 7-10 years ago did call for snow removal curb-to-curb during snow emergencies. He noted the need to review and amend this policy.

Managing Director Hottenstein stated that the snow emergency is not only about snow removal. The snow emergency also requires double staffing at fire stations due to the difficulty in moving equipment during large storm events. He noted that moving cars to the parking garage was the choice of residents.

Councilor Goodman-Hinnershitz also described the safety issues created by ice hanging from buildings. She noted the need for people to take care as they are walking on sidewalks.

In response to Mr. Keiser's comments, Council President Spencer noted that a prior statement from the Administration promised that the landlord's personal information will be kept in a secure location.

Council President Spencer also noted his surprise that the Bushong Mill Dam issue has returned. He inquired why the Administration would direct this issue through the City's EAC.

Council President Spencer inquired about the party who will oversee the Administration of the new Weed and Seed area and grant.

Council President Spencer reviewed the Council meeting schedule.

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

Linda Kelleher CMC, City Clerk