

**City of Reading City Council
Regular Business Meeting
Monday, August 8, 2011**

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

The invocation was given by Reverend John Francis from Christ Episcopal Church.

All present pledged to the flag.

ATTENDANCE

President of Council Spencer
Councilor Acosta, District 1
Councilor Goodman-Hinnershitz, District 2
Councilor Marmarou, District 4
Councilor Reed, District 5
Councilor Waltman, District 6
City Auditor D. Cituk
City Solicitor C. Younger
City Clerk L. Kelleher
Mayor T. McMahon
Managing Director C. Geffken
Sergeant at Arms Capt. R. Schafer

PROCLAMATIONS AND PRESENTATIONS

There were no proclamations and presentations issued at this meeting.

PUBLIC COMMENT

Council President Spencer announced that two (2) citizens were registered to address Council on agenda topics and three (3) were registered to address non-agenda topics. 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.

Brandon D'Amico, of Shillington, was not present.

Ernie Schlegel, of Pear Street, expressed support for the ordinance that would authorize a lease agreement with the Olivet's for a rec center in Pendora Park. He expressed the belief that a variance should be provided to allow the recreation center within Pendora. He also expressed the belief that the deed restriction does not apply to the parcel being considered for the facility. He suggested that the City work to find a balance that matches needs and

resources. He noted the need for a recreation project that serves the population in a positive manner. He also noted his support for the programming provided by the Olivet's.

Ed Terrell, of Reading, PA, representing ACOR, stated that he is a local artist from the Ricktown Arts District. He questioned the funding stream listed in the Act 47 Recovery Plan that would stabilize and build this neighborhood. He suggested increasing the voice of those who reside in this community. He also questioned the desire to re-gentrify this area with citizens coming from outside Reading.

William Seidel, of Lehigh Street, stated that he is representing the Berkshire Green area and noted the Met-Ed plan to remove protective vegetation barriers located on a vacant parcel behind residential properties that border Route 12. He expressed the belief that the removal of this vegetation will create a variety of quality of life problems for Berkshire Green residents. He suggested that the maintenance and trimmings of the area would provide an adequate solution.

He thanked Councilor Reed for holding a neighborhood meeting on this issue last Thursday and noted that a second meeting will be held on September 8th. He expressed the belief that the current vegetation barrier provides a much needed protection for these residential properties.

Michael Duggan, of North 12th Street, noted the second article in the Reading Eagle noting the change in direction of traffic on North 12th Street, in front of the Citadel school building. He questioned the existing backroom deal on this issued as the article referenced City officials agreement with a change in the traffic pattern. He also expressed the belief that the Reading School Board has no idea about the traffic patterns that really occur at this school. He suggested that a change in direction of traffic could jeopardize the public safety of area residents.

APPROVAL OF THE AGENDA & MINUTES

Council President Spencer called Council's attention to the minutes from July 25th Regular meeting of Council and the agenda for this meeting. He noted the need to include an ordinance for introduction that will amend the Fire standby fees.

Consent Agenda Legislation

Award of Contract – for the Customer Service Center Project to Sponaugle Construction Services, 1350 East Chocolate Avenue, Hershey, PA 17033 for a total submitted price of approximately \$74,000.00 (**Purchasing**)

Councilor Marmarou moved, seconded by Councilor Reed to approve the minutes from the July 25th Regular meeting of Council and the agenda, as amended, including the legislation listed under the Consent Agenda heading. The motion was approved unanimously.

ADMINISTRATIVE REPORT

Mayor McMahon read the report distributed to Council at the meeting covering the following:

- Four (4) more Bandshell Concerts scheduled from 5pm-10pm on August 19th, August 26th, September 2nd, and September 9th
- Update on the restoration of the rail service between Reading and Philadelphia
- Update on the PILOT meetings with area non-profits
- Announcing the 2nd Sunday program at the Goggleworks from 12pm-4pm

AUDITOR'S REPORT

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

- Update on 2011 Franchise Fee Collection
- Update on 2011 Sewer Transfer

ORDINANCES FOR FINAL PASSAGE

Bill No. 38-2011 - authorizing the Mayor to execute a lease between the City of Reading and the Olivet Boys and Girls Club for a portion of the real estate situate in Pendora Park *(Law/Mayor) Introduced at the July 11 regular meeting; Tabled at the July 25 regular meeting; Public Meeting held July 27*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Acosta, to table Bill No. 38-2011.

Bill No. 38-2011 was tabled by the following vote:

Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Waltman, Spencer,

President- 6

Nays: None - 0

Councilor Goodman-Hinnershitz stated that the ordinance was tabled until the project completes its Zoning and Planning process. She noted her continual communication with the community about this project.

Bill No. 39-2011- ratifying the Solid Waste and Recycling Fees for the City of Reading *(Law) Introduced at the July 25 regular meeting*

Councilor Marmarou moved, seconded by Councilor Acosta, to enact Bill No. 39-2011.

Council President Spencer stated that this ordinance will unify the recycling fees back to 1991 and the solid waste fees back to 2000. He noted that this ordinance does not increase either fee for 2011.

City Solicitor Younger agreed with the explanation given by the Council President.

Bill No. 39-2011 was enacted by the following vote:

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Waltman, Spencer,
President – 6
Nays: None - 0**

Bill No. 40-2011 - authorizing the Mayor to execute any and all documents to effectuate the conveyance of real estate situate at 818 Muhlenberg St., 456 Schuylkill Ave., 108 Plum St., 722 Lance, 1709 Mineral Spring Rd, 112 Plum St., 454 Schuylkill Ave. and 516 Garden from Lobos Ten Properties to the City of Reading for \$15,500 **(Law)** *Introduced at the July 25 regular meeting*

Councilor Reed moved, seconded by Councilor Acosta, to enact Bill No. 40-2011.

