



CITY COUNCIL

Public Safety Committee

Monday, December 5, 2011
Council Office
7 p.m.

Committee Members Attending: D. Sterner, Chair, M. Goodman-Hinnershitz, J. Waltman

Others Attending: V. Spencer, L. Kelleher, C. Geffken, C. Younger, R. Natale, K. Kulp, S. Powell, T. Butler, S. Welz

Mr. Sterner called the Public Safety Committee meeting to order at 6:45 p.m.

Citizen Service Center (CSC) Report

Mr. Geffken stated that as Ms. Weidel needed to leave, the CSC report will be deferred to the January meeting.

Quality of Life Ticketing Implementation Report

Ms. Kelleher distributed the report provided by the Business Analyst.

Mr. Geffken noted that the highest fees come from rubbish/garbage and high grass and weeds. He stated that the year-to-date totals for each Council District are as follows:

- District 1: \$1,063
- District 2: \$3,040
- District 3: \$2,904
- District 4: \$2,122
- District 5: \$3,014
- District 6: \$2,213

Mr. Geffken reported that through the end of November 524 appeals were heard and 36% or 191 appeals were granted and refunds occurred. He noted that the total fees assessed in November were \$50,585 compared to \$75,605 assessed in October. He also noted that delinquency notices were mailed to property owners with past due tickets the last week of October.

Police Fire

Ms. Goodman-Hinnershitz questioned how a fire damaged property is secured.

Mr. Natale stated that owners who fail to secure their property after a debilitating fire receive a citation. He stated that generally Codes only requires to the property owner to secure the first floor windows and entry points. He stated that second, third, and fourth levels must be secured if a fire escape or if other easy access is available.

Ms. Goodman-Hinnershitz expressed the belief that all levels of the property should be secured as people are finding ways to access these vacant properties.

There was next a discussion on the difficulties associated with keeping secured properties in tact.

Mr. Natale stated that a work order to secure a property is approximately \$200.

Outcomes of MDJ Rulings on Codes Cases

Mr. Natale stated that this report is in preparation.

Ms. Goodman-Hinnershitz noted that the attendance of City Councilors or affected neighbors can affect the outcome of MDJ Hearings.

Update Property Maintenance Code and Plumbing Code Amendment

Ms. Butler requested that the Plumbing Code Amendment be referred to the February where Legal Specialist Lachet will be prepared to make a presentation.

Ms. Butler stated that the Codes Office is purchasing the license to the ICC Property Maintenance Code so the Code can be amended locally. The Public Safety Committee can review the amended ICC Code in January or February 2012.

Year-to-Date Review of Code Services

Deferred to January Meeting.

Ms. Goodman-Hinnershitz suggested uploading Codes Report on the website so they are available for Public Review.

Housing Permit Ordinance

Mr. Waltman expressed the belief that the Housing group composed of Mr. Welz, Ms. Butler, Ms. Kelleher, Mr. Kersley, and Mr. Natale continue to meet for six (6) to nine (9) months to help correct deficiencies that will be discovered as the new Housing Permit ordinance is implemented noted the amount of work this group has put into the creation of this ordinance to date.

Mr. Natale stated that Codes is prepared to begin implementation in early 2012. He stated that between January and June the ordinance will be tested and corrections made as deficiencies are

uncovered.

Ms. Goodman-Hinnershitz noted the need to educate the public and the MDJs about this and other ordinances. Mr. Natale stated that Ms. Butler and he met with President Judge Schmehl who agreed to have the MDJ's attend a Lunch and Learn on the Housing ordinance and Quality of Life ordinance. Mr. Natale offered to do a separate session with landlords and the public.

There was next a discussion on the need to educate the public on housing issues.

Zoning Backlog Properties

Ms. Kelleher stated that the suggested break out of backlog hearings is included with the agenda materials. She stated that the Zoning backlog consists of approximately 1,500 properties; approximately 800 properties will require Conditional Use hearings as those Zoning applications are either incomplete, submitted without the required fee, or have other problems such as the number of units requested does not match the number of units the City has on record.

