

City of Reading City Council
Regular Business Meeting
Tuesday, May 29, 2012

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

The invocation was given by Elder Saul Hodge, First Century Worship Center.

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
Mayor V. Spencer
City Auditor D. Cituk
City Solicitor C. Younger
City Clerk L. Kelleher

PROCLAMATIONS AND PRESENTATIONS

City Council issued the following:

- Council Commendation recognizing National Historic Preservation Week, accepted by Preservation Specialist Amy Johnson
- Council Commendation recognizing the service of Betty Jean Wagner to the Historical Architectural Review Board
- HARB Presentation of Historic Awards to:
 - 115 S 6th St
 - 507 Windsor St
 - 930 Centre Av
 - 801 N 5th St
 - 803 N 5th St

PUBLIC COMMENT

Council President Acosta announced that three (3) citizens were registered to address Council on non-agenda matters. He inquired if any Councilor objected to suspending the rule requiring non-agenda comment at the end of the Council meeting. As no one objected, the rule to require non-agenda comment at the end of the meeting was suspended. Council

President Acosta reminded the citizens registered to speak about the remaining public speaking rules.

Vada Doctor, of Wyomissing, was not present.

Michael Dugan, of North 12th Street, was not present.

Maryann Ciarlone, North 5th Street, stated that she found the Transition Report section on Open Government and Transparency very interesting. She stated that some property owners in Centre Park offered to sell her their properties. She described her work on streetscapes to beautify her properties. She inquired if Council was aware that some Centre Park property owners have decided to walk away from their properties and have offered to turn the deeds into Property Maintenance. She stated that this situation will create blight in a stable neighborhood.

Mr. Acosta advised Ms. Ciarlone that her speaking time had expired. He inquired if any member of Council objected to providing Ms. Ciarlone with one additional minute to speak. As no one objected, Ms. Ciarlone was provided with an additional minute to comment.

Ms. Ciarlone suggested that Council hold meetings on housing that are open to the public. She also asked all officials to remember that the text in the Open Government and Transparency section of the Transition Plan are founding principles that all should uphold.

APPROVAL OF THE AGENDA & MINUTES

Council President Acosta called Council's attention to the agenda for this meeting and the minutes for the May 14th Regular Meeting of Council. He noted the need to add legislation to the consent agenda as follows:

- **Resolution 72- 2012** – Authorizing the refinancing of the RAWA 2002 Revenue Bond in the amount of \$2.7M
- **Award of Contract** to Martin Limestone for the repaving of the 500 and 600 blocks of Court St.

Council President Acosta stated that some technical issues created three different versions of the agenda for tonight's agenda. He stated that the appointment of the Managing Director appears on one of the versions and will be considered under the Resolution heading.

Councilor Marmarou moved, seconded by Councilor Sterner, to approve the minutes from the May 14th Regular Meeting of Council and the agenda as amended, including the legislation under the Consent Agenda heading. The motion was approved unanimously.

Consent Agenda

Resolution 72- 2012 – Authorizing the refinancing of the RAWA 2002 Revenue Bond in the amount of \$2.7M

Award of Contract to Martin Limestone for the repaving of the 500 and 600 blocks of Court St.

ADMINISTRATIVE REPORT

Mayor Spencer read the report distributed to Council earlier in the day. He highlighted the report as follows:

- The May 16th meeting regarding Wind Energy Supply Chain
- The May 17th neighborhood meeting at the Salvation Army.
- Update on Graffiti Abatement
- The recent fires in Reading

AUDITOR'S REPORT

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

- 2012 Admissions Tax Collection
- 2012 Real Estate Transfer Tax Compensation
- 2012 Motor Vehicle Codes Collection

ORDINANCES FOR FINAL PASSAGE

A. Bill No. 36-2012 - authorizing the Mayor to execute the third addendum to the lease and operating agreement between the City of Reading, Pennsylvania and the Reading Area Water Authority, in the form attached hereto as Exhibit "A", and such other documents necessitated thereby, including, without limitation, (1) a deed conveying to the Reading Area Water Authority an approximately one hundred twenty (120) acre parcel of land located in Ontelaunee Township owned by the City and (2) a deed conveying to the Reading Area Water Authority an approximately two and thirty-nine one hundredths (2.39) acre parcel of land owned by the City and located at 1801 Moss Street in the City of Reading (**Man Dir**) *Introduced at the March 12 regular meeting; Tabled at the March 26 regular meeting; Tabled at the April 2 special meeting; Tabled at the April 9 regular meeting*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to tabled Bill No. 36-2012.

Bill No. 36-2012 was tabled by the following vote:

Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, – 5

Nays: Waltman, Acosta, President -2

B. Bill No. 56-2012 – amending Bill No 30-2012 the 2012 City of Reading Position Ordinance by adding three (3) temporary employees to the Citizens Service Center for the Tax Amnesty Program (**Bus Anal**) *Introduced at the May 14 regular meeting*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Corcoran, to enact Bill No. 56-2012.

