

**City of Reading City Council  
Regular Business Meeting  
Monday, November 12, 2013**

Council President Francis Acosta called the meeting to order.

The invocation was given by Pastor Bruce Osterhout, from Christ Lutheran Church.

All present pledged to the flag.

**ATTENDANCE**

Council President Acosta  
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 presented a proclamation to the IBEW for their assistance with the Hillside Holiday Light display.

**PUBLIC COMMENT**

Council President Acosta reviewed the public speaking regulations and stated that two (2) 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.

**Esteban Palencia, of Bentley Court**, expressed his desire to meet with the mayor regarding the fees and regulations for rental properties.

**Rob Pollard, of Linden Street**, stated that he spoke a few weeks ago regarding people of color but that none of the elected officials have reached out to him. He also stated that he applied for a City board but has had no feedback. *(Note: Mr. Pollard's application has not yet*

*been received by the City Clerk's Office).*

## **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 October 28<sup>th</sup> Regular Meeting of Council and the November 4<sup>th</sup> Special Meeting. He stated that the Administration has withdrawn Resolution C regarding the CIDC from the Consent Agenda.

**Councilor Marmarou moved, seconded by Councilor Reed, to approve the minutes from the October 28<sup>th</sup> Regular Meeting of Council, the minutes from the November 4<sup>th</sup> Special Meeting, the agenda for this meeting, including the legislation under the Consent Agenda heading, as amended. The motion was approved unanimously.**

### **Consent Agenda**

**A. Resolution 92-2013** – ratifying the IAFF contract (**Managing Director**)

**B. Resolution 93-2013** - escrow bank account to deposit recycle fees collected through certification process. (**Adm Services**)

**C. Resolution 94-2013** - CD Department to administer a contract with Community Initiatives Development Corporation (CIDC) for our Micro Enterprise Loan Program. (**CD**) **WITHDRAWN**

**D. Resolution 952013** - promoting Lt Madison Winchester to the rank of Captain (**Police**)

### **ADMINISTRATIVE REPORT**

Mayor Spencer called Council's attention to the report distributed at the meeting in summary:

- Noting the acquisition of the 50 acre Berkshire Bottling site also known as Dana South
- Noting the City's application for the Strong Cities, Strong Communities program
- Providing an update on the City-owned properties in the 400 block of Penn Street
- Noting the start of the 4<sup>th</sup> EMS unit on November 15<sup>th</sup>, staffed through the SAFER Grant

Councilor Goodman-Hinnershitz stated that as Council became aware of the Redevelopment Authority's purchase of the Berkshire Bottling site through the media, she requested additional information at Thursday's Budget meeting.

Councilor Sterner inquired about the cost of the repairs to the City-owned properties on Penn Street. The mayor stated that the cost of the repairs was paid through the rental income from the two tenants. He stated that the work was performed by contractors who work for the Housing Authority.

Councilor Waltman requested an update on the CDC at the Monday's Budget meeting. He also expressed hope that the Redevelopment Authority will use vision when planning for the disposition of the Berkshire Bottling site. The mayor stated that the Redevelopment Authority plans to subdivide the site into smaller parcels.

Councilor Marmarou asked that the Redevelopment Authority provide pre-approval updates to the mayor and Council, so the elected officials are informed about the disposition of projects. He noted a beer company project was inappropriately denied by the Authority. The mayor defended the Authority, noting that the project was inappropriate for Parcel 32. The mayor stated that the Authority will provide pre-approval updates to Council.

## **AUDITOR'S REPORT**

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

- Report on the collection of 2013 Admission Tax
- Report on the collection of 2013 Real Estate Transfer Tax
- Report on the collection of 2013 Traffic Fines and Motor Codes

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

None.

## **ORDINANCES FOR FINAL PASSAGE**

**A. Bill No. 55- 2013** - creating a process to handle requests for memorials on public property and creating a moratorium on the addition of new memorials on public property **(Business Analyst Work Group)** *Introduced at the Oct 28 regular meeting; Advertised on Nov 4<sup>th</sup>;*

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to enact Bill No. 55-2013.**

Councilor Goodman-Hinnershitz thanked the work group and the City Clerk for their work to develop this process to evaluate applications for the installation of new memorials and for their assistance to the group that has formed to take over the maintenance of orphaned memorials. She noted that applications for new memorials will need to show their ability to provide proper maintenance of the memorial.

