

**City of Reading City Council
Regular Business Meeting
Monday, March 24, 2014**

Council President Francis Acosta called the meeting to order.

The invocation was given by Rev. Efrain Ortiz, St. Paul's Church of God.

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
Mayor V. Spencer

PROCLAMATIONS AND PRESENTATIONS

Council Commendation recognizing Greek Independence.

PUBLIC COMMENT

Council President Acosta stated that there were five (5) citizens registered to address Council on non-agenda matters this evening. He reminded those registered about the public speaking rules. He inquired if any Councilor objected to suspending the public comment rule requiring non-agenda comment at the end of the meeting. As there was no objection, the rule requiring non-agenda comment at the end of the meeting was suspended.

Fran Rodriguez, representing the Boy Scouts, spoke about the merits of the Boy Scout program for youth and about the benefits of adult volunteerism. She encouraged youth and adults to get involved with the Boy Scout program.

Carl Baskin, of Fairview St, stated that he is the Vice President of the Ironworkers 420 union. He stated that some phases of the hotel construction project are being performed by non-union and non Berks County labor. He expressed the belief that as the project is funded through tax dollars, local labor should be used for the construction. Using local labor keeps

revenue and economic benefit local. He suggested adopting a Local Labor agreement that would require union construction for projects that exceed \$250K. Similar agreements are used elsewhere. He described the union's training process and the organizations supported by local labor.

Justus James, representing the AFSCME 2763, stated that there seems to be some disconnect between the City and the union workers. He agreed that the City needs to fix their \$15M financial gap and he suggested that the City consider RAWA's long term proposal to do that. He stated that fixing the financial problems helps to secure City related union jobs.

Ernest Schlegel, of Pear Street, stated that he has heard that the City requested a short term proposal from RAWA, rather than considering the two (2) long term proposals issued to the City by RAWA. He stated that he was recently appointed to the RAWA board. He stated that the two (2) long term proposals were based on a valuation. He noted the need to retain the asset through a continued lease to RAWA and avoid outsourcing this asset to a private corporation. He also questioned the process the City is using to conduct this exploration and suggested that the City evaluate how any revenue generated would be used. He expressed the belief that the RAWA board represents the union employees and the ratepayers. He stated that as a board member he cannot support a short term deal, as it is not in the best interest of RAWA or their employees. He urged Council to consider the two (2) long term proposals submitted.

Patrick Bauer, of North 6th Street, stated that he is concerned with the use of the term "lease" as the water rates are really a tax. He stated that this tax should be controlled by a board appointed by the City. He stated that if the City goes through the RFQ process the City would lose its strength by paying a profit to the private company who would take over the water lease. He urged Council to retain the City appointed RAWA board and lease agreement.

Dr. Noahleen Betts, of Perkiomen Avenue, described the Miss Teen Reading competition recently held at the Lincoln Hotel. She described the merits of the competition for young women in Reading, along with the donors and scholarships awarded. She thanked Councilors Goodman-Hinnershitz and Reed for assisting with the judging.

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 March 10th Regular Meeting of Council. He stated that the DCNR resolution listed under the Consent Agenda will be moved to the Resolution heading for a separate vote and that the administration is withdrawing Bill No. 5-2014 relating to an UGI easement.

Councilor Marmarou moved, seconded by Councilor Sterner, to approve the minutes from the March 10th 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. Resolution 40-2014 – promoting Officer Eric Suydam to the rank of Sergeant (**Police**)

B. Resolution 41-2014 – promoting Sergeant Richard Tornielli to the rank of Lieutenant (**Police**)

C. Resolution 42-2014– authorizing the disposition of the following files from the Law Department (**Law**):

- Bankruptcy case files through 2009, excluding files that involve precedential litigation or otherwise have precedential value.
- Closed Human Resources/Risk and Safety case files related to closed litigation and closed claims

D. Resolution 43-2014 – authorizing an agility agreement between the City and PennDOT from January 2013 through December 31, 2018 (**Man Dir**) *To be distributed on Monday*

ADMINISTRATIVE REPORT

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

- Announcing the resignation of Fire Marshal Todd Jaeger
- Noting the Fire Chief’s meeting with area hospitals about the start of a para-medical program that would reduce unnecessary trips to the hospital emergency room
- Describing the Chamber’s State of the Community event that featured a presentation on the “Rebirth of Reading”

Councilor Goodman-Hinneshitz thanked the administration for moving forward with the para-medical program to reduce needless trips to the hospital emergency rooms, as many times the costs for those trips goes unreimbursed.

