

City of Reading City Council
Regular Business Meeting
Monday, October 8, 2012

Council President Francis G. Acosta called the meeting to order.

The invocation was given by Pastor Moreira, Path of Holiness Church.

Council President Acosta introduced his youngest son Alexander, who will be sitting with him for a portion of the meeting.

All present pledged to the flag.

ATTENDANCE

Council President Acosta
Councilor Corcoran, District 1
Councilor Goodman-Hinnershitz, District 2
Councilor Sterner, District 3
Councilor Marmarou, District 4
Councilor Reed, District 5
Councilor Waltman, District 6
Managing Director C. Snyder
City Auditor D. Cituk
Legal Specialist T. Butler, Esq.
City Clerk L. Kelleher

PROCLAMATIONS AND PRESENTATIONS

City Council issued the following:

- Council Commendation recognizing Big John's Restaurant
- Council Commendation to Ernie Schlegel, President of the Reading Public Library
- Council Commendation to HOSA Pride
- Council Commendation to Hogar Crea
- Council Commendation to Angie Cruz
- Council Commendation to Rize
- Council Commendation to Palo Magazine

The Reading Police Department and Chief Heim issued a plaque honoring Big John's dedication to the Reading area.

Senator Judy Schwank issued a Senate Proclamation to Ernie Schlegel, President of the Reading Public Library.

PUBLIC COMMENT

Council President Acosta announced that there are no citizens registered to address Council this evening.

APPROVAL OF THE AGENDA & MINUTES

Council President Acosta called Council's attention to the minutes for the September 24th Regular Meeting of Council and the agenda for this meeting, including the legislation under the Consent agenda heading. He noted the need to add two resolutions to the agenda as follows:

- Resolution authorizing the submission of the Act 537 Plan
- Resolution requesting the reevaluation of the EIT valuation in the Act 47 Recovery Plan and requesting the amendment of the Recovery Plan.

Councilor Marmarou moved, seconded by Councilor Sterner, to approve the minutes from the September 24th Regular Meeting of Council and the agenda as amended, including the legislation under the Consent Agenda heading. The motion was approved unanimously.

Consent Agenda

A. Resolution 112-2012 – promoting Sgt. Brian Cole to the rank of Lieutenant (**Police**)

B. Resolution 113-2012 – promoting Sgt. Kelly Kerr to the rank of Lieutenant (**Police**)

C. Resolution 114-2012 – promoting C.I. Kyle Rentschler to Sergeant (**Police**)

D. Award of Contract - contract to Purcell Construction, 560 North 5th Street, Denver, PA, at a total submitted base price and alternates that total \$171,368.00 for various improvements to the Schlegel Park Pool (**Purchasing**)

ADMINISTRATIVE REPORT

Mayor Spencer highlighted the report distributed to Council electronically as follows:

- Dedication of the Court Street Bridge Mural
- Potential project at the last parcel in the Buttonwood Gateway area
- Ribbon cutting at Reading Iron Playground

AUDITOR'S REPORT

City Auditor Cituk stated that this evening Mr. Turtell from Herbein and Co., will present the final 2011 external audit report.

Mr. Turtell stated that the Herbein and Co. issued an unqualified opinion, which is the cleanest opinion available, with one qualification regarding water/sewer receivables.

He stated that the City had a \$500,000 surplus at the end of 2011, which was primarily due to

the booking error of the Greater Berks loan payment of \$2.2M. He stated that this loan payment was booked as revenue in the 2012 budget. He stated that approximately 90% of the federal programs and funds were audited. He stated that although many findings are recurring, the City's finances and financial practices are improving.

Mr. Cituk thanked Mr. Turtell and Ms. Himeback for this dedicated work to complete the annual audit.

ORDINANCES FOR FINAL PASSAGE

A. Bill 98-2012 - amending Chapter 1, Administration, of the Codified Ordinances of the City of Reading, the Capital Improvement Program and renumbering as required (**Council Staff/PFM**) *Introduced at the Sept 24 regular meeting*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Marmarou, to table Bill No. 98-2012.

Bill No. 98-2012 was tabled by the following vote:

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

B. Bill 99-2012 - amending the 2012 City of Reading Self Insurance Fund budget by authorizing the transfer of funds from line items within the Self Insurance Fund Budget (**Human Resources**) *Introduced at the Sept 24 regular meeting*

Councilor Reed moved, seconded by Councilor Corcoran, to enact Bill No. 99-2012.

Bill No. 99-2012 was enacted by the following vote:

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

C. Bill 100-2012 – authorizing the transfer of funds collected during the recent Tax Amnesty to the Non-Departmental Contingency Account (**Business Analyst**) *Introduced at the Sept 24 regular meeting*

Councilor Marmarou moved, seconded by Councilor Sterner, to enact Bill No. 100-2012.

Managing Director Snyder stated that the City realized \$480K from the Business Tax Amnesty program and \$320K was issued to the School District. She stated that this program was run in-house and \$800K in revenue was earned at the cost of \$10,000

Bill No. 100-2012 was enacted by the following vote:

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

Nays: None -0

D. Bill 101-2012 - authorizing the transfer of funds to the Human Relations Commission for Emergency Shelter Grants in 2012 (**Business Analyst**) *Introduced at the Sept 24 regular meeting*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Marmarou, to enact Bill No. 101-2012.

Bill No. 101-2012 was enacted by the following vote:

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

Nays: None -0

E. Bill 102-2012 - amending the 2012 General Fund Budget, reallocating funds from the Contingency Fund to Law Department Budget Codified Ordinance line items for Legal Services and/or Contracted Services (**Law**) *Introduced at the Sept 24 regular meeting*

Councilor Corcoran moved, seconded by Councilor Sterner, to enact Bill No. 102-2012.

