

**City of Reading City Council  
Regular Business Meeting  
Monday, February 13, 2012**

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

The invocation was given by City Councilor Donna Reed.

All present pledged to the flag.

**ATTENDANCE**

Council President Acosta  
Councilor Corcoran, District 1  
Councilor Goodman-Hinnershitz, District 2  
Councilor Sterner, District 3  
Councilor Reed, District 5  
Councilor Waltman, District 6  
Mayor V. Spencer  
Managing Director C. Geffken  
City Auditor D. Cituk  
City Solicitor C. Younger  
City Clerk L. Kelleher

**PROCLAMATIONS AND PRESENTATIONS**

The City Council issued the following:

- Council recognition of Berks Catholic High School outstanding fall athletes
- Council commendation recognizing Black History Month, accepted by the Reading Chapter NAACP
- Council commendation recognizing the African American Art Coalition of Reading, accepted by Ed Terrell

**PUBLIC COMMENT**

Council President Acosta announced that eight (8) citizens were registered to address Council on agenda matters and two (2) citizens were registered to address Council on non-agenda matters. He inquired if any member of Council objected to suspending the rule requiring non-agenda comment at the end of the meeting. As no one objected the rule requiring non-agenda comment at the end of the meeting was suspended. He reminded the speakers of the remaining public speaking rules.

**Mercedes Lindao, of North 5<sup>th</sup> Street**, stated that she was issued Quality of Life tickets for having a plastic chair and an automobile seat in her rear yard. She expressed the belief that the program is unfair. She also stated that her financial situation makes paying the tickets difficult. She requested assistance.

**Nelson Ruiz, of North 5<sup>th</sup> Street**, deferred on his opportunity to comment.

**Suzanne Snell, of North 10<sup>th</sup> Street**, stated that she operates two (2) investment properties and prefers the prior warning system better. She stated that she received two (2) Quality of Life tickets at her rental properties for high grass. She expressed the belief that the ticketing system is unfair.

**Josephine Torres-Boykins, of South 6<sup>th</sup> Street**, expressed her disappointment with the obstacles placed by the members of Council to impede the new Mayor's progress. She also expressed her belief in the two (2) Directors brought forth by the Mayor. She questioned if Council made their decision based on the race of the Mayor or the applicant and questioned their opposition to these appointments. She noted the Mayor's ability under the Charter to make appointments and the historical approval of those appointments by the members of Council. She asked Council to reconsider their decision to reject both candidates.

**Ed Terrell, of Lackawanna Street**, stated that he heard through Reading Eagle comments, comments similar to those made by previous speaker. He questioned if bias or bigotry entered in to this decision. He expressed his belief in the applicants leadership and ability and he noted the need for change in Council's resolve.

**Eddie Moran, of Berks Street**, spoke in support of the proposed Director appointments as they create diversity within City Hall. He also noted BCTV's announcement regarding the appointment of one (1) of the two (2) candidates. He expressed the belief that both candidates are qualified for the positions.

**Linda Thompson, of Brighton Street**, stated that she is a volunteer with the Pagoda Writer's Club and noted her love of volunteerism. She expressed the belief that Ms. Figueroa is qualified and supported her appointment as Administrative Services Director.

**Sylvia Aviles, of Scott Street**, noted the capability of Ms. Figueroa and expressed her support with the Mayor's recommendation.

**Ana Bereyra, of Bartlett Street**, spoke only in Spanish and suggested that the agenda and other City documents be translated into Spanish and be delivered to City households so citizens can be better informed about the issues before Council . She also expressed her

support for the appointment of Ms. Figueroa.

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

Council President Acosta called Council's attention to the minutes for the January 30<sup>th</sup> and February 1<sup>st</sup> special meeting and the minutes of the January 23<sup>rd</sup> regular meeting of Council, along with the agenda for this meeting, including the legislation listed under the Consent Agenda heading. He noted the need to add one (1) resolution under the Resolution heading authorizing the 2012-2013 Council Committees.

**Councilor Reed moved, seconded by Councilor Sterner, to approve the agenda as amended, including the legislation under the Consent Agenda heading and the minutes from the January 30<sup>th</sup> and February 1<sup>st</sup> Special Meeting and the January 23<sup>rd</sup> Regular Meeting of Council. The motion was approved unanimously.**

### **Consent Agenda**

**Resolution 13-2012-** authorizing the disposition of Invoices and USL Reports for 2004 in the Finance/Administrative Services Department (**Man Dir**)

**Award of Contract -** for the Angelica Creek Bridge Project to McCormick Taylor, Inc., 222 Valley Creek Boulevard Exton, PA 19341, for a total submitted price of approximately \$63,768.38 (**Purchasing**)

## **RESOLUTIONS**

**Resolution 14–2012** appointing Heather Hanna to the Board of Trustees of the Reading Public Library (**Admin Oversight**)

**Resolution 15–2012** reappointing Barrie Pease to the Animal Control Board (**Admin Oversight**)

**Resolution 16–2012** appointing John Dethoff to the Board of Health (**Admin Oversight**)

**Councilor Reed moved, seconded by Goodman-Hinnershitz, to adopt Resolutions 14-2012 – 16-2012**

Councilor Reed noted the qualifications of the candidates being appointed and reappointed.

