



COMMITTEE of the WHOLE

CITY COUNCIL

MINUTES
August 8, 2011
5:00 P.M.

COUNCIL MEMBERS PRESENT:

D. Reed, S. Marmarou, V. Spencer, M. Goodman-Hinnershitz, F. Acosta

OTHERS PRESENT:

L. Kelleher, S. Katzenmoyer, F. Denbowski, C. Younger, C. Geffken, L. Lee, G. Zolna

Mr. Spencer called the Committee of the Whole meeting to order at 5:12 p.m.

I. Parking Meter Regulation Changes

Parking Authority Executive Director Larry Lee stated that parking rates in garages will be decreased for special events beginning in the fall of 2011 to celebrate the 10th anniversary of the Sovereign Center. He stated that he is requesting enforcement of the meters in the one square block surrounding the Sovereign Center until 8 pm. He stated that this change should not have a negative effect on other downtown businesses. He stated that this request would be threefold – extend the time for these meters from one hour to two hour, enforce these meters on Saturdays, and enforce these meters until 8 pm.

Mr. Lee stated that the Parking Authority has met its obligation in the Recovery Plan by increasing its contribution to the City through monthly payments. He stated that these changes would be a fair way for Sovereign Center visitors to share in the parking costs and stated that these changes would still allow visitors to park for less than the parking garage fee.

Mr. Marmarou expressed his agreement with this plan. He questioned if enforcement only on event nights would cause problems for the Authority. Mr. Lee agreed with Mr. Marmarou and stated that he will re-assess his plan to enforce these meters each evening until 8 pm.

Ms. Reed expressed her support for this plan. She stated that it is a good compromise and that people will get used to the change. Mr. Lee expressed his thanks and stated that the Sovereign Center and the Royals are also supportive.

Mr. Marmarou expressed his appreciation for Mr. Lee's reaching out to the community for their feedback. He noted that the City needs the cooperation of all stakeholders.

Mr. Spencer questioned the rate at these meters at this time. Mr. Lee explained that it ranges from \$1 per hour to \$1.50 per hour and that this is due to the mechanical meters not being converted to the new rate after the last rate change. He described the costs and process to convert the mechanical meters and the work the Parking Authority is doing to replace these meters.

Mr. Waltman arrived at this time.

Mr. McMahon arrived at this time.

Mr. Spencer questioned if Mr. Lee has spoken with businesses in the area. Mr. Lee stated that he has performed a survey but not spoken with business owners personally.

Mr. Spencer stated that not all business owners will be supportive of these changes.

Mr. Waltman noted his understanding that parking is a critical issue and noted the need for balance and the challenge to find this balance. Mr. Lee expressed his belief that this is a matter of fairness for those who use the parking garages and those who park on the street for events.

Mr. Spencer noted the need for these changes to be approved by Council as an ordinance. He questioned if it would be introduced this evening. Ms. Kelleher stated that the ordinance is not written. She explained that Mr. Lee wished to learn the position of Council before preparing the legislation.

Mr. Spencer suggested that Mr. Lee review the ordinance before it is introduced at the August 22 meeting. He stated that this schedule will allow Council to take action at their first meeting in September.

II. Trash and Recycling Billing

Mr. Geffken questioned what information Council was requesting.

Mr. Waltman stated that recycling is billed annually. He noted his concern with the press release issued stating that recycling fees would not be waived and questioned how this would affect vacant properties. Mr. Geffken explained that Mr. Kersley and Mr. Zolna examined the

vacant properties in the City. He noted that they found that it would be difficult to track vacant properties and have billing be consistent.

Mr. Waltman questioned if this was a change in Council policy. Mr. Geffken stated that it was a change in administrative policy. Mr. Zolna stated that this change would bring billing into compliance with the Solid Waste Ordinance. Mr. Zolna noted that he received many complaints after the bills were mailed.

Mr. Waltman questioned how the units billed are calculated. Mr. Zolna stated the units in each property are based on the most recent zoning of the property.

Mr. Waltman suggested labeling a property vacant to avoid billing.

Mr. Waltman described the condition of the 300 – 500 blocks of N 5th St. He stated that litter is everywhere and dumpsters are overflowing. He noted the need for all to keep their sidewalks clean, especially on main corridors such as 5th St. Mr. Zolna stated that he has been in contact with the owner of the store at 5th & Buttonwood who promised to put a container outside.

Mr. McMahon also noted the need for residents to keep catch basins clean from debris. He suggested that problem areas be reported to Mr. Zolna so that he can address them.

Mr. Marmarou described a situation in which several units of a building are not occupied but friends and relatives of the occupied units bring their waste to the building for disposal.

Ms. Goodman-Hinnershitz stated that this is a good topic for discussion but that the community must be engaged. She stated that much litter is related to corner stores and people who buy items, eat or drink them, and toss the litter on the streets. She noted the need for store owners to be more responsible and educate customers not to litter.

Mr. Marmarou questioned how to make store owners responsible for litter. Ms. Reed stated that it could be done only if the litter is on the store property.

Mr. Waltman expressed his belief that litter goes beyond stores. He stated that the City is over-crowded and that individuals must be responsible for their actions. He expressed his belief that residents should clean their sidewalks daily.

Mr. Marmarou described another situation in which a daycare in his district received permission for three youngsters. He stated that there are more than three children there daily and that the parents bring their waste for disposal. He noted the problems enforcing this issue.

