

**City of Reading City Council**  
**Regular Meeting November 10, 2014**

Council President Acosta called the meeting to order.

The invocation was given by Pastor Eileen Smith Levan, from Nativity Lutheran 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**

The City Clerk administered the Oath of Office to the following Fire Personnel:

- Administrative Officer William Milyo
- Fire Marshall Larry Moyer
- Fire Chief William Stoudt Jr.

Council commendations were presented to the following:

- Recognizing Edward Terrell and Elsayed Elmarzouky for the murals located on the Queen City Diner
- Recognizing Veteran's Day, accepted by Dale Derr, Lt Col, US Air Force, Ret, Director Berks County Department of Veterans Affairs

The following proclamations were issued:

- Recognizing Epilepsy Month
- Recognizing Recycling Day
- Recognizing Girl Scout Troop 119

**PUBLIC COMMENT**

Council President Acosta stated that there are five (5) citizens registered to address Council

on non-agenda matters and one (1) citizen on 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.

**Vincent Rosado, of North 13<sup>th</sup> Street**, thanked the voters for approving referendum question 7 which will require the electorate to approve the sale or lease of any City owned asset valued at \$10M or more. He expressed the belief that the election results expressed a strong no confidence vote in Council. He questioned the function of the City Clerk position and he recited the definition of a “clerk”. He questioned the purpose of the legal fees listed in an ordinance on the agenda and he questioned the legal debacle over the water issue.

**Abraham Amorsos (did not provide an address as required)** stated that he is the legislative director of the PA Labor Council. He stated that he is a former York elected Councilor. His remarks attempted to dispel the comments made by the business owners about the proposed PLA at the last meeting. And he described the benefits of having a PLA requirement in place. He expressed the belief that PLAs benefit the local community, local economic development and local workers.

**Bill Wall, (did not provide an address as required)**, stated that he is a county resident and worker and the PLA has personal meaning for him. He stated that he is not a business owner, but a rank and file worker. He stated that he is an example of the person who will benefit from the PLA.

**Bill Donvard, (did not provide an address as required)**, stated that he is a county resident and that he represents the sheet metal workers. He expressed his belief in the PLA and that the PLA will not increase the overall cost of local construction projects. He explained that projects funded with State or Federal funding are required to use the prevailing wage. He stated that a PLA requirement will provide a qualified work force. He distributed facts from the OSHA website. He expressed the belief that the PLA will benefit the local community.

**Brian McMahon, (did not provide an address as required)**, stated that he represents the pipe fitters union. He expressed the belief that the remarks about the proposed PLA made by the business owners at the last meeting were inaccurate. He made statements in an attempt to dispel the claims made by Mr. Unger of Vision Mechanical and others.

## **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 October 27<sup>th</sup> Regular Meeting of Council.

The mayor announced the need to withdraw the Settlement Agreement ordinance. The City Clerk stated that the ordinance can only be withdrawn if five members of Council agree to amend the agenda. The Solicitor agreed and the mayor withdrew his request.

**Councilor Sterner moved, seconded by Councilor Marmarou, to approve the minutes from the October 27<sup>th</sup> Regular Meeting of Council and the agenda, including the legislation listed under the Consent Agenda heading. The motion was approved unanimously.**

## **Consent Agenda**

**A. Resolution 119-2014** – authorizing the participation in the MCDC Initiative and hereby authorizing the filing of a “self-report” with the SEC on or before December 1, 2014, in accordance with the MCDC Initiative **(Law)**

## **ADMINISTRATIVE REPORT**

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

- Update on the IT Steering Committee
- Update on the completion of the refinance of the 2008 C and D General Obligation Bonds
- Receipt of the Recycling Grant based on the collection of 12.6 tons of recycling products
- Progress report on the Wyomissing Park streetlight project

## **AUDITOR’S REPORT**

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

- 2014 Unemployment Compensation update
- Update on the MMO payment which is \$11.1M for 2014 and \$14.5M for 2015

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

None.