Councilors Reed and Goodman-Hinnershitz stated that they will not support this ordinance due to the questionable procedure used to select certain outside legal counsel to represent certain issues.

Bill No. 102-2012 was enacted by the following vote:

Yeas: Marmarou, Sterner, Waltman, Acosta, President - 4

Nays: Corcoran, Goodman-Hinnershitz, Reed - 3

INTRODUCTION OF NEW ORDINANCES

Council President Acosta read the following ordinances into the record:

A. Ordinance - authorizing the transfer of \$44,000 in the Property Maintenance budget from Salaries to Abatement in the 2012 Budget (**Property Maintenance/Council Staff**)

B. Ordinance - requesting authorization to transfer funds from the Trash/Recycle Fund to the General Fund (**Controller**)

C. Ordinance - amending Chapter 11, Housing, of the Codified Ordinances of the City of Reading, by providing for in personam actions, in lieu of liens, for delinquent housing permit surcharges as attached in Exhibit A (**Law**)

D. Ordinance - amending Chapter 1 Administration and Government Part 5 Boards, Commissions, Committees and Councils Subpart D Blighted Property Review Committee by adding a Single Properties Section and a Multiple Properties Section and Definitions for the Term Blighted Property for each consistent with State Law as attached in Exhibit A (**Law**)

Pending Legislation

Bill No – 2013 Budget (**Managing Director**) *Introduced at 10-3 Special Mtg*

Bill No – 2013 Capital Budget (**Managing Director**) *Introduced at 10-3 Special Mtg*

RESOLUTIONS

A. Resolution 111-2012 - authorizing the Mayor to create a Microloan Program for small businesses (**Community Development**) *Tabled at the Sept 24 regular meeting*

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to adopt Resolution No. 111-2012.

City Clerk Kelleher noted that while this resolution authorizes the creation of the loan program, it does not authorize the transfer of the funding into the loan program. Authorization of the funding of this loan program will require separate legislation.

Resolution No. 111-2012 was adopted by the following vote:

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

Nays: None - 0

B. Resolution 115-2012 – reappointing Ermete Rafaelli to the Planning Commission (Nom & Appts)

C. Resolution 116-2012– appointing Teri Kutz to the Citizens Advisory Board (Nom & Appts)

Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to adopt Resolution Nos. 115 and 116-2012.

Councilors Marmarou, Corcoran and Reed noted the attributes and passion of these citizens and thanked them for agreeing to volunteer for these positions.

Resolution Nos. 115 and 116-2012 was adopted by the following vote:

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

Nays: None - 0

D. Resolution 117-2012– authorizing the submission of the Act 537 Plan to the DEP (Pub Works)

Councilor Reed moved, seconded by Councilor Corcoran, to adopt Resolution 117-2012.

Managing Director Snyder explained that this study is required by the State for the wastewater treatment plant. She stated that the plan must be filed before PennVEST funding can be approved for the wastewater treatment plant project.

Resolution No. 117-2012 was adopted by the following vote:

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

Nays: None - 0

E. Resolution 118-2012– requesting a reevaluation of the EIT valuation in the Act 47 Recovery Plan by PFM, the Managing Director and the City’s law Dept and requesting the amendment of the Act 47 Recovery Plan (Council)

Councilor Corcoran moved, seconded by Councilor Goodman-Hinnershitz, to adopt Resolution 118-2012.

Councilor Corcoran noted the need for the evaluation of these figures before the finalization of the 2013 budget. He stated that Council will take the necessary steps to avoid or reduce

further tax increases.

Councilor Waltman stated that the Recovery Plan contains an EIT gap of between \$5-6M. He stated that curing that gap could reduce the need for a tax increase.

Council President Acosta stated that this issue has been discussed at the budget review meetings which are open to the public. He encouraged citizens to attend and follow the process.

Resolution No. 118-2012 was adopted by the following vote:

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

Nays: None - 0

COUNCIL COMMENT

Councilor Marmarou announced the College Heights Community Council (CHCC) meeting scheduled for Sunday, October 14th at 7 pm at Nativity Lutheran Church. He thanked Albright College for encouraging their students to participate in clean-up projects around the City. He recognized the skill and effort of Captain Stephen Powell and Albright Security Director Tom McDaniel to reduce off campus student home complaints.

Councilor Corcoran noted the success of the rehabilitation of Reading Iron Playground, funded by Wells Fargo. He also noted the rehabilitation of the triangle at the base of the Bingaman Street Bridge. He announced his District 1 Town Meeting on November 7th at St. Elizabeth Villa regarding the street lighting problems in Wyomissing Park.

Councilor Reed noted the success of the Four Century Tour conducted by the Historical Society. She stated that the tour was made possible by the countless hours of volunteer work across the county. She stated that this year's tour featured homes in the Hampden Heights area. She thanked City Clerk Kelleher, who is also President of the CHCC, for work before and during the tour.

Councilor Reed announced the Glenside Neighborhood meeting scheduled for November 1st at the Christ Lutheran Church at 6:00 pm.

Councilor Goodman-Hinnershitz described the positive meeting that occurred last Wednesday at the Citadel. She stated that several break-out groups discussed issues and identified solutions that will be used to develop an action plan.

Councilor Sterner congratulated those recognized and honored this evening.

Council President Acosta described the Reading Rotary event last Wednesday at the Pagoda and the Octoberfest at the Leiderkrantz over the past weekend.

Senator Schwank described the gang legislation being reviewed by the State Senate. She also noted that the State Senate and House are jointly reviewing the Act 47 Statute and recognize the need to revise it. She stated that an exit process is needed as to date all municipalities who entered Act 47 have not yet come out.

Councilor Acosta reviewed the meeting schedule.

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

Respectfully submitted by Linda A. Kelleher CMC, City Clerk