Ms. Kelleher stated that Council requested a break out showing dividing the hearings per Council District. That breakout is as follows:

- District 1: approximately 52
- District 2: approximately 67
- District 3: approximately 148
- District 4: approximately 42
- District 5: approximately 63
- District 6: approximately 68

Ms. Kelleher stated that this breakout seems to be unmanageable. She suggested that Council instead consider the following process:

- Using an Independent Hearing Officer in high density residential zones with one (1), two (2), three (3), and four (4) units totaling approximately 571 hearings (hearings in R-1 and R-2 will be referred to a full Council Conditional Use Hearing)
- Select one (1) or two (2) members to hold hearings for properties with five (5) or six (6) units totaling approximately 66 hearings or 33 per Councilor or having each District
- Full Council hearings for properties with seven (7) units and above and all properties within the R-1, R-2 low density residential zones, approximately 50 hearings

Ms. Kelleher stated that the breakdown by District with properties with four (4), five (5), or six (6) units is as follows:

- District 1: approximately 11
- District 2: approximately 22
- District 3: approximately 29

- District 4: approximately 6
- District 5: approximately 12
- District 6: approximately 12

Ms. Kelleher stated that when considering the average rental property, the majority of properties in Reading can support three (3) units.

She suggested that the rental issue becomes somewhat problematic with properties having four (4) units and above. She stated that if Council selects the District version, than the Independent Hearing Officer will only hear properties having one (1), two (2), and three (3) units reducing the number hearings to approximately 560 hearings.

After a brief discussion, City Council decided to hold hearings for properties with four (4), five (5), or six (6) units by District.

Mr. Welz suggested that Council adopt a resolution authorizing an Independent Hearing Officer to have hearings for properties with one (1), two (2), three (3) units and authorizing the six (6) District Councilors to conduct hearings for properties with four (4), five (5), or six (6) units.

Mr. Waltman suggested that some properties in that category may need to be referred to a full Council hearing.

Certificate of Transfer Ordinance

Ms. Kelleher distributed the workflow for the implementation for the Certificate of Transfer Ordinance. She stated that she, Ms. Katzenmoyer, Mr. Natale, Ms. Butler, and Mr. Weiss finished working on this ordinance in June 2011. She explained that the ordinance has been laying in wait until Codes is prepared to implement it. She suggested adopting the ordinance prior to the beginning of the year with an effective date of April 1st.

Mr. Welz agreed with the April 1st implementation date, as it matches the implementation of the new Housing Permit regulations in the Housing Permit ordinance.

Ms. Kelleher stated that many municipalities have Health and Safety inspection but this version will catch those properties who do not comply with the pre-settlement Health and Safety Inspection.

The Committee agreed to move the Certificate of Transfer Ordinance on for introduction at the December 12th Regular Meeting of Council.

Other

Ms. Reed stated that the body of Council will have to deal with the vacant Council President position when Mr. Spencer resigns from the office January 2nd to be sworn in as the City's Mayor. She suggested that the vacancy be advertised to the public.

Councilor Goodman-Hinnershitz noted that in the past Council has always advertised and sought public application for vacant Council seats.

A discussion about the pros and cons of advertising was discussed. The group decided to open the process for public application.

Ms. Kelleher suggested running the advertisement as soon as possible with applications due by the end of the year. She explained that this would allow Council time to conduct the interviews well before the thirty (30) day deadline imposed by the Charter.

Council agreed with Ms. Kelleher's recommendations. Ms. Kelleher stated that she could probably get the first advertisement running in the Reading Eagle by next week.

The Public Safety Committee adjourned at 8 pm.

Respectfully submitted by Linda A. Kelleher CMC, City Clerk

Issues for Follow-Up:

- February 2012 – Plumbing Code Amendment
- January 2012 – Property Maintenance Code Amendment
- February 2012 - Update on Zoning Backlog