**Resolution 14-2012 – 16-2012 were adopted by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Reed, Sterner, Waltman, Acosta, President - 6**

**Nays: None- 0**

**Resolution 17–2012** appointing Isamac Torres-Figueroa as the Administrative Services Director (**Mayor**)

**Councilor Goodman-Hinnershitz moved, seconded by Reed, to adopt Resolutions 17-2012**

Councilor Waltman thanked the speakers for conveying their opinions this evening. He noted that Council provides checks and balances and is not acting as an obstacle. He noted the lack of investment in the community from prior department directors. He expressed his belief in the education of the candidate and her investment in the City of Reading. He expressed the belief that Council’s decision is colored by politics, not race. He asked Council to consider approving Ms. Figueroa.

Councilor Sterner thanked the speakers who addressed Council this evening; however he noted that their accusations about Council making a racist decision is unfair and uncalled for. He expressed the belief that the Director of the Administrative Services Department needs to be a top candidate with stronger qualifications and experience as this position is in direct succession to the Managing Director’s position.

Councilor Acosta also expressed his concern with the racist comments as Council’s decision is not based on race but on the qualifications listed on the candidate’s resume and on the interview of the candidate. He noted that the body of Council appointed the first Latino Council President and noted that a racist Council would have not made that decision.

Councilor Reed called the question.

**Resolution 14-2012 – 16-2012 were adopted by the following vote:**

**Yeas: Waltman - 1**

**Nays: Corcoran, Goodman-Hinnershitz, Reed, Sterner, Acosta, President - 5**

**Resolution 18 – 2012** - removing Vaughn D. Spencer from the Reading Local Redevelopment Authority and appointing Council President Francis Acosta and District 1 City Councilor Randy Corcoran to the Reading Local Redevelopment Authority, for a three (3) year term, as required by Bill No. 14-2009 (**Council Staff**)

**Councilor Reed moved, seconded by Goodman-Hinnershitz, to adopt Resolutions 18-2012**

**Resolution 18-2012 were adopted by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Reed, Sterner, Waltman, Acosta, President - 6**

**Nays: None- 0**

## **ADMINISTRATIVE REPORT**

Mayor Spencer read the report distributed to Council on Friday, February 10<sup>th</sup> covering the following:

- Update on the ICC meetings which have been occurring since the beginning of January about the various transition initiatives
- Senator Casey's press conference in Reading
- Meeting with bodega business owners regarding crime
- Distribution of the Administration's first newsletter via the Rec Center, Library, Citizen's Service Center, the website, and Facebook

Councilor Goodman-Hinnershitz noted that she attended the Mayor's placarding press conference held during the middle of the day last week where she saw school aged children in the area and in the homes being placarded. She noted the need to enforce the truancy regulations.

Councilor Goodman-Hinnershitz expressed her belief that the problems associated with space heaters are probably caused in the sharp rise in heating oil.

## **AUDITOR'S REPORT**

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

- Collection of 2011 Franchise Fee
- Collection of 2011 Traffic Fine Motor Vehicles
- Report on 2011 Unemployment Compensation

## **ORDINANCES FOR FINAL PASSAGE**

**Bill No 8- 2012 - amending Chapter 5, Code Enforcement of the Codified Ordinances of the City of Reading by adding Alleys, Recycling Storage and the Food Code to existing Quality of Life Violations and amending language regarding Waste/Trash Storage Times and in the Current Fines and Penalties Section (Law) *Introduced at the January 9 regular meeting; Tabled at the January 23 regular meeting***

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to table Bill No. 8-2012.**

**Bill No. 1-2012 was tabled by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Reed, Sterner, Waltman, Acosta, President – 6**

**Nays: None- 0**

**Bill No. 11-2012** - amending the 2012 City of Reading general fund budget by authorizing the transfer of funds from the Department of Public Works to the Information Technology Division **(Controller)** *Introduced at the January 23 regular meeting*

**Councilor Reed moved, seconded by Councilor Sterner, to enact Bill No. 11-2012.**

Managing Director Geffken explained the need to make this transfer to cover the expense of cell phones and the move to a different cell phone carrier.

