

City of Reading City Council
Regular Business Meeting
Monday, August 13, 2012

Council Vice President Marcia Goodman-Hinnershitz called the meeting to order.

The invocation was given by District 1 Councilor Randy Corcoran.

All present pledged to the flag.

ATTENDANCE

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

PROCLAMATIONS AND PRESENTATIONS

The following proclamations and commendations were issued:

- Council Commendation recognizing the Reading Area Firefighters Museum accepted by William Rehr

- Mayoral Proclamation recognizing Jorge Gonzalez

State Senator Judy Schwank also issued a State proclamation to Mr. Gonzalez.

PUBLIC COMMENT

Council Vice President Goodman-Hinnershitz announced that nine citizens were registered to address Council on non-agenda matters. She 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 requiring non-agenda comment at the end of the meeting was suspended. Council Vice President Goodman-Hinnershitz reminded the citizens registered to speak about the remaining public speaking rules.

Mike Tancraitor, of Golden Equipment, was not present.

Dave Johnson, of Golden Equipment, was not present.

Dr. Rex D'Augustino, of N 5th St., distributed information on the use of LED lighting to replace incandescent traffic lights. He stated that the replacement of incandescent lights with LED will save electricity costs. He asked the City to reconsider their decision to use LED traffic lights.

Jaime Perez, of the Reading Berks Association of Realtor Board, described a recent settlement which disclosed various unpaid City fees that were unpaid by former property owners, not the person currently selling the property. He expressed the belief that property owners should only be held responsible for the delinquent fees they incurred, not the fees of former owners. He expressed the belief that applying past delinquencies to current owners is a large and unfair burden.

Maryann Ciarlone, of N 5th St., stated that during her meeting with the City's Business Analyst regarding the waiver of inspections for a property the Business Analyst lied to her about two issues. She did not disclose what the issues were. She stated that the conversation was video recorded. She also expressed the belief that the minutes from the last Council meeting and the Housing Committee meeting are an intentional misrepresentation of what she actually said and may be an ethical issue.

Ed Ott, of Muhlenberg St., noted his repeated complaints about the blighted condition of a fire damaged building located in his neighborhood. He stated that this blighted building is creating quality of life problems for the neighborhood. He stated that the building has been sitting vacant and unsecured since the fire over a year ago. He stated that the roof is damaged and the property is infested with rats.

Michael Dugan, of North 12th St., provided photographs showing litter laying in the street after the street sweeper has passed. He noted that the street sweeper does not properly pick up debris and litter. He described his work to sweep up debris before the truck comes through the neighborhood.

Ed Terrell, of Lackawanna St., thanked the Mayor for scheduling a Crime Summit. He questioned the Property Maintenance interpretation of cleanliness and quality of life and questioned Property Maintenance and City Council's knowledge of the ethnicity of the City's neighborhoods. He noted the need for broader consideration about the lives of the City's minority population.

Donald Thomas, no address provided, stated that he believes in the need to maintain properties in Reading but noted the difficulties associated with the Quality of Life Ticketing program.

Harvey Kimball, of Hollenbach St., described the annual block party held in his neighborhood, which is organized for the children in the neighborhood. He stated that the block parties started in the late 1990's when the neighbors worked together to clear the snow after a large storm. He described his difficulties obtaining a permit for this event, as the regulations are now very different from what they were before. He expressed the belief that there are now too many barriers to holding events like his block party.

APPROVAL OF THE AGENDA & MINUTES

Council Vice President Goodman-Hinnershitz called Council's attention to the agenda for this meeting and the minutes for the July 29th Regular Meeting of Council. She stated that the Administration has asked Council to add a Resolution to the Consent Agenda to dispose of the City's towing records for 2003 and 2004.

Councilor Corcoran moved, seconded by Councilor Reed, to approve the minutes from the July 29th Regular Meeting of Council, this evening's agenda as amended, including the legislation listed under the Consent Agenda heading, as amended.

