

**City of Reading City Council**  
**Regular Business Meeting**  
**Monday, October 10, 2011**

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

The invocation was given by Steve Elmarzouky of the Islamic Center of Reading.

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  
City Solicitor C. Younger  
City Clerk L. Kelleher  
Managing Director C. Geffken  
Sergeant at Arms, Captain S. Powell

**PROCLAMATIONS AND PRESENTATIONS**

The City Council issued the following:

- Commendation recognizing Fire Prevention Week, accepted by Fire Marshal Todd Jaeger
- A recognition certificate for the clergy and religious organizations serving in the City of Reading
- Fire Chief Kevin Kulp issued the performance commendations to the following firefighters:
  - Ronald Frey
  - Robert Himes
  - Michael Bruner
  - Timothy Sullivan
  - Robert Stichter
  - Thomas Rehr

- John Diehm
- Steven Johnson
- Andrew Kutz
- Brian Thorpe
- John Dundore
- Jason Licwinko
- Thomas Leszczynski
- Lawrence Fisher
- Michael Welsh
- Roger Spadt
- Donald Hirsch
- Bret Mack
- Kirk Litzenberger
- Richard Kuhn
- Steven Serba
- John Seyfert
- Sean Hart

## **PUBLIC COMMENT**

Council President announced that one (1) citizen was registered to address Council on agenda topics and one (1) citizen was registered on non-agenda matters. He inquired if any member of Council objected to suspending the public speaking rule requiring non-agenda comment at the end of the meeting. As no one objected, the rule was suspended. He reminded the citizens about the remaining public speaking rules.

**Juan Zabala, of North Front Street**, was not present.

**John Hefferon, Lititz, PA**, was not present.

## **APPROVAL OF THE AGENDA & MINUTES**

Council President Spencer called Council's attention to the minutes from September 26<sup>th</sup> Regular meeting of Council and the agenda for this meeting including the legislation listed under the Consent Agenda heading. He noted the need for the following additions:

- Add two (2) resolutions to the Consent Agenda regarding the 6<sup>th</sup> and Canal Street Force Main Break
- Add a resolution to the Consent Agenda authorizing an Emergency Proclamation
- Introduction of a new ordinance relating to a community garden in the 200 block of the Franklin Street

**Councilor Sterner moved, seconded by Councilor Marmarou, to approve the minutes from the September 26<sup>th</sup> Regular Meeting of Council and the agenda, as amended, including the legislation listed under the Consent Agenda heading. The motion was approved unanimously.**

## **Consent Agenda Legislation**

**Resolution 172-2011** – authorizing the PENNVEST application for the funding of the 6<sup>th</sup> and Canal Street Force Main project.

**Resolution 173–2011** - authorizing the use of Sewer Enterprise funds on an interim basis for the 6<sup>th</sup> and Canal Street Force Main Project up to \$20.5M.

**Resolution 174-2011** – authorizing the approval of an Emergency Management Proclamation

## **ADMINISTRATIVE REPORT**

Managing Director Geffken read the report distributed to Council at the meeting covering the following:

- Update on the utility repairs on Walnut and Pear Streets
- Announcing the start of the Leaf Collection Program on October 17<sup>th</sup>
- Replacing the street lights with LED technology
- Announcing National Fire Prevention Week

Councilor Reed noted the recently repaved blocks of Court Street are now being lined with utility excavation marks. She noted the breakdown in communication and questioned why this utility work is being permitted after the street was paved. Managing Director Geffken stated that utilities are required to perform underground utility service before streets are repaved; however certain situations arise for special projects that can disrupt a recently repaved street.

Councilor Goodman-Hinnershitz inquired about the repaving of Cotton Street. Managing Director Geffken stated that the repaving of Cotton Street is included in the 2012 budget. He stated that UGI is repaving one half of the street and the City will cover the other side. He stated that Cotton Street between 9<sup>th</sup> and 19<sup>th</sup> Street will be repaved.