**Bill No. 55-2013 was enacted by the following vote:**

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

**- 6**

**Nays: None - 0**

**B. Bill No. 56- 2013** - authorized to execute an Easement Agreement (attached as Exhibit "A") to convey unto the Muhlenberg Township Authority a non-exclusive, perpetual easement in gross and temporary sanitary sewer construction easement upon that portion of premises known and designated as Tax Parcel # 66531810461680, generally located to the northeast of Spring Valley Road, Muhlenberg Township **(Law/Public Works) Introduced at the Oct 28 regular meeting;**

**Councilor Marmarou moved, seconded by Councilor Reed, to enact Bill No. 56-2013.**

**Bill No. 56-2013 was enacted by the following vote:**

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

**- 6**

**Nays: None - 0**

**C. Bill No. 57- 2013** - amending the Department of Fire & Rescue Services Budget by authorizing the transfer of a total of \$10,450.00 in the {EXPLORER POST \$1200.00 and MACHINERY & EQUIPMENT \$9250.00} line item #01-09-33-4728 & #01-09-33-4802 to the {GENERAL PLANT SUPPLIES} line item #01-09-33-4510. **(Bus. Analyst) Introduced at the Oct 28 regular meeting;**

**Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 57-2013.**

**Bill No. 57-2013 was enacted by the following vote:**

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

**- 6**

**Nays: None - 0**

**D. Bill No. 58- 2013** - amending the Rain Barrel Ordinance to make the regulations for the overflow consistent with pre-manufactured rain barrels, reducing the size of the overflow to 1". **(EAC) Introduced at the Oct 28 regular meeting; Advertised on Nov 4<sup>th</sup>;**

**Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 58-2013.**

**Bill No. 58-2013 was enacted by the following vote:**

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

**- 6**

**Nays: None - 0**

**E. Bill No. 59- 2013** – creating the City of Reading Revitalization and Improvement Zone Authority (CRIZ), as per the Municipalities Authorities Act and House Bill 465-2013 **(Man Dir)** *Public Hearing advertised 10-4; Public Hearing Date 11-7 at 5 pm Council Chambers, Ordinance advertised 10-14 and 11-4; Eligible for enactment 11-12-13*

**Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 59-2013.**

Managing Director Snyder stated that the CRIZ is a special purpose authority created for redevelopment purposes. She stated that the Reading CRIZ is an 11 member board and that this board will prepare and submit an application to the DCED by November 30<sup>th</sup> so Reading can be considered for one of the two slots authorized in 2013. Additional opportunities will be available on or before 2016.

Councilor Goodman-Hinnershitz noted the thoughtful process Council used to select board members. She thanked the Council President and Councilor Waltman for their guidance.

Councilor Waltman stated that he supports the CRIZ process. He noted the need for the application to explain the many changes and strife Reading has undergone over the past decades and show Reading's ability to welcome opportunities like the CRIZ. He stated that he looks forward to developing a shared vision with the board.

Council President Acosta expressed his belief in the strength of the board and that he looks forward to reviewing the application before it is submitted.

**Bill No. 59-2013 was enacted by the following vote:**

**Yeas: Goodman-Hinnershitz, Marmarou, 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 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 ~~which will bring the section into compliance with the expenditure reduction approved in Bill No. 14-2012~~ **(Council Staff)**

**B. Ordinance** - 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)**

**C. Ordinance** – amending the City Code Chapter 212 Fee Schedule by making additions and corrections **(Council Staff/Business Analyst)** *Advertised on Nov 25<sup>th</sup>*

**D. Ordinance** – authorizing the transfer of \$250,000.00 from Contingency to Charter Board for legal fees **(Adm Services)**

**E. Ordinance** - authorizing the transfer of \$215,000.00 from Contingency 01-14-91-4739 to Public Works 01-07-14-4501 \$175,000, fuel and 01-07-74-4216 \$40,000 dam assessment reviews. **(Adm Services)**

**F. Ordinance** - amending the City Code, Chapter 467 Sewers And Sewage Disposal, Part 3 Sewer Service Rental, Sections 467-103 And 467-104 to establish sewer service rentals, and such sewer service rental shall be effective until amended **(Pub Works)** *Advertised Nov 25<sup>th</sup>*

**G. Ordinance** - authorizing the transfer of \$21,000.00 from Building and Trades Salaries 01-10-38-4000 to Building and Trades Contracted Services; and \$29,170.00 from Zoning Contracted Services to Building and Trades Contracted Services **(Bus Analyst)**

**PENDING**

**Ordinance** – 2014 Property Tax at fifteen and six hundred eighty-nine thousandths mills (.015689) on the dollar **(Council President)** *Introduced at the Sept 23 Reg Mtg*

**Ordinance** – 2014 Land Value Property Tax) at twenty-two and nine hundred ninety-five thousandths mills (0.022995) on the dollar, or twenty dollars and ninety-nine point five cents (\$22.995) on each one thousand dollars is hereby levied and assessed on land, and a tax of twelve and five hundred fifty-nine thousandths mills (0.012559) on the dollar, or twelve dollars and fifty-five point nine cents (\$12.559) on each one thousand dollars is hereby levied and assessed on improvements to land **(Mayor)** *Introduced at the Sept 23 Reg Mtg; Advertised Oct 23; Public Hearing Nov 4<sup>th</sup> at 5 pm*

**Ordinance** – 2014 General Fund Budget; *Introduced at the Sept 16th Special Mg Advertised Sept 20th; Public Hearing Held October 8th*

**Ordinance** – 2014 Capital Improvement Program Budget *Introduced at the Sept 16th Special Mg Advertised Sept 20th; Public Hearing Held October 7th*