Consent Agenda

A. Resolution 101-2012 – authorizing the Mayor to execute a Sidewalk Maintenance Agreement (copy attached hereto) between the Commonwealth of Pennsylvania, acting through the Department of Transportation, and the City of Reading for Schuylkill Ave. (OSA) Br. Project (**Law**)

B. Resolution 102-2012 - authorized to execute a Roadway Lighting Agreement (copy attached hereto) between the Commonwealth of Pennsylvania, acting through the Department of Transportation, and the City of Reading for an electrical roadway lighting system for the Schuylkill Ave. Bridge Project (**Law**)

C. Resolution 103-2012 – disposing of 2003 Payroll Registers (**Accounting**)

D. Resolution 106-2012 – disposing of 2003 and 2004 Towing Records (**Accounting**)

ADMINISTRATIVE REPORT

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

- Update on the PILOT/SILOT Program, which resulted in 36 clean-ups and 25,377 volunteer hours to date
- Neighborhood Meeting scheduled for Tuesday, August 14th at Centre Park
- The receipt of a \$1.5M BEDI Grant, with \$750K allocated to Ricktown
- Announcing the final week of the Business Privilege and Per Capita amnesty period

AUDITOR'S REPORT

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

- Collection of the 2012 Cable Franchise Fee
- 2012 Unemployment Compensation
- Pension Program review
- Update on the new Audit Committee

ORDINANCES FOR FINAL PASSAGE

A. Bill No. 79-2012 - regulating the design, construction, installation and operation of rain barrels in the City of Reading (EAC) *Introduced at the July 23 regular meeting*

Councilor Corcoran moved, seconded by Councilor Reed, to enact Bill No. 79-2012.

Environmental Advisory Council (EAC) Chair David Beane, Esq., provided an overview of the bill and the EAC's research that culminated in this draft, which was reviewed with various internal and external parties. He stated that the concept that the City is requiring all City properties to install rain barrels is incorrect. The EAC recognized that many property owners have installed or want to install rain barrels and that this bill provides guidance on whom to property install the rain barrels. He noted that there is also not a permit fee associated with this bill.

Councilor Corcoran expressed the belief that this is a well thought out bill and provided a good "green" component with safety features.

Council Vice President Goodman-Hinnershitz thanked the EAC for bringing this legislation forward as a model.

Bill No. No. 79-2012 was enacted by the following vote:

Yeas: Corcoran, Marmarou, Reed, Sterner, Waltman, Goodman-Hinnershitz, Vice President - 6
Nays: None -0

B. Bill No. 80-2012 – accepting a PennVest loan for the Waste Water Treatment Plant Project (Financial S&lutions) *Introduced at the July 23 regular meeting*

Councilor Marmarou moved, seconded by Councilor Reed, to enact Bill No. 80-2012.

Bill No. No. 80-2012 was enacted by the following vote:

Yeas: Corcoran, Marmarou, Reed, Sterner, Waltman, Goodman-Hinnershitz, Vice President - 6

Nays: None -0

C. Bill No. 81-2012 – amending the Recreation Commission Agreement with the Reading School District (**Law**) *Introduced at the July 23 regular meeting*

Councilor Corcoran moved, seconded by Councilor Reed, to enact Bill No. 81-2012.

Council Vice President Goodman-Hinnershitz stated that this agreement provides important clarifications on the disposition of the rental fees which are to go to the Rec Commission. She noted that rental fees for the showmobile and the bandshell will be retained by the City. She stated that the amended agreement also clarifies the Reading School District's annual contribution.

Bill No. No. 81-2012 was enacted by the following vote:

Yeas: Corcoran, Marmarou, Reed, Sterner, Waltman, Goodman-Hinnershitz, Vice President - 6

Nays: None -0

D. Bill No. 82-2012 – amending Chapter 11, Housing, of the Codified Ordinances of the City of Reading, by striking inconsistent appeal language relating to disruptive conduct reports and renumbering the remaining sections (**Law**) *Introduced at the July 23 regular meeting*

Councilor Reed moved, seconded by Councilor Corcoran, to enact Bill No. 82-2012.

Councilor Corcoran stated that this amendment clarifies the appeals process for DCR's.