## **AUDITOR'S REPORT**

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

- Sewage Rate Collection for 2011
- Evaluation of tax exempt properties

- Fire Escrow Audit information

## **ORDINANCES FOR FINAL PASSAGE**

**Bill No. 51-2011** - amending Section 27-501 of the City of Reading Zoning Ordinance by amending the Map which provides for the boundaries of the Districts enumerated in Section 27-501. Section 27-501 shall be amended to provide for the rezoning of a parcel of land currently located within the City of Reading's R-1 zoning district to H-M, heavy manufacturing. The parcel of land to be rezoned from R-1 to H-M is that portion of a parcel of land located partially within Muhlenberg Township and partially within the City of Reading, which is located within the City of Reading and is bounded by Leiczs Bridge Road and State Route 12 having Berks County parcel identification number 530814427905, as further described in a deed recorded in the office in and for the Berks County Recorder of Deeds at deed book volume 1914 pg. 0112 *Introduced at the September 12 regular meeting; public hearing September 20; Advertised September 21 & September 26*

**Councilor Reed moved, seconded by Councilor Marmarou, to enact Bill No. 51-2011.**

Councilor Reed explained the location of the parcel, a majority of which is located in Muhlenberg Township. She stated that the entire parcel is located within the fenced in area near the exit from Route 12. She stated that the proposed project will have no impact on residential properties.

Council President Spencer stated that residents from the community attended however no one provided opposing or supporting public comment.

**Bill No. 51-2011 was enacted by the following vote:**

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer,  
President – 7  
Nays: None – 0**

**Bill No. 54-2011** - amending the 2011 City of Reading Full Time Position Ordinance by creating one (1) Recycling Fleet Foreman and one (1) Clerk Typist II in Recycling (**Man Dir**) *Introduced at the Sept 26 regular meeting*

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Acosta, to enact Bill No. 54-2011.**

Council President Spencer stated that the staff additions will permit the in-sourcing of recycling collection which will ultimately reduce the cost of service and create efficiencies.

Councilor Goodman-Hinnershitz noted her belief in the in-sourcing of this service as it will improve efficiencies and improve the quality of life for Reading residents.

**Bill No. 54-2011 was enacted by the following vote:**

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer,  
President – 7**

**Nays: None- 0**

**Bill No. 56-2011** - amending Chapter 5, Code Enforcement of the Codified Ordinances of the City of Reading by adding Alleys and Recycling Storage to existing Quality of Life Violations (*Law*) *Introduced at the Sept 26 regular meeting*

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Acosta, to tabled Bill No. 56-2011.**

**Bill No. 56-2011 was tabled by the following vote:**

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer,  
President – 7**

**Nays: None – 0**

## **INTRODUCTION OF NEW ORDINANCES**

Council President Spencer read the following ordinances into the record:

**A. Ordinance** - amending the City of Reading Fee Schedule by reducing the annual rental registration fee (**Bus Anal**)

**B. Ordinance** - amending the 2011 City of Reading Full Time Position Ordinance by reducing the number of Sergeant positions in the Reading Police Department from 26 to 23 (**Man Dir**)

**C. Ordinance** – authorizing a lease agreement with ATV Bakery related to the creation of a community garden in the 200 block of Franklin Street

## **RESOLUTIONS**

**Resolution 175–2011** - amending the CDBG Action plan as follows:

- Allocate \$100,000.00 of unprogrammed HOME funds to Habitat for Humanity for renovation of agency-owned properties throughout the City. Total project budget \$200,000.
- Cancel 2010 Blighted Property Review Committee Acquisition and Rehabilitation funding of \$78,000 and cancel the 2010 Neighborhood Home Ownership project funding of \$100,000 and reallocate \$178,000 to fund Habitat for Humanity for blighted

property remediation through acquisition and renovations of properties, new construction, and/or repairs to owner-occupied properties in the target neighborhoods. With Habitat's proposed contribution, the total project budget will be \$600,000.

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Acosta, to table Resolution No. 175-2011.**

**Resolution No. 175-2011 was tabled by the following vote:**

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer,  
President – 7**

**Nays: None – 0**

**Resolution 176–2011 - amending the CDBG Acton plan as follows:**

- Provide \$23,859 in 2011 CHDO operating funds and \$47,178 in 2012 CHDO operating funds to increase rehabilitation capacity.
- Provide HOME Admin funds as necessary for NHS to administer and coordinate acquisition, rehabilitation and home ownership programs for affordable housing in the target neighborhood(s).
- Provide additional HOME Entitlement or CHDO Reserve funds for projects identified as appropriate.

**Councilor Reed moved, seconded by Councilor Acosta, to table Resolution No. 176-2011.**

**Resolution No. 176-2011 was tabled by the following vote:**

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer,  
President – 7**

**Nays: None – 0**

**Resolution 177–2011 – amending the CDBG Action Plan as follows:**

- Provide \$400,000 in unprogrammed HOME funds to Berks Housing Development Partnership to develop, manage and administer affordable housing programs

**Councilor Acosta moved, seconded by Councilor Reed, to table Resolution No. 177-2011.**

**Resolution No. 177-2011 was tabled by the following vote:**

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer,  
President – 7**

**Nays: None – 0**

**Resolution 178–2011** - appointing William Bender to the Citizens Advisory Board (Admin Oversight)

Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to adopt Resolution No. 178-2011.