Bill No. 40-2011 was enacted by the following vote:

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Waltman, Spencer,
President – 6
Nays: None - 0**

D. Bill No. 36-2011 - amending the 2011 City of Reading Full Time Position Ordinance by decreasing the number of Property Maintenance Supervisors and increasing the number of Property Maintenance Inspectors within the Community Development Department, Codes Division **(Codes/Council Staff)** *Introduced at the July 11 regular meeting*

Councilor Reed moved, seconded by Councilor Acosta, to enact Bill No. 40-2011.

Bill No. 40-2011 was enacted by the following vote:

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Waltman, Spencer,
President – 6
Nays: None - 0**

INTRODUCTION OF NEW ORDINANCES

Council President Spencer read the following ordinances into the record:

A. Ordinance – amending the Fire Departments Fee Schedule for stand-by fees. **(Law)**

RESOLUTIONS

Resolution 84-2011 - that the City of Reading consents to the sale of the Elm View Apartments Limited Partnership project property and the Mayor of the City of Reading is authorized to execute any and all documents required for the assignment of the above referenced loan and to modify certain Note and/or Loan Agreement terms, including but not limited to deferral of the July 2011 balloon payment, possible forgiveness of said balloon payment, and review of the July 2026 balloon payment for status determination **(Law/Community Development)** *Tabled at the May 23 June 13, June 27, July 11 and July 25 regular meetings*

Councilor Acosta moved, seconded by Councilor Reed, to table Resolution No. 84-2011.

Resolution No. 84-2011 was tabled by the following vote:

Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Waltman, Spencer,
President – 6
Nays: None – 0

Resolution 141–2011 - authorizing the Mayor to execute a FFY2011 (37th CD year - January 1, 2011 to December 31, 2011) Action Plan amendment to revise 2010 activities and allocate un-programmed HOME funds to Habitat for Humanity in the total amount of \$278,000 for the conduct of eligible activities in the City of Reading as required by HOME program regulations and final rule at 24 CFR 92 **(Community Development)** *Tabled at the July 25 regular meeting*

Managing Director Geffken stated that the Administration wishes to withdraw this resolution from Council consideration.

Resolution 142-2011 authorizing the Mayor to execute a FFY2011 (37th CD year - January 1, 2011 to December 31, 2011) Action Plan amendment to allocate \$400,000 in HOME un-programmed funds to Berks Housing Development Partnership (BHDP), a Community Housing Development Organization (CHDO). In addition, BHDP shall be allocated CHDO operating funds and administrative funds to develop, manage and administer affordable housing programs in compliance with HOME program regulations and final rule at 24 CFR 92 **(Community Development)** *Tabled at the July 25 regular meeting*

Managing Director Geffken stated that the Administration wishes to withdraw this resolution from Council consideration.

Resolution 146–2011 - appointing Fred Opalinski to the Citizen’s Advisory Board (**Admin Oversight**)

Councilor Marmarou moved, seconded by Councilor Reed, to adopt Resolution No. 146-2011.

Councilor Marmarou noted the quality of the candidate and his willingness to volunteer on the Citizen’s Advisory Board.

Resolution No. 146-2011 was adopted by the following vote:

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Waltman, Spencer,
President – 6
Nays: None – 0**

Resolution 147-2011 supporting the in-sourcing of the City’s recycling program and asks the Managing Director to proceed in accordance herewith (**Council Staff**)

Councilor Goodman-Hinnershitz moved, seconded by Councilor Acosta, to adopt Resolution No. 147-2011.

Councilor Goodman-Hinnershitz noted the City’s exploration of the pros and cons for in-sourcing the recycling program. She stated that Council believes in the attributes of in-sourcing this program.

Resolution No. 147-2011 was adopted by the following vote:

**Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Waltman, Spencer,
President – 6
Nays: None – 0**

COUNCIL COMMENT

Mayor McMahon left at this time.

Councilor Reed thanked Mr. Seidel and the Berkshire Green residents for their activation around the proposed Met-Ed project proposed for the parcel that provides a barrier between Rt 12 and the residential properties.

Councilor Reed also noted the great Top of the Block event that occurred at the parking garage located at 7th and Penn Streets on Friday, August 5th.

Councilor Goodman-Hinnershitz stated that there is no “back-door” agreement regarding the proposed change in traffic for North 12th Street in front of the Citadel school building. She stated that the Reading School District is attending the August 15th Public Works Committee meeting and a community meeting will follow.

Councilor Goodman-Hinnershitz recognized the 103rd birthday of the Pagoda.

Councilor Marmarou inquired if any non-profit organization was receptive to the request of the City for an increased or a new PILOT contribution. Council President Spencer stated that organizations that have been approached have been receptive to providing increased services rather than an increased contribution.

Councilor Marmarou thanked Public Works for removing the plethora of cross-walks located around Kelchner field, in the Albright area.

Council President Spencer stated that the Pendora ordinance was tabled due to pending Zoning and Planning applications.

Council President Spencer noted the good attendance at the neighborhood meeting regarding the Met-Ed clearing of the vacant parcel that borders Route 12.

Council President Spencer noted his concern that proper planning does not occur when schools are built. He noted the need for preparation to also consider urban traffic issues.

Council President Spencer announced the upcoming meeting schedule.

Councilor Goodman-Hinnershitz moved, seconded by Councilor Acosta, to adjourn the regular meeting of Council.

Respectfully submitted by Linda A. Kelleher CMC, City Clerk