Bill No. No. 82-2012 was enacted by the following vote:

Yeas: Corcoran, Marmarou, Reed, Sterner, Waltman, Goodman-Hinnershitz, Vice President - 6

Nays: None -0

INTRODUCTION OF NEW ORDINANCES

Council Vice President Goodman-Hinnershitz read the following into the record:

A. Ordinance - amending the 2012 General Fund Budget, reallocating funds from the Contingency Fund to the Council Office Codified Ordinance line item (**Council Staff**)

B. Ordinance - authorizing the City to enter into an Intergovernmental Cooperation Agreement with other municipalities, to participate in the Berks County MS4 Steering Committee for the purpose of meeting the educational requirements of the 2013-2018 MS4 NPDES Permit and other services as may from time to time be deemed necessary, in order to ensure that proper application/annual reports to the Pennsylvania Department of Environmental Protection are accomplished for renewal of MS4 Permit(s) required of the municipality (**Law**)

C. Ordinance - authorizing the City to enter into a Memorandum of Understanding with the Berks County Conservation District which shall serve as a joint commitment between the signatories to control accelerated erosion and to prevent sediment pollution to the waters of the Commonwealth which may result from the conduct of earth disturbance activities in the City of Reading (**Law**)

D. Ordinance - amending the Administrative Code, Budget Organization and Content Section by authorizing the Managing Director to temporarily exceed the Position Ordinance under certain conditions (**Man Dir & Council Staff**)

E. Ordinance - amending the 2012 City of Reading General Fund Budget by authorizing the transfer of funds from the Department of Fire and Rescue Services, Emergency Medical Services Division, Vehicles Line Item and the Department of Fire and Rescue Services, Training Division, Vehicles Line Item to the Department of Fire and Rescue Services, Administration Division, Vehicles Line Item to cover the cost to purchase a staff vehicle (**Fire**)

RESOLUTIONS

A. Resolution 104-2012 - asking Republican Senate Majority Leader Dominic Pileggi to move House Bill 1803, which allows 3rd Class City Parking Authorities to hold Administrative appeal hearings, forward to the Senate agenda (**Council Staff**)

Councilor Reed moved, seconded by Councilor Marmarou, to adopt Resolution No. 104-2012.

Council Vice President of Council Goodman-Hinnershitz stated that this resolution was discussed in the Committee of the Whole meeting with Representative Caltagirone and the Parking Authority Executive Director. She stated that the resolution asks the State Senate to move the House Bill forward for a vote.

Councilor Reed stated that if passed by the State Senate, this “may” bill could reduce Police overtime and reduce court costs for the County and State.

Councilor Waltman expressed the belief that parking enforcement has gone too far. He noted the need for the State legislators to give this issue deeper consideration.

Resolution No. 104-2012 was adopted by the following vote:

Yeas: Corcoran, Marmarou, Reed, Sterner, Waltman, Goodman-Hinnershitz, Vice President - 6

Nays: None -0

B. Resolution 105-2012– appointing Thomas Brogan to the Reading Area Water Authority (Nom & Appts)

Councilor Marmarou moved, seconded by Councilor Corcoran, to adopt Resolution No. 105-2012.

Councilors Marmarou and Corcoran noted the great capabilities of this applicant. They noted that Dr. Brogan’s family issues are now resolved and he can return to volunteering on this Authority.

Resolution No. 105-2012 was adopted by the following vote:

Yeas: Corcoran, Marmarou, Reed, Sterner, Waltman, Goodman-Hinnershitz, Vice President - 6

Nays: None -0

Pending Legislation

Resolution – extending the lease between the City and the Reading Phillies (**Law**) *Tabled at the July 9 regular meeting*

COUNCIL COMMENT

Councilor Reed noted the success of the Penn Street Posse’s landscaping project at the 2nd and Penn Gateway.

Councilor Corcoran stated that he will suggest adding the Muhlenburg Street property to the Blighted Property list. He also noted that the Quality of Life ticketing works to improve the appearance of City’s neighborhoods.

Councilor Marmarou described the events that occurred in the College Heights and Northmont areas over the past two weeks. He also described the plan to clean up the Oak Lane area.

Councilor Sterner congratulated those honored with proclamations and commendations tonight. He also thanked those who addressed Council in the Public Comment period.

Council Vice President of Council Goodman-Hinnershitz stated that the Fire Museum, located at South 5th and Laurel Streets is quite impressive and encouraged people to tour the facility which keeps the history of firefighting alive. She also thanked the Penn Street Posse for their work and suggested that they next focus attention on the triangle at the foot of the Bingaman Street Bridge in memory of Arlene Rataczak. She noted her agreement with the need to get the Muhlenberg Street property into the blight process.

Council Vice President Goodman-Hinnershitz reviewed the upcoming meeting schedule.

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

Respectfully submitted by Linda A. Kelleher CMC, City Clerk