

**City of Reading City Council  
Regular Meeting December 8, 2014**

Council President Acosta called the meeting to order.

The invocation was given by Rev. Sandra Fees, First UU Church.

All present pledged to the flag.

**ATTENDANCE**

Council President Acosta  
Councilor Daubert, 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**

No commendations or proclamations were issued at this meeting.

**PUBLIC COMMENT**

Council President Acosta stated that there are five (5) citizens 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 was suspended.

Councilor Daubert read the public speaking rules that were adopted by Council.

**Mary Jane Smith, of Perkiomen Avenue**, was not present.

**Andrew Molteni, of Rose Street**, stated that he has performed research about the fluoridation of water and its detriments to public health. He expressed the belief that fluoride is a toxin that causes the human body to store excessive heavy metals which causes dementia and learning disabilities. He suggested removing fluoride from the City's drinking water and encouraging people to use fluoride topically. He stated that withholding fluoride from the

water would purify the water. He expressed the belief that government has no right to medicate the public without their consent.

**George Stichter, of Moss Street**, was not present.

**Noahleen Betts Kebbey, of Perkiomen Avenue**, was not present.

**David Sailer, of West Lawn**, expressed the belief that fluoride damages the human body and people should not be forced to ingest it. He expressed the belief that fluoride damages the human brain.

## **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 from the November 24<sup>th</sup> Regular Meeting of Council. He stated that the Award of Contract under the Consent Agenda is being withdrawn and an ordinance will be introduced to amend the Public Works/Solid Waste budgets. He stated that the Resolution on the Consent Agenda regarding the traffic signal at South 5<sup>th</sup> and Bingaman Streets will be handled separately.

**Councilor Sterner moved, seconded by Councilor Marmarou, to approve the minutes from the November 24<sup>th</sup> Regular Meeting of Council and the agenda, as amended, including the legislation listed under the Consent Agenda heading. The motion was approved unanimously.**

## **Consent Agenda**

**A. WITHDRAWN - Award of Contract** – for the Construction Management Agreement for the WWTP to Whitman, Requardt and Assoc, LLT from Baltimore, MD at \$6,553,520 (Pub. Works) *To Be Distributed on Monday*

**B. Resolution No. 130-2014** – authorizing an application to the Commonwealth of Pennsylvania through the Office of the Budget to use Redevelopment Assistance Capital funds (RACP) in the amount of up to \$500,000 to assist in the development and construction of Restaurant Row in Entertainment Square, owned and operated by Our City Reading (**RRA**)

**C. Resolution No. 131-2014** – authorizing an application to the Commonwealth of Pennsylvania through the Office of the Budget (“Commonwealth”) to use Redevelopment Assistance Capital funds (RACP) in the amount of up to \$1,500,000 to assist in the development and construction of GoggleWorks II Artist Housing for Our City Reading (**RRA**)

**D. Resolution No. 133-2014** – authorizing interest bearing bank accounts with Wells Fargo for the City of Reading related to funds in City General Fund (fund 01) and Sewer Fund (fund 54).

## **ADMINISTRATIVE REPORT**

The mayor read the report distributed to Council at the meeting, in summary:

- Update on the WWTP Project
- Update on the repair of the Pagoda wall
- Announcement of the favorable ruling in the recycling litigation

## **AUDITOR'S REPORT**

City Auditor Cituk read the report distributed to Council at the meeting, in summary:

- Update 2004-2014 Traffic Fines and Motor Code Fees
- Update on the PA DEP Recycling Grant

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

Presentation of Board of Health and Environmental Advisory Council position statements on fluoride in drinking water.

Dr. Dethoff, Chair of the Board of Health (BOH), explained that there is no such thing as pure water due to the various degrees of mineralization that water collects naturally, depending on the location of the watershed. He described the history of fluoride and how fluoride was studied to determine its effectiveness. He noted that fluoride levels that exceed 4 ppm (parts per million) cause the staining of the teeth and other complications. However, fluoride doses less than 1.2 ppm provides benefits such as the reduction of dental caries.

Dr. Dethoff stated that the BOH studied the credible research on fluoride and reviewed RAWA records on the application of fluoride into the water system. He stated that the amount applied is spot on with no variances or errors.

Dr. Dethoff listed some of the reputable health organizations and dental associations that support the continued fluoridation of water. He stated that a very thorough report on the pros and cons of fluoride can be obtained in the Council Office. He stated that this report was studied by the BOH as they weighed their position on this issue.

Dr. Dethoff noted that the government authorizes other additives into our food to prevent health problems such as iodine in salt and folic acid in bread. He stated that after studying the issue, the BOH believes that the fluoridation of water at the rate used by RAWA is safe and he stated that the BOH unanimously approved the position statement submitted to Council.

