



CITY COUNCIL

Public Safety, Public Works and Neighborhood Services Committee

***Monday, March 19, 2012
Meeting Report***

Committee Members Attending: S. Marmarou, M. Goodman-Hinnershitz Chair

Others Attending: S. Katzenmoyer, C. Jones

Ms. Goodman-Hinnershitz, Chair, called the Public Safety, Public Works and Neighborhood Services Committee meeting to order at 5:00 pm. She explained that she has requested that several items be added to the agenda.

Bicycle amendments allowing DID to ride on sidewalks

Ms. Katzenmoyer explained that Chief Heim approached her to make these changes based on a request from the Executive Director of DID. She stated that she based her language on that used by Lancaster. She noted that the ambassadors need to complete training to qualify to ride on sidewalks.

Mr. Marmarou questioned the City's liability. Mr. Jones stated that if someone is hit by a bicycle that the City may be named as a party in a lawsuit. He noted the need to weigh the benefits versus the costs.

Mr. Marmarou noted the use of carts (some with trailers) in the streets and on the sidewalks by Albright. He noted his concerns with safety in this area as well.

Ms. Goodman-Hinnershitz questioned the use of segways. Ms. Katzenmoyer noted the need for Chief Heim to determine their use.

Mr. Waltman and Chief Heim arrived at this time.

Chief Heim stated that the City would assume some liability by making this exception. He read the section that is being added and requested that the phrase "law enforcement activities" be removed. He stated that the City could be named as a party in a lawsuit.

Ms. Goodman-Hinnershitz questioned the use of segways. Chief Heim stated that he was unsure where they would fit.

Ms. Goodman-Hinnershitz requested that Law review the ordinances regarding the liability issue before the ordinances are considered for final passage.

Mr. Waltman stated that DID and the Parking Authority are already riding on sidewalks. Chief Heim stated that they are doing so without the City's permission.

Ms. Goodman-Hinnershitz noted the increase in unattended children in the downtown area as mom's are on cell phones. She noted that these children are at an increased risk of injury.

Mr. Marmarou voiced his disagreement with Chief Heim regarding the vehicles at Albright. He stated that as these are motorized vehicles using City streets, they must be registered and inspected. Chief Heim stated that there is a former State trooper on Albright's staff. He stated that these vehicles are not approved but that there has been no enforcement.

Ms. Goodman-Hinnershitz stated that these are two separate issues.

Chief Heim stated that he will contact Albright.

Ms. Katzenmoyer stated that she will follow up with Law and will strike the provision noted by Chief Heim.

Public Private Partnership Agreement for park maintenance

Ms. Katzenmoyer explained that this agreement is based on a similar ordinance in Hawaii. She stated that it has been adapted for Reading and noted that it is a first step in getting consistent agreements for groups assisting the City.

Ms. Goodman-Hinnershitz questioned if Public Works would be able to keep City parks and playgrounds up to code this summer. Mr. Jones stated that several part time employees have been added to the 2012 budget which will assist. He stated that the early warm weather will cause the summer maintenance to begin sooner.

Mr. Waltman questioned if there was a specific park that Ms. Goodman-Hinnershitz was referring to. Mr. Jones stated that most complaints received in 2011 were regarding City Park.

Ms. Goodman-Hinnershitz stated that the problem has been exacerbated by the City's quality of life ticketing of high grass/weeds. She stated that the City is not in compliance.

Ms. Goodman-Hinnershitz described the work of the Blue Mountain Region Sports Club of America working to clear Duryea Drive and Skyline Dr for their two events. She questioned if this group should have an agreement. Mr. Jones expressed the belief that it would be best to

formalize the work, especially for multi-year agreements.

Mr. Waltman noted the need for all groups to have an agreement and sign a liability waiver.

Ms. Goodman-Hinnershitz explained that the Blue Mountain group would be working to clear debris left by the October snow storm. Mr. Jones explained that they requested use of a City chipper and that a City operator will be running the equipment. Volunteers will be bringing items to the chipper.

Mr. Waltman questioned if this was agreement was reviewed by Law. Ms. Katzenmoyer stated that she will follow up.

Mr. Waltman noted the need to use the agreement on a case by case basis. He noted the need for Council approval of all agreements.

Ms. Goodman-Hinnershitz also noted the need for the agreements to be reviewed and updated annually.

Existing Lease Agreement with Alvernia

Mr. Waltman stated that he has reviewed the current agreement. He stated that signage at the park entrance is not addressed in the agreement. He noted that the newly negotiated agreements seem to be all or nothing and expressed the belief that 99 years is too long. He noted the need to be creative and for Council to approve all capital investments made in the park area. He noted the need for a better sign at the park entrance.

Ms. Goodman-Hinnershitz noted her concern that the sign was approved by the Planning Commission.

Mr. Waltman questioned who told the Planning Commission that the sign installation was approved. He stated that the City is the landowner. He expressed his many concerns with the current agreement, the newly negotiated agreements and the signage.

Ms. Goodman-Hinnershitz requested that Mr. Waltman put his concerns in writing.

Mr. Marmarou stated that Alvernia has taken complete control of the use of the ball fields.

Mr. Waltman noted the need of Council to control its investments. He also noted the need for a way out of the agreement. The agreements should be flexible and not give away complete control.

Ms. Goodman-Hinnershitz noted the need to change the current sign but questioned how a decision of the Planning Commission can be overridden.

Mr. Waltman expressed the belief that the Planning Commission did not have authority to grant permission for this sign.

Mr. Jones stated that Alvernia submitted a plan to the Planning Commission, which included the signage.

Mr. Waltman stated that the Planning Commission should not have given away the City's authority.

Ms. Goodman-Hinnershitz requested a review of the minutes and resolution of the Planning Commission regarding this issue. Ms. Katzenmoyer stated that she will make this request to the Planning Office.

