

City of Reading City Council
Regular Meeting
December 22, 2014

Council President Acosta called the meeting to order.

The invocation was given by Pastor Ramon Mendez.

All present pledged to the flag.

The executive session held during the December 22nd Committee of the Whole meeting was to discuss the recycling litigation and a personnel matter.

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 seven (7) 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.

Pastor Ramon Mendez, of North 8th Street, stated that his church has operated within Reading for the past 100 years. He stated that approximately 10 years ago he contacted the Traffic Engineering area of the Public Works Department about getting some additional

church signage for city-owned standards in the downtown area. He stated that he was instructed to purchase the signs and to bring the signs to Public Works and that the signs would be attached to the standards. He stated that he recently found one of the signs to be missing and when he contacted Public Works he was told that the sign was removed because it interfered with traffic. He requested the reinstallation of the sign.

Kurt Miller, of Mt. Penn, stated that he is a member of the Mt. Penn Borough Council and a member of the board of Aulenbach's Cemetery. He stated that funds to sustain Aulenbach's Cemetery are dwindling despite the various capital and maintenance needs at the cemetery. He stated that the Mt. Penn Borough allocates \$5,000 annually for the maintenance of the cemetery. He suggested that the City do the same, as 40% of the cemetery is within Reading's boundaries. He stated that allocating \$5,000 is a better option when compared to the requirements if either or both of the municipalities had to take control of that asset.

Dominic Ranieri, of South 18th Street, was not present.

Kelly Fegley, of South 16th Street, was not present.

William Flubacher, of Wyomissing, stated that he currently owns a few rental properties within Reading. He stated that while he agrees with the need for the Quality of Life ordinance, he questions why the fine is applied to the property owner rather than to the tenant, as it is the tenant that creates the issue that warrants a ticket. He stated that Property Maintenance has the names of the tenants, as landlords are required to submit the listing of tenants twice annually.

Floyd Stahl, of North 11th Street, described the problems associated with Property Maintenance. He noted that they do not verify the problems inspectors cite at non-compliant properties. He also described the problems associated with the One Stop meetings. He expressed the belief that these problems are pushing small business owners out of the City.

Noahleen Betts Kebby, of Perkiomen Avenue, stated that the 3rd annual Ms. Teen Reading will be held in February 2015. She invited Councilors Reed and Goodman-Hinnershitz to be judges at the event. Two of the finalists introduced themselves to Council.

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 December 8th Regular Meeting of Council. He stated that the Award of Contract under the Consent Agenda is being withdrawn and a resolution will be added to the Resolution heading to support the Turn the Courthouse Lights Back On effort.

Councilor Sterner moved, seconded by Councilor Marmarou, to approve the minutes from the December 8th 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 - to _____ for external auditing services for a three year period **(Purchasing Mgr) To be distributed on Monday**

B. Resolution No. 135-2014 - authorizing the appointment of Chris Zale and Maria Kantner to the Berks County Tax Collection Committee Executive Committee **(Law)**

C. Resolution No. 136-2014 - authorizing the use funds from the Sewer Enterprise Fund to finance, on an interim basis, the costs of the City of Reading Fritz Island Wastewater Treatment Plant Liquid Treatment Facilities Upgrade Project, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City of Reading, up to a maximum principal amount of \$72,000,000 **(WWTP)**

D. Resolution No. 137-2014 - -promoting Sgt. Cheryl Gelsinger to the rank of Lieutenant **(Police Chief)**

E. Resolution No. 138-2014 - -promoting Officer Nathan Matz to the rank of Sergeant **(Police Chief)**

ADMINISTRATIVE REPORT

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

- Update on the Wyomissing Park Streetlight project
- Update on the Pagoda wall project
- Note about the 23% reduction in burglaries within Reading despite the reduction in the size of the Police Department

Councilor Goodman-Hinnershitz agreed that the Aulenbach's Cemetery is in crisis condition. She suggested forming a group to discuss this issue with Mt. Penn. She asked to be included in the group as there are a few cemeteries within District 2.

Council President Acosta agreed.

Councilor Daubert requested being part of the group, as there is also a cemetery in his district.

Council President Acosta described the Human Relations Commission breakfast and the need

for him to correct misstatements about the City's Police and Fire application process and how the City encourages a diverse applicant pool. He explained the required testing process applicants progress through. He stated that the next testing process for the Police Department begins on January 24th at Alvernia University. He noted that there is no fee to take the test.

AUDITOR'S REPORT

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

- Report on the General Fund balance over the past 23 year period
- Update on the 2014 Admissions Tax
- Update on the 2014 Real Estate Transfer Tax

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

None.

ORDINANCES FOR FINAL PASSAGE

WITHDRAWN BY THE PARKING AUTHORITY

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**

A. 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; Tabled at the December 8 regular meeting**

Councilor Daubert moved, seconded by Councilor Reed, to enact Bill No. 101-2014.

