MINUTES
February 27, 2012
5:00 P.M.

COUNCIL MEMBERS PRESENT:

M. Goodman-Hinnershitz, D. Sterner, D. Reed, F. Acosta, R. Corcoran, S. Marmarou

OTHERS PRESENT:


Mr. Acosta called the Committee of the Whole meeting to order at 5:00 p.m.

I. Financial Legislation

Mr. Vind stated that the refinancing of the general obligation bond before Council for final passage this evening will yield $250,000 - $300,000 in savings for 2012. He stated that the refinancing of the bond item being introduced this evening will change to a fixed interest rate of 2% and yield $100,000 savings in 2012.

II. Property Maintenance Code

Mr. Spencer arrived at this time.

Mr. Natale stated that he will be making a brief presentation this evening on the highlights of the changes to the Property Maintenance Code.

Ms. Reinhart stated that the ICC Code has been amended to meet Reading’s needs.

Mr. Waltman arrived at this time.
Mr. Natale highlighted the following:

- A Neighborhood Mitigation Fee has been added which will allow the MDJs to add a fee of $50 to all guilty verdicts which will come to the City in its entirety.
- The City can charge a fee for the extension of deadlines given for improvements.
- Stop Work Orders are covered by the UCC codes and are handled by Trades officials. He stated that Trades is working to better enforce the UCC.
- The Act 90 Blight regulations have been added and he will be encouraging the MDJs to enforce them.
- Tree, bush, and shrub maintenance has been added.
- Regulations which do not allow sleeping in kitchens have been added.
- Working smoke detectors and fire extinguishers are required in rental units.

Mr. Murin arrived at this time.

Ms. Goodman-Hinnershitz questioned the procedure for the unauthorized removal of placards. Mr. Natale stated that it is difficult to prove who removed the placard but that the properties are re-posted if Codes is informed that it has been removed.

Ms. Goodman-Hinnershitz questioned sleeping in living rooms and dining rooms. Mr. Natale stated that this is allowed but that he has been working with the Law Department to institute a maximum limit on residents based on square feet of living space.

Mr. Natale requested that Council pass this Code update. He stated that the Code will be uploaded to the handheld computers used by Codes personnel that will be used during inspections. He stated that violation reports will now be computerized. He noted his hope that this amendment will assist in the work of the Blighted Property Review Committee and with cases before MDJs.

Mr. Sterner questioned if the pre-settlement inspections would assist in finding those who conceal problems when properties are sold. Mr. Natale stated that it would find many but that this provision was added to the Code to assist with those properties sold privately in which disclosure may not take place.

Mr. Corcoran explained that there is also a seller disclosure statement signed regarding this issue when a realtor is used. He stated that if this disclosure is signed and problems are discovered, the buyer can sue the seller.

Mr. Marmarou stated that tenant issues can be problematic when the landlord threatens to retaliate. Mr. Natale stated that these cases are referred to the City’s Fair Housing Office.
III. Merchant Parking Permit

Ms. Goodman-Hinnershitz stated that this issue was discussed at the Public Safety, Public Works, and Neighborhood Services Committee. She stated that it was recommended for discussion at a Committee of the Whole.

Mr. Spencer stated that members of the public were just told that this issue would not be discussed this evening and have left the meeting.

Mr. Sterner stated that this issue is in his Council district. He stated that only 14 of 50 merchants participate in the program.

Mr. Acosta suggested that this issue be discussed at the next Committee of the Whole meeting.

Mr. Marmarou requested that Mr. Lee and Chief Heim be present for discussions.

Ms. Goodman-Hinnershitz also noted the need for clarification of utilization of the Encore parking lot at 9th & Court Sts.

IV. Agenda Review

Mr. Acosta stated that there are 20+ speakers registered to address Council this evening and that since the registration time has past, no additional speakers will be registered to address Council this evening.

Mr. Sterner suggested that those registered to speak on non-agenda items address Council at the conclusion of Council business as per the meeting agenda.