David Beane, Esquire, Chair of the Environmental Advisory Council (EAC), stated that the EAC formed a subcommittee to study fluoride in the drinking water and regulatory

compliance. He explained that the US EPA authorizes the PA DEP to regulate the application of fluoride in the drinking water. He explained that 4 ppm of fluoride is deemed a heavy dose and 1.2 ppm falls within a safe range to protect human health. He stated that the EAC subcommittee reviewed RAWA fluoride records and no spikes were identified.

Mr. Beane reported that the EAC also addressed potential environmental issues raised by the spillage or dumping of fluoride. However, the subcommittee found no link that had a negative impact on aquatic health or life.

Mr. Beane stated that reviewing any related human health issues is beyond the EAC's scope or authority and that health related matters related to fluoride were deferred to the BOH.

Councilor Daubert questioned the affect .7 ppm has on adults and children. Dr. Dethoff explained that .7 ppm is a minuscule amount of fluoride that is safe for children and adults. He noted the importance of educating children to use a proper amount of toothpaste and to spit rather than swallow.

Dr. Dethoff explained that he did not have fluoridated water when he was a child which resulted in his need for a great amount of dental work. However, he stated that his own children were raised with fluoridated water and as a result they had few, if any dental problems.

Councilor Goodman-Hinnershitz inquired about health problems associated with cavities. Dr. Dethoff noted that Dr. Eve Kimball's local practice serves the low income population and she has seen many health related problems stemming from poor dental care. He noted that dental care goes beyond having attractive teeth as cavities can lead to abscesses, infections, and other issues that negatively affect a person's health.

Council President Acosta thanked the BOH and EAC chairs for their work to bring closure to this ongoing issue.

## **ORDINANCES FOR FINAL PASSAGE**

### *Pending - Further Legal Review Required*

**Bill No. 63-2014** – amending the Code Book, Chapter 600 “Zoning”, Section 600-807 entitled “C-C Commercial Core District” by amending: (1) Subsection B “Allowed Uses” to include public parking garages and parking lots owned/or operated by the City of Reading or the Reading Parking Authority, and to prohibit non-public parking garages and parking lots; and (2) Subsection C “Additional Requirements in the C-C District” to prohibit non-public parking garages or parking lots open to the general public. **(Parking Authority/Council Staff) Introduced at the July 28 regular meeting; Public Hearing 8-12-14; Ordinance Advertisement 8-11 and 8-18-**

**A. Bill No. 84-2014** – authorizing the execution of a settlement agreement to pay the legal charges associated with the water agreement to Stevens and Lee **(Adm Serv. Dir) Introduced at the October 27 regular meeting; Tabled at the Nov 10 and Nov 24 regular meeting**

Councilor Marmarou moved, seconded by Councilor Daubert, to enact Bill No. 84-2014.

Bill No. 84-2014 was enacted by the following vote:

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

Nays: - 0

**B. Bill No. 97-2014** - amending the City Code Chapter 339 Licenses and Permits, Part 2, Business Privilege License Revocation by making clarifications, as attached in Exhibit A **(Council Staff) Ad scheduled for 12-1-14; introduced at the November 24 regular meeting**

Councilor Daubert moved, seconded by Councilor Reed, to enact Bill No. 97-2014.

Bill No. 97-2014 was enacted by the following vote:

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

Nays: - 0

**C. Bill No. 98-2014** – amending City Code Chapter 212 by adding an appeal fee of \$150 for the refusal of the issuance of a business license and a business license reinstatement fee of \$1,000 **(Council Staff) Advertised on 12-1-14; introduced at the November 24 regular meeting**

Councilor Marmarou moved, seconded by Councilor Reed, to enact Bill No. 98-2014.

Bill No. 98-2014 was enacted by the following vote:

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

Nays: - 0

**D. Bill No. 99-2014** – repealing Bill No. 62-2014 and approving the new 4<sup>th</sup> addendum to the water lease with RAWA **(Council Staff) introduced at the November 24 regular meeting**

Councilor Goodman-Hinnershitz moved, seconded by Councilor Daubert, to enact Bill No. 99-2014.