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

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

Nays: - 0

B. Bill No. 102-201 – creating the Code and License Appeals Board for appeals to the Business License, Property Maintenance, Solid Waste, Vending Machine Code and Housing Codes and replacing the individual boards created in each ordinance with the Code and License Appeals Board **(Council Staff/Law) Introduced at the December 8 regular meeting**

Councilor Marmarou moved, seconded by Councilor Reed, to enact Bill No. 102-2014.

Bill No. 102-2014 was enacted by the following vote:

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

Nays: - 0

C. Bill No. 103-2014 – authorizing an amendment of the 2014 Budget by transferring a total of \$50,000 from the Contingency Fund to the Law Department Budget line item for Special Counsel Contracted Services (01-12-25-4216) to cover additional legal costs associated with legal service providers. **(Law) Introduced at the December 8 regular meeting**

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to enact Bill No. 103-2014.

Bill No. 103-2014 was enacted by the following vote:

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

Nays: - 0

D. Bill No. 104-2014 – authorizing an amendment of the 2014 Budget by transferring a total of \$360,000 from the Contingency Fund to the Fire Department Budget to be split between Suppression wages and EMS wages. **(Law) Introduced at the December 8 regular meeting**

Councilor Marmarou moved, seconded by Councilor Daubert, to enact Bill No. 104-2014.

Bill No. 104-2014 was enacted by the following vote:

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

Nays: - 0

E. Bill No. 105-2014 – authorizing the installation of a four way stop sign at West Windsor and McKnight Streets **(Man Dir) Advertised on 12-15-14; Introduced at the December 8 regular meeting**

Councilor Reed moved, seconded by Councilor Daubert, to enact Bill No. 105-2014.

Bill No. 105-2014 was enacted by the following vote:

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

Nays: - 0

F. Bill No. 106-2014 – authorizing the installation of a four way stop sign at West Greenwich and Tulpehocken Streets **(Man Dir)** *Advertised on 12-15-14; Introduced at the December 8 regular meeting*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to enact Bill No. 106-2014.

Bill No. 106-2014 was enacted by the following vote:

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

G. Bill No. 107-2014 – authorizing an appropriations transfer with the Department of Public Works, Division of Solid Waste and Recycling in the amount of \$51,790 from salaries to contracted services for temporary wages **(Public Works)** *Introduced at the December 8 regular meeting*

Councilor Marmarou moved, seconded by Councilor Daubert, to enact Bill No. 107-2014.

Bill No. 107-2014 was enacted by the following vote:

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

INTRODUCTION OF NEW ORDINANCES

None.

RESOLUTIONS

A. Resolution No. 139-2014 – reappointing Allen Webster to the Historical Architectural Review Board **(Nom & Appts)**

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to adopt Resolution No. 139-2014.

Councilor Marmarou described the skill the applicant brings to this board.

Resolution No. 139-2014 was adopted by the following vote:

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

B. Resolution No. 140-2014 – repealing and recreating the Naming Policy for public facilities, streets, etc. by redefining the process used to consider applications **(Council Staff)**

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to withdraw Resolution No. 140-2014.

Resolution No. 140-2014 was withdrawn by the following vote:

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

Nays: None - 0

C. Resolution No. 141-2014 – authorizing the submission of a letter from Council in support of the Turn the Courthouse Lights Back On effort **(Council Staff)**

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to adopt Resolution No. 141-2014.

Councilor Reed explained the need for Council and others to support this effort. She stated that the lights were used to show the County's weather forecast for decades. She stated that the labor for the reinstallation of the lights is being provided at no charge by the IBEW and that the funds collected will be used to offset the costs to purchase new efficient lighting.

Councilor Goodman-Hinnershitz stated that the Courthouse is a historic building and that the longstanding tradition of the lights on the Courthouse should be returned.

Resolution No. 141-2014 was adopted by the following vote:

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

Nays: None - 0

COUNCIL COMMENT

Councilor Goodman-Hinnershitz thanked the Public Works Department for the work and effort they put into the Christmas trees in downtown Reading this year.

Councilor Goodman-Hinnershitz reminded everyone about the New Year's celebration with fireworks at the Pagoda.

Councilor Waltman, on the topic of police brutality that is sweeping the nation, suggested that people respect law enforcement officers and listen to their direction rather than display

signs of aggression.

Councilor Sterner agreed with the comments made by Councilor Waltman and added that citizens need improved education on good behavior and common sense. He thanked the Reading Police Department for their service to the City. He wished everyone a happy and safe holiday season.

Council President Acosta agreed that people and their children need education of proper behavior and common sense.

Council President Acosta noted that various people sound off on various social media sites about the actions of elected officials. He questioned how those judgments can be made when citizens do not even bother to attend meetings and in general have no idea what holding an elected position entails.

Council President Acosta wished everyone a happy holiday season.

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

Respectfully submitted by Linda A. Kelleher CMC, City Clerk