Ms. Kelleher stated that there are twelve people registered to speak on agenda items and ten on non-agenda items.

Ms. Kelleher distributed a memo explaining amendments to the agenda requested by the Administration. The resolution included in the consent agenda regarding Alvernia University should be withdrawn until a later date. An emergency ordinance (which will be read and voted on this evening) regarding part time employees in the Police Department will be added in addition to an ordinance for introduction adding all part time, seasonal and temporary positions to the Position Ordinance.

Mr. Acosta explained that this legislation is necessary since the recent Charter Board opinion that all positions needed to be included in the annual position ordinance.

Mr. Geffken explained that an emergency ordinance can be read and acted on at the same meeting. He stated that emergency legislation must address a public safety issue and has a life
span of 90 days in order for the municipality to take permanent corrective action within that timeframe. He stated that the other ordinance for introduction makes those corrections and can be acted on at the March 12 meeting which is well within the 90 day time period.

Ms. Goodman-Hinnershitz questioned if this was proper protocol. Mr. Younger stated that it was.

Council reviewed this evening’s agenda including the following:

- Resolution amending the CDBG-R Action Plan by reprogramming $200,000 from the 500 block of Franklin St project to fund the repaving of the 500 – 700 blocks of Court St

Mr. Geffken stated that the sidewalk of the bridge is not included in this project. He stated that including the sidewalk will delay the project due to the need for an additional engineering study. He stated that the County will be closing the garage beneath the Services Center at the same time.

Mr. Marmarou questioned utilities in the bridge. Mr. Geffken stated that there is potential for one utility to be located there. He stated that there has been communication with all utilities and stated that there may be delay due to the falcon mating season.

- Resolution regarding a project at Alvernia University

Ms. Katzenmoyer explained that this is the resolution that has been requested to be withdrawn for action at a later date.

- Resolution regarding a contract for electricity supply

Mr. Geffken stated that this contract would be for a period three years at a price of six (6) cents per kilowatt hour

- Ordinance transferring funds in the Property Maintenance Division for the purchase of vehicles

Mr. Geffken stated that this is an additional step to update the City’s fleet to increase efficiency of workers and vehicles.

Mr. Kersley stated that a Crown Victoria currently being used gets twelve (12) mpg where the new vehicle will get 38 mpg.

- Ordinance reducing the amount of expenditures from $50,000 to $25,000 requiring Council approval
Ms. Goodman-Hinnershitz questioned the process for these ordinances. Mr. Acosta stated that they were discussed at a Finance, Audit and Budget Committee.

- Ordinance setting the salary of the CD Director at $75,000 annually

Mr. Waltman questioned if the Administration had discussed the change in salary with the candidate. Mr. Spencer stated that the candidate was informed of the change and did not ask for his name to be withdrawn from consideration.

Ms. Goodman-Hinnershitz questioned the salary range for the CD Director. Ms. Kelleher stated that the range is $55,000 - $85,000.

- Ordinance to issue a series of General Obligation bonds not to exceed $5,000,000

Mr. Acosta stated that this is one of the items described by Mr. Vind earlier this evening.

Mr. Geffken reminded Council that it is practice to approve an amount greater than what is needed just in case.

- Ordinance amending the budget to fund certain positions in the Mayor’s Office

Mr. Kersley distributed an amendment which would move the Special Assistant for Communications into the Managing Director’s office to bring this issue into compliance with the recent opinion of the Charter Board. He requested that Council allow the Mayor to establish his staff and that this is a compromise position. He stated that the funding has been reallocated from vacant positions.

Ms. Goodman-Hinnershitz stated that the unexpended funds are only good for 2012 and are not sustainable. She noted her concern that these funds will not be available in 2013. Mr. Kersley stated that this issue will be addressed during the 2013 budget process. Mr. Spencer agreed and stated that the Administration must prove the continued need for these positions during the 2013 budget process. He stated that they will be able to show Council the cost savings incurred by the City due to these positions during that time.

