

**City of Reading City Council
Regular Business Meeting
Monday, April 8, 2013**

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

Pastor Opalinski, from Trinity Lutheran Church, gave the invocation.

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
Managing Director C. Snyder
City Clerk L. Kelleher
Mayor V. Spencer

PROCLAMATIONS AND PRESENTATIONS

The following Council Commendations were issued:

- recognizing the 145th Anniversary of Mogel, Speidel, Bobb & Kershner, accepted by Fred Mogel, Stephen Price, and Sean O'Brien
- recognizing Fair Housing Month, accepted by Human Relations Commission members Kathryn Amaker and Reimundo Encarnacion

PUBLIC COMMENT

Council President Acosta announced that one citizen is registered to address Council on agenda matters and three citizens are 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 meeting. As no one objected the rule requiring 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.

Mark Mohn, of the Reading Berks Association of Realtors (RBAR), stated that he is the Chair of the RBAR CORE Task Force and he described the process to market and show the

first CORE property located at 737 N 4th Street, which is approximately 3,400 sq. ft. He stated that during the showings prospective buyers requested permission to make the property an owner occupied rental or an owner occupied mixed use due to the sheer size of the property. He noted that the Mayor approved an ordinance that allows CORE properties to become owner occupied rentals and questioned his veto of this ordinance. He stated that allowing owner occupied rentals or owner occupied mixed use provides the CORE Committee with an option that can be applied only for specific properties but not to all properties. He noted that providing these options does not step away from the principles of the CORE program. He asked Council to consider overriding the veto of Bill No. 18- 2013. He expressed the belief that the CORE program will help Reading's housing rebound.

Damian Ives, of Wunder Street, questioned the City regulations on the height of fences in residential neighborhoods. He stated that he needs a fence higher than six feet high to secure his property. He distributed photographs. He asked Council to reconsider the regulations about the height of fences.

Maryann Ciarlone, of North 5th Street, stated that she has filed three Right To Know requests and has not yet received responses. She noted that a small number of court cases appealed to the Supreme Court are considered by the Justices. She noted that Reading has a way to go before it can be considered "open and transparent". She stated that City officials intentionally provided incorrect information at the Mayor's recent meeting with Centre Park residents.

Robert Pollard, of Linden Street, expressed the belief that much repair is required to improve the quality of life for native African American citizens.

APPROVAL OF THE AGENDA & MINUTES

Council President Acosta called Council's attention to the minutes for the March 25th Regular Meeting of Council and the agenda for this meeting, including the legislation listed under the Consent Agenda heading.

Council President Acosta announced the need to add the following legislation to the agenda:

- Consent Agenda – resolution hiring a total of 19 firefighters and two paramedics in the Fire Department, as per the SAFER Grant.
- Resolution – authorizing the placement of two concrete benches in Veteran's Grove in City Park.

Councilor Sterner moved, seconded by Councilor Marmarou, to approve the minutes from the March 25th Regular Meeting and the agenda for this meeting, as amended, including the legislation listed under the consent agenda. The motion was approved unanimously.

Consent Agenda

A. Award of Contract - to Value Payment Systems, 2207 Crestmoor Road, Suite 200, Nashville, TN for the Credit Card Processing Services. Value Payments Systems will not be charging the City any fees associated with the project. A flat convenience fee of \$1.95 is applied to the transaction if it is less than \$78.00. If it is greater than \$78.00, then a fixed convenience fee of 2.5% is added to the transaction (**Purchasing**)

B. Resolution 28-2013 – authorizing the hiring of 19 firefighters and 2 paramedics in the Fire Department, as per the SAFER Grant. (**Fire Chief**)

ADMINISTRATIVE REPORT

Mayor Spencer read his report distributed to Council at the meeting, as summarized below.

- Meeting with Family First on April 8th at 11 am at St. John the Baptist Church
- Participation at the Berks County Criminal Justice Advisory Board meeting
- Continuation of the opportunity for citizens to meet with the Mayor every Tuesday from 1-2 pm

AUDITOR'S REPORT

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

- Receipt of the Municipal Annual Audit Financial Report from the DCED
- Start of the 2012 external audit by Herbein & Co
- Filing of the AG385 pension report with the State Auditor General

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

None.

ORDINANCES FOR FINAL PASSAGE

Override Veto of Bill No. 18-2013

A. Bill No. 18-2013 - authorizing the Mayor to execute an amended Memorandum of Understanding between the Reading Berks Association of Realtors and the City of Reading to allow CORE properties to be marketed and sold as mixed use and owner occupied rentals (**Law**) *Introduced at the March 11 regular meeting; Approved at 3-25 regular meeting; Vetoed 4-3*

Councilor Reed moved, seconded by Councilor Corcoran, to override the veto of Bill No 18-2013.

