

**City of Reading City Council
Regular Business Meeting
Monday, December 16, 2013**

Council President Francis Acosta called the meeting to order.

The invocation was given by Councilor Corcoran.

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

PROCLAMATIONS AND PRESENTATIONS

The mayor issued two (2) certificates of appreciation to Super Saver Market and Junior's Food Market for their donation of Thanksgiving turkeys to Reading School District students.

PUBLIC COMMENT

Council President Acosta reviewed the public speaking regulations and stated that three (3) individuals are registered to address Council this evening on non-agenda matters. He inquired if anyone objected to suspending the rule requiring non agenda comment at the end of the meeting. As no one objected, the rule was suspended. He reviewed the remaining public speaking rules.

Ricardo Nieves, of Northmont Blvd, congratulated the newly elected officials. He described a checkpoint that was set up by a private organization through a federal agency that was assisted by the Reading Police Department and what he experienced when he was pulled over. He stated that although he repeatedly refused to participate he was stopped for approximately five (5) minutes. He stated that this infringement on his rights inspired him to

call the American Civil Liberties Union (ACLU), as he was stopped without probable cause. He stated that this checkpoint was troubling on many levels.

James Harris, of Northmont Blvd, was not present.

Desiree Seifert, of North 8th Street, was not present.

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 December 9th Regular Meeting of Council.

Councilor Marmarou moved, seconded by Councilor Sterner, to approve the minutes from the December 9th Regular Meeting of Council and the agenda for this meeting, including the legislation listed under the Consent Agenda heading. The motion was approved unanimously.

Consent Agenda

Award of Contract - for the Fire Fighting Protective Gear to Reading Fire Equipment, Reading, PA. (Purchasing)

Award of Contract - for the 11th and Pike Renovation Project to Uhrig Construction, 1700 North 5th Street, Reading, PA with total price of \$228,490.00. (Purchasing)

ADMINISTRATIVE REPORT

The mayor did not provide a report to Council.

AUDITOR'S REPORT

City Auditor Cituk read the report distributed to Council at the meeting. In summary:

- Update on 2013 Admissions Tax collection
- Update on 2013 Real Estate Transfer Tax collection
- Report on the 2013 Snow and Ice grant from the State

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

None.

ORDINANCES FOR FINAL PASSAGE

Council President Acosta asked Council to consider Bills No. 76 and 77-2013 together as they both relate to transfers.

A. Bill No. 76-2013 - amending the Administrative Code, Exhibit A Purchasing Policies And Procedures, Section 11 Bid Evaluation, Parts 11.4.5 And 11.4.6, by reducing the amount required for contract approvals to \$10,000 **(Council Staff) Introduced at the Nov 12 regular meeting; tabled at the Dec 9 regular meeting**

B. Bill No. 77-2013 - amending the Administrative Code, Section 5-806 Fiscal Provisions by Reducing the amount of expenditures and allocations requiring Council's approval from \$25,000 to \$10,000. **(Council Staff) Introduced at the Nov 12 regular meeting; tabled at the Dec 9 regular meeting**

There was no motion to move the legislation forward; therefore, Council President Acosta referred the legislation to the 2014 Finance Committee.

C. Bill No. 78-2013 - amending the City Code Chapter 212 Fee Schedule by making additions and corrections **(Council Staff/Business Analyst) Introduced at the Nov 12 regular meeting; Advertised on Nov 25th; tabled at the Dec 9 regular meeting**

Councilor Goodman-Hinnershitz moved, seconded by Councilor Corcoran, to enact Bill No. 78-2013.

Bill No. 78-2013 was enacted by the following vote:

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

Nays: None - 0

D. Bill No. 79-2013 - authorizing the transfer of \$250,000.00 from Contingency to Charter Board for legal fees **(Adm Services) Introduced at the Nov 12 regular meeting; tabled at the Dec 9 regular meeting**

Councilor Sterner moved, seconded by Councilor Marmarou, to enact Bill No. 79-2013.

Councilor Waltman expressed concern about the growing legal fees associated with the Charter complaint process. He stated that a mediation process should be in place to alleviate the City's exposure to these fees. He also suggested that perhaps the process could be less expensive if the Charter Board functioned in an advisory capacity rather than in an enforcement capacity.

Councilor Goodman-Hinnershitz agreed that the Charter Board ordinance could be amended to include a mediation process which could settle issues before the legal portion of the complaint process begins. She stated that she will be sponsoring an amendment in early 2014. She also noted the need to correct the ambiguities in the Charter.

Council President Acosta stated that this is a most difficult and costly issue.

Bill No. 79-2013 was enacted by the following vote:

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

Nays: None – 0

Abstention: Reed - 1

E. Bill No. 83-2013 – Amending the City of Reading Zoning Ordinance by making corrections and clarifications throughout **(Council Staff/Bus Analyst) Introduced at the Oct 14 regular meeting ; Advertised Oct 21st and 28th, Reintroduced on Nov 12th; Re-advertised on Nov 20th and 27th; Public Hearing Dec 2nd at 5:00 pm; Eligible for enactment 12-09-13; tabled at the Dec 9 regular meeting**

Councilor Reed moved, seconded by Councilor Corcoran, to enact Bill No. 83-2013.

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to amend Bill No. 83-2013 by eliminating sections 600-1706 F and I relating to sandwich board signs.

The amendment to Bill No. 83-2013 was adopted by the following vote:

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

Nays: None - 0

Bill No. 83-2013 was enacted, as amended, by the following vote:

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

Nays: None - 0

INTRODUCTION OF NEW ORDINANCES

None.

RESOLUTIONS

None.

COUNCIL COMMENT

Councilor Corcoran noted that this is his last meeting as the District 1 Councilman. He thanked his Council colleagues for their help and support over the past two (2) years. He

described the events that caused him to apply for the seat vacated by the appointment of the new Council President. He described the value of public service and all he learned through this experience. He encouraged citizens to get involved in public service so they too can experience the same growth and reward.

Councilor Corcoran thanked Council Staff (Linda Kelleher, Michelle Katzenmoyer and Bea Rivera) for all behind the scenes work they do to support Council members. He also thanked the administrative staff for their help and support. He wished all good luck moving forward.

Councilor Sterner reminded everyone about the Hillside light display that runs through the end of December. He also thanked Councilor Corcoran and wished him well. He thanked all who help and support City Council.

Councilor Reed thanked Councilor Corcoran for his service and his commitment to the work required of a Councilor. She noted the many times that appointments were required for the District 1 seat since 1996. She expressed that Councilor Corcoran is a stand up and committed person.

Councilor Goodman-Hinnershitz reminded everyone of the events scheduled at the Pagoda for the coming weeks, including the visit by Santa this Saturday and the New Year's Eve celebration. She noted the need for people to check the Pagoda web site to find out about closings due to inclement weather.

Councilor Marmarou wished everyone a Happy Holiday and he thanked Councilor Corcoran for his commitment to the work required of Council.

Councilor Waltman echoed the previous comments made to Councilor Corcoran and he noted the exorbitant amount of work being on City Council requires. He also agreed with the value of public service and the experience that comes with public service.

Council President Acosta thanked Councilor Corcoran for his outstanding service. He also thanked all for the support work they provide to Council. He also thanked his Council colleagues for their support.

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to adjourn the regular meeting of Council.

Respectfully submitted by Linda A. Kelleher CMC, City Clerk