## **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-**

2014

*Pending – Budget and Tax Ordinances*

- A. Ordinance** – 2015 Real Estate Tax Rate
- B. Ordinance** – 2015 Commuter Tax Rate
- C. Ordinance** – 2015 Position Ordinance
- D. Ordinance** – 2015 Resident Earned Income
- E. Ordinance** – 2015 General Fund Budget (**Law/Council Staff**)
- F. Ordinance** – 2015 Capital Budget (**Law/Council Staff**)

**A. Bill No. 83-2014** – restricting parking and maintaining the requisite No Parking signs, for a distance of 44 feet, across from the entrance to 1007 Bern Street. The purpose is to improve the turning radius for large trucks entering and leaving the business at that location (**Man Dir**) *Introduced at the October 27 regular meeting; Advertised 11-3-14*

Councilor Marmarou moved, seconded by Councilor Daubert, to enact Bill No. 83-2014.

Bill No. 83-2014 was enacted by the following vote:

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

**B. 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*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to table Bill No. 84-2014.

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

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

**C. Bill No. 85-2014** – restricting parking and maintaining the requisite No Parking signs, for a

distance of approximately 20 feet, adjacent to 1426 Perkiomen Avenue. The purpose is to improve visibility for drivers exiting the parking lot of the Southeast Branch of the Reading Public Library. **(Man Dir) Introduced at the October 27 regular meeting; Advertised 11-3-14**

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Marmarou, to enact Bill No. 85-2014.**

Councilor Goodman-Hinnershitz stated that this parking restriction will increase the safety of those leaving the Library parking lot. She noted the dangers caused by automobiles speeding on Perkiomen Avenue.

**Bill No. 85-2014 was enacted by the following vote:**

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

**D. Bill No. 86-2014 – approving an appropriations transfer of \$650,000 from the Contracted Services line item in the 2014 Public Buildings budget to the Street Lighting budget Traffic Engineering budget to provide for street lighting for the remainder of 2014. (Man Dir) Introduced at the October 27 regular meeting**

**Councilor Reed moved, seconded by Councilor Daubert, to enact Bill No. 86-2014.**

**Bill No. 86-2014 was enacted by the following vote:**

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

**E. Bill No. 87-2014 – amending the 2014 Fiscal Year Employee Position Ordinance, by decreasing the Network Administrator positions from two (2) to one (1) and creating one (1) position of Network Engineer (Adm Services) Introduced at the October 27 regular meeting**

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to enact Bill No. 87-2014.**

**Bill No. 87-2014 was enacted by the following vote:**

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

**F. Bill No. 88-2014 – authorizing the transfer of \$130,000.00 from the Salary line of the Fire-Emergency Medical Division (EMS) to the Fire-Administration Division Salary line, to the Fire-Suppression Division Salary line and to the Fire-Suppression Division Clothing line (Fire)**

*Introduced at the October 27 regular meeting*

Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 88-2014.

Bill No. 88-2014 was enacted by the following vote:

Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman -6

Nays: Acosta, President - 1

**G. Bill No. 89-2014** - authorizing the execution an Right of Way Grant/ Easement (attached as part of Exhibit "A") to convey unto the UGI Utilities, Inc. an easement and uninterrupted right of access upon that portion of premises located at 14<sup>th</sup> & Green Streets, Reading, Berks County, Pennsylvania, as shown on a certain diagram attached as part of Exhibit "A". **(Law/Pub Works)**  
*Introduced at the October 27 regular meeting*

Councilor Sterner moved, seconded by Councilor Goodman-Hinnershitz, to table Bill No. 89-2014.

Bill No. 89-2014 was tabled by the following vote:

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

Nays: - 0

**H. Bill No. 90-2014** - authorizing the execution of the amendment to the Act 47 Recovery Plan (PFM) *Introduced at the October 27 regular meeting*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to table Bill No. 90-2014.