Resolution No. 178-2011 was adopted by the following vote:

Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer,  
President – 7

Nays: None – 0

**Resolution 179–2011** - reappointing Dennis Straub as an alternate to the Animal Control Board (Admin Oversight)

Councilor Reed moved, seconded by Councilor Marmarou, to adopt Resolution No. 179-2011.

Resolution No. 179-2011 was adopted by the following vote:

Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer,  
President – 7

Nays: None – 0

**Resolution 180–2011** - appointing Eddie Moran to the Reading Recreation Commission (Admin Oversight)

Councilor Marmarou moved, seconded by Councilor Acosta, to adopt Resolution No. 180-2011.

Resolution No. 180-2011 was adopted by the following vote:

Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer,  
President – 7

Nays: None – 0

**Resolution 181–2011** - appointing Otis Smith to the Reading Recreation Commission (Admin Oversight)

Councilor Reed moved, seconded by Councilor Marmarou, to adopt Resolution No. 181-2011.

Councilor Reed noted that the Advisory Opinion from the Charter Board relating to the appointments to the Recreation Commission cover the members of Council only not the members of the other Boards, Authorities, and Commissions.

**Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz to table Resolution 181-2011**

**Resolution No. 181-2011 was not tabled by the following vote:**

**Yeas: Acosta, Goodman-Hinnershitz, Reed – 3**

**Nays: Marmarou, Sterner, Waltman, Spencer, President – 4**

City Solicitor Younger expressed the opinion that the Advisory Opinion speaks to the entire section regarding appointments to the Boards, Authorities, and Commissions and covers Board, Authority, and Commission members also. He stated that the opinion allows Councilors and members of Boards, Authorities and Commissions to serve on inter-governmental organizations. He stated that the Recreation Commission is an authorized inter-governmental organization.

Councilor Reed read the language from the Advisory Opinion and expressed the belief that it is instructive only to the members of Council.

Councilor Acosta noted that all candidates who applied are qualified and questioned moving ahead when an appointment may be improper before Mr. Smith resigns from the Park and Recreation Advisory Council.

Councilor Goodman-Hinnershitz suggested delaying the resolution for two (2) weeks which will allow Mr. Smith time to resign prior to his appointment.

City Clerk Kelleher stated that Mr. Smith does intend resign from the Park and Recreation Advisory Council when he is appointed to the Recreation Commission.

**Councilor Waltman moved, seconded by Councilor Reed, to amend Resolution 181-2011 by making the effective date of the appointment, the date that Mr. Smith resigns from the Park and Recreation Council.**

**The amendment to Resolution No. 181-2011 was adopted by the following vote:**

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer, President – 7**

**Nays: None – 0**

**Councilor Reed moved, seconded by Councilor Marmarou, to adopt Resolution No. 181-2011, as amended.**

**Resolution No. 181-2011 was adopted, as amended, by the following vote:**

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Spencer,  
President – 7  
Nays: None – 0**

## **COUNCIL COMMENT**

Councilor Sterner congratulated the firefighters receiving awards this evening and congratulated others receiving commendations and recognitions.

Councilor Goodman-Hinnershitz thanked the firefighters for their selfless public service to the citizen's of Reading.

Councilor Goodman-Hinnershitz requested that the Administration follow-up with her regarding the Cotton Street paving so she can provide a timeline to the affected residents.

Councilor Goodman-Hinnershitz announced the event at the Pagoda this Saturday.  
Councilor Reed noted that this event will support the Reading Reads program.

Councilor Reed expressed her appreciation for the Fire Department and the firefighters for their selfless work to protect the citizens of Reading. She also noted her appreciation for the religious organizations that serve Reading and its citizens.

Councilor Marmarou congratulated Fire Chief Kulp and the firefighters awarded this evening.

Councilor Marmarou announced the Night in the Heights fundraiser event scheduled for October 22<sup>nd</sup> at the home of George and Sue Viener at 1515 Rockland Street.

Council President Spencer reviewed the Council meeting schedule over the next two (2) weeks.

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

*Respectfully submitted by Linda A. Kelleher CMC, City Clerk*