

City of Reading City Council
Regular Business Meeting
Monday, May 13, 2013

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

The invocation was given by Pastor Gerald Prentice.

All present pledged to the flag.

ATTENDANCE

Council President Acosta

Councilor Corcoran, District 1

Councilor Sterner, District 3

Councilor Marmarou, District 4

Councilor Reed, District 5

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 recognizing Berks Best Winter Athletes from Reading High School and Berks Catholic
- Council Commendation recognizing Police Memorial Day, accepted by the Police Department
- Council Commendation recognizing National Historic Preservation Week, accepted by Preservation Specialist Amy Johnson and HARB Chair Aaron Booth
- Council Certificates recognizing the service of Susanne Gresh, Laura James, Peter Sutliff, and Tadd Casner to the Historical Architectural Review Board

City Council also recognized the winner of the 2013 Miss Teen Reading competition.

The Chair of the Historical Architectural Review Board (HARB) presented Historic Preservation Awards to the owners of the following properties:

- 712 N. 5th St.
- 134 N. 5th St.
- 611 N. 5th St.
- 710 N. 5th St.

PUBLIC COMMENT

Council President Acosta announced that six (6) citizens were 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 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.

Elizabeth Sichinga, of Wyomissing, and CEO of the African Global Super Center described the conference that is coming to Reading in September-October of this year.

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

Judy Van Kloris, of North 10th Street, expressed the belief that combining the trash and recycling charges with the water/sewer bills is a mistake due to the high number of low income residents and residents who are on a fixed income. She also noted the lack of advance information about the change.

Lynn Christy, of Penn Street, stated that the trash and recycling charges appearing on the May water bill are slightly higher than last year's rate. He also noted that the charges are inconsistently applied when he compared the bill for his residential property with the bills for his three rental properties. He stated that the charges are different for the four properties.

Mr. Christy stated that he regularly pays his water/sewer bill on the last day of each month and noted that Reading Area Water Authority (RAWA) has applied a late fee to his April bill, as there was a three day gap between his payment to Fulton and RAWA's receipt of the money. He expressed the belief that logistically it would make sense to allow the payment of these bills in City Hall.

Sandy Burkhart, of North 11th Street, expressed the belief that the combined bill makes no sense and she noted the negative impact the combined bill will place on low income and fixed income residents.

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 April 22nd Regular Meeting of Council. He stated that Resolution B regarding Berks Park 78 will be removed from the agenda as additional information is needed.

Councilor Marmarou moved, seconded by Councilor Sterner, to approve the minutes from

the April 22nd 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 35-2012 – authorizing the Mayor to execute a contract with McTish, Kunkel & Associates, for construction inspection services related to the Penn Street Crosswalk Project at a contract price of \$29,303.56 (Public Works Dept)

B. Resolution 36-2012 – authorizing the Mayor to execute a contract with McTish, Kunkel & Associates, for construction inspection services related to the Penn Street Lighting Project at a contract price of \$29,303.56(Public Works Dept)

ADMINISTRATIVE REPORT

Mayor Spencer read the report distributed to Council at the meeting. In summary:

- His participation in a leadership meeting with the Reading School District
- His participation in the Community First Funding press conference
- His participation in two community group meetings and the rededication of the BARTA Franklin Street Train Station
- Noted 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 Unemployment Compensation
- First Quarter 2013 Traffic Fines and Motor Codes Collection
- First Quarter 2013 Cable Franchise Fee Collection

The Auditor extended his best wishes to the Reading Royals as they continue in the playoffs.

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

Reading Area Water Authority (RAWA) Executive Director Dean Miller stated that the transfer of the trash and recycling billing from the City to RAWA was accomplished for the May billing. The first billing period covers the first four months of 2013 for both trash and recycling. Moving forward customers will be charged 1/12th of the annual rate for trash and recycling. He stated that the Memorandum of Understanding was executed April 30th and required RAWA to pay the City for the amount billed for trash and recycling services. He noted that the need to make this pre-payment forced RAWA to pass the charges immediately on to the customer without a delay for education. He stated that a flyer explaining the change will be placed in the June bill.

Mr. Miller explained that partial payments will be equally divided over the four utility services (water, sewer, trash and recycling). He stated that customers can address problems with billing over the four utility services to the Customer Review Panel. He stated that RAWA is currently considering establishing a hardship fund to assist customers with problems. He stated that there were no increases in the water, sewer, trash or recycling rates. He noted the dramatic increase in complaint calls since the bills were delivered to customers.