Mr. McMahon noted that the City has donated \$5,000 to Wood to Wonderful for the Can It program. He stated that City ordinance requires store owners to provide their own cans but suggested that the City donate additional funds to Wood to Wonderful for more cans.

Mr. Spencer described a situation in which a single family owner occupied property is vacant due to the resident moving into a nursing care facility and the property has not yet been sold. He questioned if this property would need to pay the recycling fee. Mr. Zolna stated that it would. He noted that he has been working on a list of possible exemptions but that the exemptions would complicate the process and be difficult to monitor.

Ms. Kelleher reminded all that the City's recycling contract with the hauler states the number of units in the City and a fee is paid per unit to the hauler. She stated that if the property is vacant, the City still pays the hauler.

Mr. Geffken stated that New York City charges a 5% EIT for several items including recycling collection.

Ms. Goodman-Hinnershitz questioned the fee for the elderly. Mr. Zolna stated that they are eligible for a discount if they meet age and income requirements.

Mr. Zolna stated that any exemptions to the fee would require the Solid Waste Ordinance be amended.

Mr. Spencer questioned if this discussion related to the ordinance on this evening's agenda. Mr. Geffken explained that Portnoff has requested that the City ratify their solid waste fees beginning with the start of the programs. Mr. Younger clarified that there were discrepancies when researching the fees and the ratification was requested to assist in the collection of delinquencies.

Mr. Acosta noted his hope that the recycling fees could be reduced for 2012.

III. Agenda Review

The agenda for this evening's meeting will need to be amended to add an ordinance for introduction which will clarify fire department stand by fees.

Council reviewed this evening's agenda including the following:

- Award of Contract for Customer Service Center project

Mr. Geffken stated that this project will join treasury and the customer service center in one area.

Mr. Marmarou noted his hope that this will make both the treasury office and the customer service center more efficient. He noted the long lines that form at certain times of the year.

Mr. Spencer questioned where this construction would occur. Mr. Geffken stated that the current site of the customer service center will be renovated to allow additional counter windows.

Mr. Spencer questioned what department would be located in the area currently occupied by treasury. Mr. Geffken stated that it will be vacant and that the Penn Room will not be affected.

- Ordinance executing a lease with Olivet Boys and Girls Club at Pendora Park

Mr. Marmarou suggested this vote be taken when all members are present.

Mr. Denbowski requested that this ordinance be tabled. He stated that the ordinance does not have the legal description of the area to be leased and that the issue must be heard by the Zoning Hearing Board and Planning Commission.

Mr. McMahon stated that Olivet has submitted the necessary information to the Zoning office today. Mr. Denbowski stated that the item will appear on the September Zoning Hearing Board agenda. Ms. Katzenmoyer clarified that the Zoning Hearing Board meets on the second Wednesday of each month.

Ms. Goodman-Hinnershitz noted the need for the ordinance and lease agreement to contain specific information. She stated that this will not lease the entire park to Olivet and noted the need for the ordinance to contain items that are excluded. She noted the problems with the number of parking spaces included in the plan.

Mr. Younger stated that this information will be contained in the lease agreement.

Mr. Waltman noted the need to decrease the amount of parking.

Ms. Goodman-Hinnershitz stated that she will attend the Zoning Hearing Board meeting.

- Ordinance clarifying fire department stand by fees

Mr. Acosta questioned what would be changing. Mr. Younger stated that the ordinance would clarify the fee for different types of apparatus which would be on stand by. He stated that it also sets the minimum crew at two and stated that each apparatus would have a different fee and the crew would be a separate fee.

Mr. Acosta questioned where the City line was drawn along Museum Road. Mr. Denbowski stated that the City line is at the creek but that the pool and playground area are leased to West Reading up to Wyomissing Blvd.

Mr. Acosta stated that there are fireworks at this location each July. He questioned the safety of this event and if permits are needed. Mr. Geffken stated that the permits should be obtained through West Reading and their fire department should stand by at the event.

Mr. Marmarou also noted the need for a fireworks permit. He stated that this land has been leased to West Reading for \$1 per year for 100 years. He requested a review of this agreement. The agreement includes land containing a pool, tennis courts, and basketball courts. Mr. Geffken stated that he will research this lease agreement.

- Resolution regarding the sale of the Elm View Apartments

Mr. Geffken requested that this resolution be tabled this evening.

Mr. Acosta questioned when this issue would be ready for action. Mr. Geffken stated that he will finish the details this week and action will be taken at the August 22 meeting.

- Resolutions allocating unprogrammed CDBG HOME funds to Habitat for Humanity and Berks Housing Development Partnership

Mr. Geffken requested that these resolutions be withdrawn from Council consideration.

- Resolution supporting the in-sourcing of the City's recycling program

Mr. Spencer reported that the Solicitor has approved the language in this resolution.

IV. Executive Session

Mr. Spencer read section 708 (a) 3 from the Sunshine Act which states "Executive Session – Purpose – an agency may hold an executive session for one or more of the following reasons – 3. To consider the purchase or lease of real property up to the time an option to purchase or lease the real property is obtained or up to the time an agreement to purchase or lease such property is obtained if the agreement is obtained directly without an option."

Council entered executive session at 6:09 pm to discuss the purchase of property.

Council exited executive session at 6:25 pm.

The meeting adjourned at 6:27 pm.

Respectfully Submitted
Linda A. Kelleher, CMC, City Clerk