

City of Reading City Council
Regular Business Meeting
Tuesday, May 28, 2013

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

The invocation was given by Pastor Jack Williams from the 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
Managing Director C. Snyder
City Auditor D. Cituk
City Solicitor C. Younger
City Clerk L. Kelleher
Mayor V. Spencer

PROCLAMATIONS AND PRESENTATIONS

City Council issued the following:

- Certificates of Recognition to Penny Dutch Apparel, sponsor and residents who participated at the 10th and South Playground Clean-up on Saturday, May 18th

PUBLIC COMMENT

Council President Acosta announced that seven (7) citizens were registered to address Council; six (6) on non-agenda matters and one (1) on 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.

Barry Fisher, representing WFMZ, was not present. Council President Acosta noted that Mr. Fisher spoke with Council about the proposed ordinance at the Committee of the Whole Meeting.

Evon Moreno, of North 11th Street, was not present.

Mark Kofroth, of Locust Street, stated that he does not object to the combination of trash and recycling charges with the RAWA bill; however, he does object to being charged for services he does not receive. He explained that he signed up for the City's trash collection program but the collector has not collected his trash. He stated that he has resorted to disposing his trash at his place of employment. He described his efforts to correct this problem.

Iwona Boraks Pielechaty, of West Lawn, was not present.

Carina Tomala, of South 12th Street, described the quality of life problems created by the illegal garage located at 411 South 12th Street. She stated that this garage operates after 5 pm regularly which creates undue noise and parking issues.

Anne Feil, of North 11th Street, stated that she and her father reside next to a college rental on North 11th Street. She stated that early in the academic year she met with the students residing at the property and spoke with them about the importance of good behavior in this residential neighborhood. She stated that on a weekly basis she has endured parties on Thursday, Friday and Saturday evenings that sometimes last until 4 am. She stated that she has tried numerous times to address this situation by calling the police and Albright public safety.

Evelyn Colona, of South 12th Street, described the quality of life problems created by the illegal garage operating at 411 South 12th Street after 5 pm. She described the activities that prevent residents of this block from living peacefully. She stated that due to the bad behavior of those at the garage, children are unable to play outside after 5 pm. She also described the noise and car racing that residents of this block endure.

Mary Ann Ciarlone, of North 5th Street, described the vacant properties surrounding the CORE property located at 737 North 4th Street. She read a letter she wrote to the Mayor and Managing Director informing them that she will not participate in the City's rental housing program and will not submit to the required inspections due to the fees and unconstitutional system. She expressed the belief that her properties comply with the City's property maintenance regulations and that inspection services should be obtained privately, not through the City.

APPROVAL OF THE AGENDA & MINUTES

Council President Acosta called Council's attention to the agenda for this meeting, including the legislation listed under the Consent Agenda heading, and the minutes for the May 13th Regular Meeting of Council. He noted the need to add two promotion resolutions for the Fire Department to the consent agenda.

Councilor Marmarou moved, seconded by Councilor Sterner, to approve the minutes from the May 13th Regular Meeting of Council and the agenda as amended, including the legislation under the Consent Agenda heading. The motion was approved unanimously.

Consent Agenda

A. Resolution 44-2013 – authorizing the disposition of Solid Waste and Recycling Records in accordance with the City’s Disposition Schedule (Solid Waste/Council Staff)

B. Resolution 47-2013 – authorizing the promotion of Lt. Sean Hart to Second Deputy Fire Chief in the Fire Dept (Council Staff/ Fire)

C. Resolution 48-2013 – authorizing the promotion of Second Deputy Fire Chief Frank Nefos to First Deputy Fire Chief in the Fire Department (Council Staff/Law)

ADMINISTRATIVE REPORT

Mayor Spencer read the report distributed to Council at the meeting covering in summary:

- A report on the economic development summit
- The Park and Walk in the 000 and 100 blocks of South 6th
- The 15-6 neighborhood group meeting
- The availability of weekly meetings with citizens from 1-2 pm on Tuesdays in the Mayor’s Office

AUDITOR’S REPORT

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

- First Quarter 2013 Admissions Tax Collection
- First Quarter 2013 Real Estate Transfer Tax Collection

The Auditor congratulated the Reading Royals for winning the Kelly Cup.

Councilor Goodman-Hinnershitz stated that the Auditor has been a loyal fan of the Royals since they came to Reading and she invited him to comment at the celebration scheduled for tomorrow evening.