**Ordinance** – 2014 Position Ordinance *Introduced at the Sept 16th Special Mtg*

**Ordinance** – Resident Home Rule EIT; a tax of one and five tenths percent (1.5%) (Reduction of 0.1%) *Introduced at the Sept 16th Special Mtg; Advertised Sept 30th, Oct 7th and Oct 14th*

**Ordinance** – Commuter EIT; a tax of up to a maximum of one and two tenths percent (1.2%) (Reduction of 0.1%) *Introduced at the Sept 16<sup>th</sup> Special Mtg; Advertised Sept 30<sup>th</sup>, Oct 7<sup>th</sup> and Oct 14<sup>th</sup>*

**G. Ordinance** – increasing the Home Rule Per Capita Tax to \$20 (*Law*) *Public Hearing Nov 4<sup>th</sup> at 5 pm; Advertised Oct 16<sup>th</sup>, 23<sup>rd</sup> (Pub Hearing), 28<sup>st</sup>, Nov 4<sup>th</sup>; Introduced at the Oct 14 regular meeting*

## RESOLUTIONS

**A. Resolution 96-2013** – reappointing Anthony Waldman to the Electrical Examining Board (Council Staff)

**B. Resolution 97-2013** –appointing Chris Heinly to the Redevelopment Authority (Council Staff)

Councilor Marmarou moved, seconded by Councilor Reed, to adopt Resolution No. 96-97-2013.

Councilors Marmarou and Reed noted the strengths of those appointed this evening.

Resolution No. 96-97-2013 was adopted by the following vote:

Yeas: Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta, President  
- 6  
Nays: 0

**C. Resolution 98-2013** –denying the appeal for the installation of windows that do not meet the Secretary of the Interior’s Standards for 332 N 5<sup>th</sup> Street and remanding the issue to HARB. (Council Staff)

Councilor Reed moved, seconded by Councilor Marmarou, to adopt Resolution No. 98-2013.

Resolution No. 98-2013 was adopted by the following vote:

Yeas: Marmarou, Reed, Sterner, Waltman, - 4  
Nays: Goodman-Hinnershitz, Acosta, President - 2

**D. Resolution 99-2013** –authorizing the submission of the 2014 CDBG Action Plan (CD)

Councilor Goodman-Hinnershitz moved, seconded by Councilor Marmarou, to adopt

**Resolution No. 99-2013.**

Councilor Reed stated that that she will not support the adoption of the CDBG Action Plan because it contains funding for BCTV. She stated that BCTV is lax in updating public information such as they are still running a notice from the summer noting the alteration in the trash and recycling schedule due to the heat wave. She also noted that BCTV also runs dated programming.

Councilor Goodman-Hinnershitz agreed with the concerns expressed but she expressed her support for the overall plan. She suggested that the administration develop deliverables for the Action Plan and the General Fund Budget.

Councilor Marmarou expressed his support for the programming offered by BCTV, as it helps residents to stay informed about their local government.

Councilor Waltman expressed the belief that BCTV broadcasting of Council meetings allows residents obtain an unfiltered view of their local government in action.

Councilor Reed stated that her opposition to BCTV is based on their change to become a news organization.

**Resolution No. 99-2013 was adopted by the following vote:**

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

**Nays: 0**

**E. Resolution 100-2013** – authorizing a Section 108 Application in the amount of \$750,000 with the U.S. Department of Housing and Urban Development (HUD) for Our City Reading and directing the CD Director to make a direct loan of \$150,000 to Our City Reading from the Family Business Loan Program for the development of the hotel in accordance with the terms and conditions of the program **(CD)**.

**Councilor Sterner moved, seconded by Councilor Marmarou, to adopt Resolution No. 100-2013.**

The mayor explained Section 108 loans, which is based on the City's CDBG allocation. The money can be reused after the loan is repaid. He stated that Mr. Boscov has repaid the Section 108 loan on the Goggleworks apartments.

Councilor Reed questioned if the money would have been better spent on other downtown businesses. She expressed the belief that Our City Reading projects have received too much

City funding. She also noted the length of time it has taken to get the hotel project started. She stated that she will support the adoption of the resolution with reservations.

Councilor Goodman-Hinnershitz expressed concern with the viability of the hotel due to the downturn in the economy. She noted that area hotels are currently struggling. She requested a project timeline. She also expressed hope that local tradesmen would be used.

Council President Acosta agreed that the project has taken years to get started but he noted the importance of the project as it will provide jobs to local tradesmen and residents. He noted that the local trades leaders have discussed using local labor with Our City Reading.

Council President Acosta stated that he will be abstaining because his employer, Fulton Bank, and his office, handles approvals of the Family Business loans.

**Resolution No. 100-2013 was adopted by the following vote:**

**Yeas: Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman - 5**

**Nays: 0**

**Abstention - Acosta, President - 1**

Council President Acosta reviewed the upcoming meeting schedule and noted the addition of a budget review meeting on Thursday, November 14<sup>th</sup> at 4:30 pm.

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

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