Ms. Goodman-Hinnershitz questioned if the positions would be exempt. Mr. Geffken stated that all positions would be exempt.

Ms. Goodman-Hinnershitz questioned their current status. Mr. Geffken stated that they are exempt on a part time basis.

Mr. Waltman stated that this issue has gone on for too long. He stated that the Mayor should be allowed to build his team and that Council needs to be able to address issues more quickly. He noted his understanding of the checks and balances system but that Council cannot
legislate every Mayoral decision. He noted the need to approve the positions now and hold the Mayor accountable for them during the 2013 budget process. He noted that there are also other issues which need to be addressed by Council.

Mr. Sterner expressed the belief that there is no need for a Special Assistant for Communications. He stated that most Council staff have more responsibilities than this position and earn less than $45,000. He stated that he agrees with the other positions.

Mr. Spencer explained that, in the past, news about the City was not positive. He noted the need to put a positive image forward. He stated that these positions are not political and that the City needs to highlight the positive work it performs. He stated that Council makes the final decision on the positions. He stated that he decided on the need for this position during his campaign when residents questioned what they get for their tax dollars.

Ms. Goodman-Hinnershitz noted her understanding of the need for positive media coverage but also noted the financial constraints of the City. She stated that this work could be performed by another staff member as needed but that there was not a need for this position to be full time. She noted that Reading is in financial recovery and that this is not a priority at this time.

Mr. Spencer stated that he needed to campaign on his ideas and answer to the residents. He noted his understanding that he will be held accountable for what happens to the City.

Mr. Waltman stated that the Mayor should be granted this position for 2012. He stated that during 2013 budget discussions this position may prove to be very valuable. He noted the need to give the Mayor the tools he needs to move the City forward and that Council gets too caught up in the details. He stated that this is not a major amount of money and that Council and the Administration need to work together.

Ms. Reed described the process of the evaluation of core services. She stated that clean and safe were the top priorities for officials, staff and the general public and questioned how these positions will dovetail into these core services. She stated that these positions are not essential. She stated that residents will see the addition of these positions as a statement that the City does not need additional officers since the City is now safe and does not need additional public works employees as the City is now clean. She stated that this will make a poor public impression.

Mr. Marmarou noted his pride in Mr. Spencer’s election and that he was looking forward to working together. He stated that residents are questioning him why these positions are being added when police officers have been reduced.

Ms. Reed questioned if the employees would receive unemployment if the positions are not approved. Mr. Cituk deferred to legal staff.
Mr. Acosta noted that many on Council do not support the Special Assistant for Communications. He noted the need to find compromise and move on.

Ms. Goodman-Hinnershitz suggested not approving the amended ordinance. She stated that instead of viewing the rejection of the ordinance in a negative way it should be used as a tool to move forward. She stated that the employees in the two authorized positions should have transitioned into the new Administration and no staff changes should have occurred before the funding was secured.

Mr. Waltman noted the perception that many have that the City is a bad place. He stated that the Special Assistant for Communications would deliver a positive image of the City. He stated that Reading has allowed the media to define it and now must counter all the negatives. He noted the need for Councilors to get more serious at budget time to solve the City’s larger problems.

Ms. Goodman-Hinnershitz noted the need for Councilors to be hard on the issues and soft on the people. She stated that all Councilors do work hard during budget season and that this is a learning process for all. She stated that Act 47 does not mean adding positions. She noted the need for the City to only do what it can afford. She stated that adding these positions could give the perception that the financial crisis is over.

Mr. Waltman stated that the City does not have seven mayors but one. He noted that Council needs to let Mr. Spencer lead and that Council should get out of his way.

Mr. Corcoran stated that he has no history with Council or the Mayor. He stated that he wants the City to succeed but noted that there are many residents in his District who are experiencing nuisance crimes and cannot get a police response. He stated that he cannot approve these positions in good conscience.