Mr. Waltman stated that the current signage is not addressed in the current agreement. Mr. Jones explained that the City's Subdivision and Land Development Ordinance and the State Municipalities Planning Code give the Planning Commission the authority to make this approval as part of a plan review.

Mr. Waltman stated that City approval was not granted to place the sign on its land. He stated that the Planning Commission may have assumed that this permission was given.

Mr. Jones stated that Alvernia has also made improvements to this intersection making it much safer.

Mr. Waltman stated that he does not object to the sign, but objects that the City is not well represented on the sign.

Ms. Goodman-Hinnershitz expressed the belief that Alvernia felt they went through the proper channels. Mr. Jones stated that Zoning has also granted approval.

Mr. Waltman stated that Alvernia's CFO referred to this agreement as granting permission for the signage. He stated that any future agreements must also address this sign.

Ms. Goodman-Hinnershitz stated that the Planning Commission may have misinterpreted information about the sign. She stated that this sign is consistent with the other signage on campus, although the entrance to the park is not really an entrance to the campus.

Street Lighting in Wyomissing Park area

Mr. Jones explained that the lighting in this area is ornate and provides more pedestrian lighting than street lighting. He stated that the neighborhood loves the posts but that the circuits are built so that if one light goes out, they all go out. He stated that this makes it difficult to locate the problem to correct it.

Mr. Jones explained that Met Ed owns the lighting in this area and that they can no longer get replacement parts. He stated that they are in the process of designing new lighting for the area. The City would be responsible for excavating and backfilling as needed. He stated that this work could become expensive as driveways and sidewalks may be affected. He stated that the design will probably include underground wiring to keep the neighborhood character the same.

Ms. Goodman-Hinnershitz questioned if the Mayor has been briefed on this issue. Mr. Jones stated that he will give an additional update to the Mayor after the design and cost estimate is received. He stated that this neighborhood will not qualify for CDBG funding.

Mr. Waltman suggested that this expense be included in the capital budget. He questioned if it would be more than \$1 million. Mr. Jones stated that the cost should not be that high. He stated that he will give an update after the plans are received.

Mr. Jones stated that some streets in this neighborhood have been without lighting for a year and that residents are becoming very frustrated. He stated that Met Ed will have the plans to the City in April or May.

Mr. Waltman noted the need to shift capital funding as necessary. Mr. Jones stated that depending on the design chosen, the City may also need to cover a portion of the fixtures themselves.

Mr. Waltman stated that residents in this neighborhood pay more in taxes and deserve to have this corrected.

Update Recreation Commission and Use of Bandshell

Ms. Goodman-Hinnershitz suggested that the Executive Director, Daphne Klahr, attend a future Committee of the Whole meeting. She stated that the Commission is planning a retreat in May. The retreat will focus on strategic planning and will be facilitated free of charge by the Chamber of Commerce.

Mr. Waltman questioned summer programming. Ms. Goodman-Hinnershitz stated that there will be playground programming at four sites – 3rd & Spruce, 11th & Pike, Pendora, and Hillside – and other summer events.

Ms. Goodman-Hinnershitz questioned how the Recreation Commission would fit into scheduling the bandshell. Mr. Jones stated that it was his impression that the Recreation Commission would schedule all events.

Ms. Goodman-Hinnershitz questioned how this would affect the summer concerts given by the Berks Arts Council. Mr. Jones expressed his frustration with this group as they get all the revenue but the City does all the work. He stated that he has met with Ms. Klahr to discuss the needs of the facilities. He stated that Public Works is addressing the needs as they are able.

Mr. Marmarou questioned who received the revenue from the vendors at the summer concerts. No one in attendance could answer this question. *Note: it is believed that each vendor keeps their own revenue.*

Mr. Jones stated that the Arts Council is not charged a fee to use the bandshell.

Repairs to Mineral Spring Park

Ms. Goodman-Hinnershitz stated that Years of Tears would like to hold their annual event in Mineral Spring Park. She stated that there is much damage from the October snow storm. Mr. Jones stated that it was hoped that FEMA funds could be used to make repairs at this park. He stated that he will follow up with Mr. Zeiber and Ms. Hoag.

Ms. Goodman-Hinnershitz questioned if a Public Private Partnership Agreement would be good for this park.

Mr. Marmarou noted the poor condition of the large pavilion in Hampden Park. He requested a copy of the agreement with the Reading School District regarding this park. Ms. Katzenmoyer stated that she will provide a copy.

Repairs to City Park

Ms. Goodman-Hinnershitz questioned if Mr. Jones had seen the email from former Mayor McMahan regarding maintenance needs at City Park. Mr. Jones stated that he had.

Mr. Waltman stated that he had not seen the email and questioned what repairs were needed. Mr. Jones stated that there are vandalism issues at the pond that need to be repaired.

Mr. Waltman expressed the belief that the bandshell project was successful.

Mr. Jones stated that the pond will be treated to reduce the amount of algae.

Pagoda Foundation

Ms. Goodman-Hinnershitz stated that a lease agreement is being drafted between the City and the Pagoda Foundation. She questioned if Mr. Jones was willing to meet with Mr. Olsen about the maintenance needs at the Pagoda. Mr. Jones stated that he will meet with Mr. Olsen.

Ms. Goodman-Hinnershitz stated that the issue will be discussed at a Committee of the Whole meeting when the draft agreement is ready for Council review.

Mr. Waltman noted the importance of the Pagoda.

Ms. Goodman-Hinnershitz stated that the agreement will be drafted so that the Foundation keeps the Pagoda revenue to cover operating expenses.

The meeting adjourned at 5:47 pm.

Respectfully submitted by
Shelly Katzenmoyer, Deputy City Clerk