Ms. Goodman-Hinnershitz asked the Mayor to provide a snapshot of the scope for these positions. Mayor Spencer stated that these employees will find businesses and people who have delinquent taxes. He also stated that these employees will assist with the collection of delinquent taxes.

Bill No. 56-2012 was enacted by the following vote:

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

C. Bill No. 57-2012- implementing a Business Tax Amnesty Program between June 17 and August 18, 2012 which forgives Taxpayers who pay certain past due Per Capita Taxes and Business Privilege Taxes from liability for remaining past due Business Taxes, Interest, and Civil and Criminal Penalties (**Council Staff/Law**) *Introduced at the May 14 regular meeting*

Councilor Corcoran moved, seconded by Councilor Marmarou, to enact Bill No. 57-2012.

Councilor Waltman stated that this program provides a window of opportunity for those having delinquent taxes to pay the taxes during the program period without penalties and interest. He noted that the City has prepared lists of people and businesses who have delinquencies.

Council President Acosta agreed noting that those who are not currently in compliance with the City's tax requirements have an opportunity to correct the problem. He stated that the program will include an educational component through the marketing materials.

Councilor Marmarou reminded all of his advocacy for developing a solution to this problem in the past.

Bill No. 57-2012 was enacted by the following vote:

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

D. Bill No. 58-2012 - amending Codified Ordinances, Chapter 1 Administration and Government §§ 1-1001, 1-1004, 1-1005, 1-1006, and 1-1007 of the City of Reading Policy for Access to Public Records in accordance with the Pennsylvania Right-To-Know Law (**Law**) *Introduced at the May 14 regular meeting*

Councilor Corcoran moved, seconded by Councilor Marmarou, to enact Bill No. 58-2012.

Bill No. 58-2012 was enacted by the following vote:

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

Nays: None -0

E. Bill No. 59-2012 - setting forth the salary of the Managing Director of the City of Reading at \$100,000 annually (**Mayor**) *Introduced at the May 14 regular meeting*

Councilor Sterner moved, seconded by Councilor Marmarou, to enact Bill No. 59-2012.

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to amend the salary to \$95,500.

Councilor Goodman-Hinnershitz stated that the reduction is not based on the candidate's qualifications. The reduction is only based on the City's financial condition.

Councilor Reed agreed that the candidate is most qualified but she noted the need to spend taxpayer dollars wisely.

Councilor Waltman agreed that the City must spend its money wisely but expressed the belief that this candidate's qualifications justify the increase.

Councilor Sterner agreed with the salary proposed by the Administration as the candidate has the desired skills and experience.

Council President Acosta questioned the candidate's start date. Mayor Spencer stated that the candidate will begin immediately. Ms. Kelleher noted that the candidate, during the interview, stated that she could not begin full time until July 5th due to planned vacations. Mayor Spencer stated that the candidate does have trips planned but she will be working between trips.

There was discussion on the City's policy for vacation for incoming employees. Council President Acosta stated that various organizations have different policies. Councilor Reed inquired about the contract negotiated with the candidate. Mayor Spencer stated that a

contract has not been negotiated and that he agreed to allow the candidate to continue with her vacation plans. Councilor Reed requested an executive session prior to the vote on the salary about the candidate's contract and expectations. After discussion, it was decided that the executive session will occur after the conclusion of the meeting.

The motion to amend Bill No. 59-2012 was NOT adopted by the following vote:

Yeas: Corcoran, Goodman-Hinnershitz, Reed - 3

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

Bill No. 59-2012 was enacted by the following vote:

Yeas: Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Acosta, President - 5

Nays: Corcoran, Reed - 2

F. Bill No. 60-2012 - amending Chapter 7 Fire Prevention and Fire Protection (**Fire Marshal/Law**) *Introduced at the May 14 regular meeting*

Councilor Marmarou moved, seconded by Councilor Corcoran, to enact Bill No. 60-2012.

Bill No. 60-2012 was enacted by the following vote:

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

Nays: None -0

G. Bill No. 61-2012 - amending the City of Reading Codified Ordinances Chapter 10 Health and Safety by repealing Section 18 Health and Safety Inspection and recreating the Health and Safety Inspection with other provisions as a new Part 4 named "Certificate of Transfer" in Chapter 4 Buildings (**Law**) *Introduced at the May 14 regular meeting*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Marmarou, to enact Bill No. 61-2012.

Bill No. 61-2012 was enacted by the following vote:

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

Nays: None -0

H. Bill No. 62-2012 – amending the fee schedule of the City of Reading for the Fire Prevention Code as attached (**Law**) *Introduced at the May 14 regular meeting*

Councilor Corcoran moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 62-2012.

Bill No. 62-2012 was enacted by the following vote:

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

Nays: None -0

I. Bill No. 63-2012 – amending the fee schedule of the City of Reading for Health and Safety Inspection as attached (**Law**) *Introduced at the May 14 regular meeting*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Corcoran, to enact Bill No. 63-2012.