Councilor Waltman stated that after a closer review of the documentation he believes that the override should occur, as the Administration can submit their modification recommendations for Council's consideration.

Councilors Goodman-Hinnershitz, Sterner and Reed agreed with the need to override the veto and consider the Administration's recommendation separately.

Council President Acosta stated that he also supports the override. He asked the Administration to submit their modification recommendations within two weeks.

The override of Bill No. 18-2013 was approved by the following vote:

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

Nays: None -0

B. Bill No. 16-2013 - amending the Charter Board Ordinance, Section V. Enforcement, Part C Board Information regarding the Confidentiality of Charter Board Decisions (**Councilor Goodman-Hinnershitz**) *Introduced at the March 11 regular meeting; Tabled at the March 25 regular meeting*

Councilor Corcoran moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No 16-2013.

Councilor Goodman-Hinnershitz stated that the proposed amendment to the Charter Board ordinance allows for the public disclosure of the Charter Board's decision on Charter Complaints when the decision is rendered and the order is issued. She read the amendment aloud. She invited the Administration to suggest modifications for separate consideration.

Councilors Corcoran and Reed voiced support for the enactment of the ordinance and noted that they look forward to discussing the Administration's recommendations.

Bill No. 16-2013 was enacted by the following vote:

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

Nays: None -0

B. Bill No. 19-2013 - authorizing the Mayor to execute the lease between the City of Reading and Egelman's Park Association for a portion of premises known as Egelman's Park (**Man Dir**) *Introduced at the March 11 regular meeting; Tabled at the March 25 regular meeting*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to enact Bill No 19-2013.

Councilor Marmarou thanked the Managing Director for working to refine this document and others like it.

Councilor Waltman stated that this lease agreement protects the interests of the organization and the City.

Bill No. 19-2013 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 ordinances into the record:

A. Ordinance - amending the City of Reading Codified Ordinances Chapter 1 Administration, Part 5 Boards Departments Commissions Committees and Councils, Section E Citizens Advisory Board (CAB) by adjusting membership and amending the purpose (**Man Dir/Council Staff/Open Govt Comm**)

B. Ordinance - amending the Fire Pension Plan (**Law**)

C. Ordinance - amending the Police Pension Plan (**Law**)

D. Ordinance - amending the Officers and Employees Pension Plan (**Law**)

E. Ordinance - amending the New Officers and Employees Pension Plan (**Law**)

RESOLUTIONS

A. Resolution 33-2013 - authorizing the placement of two concrete benches in the Veterans Grove area of City Park by the Gold Star Mothers (**Council Staff**)

Councilor Goodman-Hinnershitz moved, seconded by Councilor Marmarou, to adopt Resolution No. 33-2013.

Councilor Goodman-Hinnershitz described the meeting with the Gold Star Mothers who followed the prescribed process to seek approval for installation of the benches. She noted the need for improved planning for this area of the park.

Resolution No. 33 -2013 was adopted by the following vote:

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

A. Resolution 29-2013– reappointing Dan Luckey to the Redevelopment Authority (**Nom & Appts**)

B. Resolution 30-2013 – reappointing Eddie Moran to the Recreation Commission (**Nom & Appts**)

C. Resolution 31-2013 – appointing William Thompson II to the Diversity Board (**Nom & Appts**)

D. Resolution 32-2013 – reappointing Ann Sheehan to the Citizens Advisory Board (**Nom & Appts**)

Councilor Marmarou moved, seconded by Councilor Corcoran, to adopt Resolution Nos. 29-32- 2013.

Councilor Marmarou noted the attributes of those applying and reapplying for these volunteer positions. Councilor Corcoran concurred.

Resolution Nos. 29-32 -2013 were adopted by the following vote:

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

COUNCIL COMMENT

Councilor Marmarou noted the upcoming College Heights Community Council (CHCC) Night in the Heights event on April 20th and the Great American Clean-up project planned for Hampden Park. He stated that the next CHCC meeting will be a candidate's forum on April 14th at 6 pm.

Councilor Corcoran announced the historic walking tour in downtown Reading that is affiliated with the Berks Jazz Fest. He explained how the tour works and noted the benefit of learning about Reading's history.

Councilor Reed noted the upcoming Door Buster Sale at the Artifacts Bank and the opening game for the Fightin Phils on April 12th.

Councilor Goodman-Hinnershitz noted that the start of spring increases the use of the City's many sports fields, playgrounds and the Pagoda. She also noted the state of the Berks Jazz Fest.

City Auditor Cituk commended the Reading Royals for winning the district championship and wished the Fightin Phils a successful season.

Council President Acosta 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