Bill No. 99-2014 was enacted by the following vote:

**Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,  
President -7  
Nays: - 0**

**E. Bill No. 100-2014** – amending the Fee Schedule by increasing the Construction Code Fees, effective January 1, 2015 **(Man Dir) Advertised on 12-1-14; introduced at the November 24 regular meeting**

**Councilor Daubert moved, seconded by Councilor Reed, to enact Bill No. 100-2014.**

**Bill No. 100-2014 was enacted by the following vote:**

**Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,  
President -7  
Nays: - 0**

**F. Bill No. 101-2014** – amending City Code Chapter 467 Sewers and Sewage Disposal, to allocate the sewer service rental between the sanitary sewer and stormwater sewer **(Pub Works) introduced at the November 24 regular meeting**

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to table Bill No. 101-2014.**

**Bill No. 101-2014 was tabled by the following vote:**

**Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,  
President -7  
Nays: - 0**

## **INTRODUCTION OF NEW ORDINANCES**

The following ordinances were read into the record:

**A. Ordinance** - amending the City Code Chapter 339 Licenses and Permits, Part 2, Business Privilege License Revocation by making clarifications, as attached in Exhibit A **(Council Staff) Ad scheduled for 12-1-14**

**B. Ordinance** – amending City Code Chapter 212 by adding an appeal or \$150 for the refusal of the issuance of a business license and a business license reinstatement fee of \$1,000 (Council Staff) **Ad scheduled for 12-1-14**

**C. Ordinance** – repealing Bill No. 62-2014 and approving the new 4<sup>th</sup> addendum to the water lease with RAWA **(Council Staff)**

**D. Ordinance** – amending the Fee Schedule by increasing the Construction Code Fees, effective

January 1, 2015 **(Man Dir) Ad scheduled for 12-1-14**

**E. Ordinance** – amending City Code Chapter 467 Sewers and Sewage Disposal, to allocate the sewer service rental between the sanitary sewer and stormwater sewer **(Pub. Works)**

**F. Ordinance** – authorizing the amendment of the Public Works and Solid Waste budgets to cover the cost of temporary labor for the recycling program **(Public Works)**

## **RESOLUTIONS**

Councilor Goodman-Hinnershitz stepped out of the room to assist an injured citizen.

**A. Resolution No. 134-2014** – reappointing Heather Hanna to the Library Board **(Nom & Appts)**

**Councilor Marmarou moved, seconded by Councilor Reed, to adopt Resolution No. 134-2014.**

Councilors Marmarou and Reed noted that Ms. Hanna's skills and attributes assist the Library Board in countless ways. They noted her tireless dedication to this board.

**Resolution No. 134-2014 was adopted by the following vote:**

**Yeas: Daubert, Marmarou, Reed, Sterner, Waltman, Acosta, President - 6**

**Nays: None - 0**

Councilor Goodman-Hinnershitz returned at this time.

**B. Resolution No. 132-2014** – authorizing the submission of the PennDOT application for the installation of a traffic signal at South 5<sup>th</sup> and Bingaman Streets **(Man Dir)**

**Councilor Daubert moved, seconded by Councilor Reed, to adopt Resolution No. 132-2014.**

Councilor Daubert stated that he will enthusiastically support this resolution as it will end a long standing public safety concern in this District 1 neighborhood. He stated that the elimination of this traffic signal caused an increase in speeding through this residential neighborhood.

Councilor Reed stated that this resolution concludes a long standing public safety matter that was worked on by various City Councilors for approximately 10 years. She noted the importance of having this signal in place prior to the detour of traffic when the repair work to the Penn Street Bridge begins.

Council President Acosta agreed that the installation of the traffic signal at this intersection will end a long standing safety issue. He stated that although many believe that various Councils ignored this issue, they continued to push for the reinstallation.

**Resolution No. 132-2014 was adopted by the following vote:**

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

**Nays: None - 0**

## **PUBLIC COMMENT – NON-AGENDA MATTERS**

**Mary Jane Smith, of Perkiomen Avenue**, described her experiences when she owned the rental property located next to her primary residence. She explained that the codes fines and fees and the Quality of Life fines represent inequitable taxation. She expressed the belief that the proposed streetlight assessment is also inequitable taxation. She expressed the belief that she should not have to pay more.

## **COUNCIL COMMENT**

Councilor Marmarou announced the CHCC Holiday Jingle scheduled for Sunday, December 14<sup>th</sup> at 6 pm.

Councilor Waltman stated that the Centre Park Holiday House Tour is scheduled for this Sunday from 11 am to 5 pm.

Councilor Goodman-Hinnershitz described the repair and lighting of the Menorah between December 15<sup>th</sup> and December 23<sup>rd</sup> used to celebrate Chanukah, the season of light, faith and hope.

Councilor Sterner thanked the speakers who commented this evening and the Chairs from the BOH and EAC for their reports. He also noted the ongoing Holiday Light Display at Hillside Playground and the community meeting scheduled for this Thursday at St. Marks Lutheran Church

Council President Acosta reviewed the upcoming meeting schedule.

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

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