Councilor Sterner suggested offering a one-time forgiveness of penalties and late fees to allow those with hardships to pay the entire amount before July, as customers were unprepared to be billed for four months worth of trash and recycling services.

Councilor Corcoran noted that City Council had no say in the decision to transfer trash and recycling billing to RAWA. He agreed with Councilor Sterner's suggestion to offer the first billing period without penalties and interest due to the hardship that has been created for some customers.

Council President Acosta asked Mr. Miller to inform City Council about RAWA's plan to address customer hardship issues.

ORDINANCES FOR FINAL PASSAGE

No ordinances were eligible for enactment at this meeting.

INTRODUCTION OF NEW ORDINANCES

Council President Acosta read the following ordinances into the record.

A. Ordinance – authorizing the transfer of funds from the Trash/Recycle Fund (\$2 million) and Liquid Fuel Fund (\$400,000) to the General Fund (**Controller**)

B. Ordinance - 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*

C. Ordinance – 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**)

RESOLUTIONS

A. Resolution 37-2013 – restructuring the Council Committees for the remainder of 2013 (**City Council and Council staff**)

Councilor Reed moved, seconded by Councilor Marmarou, to adopt Resolution 37-2013.

Council President Acosta explained the rationale behind the change in the committee structure and the need to improve the legislative process through the new Strategic Planning Committee. He noted that committees cannot be stagnant and that they must meet the current needs of the City.

Resolution 37-2013 was adopted by the following vote:

Yeas: Corcoran, Marmarou, Reed, Sterner, Acosta, President - 5

Nays: None - 0

C. Resolution 39-2013 – reappointing James Snyder to the Downtown Improvement District Authority (**Nom & Appts**)

D. Resolution 40-2013 – appointing Cathy Curran Myers to the Environmental Advisory Council (**Nom & Appts**)

E. Resolution 41-2013 – reappointing Carl McLaughlin to the Reading Area Water Authority (**Nom & Appts**)

F. Resolution 42-2013 – appointing Rick Mountz to the Stadium Commission (**Nom & Appts**)

G. Resolution 43-2013 – appointing Jean Howe to the Human Relations Commission (**Nom & Appts**)

Councilor Marmarou moved, seconded by Councilor Reed, to adopt Resolutions 39-43-2013

Councilor Marmarou noted the skill and expertise of those being appointed and reappointed this evening.

Resolutions 39- 43-2013 were adopted by the following vote:

Yeas: Corcoran, Marmarou, Reed, Sterner, Acosta, President - 5

Nays: None - 0

COUNCIL COMMENT

Councilor Corcoran thanked the citizens who provided public comment and congratulated those honored with certificates and commendations. He admitted that he had the same “sticker shock” as many RAWA customers when he reviewed his May bill.

Councilor Reed agreed with the difficulty created by the trash and recycling billing switch without proper notice to those customers. She noted the passing of Bob Batdorf, a District 5 cornerstone, who was heavily involved in the Crime Watch program. She expressed sympathy to the Batdorf family.

Councilor Reed also noted the District 2 meeting held by Councilor Goodman-Hinnershitz last week in response to a rash of criminal issues.

Mayor Spencer stated to refresh everyone's memory the Solicitor opined that the Mayor could transfer the trash and recycling billing without Council's approval because Council pre-approved the transfer when they approved the 2013 budget. He said that the ramifications were clear. He also noted that many decisions regarding the City's financial recovery have been difficult. He noted the causality of ending the installment payment program with the transfer of property tax billing to the County Treasurer. He suggested that spreading the billing out over 12 months will make budgeting easier for customers. He accepted responsibility for the hardship created for customers; however, he stated that this transfer is not the Administration's sole fault.

Councilor Marmarou noted that the College Heights Community Council annual yard sale is scheduled for this Saturday. Information can be provided by contacting Ms. Kelleher.

Councilor Sterner congratulated those honored with certificates and commendations this evening and he thanked the citizens who provided public comment. He stated that this year the Hillside Playground Association carnival was in partnership with the Reading Rec Commission. He noted the success of the partnership and he described the programs and activities provided by the Playground Association.

Council President Acosta noted the Reading Beautification clean-up scheduled for the 10th and South Playground this Saturday in District 2.

Council President Acosta stated that as the Administration decided to combine the trash and recycling bills with the water-sewer bills, residents will need to adjust their budgets and financial planning. He expressed concern about the difficulty late fees will have on low income and fixed income residents. He stated that he plans to attend the RAWA meeting scheduled for May 15th to follow up on these issues. He reviewed the meeting schedule and encouraged public participation.

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

Respectfully submitted by Linda A. Kelleher CMC, City Clerk