REPORT FROM DEPT. DIRECTORS, BOARDS, AUTHORITIES, & COMMISSIONS

None.

ORDINANCES FOR FINAL PASSAGE

A. Bill No. 27-2013 – authorizing the transfer of funds from the Trash/Recycle Fund (\$2 million)

and Liquid Fuel Fund (\$400,000) to the General Fund (**Controller**)

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 27-2013.

Bill No. 27-2013 was enacted by the following vote:

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

Nays: None - 0

B. Bill No. 28-2013 - Amending the City of Reading Codified Ordinances Chapter 1 Administrative Code, Part J Code of Ethics by adding definitions, amending the Solicitation/Acceptance of Gifts; Rebuttable Presumption, adding a provision regarding the Awarding of Contracts, and adding a provision regarding Campaign Contributions and Reporting Requirements (**Board of Ethics/Council Staff**) *Reviewed at 5-6 COW*

Councilor Corcoran moved, seconded by Councilor Reed, to enact Bill No. 27-2013.

Councilor Corcoran recognized the work of the Board of Ethics and Ms. Katzenmoyer to complete this legislation.

Councilor Goodman-Hinnershitz echoed the comments made by Councilor Corcoran and noted the need to create an instruction sheet about these regulations so they are easily digestible by the public.

Bill No. 28-2013 was enacted by the following vote:

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

Nays: None - 0

C. Bill No. 29-2013 – Amending the Building/Trades and Property Maintenance Fee Schedules by applying certain fees to cover post-fire related activities, which will be billed against the fire escrow fund balance if the building has property insurance or billed to the property owner if the building is not covered by property insurance. (**Bus. Analyst**)

Councilor Corcoran moved, seconded by Councilor Reed, to enact Bill No. 29-2013.

Bill No. 29-2013 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 ordinance into the record.

A. Ordinance - Authorizing the Mayor to execute a Lease Agreement between the City of Reading and WFMZ for the Lease of a Portion of the “WEEU Building” for the installation of a transmitter on the existing Tower (**Law**) *Note: Ineligible for enactment until the June 24th meeting due to the Charter required 14 day lay over period*

RESOLUTIONS

A. Resolution 38-2012 - approving the undertaking of a project by the Reading Area Water Authority for the operation and/or acquisition of a certain sewer collection, conveyance and pumping system serving the Berks Park 78 Owners Association in Bethel Township (RAWA) *Reviewed at 5-6 COW*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to table Resolution 38-2013.

Resolution No. 38-2013 was tabled by the following vote:

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

B. Resolution 45-2013 – approving the Conditional Use application for HM Investments at 912 Amity Street to add one residential unit on the first floor, after the conditions are met by the property owner (Council Staff)

Councilor Corcoran moved, seconded by Councilor Reed, to adopt Resolution 45-2013.

Resolution No. 45-2013 was adopted by the following vote:

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

C. Resolution 46-2013 - denying the Conditional Use application for a two unit rental (2 bedroom first floor unit and 3 bedroom unit on the combined 2nd and 3rd floors) floor unit at 1146 North 6th Street submitted by James Kintzer and approving a Conditional Use permit for 1146 North 6th Street for a two unit rental (1 bedroom first floor unit and 3 bedroom unit on the combined 2nd and 3rd floors) with conditions. (Council Staff)

Councilor Corcoran moved, seconded by Councilor Reed, to adopt Resolution 46-2013.

Council President Acosta explained the decision that denies a two bedroom unit on the first floor but approves a one bedroom unit on the first floor after the conditions are met.

Resolution No. 46-2013 was adopted by the following vote:

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

Nays: Waltman - 1

COUNCIL COMMENT

Councilor Marmarou provided some detail about the complaints made during the Public Comment period regarding trash collection and off campus student behavior.

Councilor Corcoran thanked military veterans for their service to the United States.

Councilor Reed noted the touching ceremony on Memorial Day at Charles Evans Cemetery. She also noted that the Wesley Methodist Church will be closing and partnering with the Holy Cross Methodist Church located in the 300 block of North 5th Street. She stated that another religious organization will be moving into Wesley Methodist.

Councilor Goodman-Hinnershitz described the lack of maintenance at the skateboard park located at Pendora, brought to her attention by a young adult who resides in District 2. She asked that this issue be brought to the Rec Commission's attention.

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

Respectfully submitted by Linda A. Kelleher CMC, City Clerk