Bill No. 63-2012 was enacted by the following vote:

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

Nays: None -0

INTRODUCTION OF NEW ORDINANCES

Council President Acosta read the following ordinances into the record:

A. Ordinance - setting forth the salary of the Administrative Services Director of the City of Reading at ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) annually (**Mayor**)

B. Ordinance – refinancing Reading Phillies loan (**Reading Phillies**)

C. Ordinance - amending Code of Ordinances of the City of Reading, Berks County, Pennsylvania, Chapter 1 Administration and Government, Exhibit A City of Reading Purchasing Policy & Procedures, Administrative Procedure Bid Solicitation, Evaluation and Award Procedure, Paragraph 4.0 General Policy to include Project Labor Agreement Language (**Law**)

D. Ordinance - authorizing the Mayor to execute an Easement between the City of Reading and the Metropolitan Edison Company thereby conveying unto the Metropolitan Edison Company a permanent easement and uninterrupted right of access as described in said easement upon that portion of premises along Skyline Drive, Reading, Berks County, Pennsylvania (pin no. 5317-02-76-2194) for installation of one (1) pole and overhead primary electric facilities for service to the Berks County 911 cell tower (**Law**)

E. Ordinance - amending the Codified Ordinances of the City of Reading, Chapter 1 Administration and Government, Part 5 Boards, Departments, Commissions, Committees and

Councils, Part C Human Relations Commission, §1-525 Powers and Duties of Commission by providing for a method of enforcing subpoenas (**Law**)

RESOLUTIONS

A. Resolution 68-2012 – denying the inter-municipal liquor license transfer at 1626 Perkiomen Ave (**Council Staff**)

Councilor Marmarou moved, seconded by Councilor Corcoran, to adopt Resolution 68-2012.

Councilor Goodman-Hinnershitz described the hearing held to consider this request, which was attended by citizens who described the negative impact this transfer would bring to the neighborhood.

Resolution 68-2012 was adopted by the following vote:

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

Nays: None- 0

B. Resolution 69-2012 - extending the term of exemptions, deductions, abatements and credits for real property, earned income tax, net profits mercantile, and business privilege taxes within a specific geographic area in City of Reading, Berks County designated as a Keystone Opportunity Expansion Zone (“KOEZ”) or Keystone Opportunity Improvement Zone (“KOIZ”) in order to foster economic opportunities, stimulate industrial, commercial, and residential improvements and prevent physical and infrastructure deterioration within areas of City of Reading, Berks County, Commonwealth of Pennsylvania, upon certain terms and conditions (**Com Dev**)

C. Resolution 70- 2012 - authorizing the exemptions, deductions, abatements and credits for real property, earned income tax, net profits mercantile, and business privilege taxes within a specific geographic area in City of Reading, Berks County (“expansion parcel(s)”) designated as a proposed expansion of a contiguous existing Keystone Opportunity Expansion Zone (“KOEZ”) or Keystone Opportunity Improvement Zone (“KOIZ”), as appropriate, in order to foster economic opportunities, stimulate industrial, commercial, and residential improvements and prevent physical and infrastructure deterioration within the designated areas of City of Reading, Berks County, Commonwealth of Pennsylvania, upon certain terms and conditions (**Com Dev**)

Councilor Goodman-Hinnershitz moved, seconded by Councilor Marmarou, to table Resolutions 69 and 70-2012

Resolutions 69 and 70-2012 were tabled by the following vote:

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

President - 7

Nays: None- 0

Council President Acosta stated that a joint meeting to discuss these resolutions will be held on June 6th with the Reading School Board.

D. Resolution 71-2012 – appointing Carole B. Snyder as Managing Director (**Mayor**)

Councilor Corcoran moved, seconded by Councilor Marmarou, to adopt Resolution 71-2012

Mayor Spencer described the vetting process conducted and organized by PFM. He stated that he agrees with the process used to select this candidate.

Councilor Goodman-Hinnershitz also agreed with the process used and with the qualifications of the candidate. She stated that she looks forward to closing the management gap that will rebalance responsibilities within the management team.

Councilor Corcoran noted the importance of the business background the candidate will bring to the City. He stated that he looks forward to the positive change and leadership this candidate will bring.

Councilor Goodman-Hinnershitz reminded all of the executive session at the close of this meeting.

Councilor Reed stated that she will abstain as she was not provided with sufficient information about the contract with the candidate. City Solicitor Younger approved Councilor Reed's desire to abstain from the vote.

Resolution 71-2012 was adopted by the following vote:

Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Acosta,

President - 6

Nays: None- 0

Abstention – Reed – 1.

COUNCIL COMMENT

Council discussed the need for the reconsideration of a traffic signal at South 5th and Buttonwood Streets with the Mayor and Public Works Director Jones, who was in the audience.

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

Respectfully submitted by Linda A. Kelleher CMC, City Clerk