**Bill No. 11-2012 was enacted by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Reed, Sterner, Waltman, Acosta, President - 6**

**Nays: None- 0**

**Bill No. 12-2012** - amending Code of Ordinances, City of Reading, Chapter 1, Administration and Government, Exhibit A City of Reading Purchasing Policy & Procedures, Administrative Procedure Bid Solicitation, Evaluation & Award Procedure to require an Approved Apprenticeship Program and Minority Hiring **(Law)** *Introduced at the January 23 regular meeting*

**Councilor Corcoran moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 12-2012.**

Managing Director Geffken and Mayor Spencer provided background on the update to this policy which provides a new level of fairness in the RFP process. They noted that the ordinance is recommended by Fox Rothchild LLC.

Councilor Goodman-Hinnershitz noted her commitment to enact and then implement this ordinance. She noted the importance of supporting the minority and woman's community.

Council President Acosta agreed with the need to consider local hiring along with hiring of

minority and woman applicants.

**Bill No. 3-2012 was enacted by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Reed, Sterner, Waltman, Acosta, President - 6**

**Nays: None- 0**

## **INTRODUCTION OF NEW ORDINANCES**

Council President Acosta read the following ordinances into the record:

**A. Ordinance** - amending the 2012 budget of the Property Maintenance Division of the Department of Community Development by authorizing the transfer of funds from salaries to purchase vehicles and to create a line item for vehicle purchase **(Bus Analyst)**

**B. Ordinance** - amending the City of Reading Codified Ordinances Chapter 1 Administration and Government, Section 186 G Fiscal Provisions by reducing the amount of expenditures and allocations requiring council's approval from \$50,000 to \$25,000 **(Council Staff)**

**C. Ordinance** – setting forth the salary of the Director of the Community Development Department at \$70,000 annually.

**D. Ordinance** - amending the City of Reading Codified Ordinances Chapter 2 Animals Section 2-116 Animal Control Board Established by amending the membership of the Board to seven members and removing alternate members **(Council Staff)**

**E. Ordinance** - setting forth Council's intent to issue a series of general obligation bonds of the City in the aggregate principal amount not to exceed five million dollars (\$5,000,000) **(Man Dir)**

**F. Ordinance** - amending the 2012 general fund budget, reallocating certain salary and benefit expenses and amending the 2012 position ordinance to provide funding for positions in the Office of the Mayor **(Bus Analyst)**

**G. Ordinance** - amending the 2012 City of Reading listing of positions by eliminating and adding positions in the Mayor's Office **(Bus Analyst)**

**H. Ordinance** - amending Chapter 5, Code Enforcement, Part 6, Property Maintenance, of

the Codified Ordinances of the City of Reading, Pennsylvania, by adopting and amending the International Property Maintenance Code of the International Code Council, 2012 Edition, as deleted, modified or amended as set forth to create a revised City of Reading Property Maintenance Code establishing minimum regulations governing the conditions and maintenance of all property, buildings and structures, by providing the standards supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use and the condemnation of buildings and structures unfit for human occupancy and the demolition of such structures as attached as Exhibit A **(Law)**

## **RESOLUTIONS**

**Resolution 19–2012** – authorizing the 2012-2013 Council Committees **(Council Staff)**

**Councilor Goodman-Hinnershitz moved, seconded by Reed, to adopt Resolutions 19-2012**

Councilor Goodman-Hinnershitz noted that the Committee structure has been adapted so they mesh with the Mayor’s transition plan and priorities. She noted that Council is not an obstacle to the new Administration but supports various efforts. She thanked Council President Acosta for adjusting the Committees accordingly.

Council President Acosta stated that the new Committee structure reflects on the Mayor’s transition plan and priorities. He stated that using the Mayor’s the various transition initiatives will easily fit within this Committee structure.

**Resolution 19-2012 was adopted by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Reed, Sterner, Waltman, Acosta, President - 6**

**Nays: None- 0**

## **COUNCIL COMMENT**

Councilor Waltman questioned the protocol regarding calling the question after he requested to speak during the discussion on the appointment of the Administrative Services Director.

Councilor Sterner thanked the speakers and those involved in Black History Month. He noted the need for the Public Safety Committee to further review the Quality of Life ticketing program.

Council President Acosta also noted that the Mayor is considering and evaluating the Quality of Life ticketing program.

Councilor Goodman-Hinnershitz agreed with the need to balance the Quality of Life program in this highly dense urban area.

Councilor Reed noted the contentious meeting that occurred this evening and stated that she was offended by those pulling the racist card. She noted that all City Councilors work very hard and make well-balanced decisions. She noted the need for Council to marry the applicant's qualifications with the job description. She stated that in this case it was not a good match.

Council President Acosta reviewed the Council meeting schedule.

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

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