Bill No. 90-2014 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 ordinance was read into the record:

**A. Ordinance** - authorizing the execution of a grant of right of way and easement between the City and the Schuylkill River Greenways Association, thereby conveying unto the Schuylkill River Greenways Association a nonexclusive, perpetual access easement upon that portion of premises along the Morgantown **(Pub. Works)**

## RESOLUTIONS

**A. Resolution 120-2014** – appointing Alison Rudy to the Animal Control Board **(Nom & Appts)**

**B. Resolution 121-2014** – appointing Harry Brown to the Animal Control Board **(Nom & Appts)**

**C. Resolution 122-2014** – reappointing Dennis Straub to the Animal Control Board **(Nom & Appts)**

**D. Resolution 123-2014** – appointing Nicholas Eyrich to the Blighted Property Review Committee **(Nom & Appts)**

**Councilor Marmarou moved, seconded by Councilor Daubert, to adopt Resolution Nos. 120-123-2014.**

**Resolution Nos. 120-123-2014 were adopted by the following vote:**

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

**Nays: None - 0**

**E. Resolution 124-2014** – authorizing the submission of the 2015 CDBG Action Plan **(CD)**

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Marmarou, to adopt Resolution No. 124-2014.**

Council President Acosta asked Council to consider an amendment to the Plan by reducing \$50,000 from the Habitat for Humanity allocation and increasing the Skyline View Apartments allocation by \$50,000.

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to amend the CDBG Action Plan by reducing \$50,000 from the Habitat for Humanity allocation and increasing the Skyline View Apartments allocation by \$50,000.**

**The amendment to the CDBG Action Plan was approved by the following vote:**

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

**Nays: None - 0**

**Resolution No. 124-2014, as amended, was adopted by the following vote:**

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

**President - 7**

**Nays: None - 0**

## **COUNCIL COMMENT**

Councilor Marmarou spoke of the importance of the celebration of Veterans Day and honoring those who have served to protect our country. He also wished his wife, Joanne, a happy birthday.

Councilor Reed described the Veteran's Day ceremonies at Memorial Grove in City Park and at First Energy Stadium, which was originally dedicated to our Veterans. She noted the installation of the dog tag sculpture to honor our Veterans at the stadium.

Councilor Reed also spoke about the rewards offered for the identification of the arsonists who set the heinous fire at the 8<sup>th</sup> and Oley warehouse building. She stated that the rewards are offered by the ATF and the developer, Alan Shuman, of Shuman Development Group. She noted that Crime Watch also has a rewards program.

Councilor Daubert noted the importance of the Girl Scout program and he thanked Troop 119 for their dedication to recycling.

Councilor Goodman-Hinnershitz thanked the Public Works team for quickly responding to the theft and vandalism at 10<sup>th</sup> and South playground. She noted the need to improve the security camera system in our parks and public lands. She also noted her disappointment that Bottom Dollar food store is closing its two (2) stores in Berks County. She noted the service this chain provides to the Greater Reading community.

Councilor Waltman stated that Council has heard opposing opinions from business owners and local labor unions about the proposed PLA. He suggested that the two groups meet to work out their differences before Council considers enacting a PLA ordinance.

Councilor Waltman also noted the vast difference in public opinion and reality regarding Council's focus on the water lease agreement.

Councilors Waltman and Reed took issue with the editorial in the Sunday newspaper regarding the City's 2015 budget and the editors' belief that Reading has a spending problem. They suggested that the editor speak with Council to obtain clarity prior to writing inaccurate editorials.

Council President Acosta noted his response issued on social media about the editorial yesterday. He stated that the editorial was completely inaccurate. He stated that while Council has considered additional budget issues raised by directors, Council has not

approved the budget; therefore the additional items are not a part of the 2015 budget at this point.

Councilor Goodman-Hinnershitz stated that using sound bites as the focal point of editorials is a dangerous practice. She expressed concern with increasing the City's contribution to the Library and then sustaining that contribution annually. She suggested working within the budget without adding allocations that are not sustainable.

Councilor Sterner noted his agreement with applying a dedicated milage rate to fund the Library. He stated that the Library is a worthwhile expense that provides a valuable public service to Reading's citizens. He also thanked those citizens who spoke during the public comment period.

Councilor Sterner announced that the Hillside Holiday Light display begins on November 23<sup>rd</sup> and runs through the upcoming holiday period.

Councilor Reed noted that Ephrata, a smaller community, also struggles with similar budgetary problems. She described their approach to identify alternatives to fund various functions.

Council President Acosta noted his uncertainty with the legality of the referendum questions approved by the electorate on Election Day.

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

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