Mr. Acosta again noted the need to compromise.

Mr. Spencer stated that he has made alternate plans if the positions are not approved.

Mr. Sterner questioned amending the ordinance at the table.

Ms. Goodman-Hinnershitz noted that amending legislation at the 11th hour has proven to be problematic. She recommended voting on the legislation as is and reworking it.

Ms. Reed noted her agreement with Ms. Goodman-Hinnershitz not to amend the legislation at the table.
Mr. Sterner noted the need to move on but again noted his belief that another position could assume the responsibilities of the Special Assistant for Communications.

Mr. Acosta voiced his agreement with Mr. Sterner.

Ms. Goodman-Hinnershitz stated that she was saddened that the reality of the financial situation of the City is not fully understood by all. She stated that she wants the City to do great work and that she supports Mr. Spencer but that there is a need for creative solutions.

Ms. Reed stated that the public does not support these positions and that it is Council’s responsibility to be the City’s fiduciary watchdog.

Mr. Corcoran stated that the Special Assistant for Communication can tell people the positives but that the residents will live the reality. He stated that $200,000 may not be much to the City’s budget but to residents trying to do more with less, this is a large amount of money.

Ms. Goodman-Hinnershitz suggested the body give alternatives and a creative plan.

Mr. Kersley stated that there is no cost to these positions for 2012 as the funding is being reallocated from unspent 2012 funds. He noted the need to address the perception of the media. He stated that Mr. Spencer was elected as the City’s mayor and that Council needs to support his vision.

- Ordinance amending the Property Maintenance Code

Mr. Acosta noted that Mr. Natale did an excellent job highlighting the changes contained in this amendment.

- Reimbursement Resolution

Mr. Acosta stated that Council had a presentation about this resolution by Mr. Vind.

Mr. Geffken explained that this resolution allows the City to begin expending funds for the projects at the waste water treatment plant and then be reimbursed for the work after the debt financing has been received.

- Resolution appointing Councilor Corcoran to the Blighted Property Review Committee

Ms. Reed stated that Mr. Corcoran will be a perfect fit for the BPRC with his real estate background.

- Resolution appointing Lenin Agudo as the CD Director
Mr. Sterner questioned if Mr. Agudo accepted the change in the starting salary. Mr. Marmarou stated that Mr. Spencer stated that he spoke with Mr. Agudo who did not withdraw his name from consideration.

V. Other Discussion

Ms. Goodman-Hinnershitz questioned the protocol for the number of speakers registered to speak this evening. Mr. Acosta stated that Council will follow its policy of allowing those registered to speak on non-agenda items to address Council for three minutes and those registered to speak on agenda items to address Council for five minutes.

Council agreed to have those registered to speak on non-agenda items to speak after the legislation has been addressed as per the public speaking rules.

Mr. Acosta stated that if a speaker does not address Council in English he will call a point of order to ensure that all in attendance can understand the comments and participate in the meeting.

Ms. Reed noted the need to explain that speakers need to register by 5 pm. Mr. Acosta requested that the agenda be changed to reflect this in the future.

Mr. Waltman stated that a call for the question should be respectful of the person who has the floor. He stated that he has done research on calling the question and that a call for the question needs to be in the form of a motion and needs a second and a 2/3 affirmative vote to move forward.

Mr. Acosta requested that Mr. Younger research this issue.

Ms. Goodman-Hinnershitz also noted the importance of raising one’s hand to be recognized by the Council President before making comment. Mr. Marmarou stated that the computer screen shields some Councilors from the President’s view.

Mr. Spencer stated that he can reduce the number of people speaking as he will be making his comments during the Administrative Report. He questioned if items would be taken out of agenda order this evening. Mr. Acosta stated that nothing will be taken out of order this evening.

The meeting adjourned at 6:40 pm.

Respectfully Submitted

Linda A. Kelleher, CMC, City Clerk