AUDITOR’S REPORT

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

- Update on collection of the 2014 Admissions Tax
- Start of the Fightin Phils season
- Update on the collection of the 2014 Real Estate Transfer Tax

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

None.

ORDINANCES FOR FINAL PASSAGE

Request from the Administration to table the following:

B. Bill No. 10-2014 – authorizing the temporary easement on city-owned land in Perry/Richmond Townships to the Commonwealth of Pennsylvania **(Law)** *Introduced at the Jan 13 regular meeting; Tabled at the Jan 27 and the Feb 10th regular meeting TO BE DISTRIBUTED on MONDAY*

C. Bill No. 11-2014 – authorizing the sale of city-owned land in Perry/Richmond Townships to the Commonwealth of Pennsylvania **(Law)** *Introduced at the Jan 13 regular meeting; Tabled at the Jan 27 and the Feb 10th regular meeting TO BE DISTRIBUTED on MONDAY*

None.

A. Bill No. 5-2014 - authorizing the mayor to execute an easement between the City of Reading and UGI Utilities, Inc., thereby conveying unto UGI Utilities, Inc. a non-exclusive, perpetual easement in gross upon that portion of premises known as TAX PARCEL # 531702762194 as shown on drawing number D-4900213 sheet 1 (SEE ATTACHED) **(Law)** *Introduced at the Jan 13 regular meeting; Tabled at the Jan 27 and the Feb 10th regular meeting*

The administration announced that they are withdrawing this ordinance.

INTRODUCTION OF NEW ORDINANCES

The following ordinances were read into the record:

A. Ordinance – Amending the City Code, Chapter 308 Housing, Part B Disruptive Conduct Ordinance **(Law/Police/Council Staff)**; *Advertisement scheduled for April 3rd*

B. Ordinance – Amending the City Code, Chapter 212 decreasing the DCR Appeal fee to \$50 from \$275. **(Law/Police/Council Staff)** *Advertisement scheduled for April 3rd*

C. Ordinance – approving a long-term lease of certain premises within City Hall to the County of Berks in support of regional emergency communications & operations **(Man Dir)**

D. Ordinance – repealing and replacing Bill No. 16-2014 by directing the Berks County Board of Elections to place the following referendum question to voters of the City of Reading on the 2014 General Election ballot to amend the City of Reading Home Rule Charter by deleting the requirement that the City Auditor be a CPA with a minimum of five (5) years experience in business administration, accounting, management, or municipal government. **(Law)**

E. Ordinance – repealing and replacing Bill No. 14-2014 by directing the Berks County Board of Elections to place the following referendum question to voters of the City of Reading on the 2014 General Election ballot to amend the City of Reading Home Rule Charter to require appointment of a charter review commission at least every five (5) years but no sooner than every three (3) years and prohibit city officials or employees from serving on the commission. **(Law)**

F. Ordinance –directing the Berks County Board of Elections to place the following referendum question to voters of the City of Reading on the 2014 General Election ballot to amend Home Rule Charter Sections 215, 601, 602 and 908 (c) – Administrative Code, Procedures, Ordinances and [Budget] Amendment after Adoption which limits Council’s power to make legislative changes to the Administrative Code and provides the Mayor with the sole power to issue administrative regulation and procedure. **(Law) Sponsored by Marmarou, Daubert, Sterner, Reed and Goodman-Hinnershitz**

G. Ordinance – repealing and replacing Bill No. 17-2014 directing the Berks County Board of Elections to place the following referendum question to voters of the City of Reading on the 2014 General Election ballot to amend Home Rule Charter to allow one person to serve on two (2) boards and commissions if there is no conflict **(Law)**

H. Ordinance – repealing and replacing Bill No. 15-2014 directing the Berks County Board of Elections to place the following referendum question to voters of the City of Reading on the 2014 General Election ballot to amend Home Rule Charter to eliminate the Managing Directors power to “Direct and supervise the administration of all departments, offices and agencies of the City, except as provided by this Charter or by law” and provide that power solely to the Mayor. **(Law)**

I. Ordinance – repealing and replacing Bill No. 12-2014 directing the Berks County Board of Elections to place the following referendum question to voters of the City of Reading on the 2014 General Election ballot to amend Home Rule Charter to require the Annual Position ordinance to be amended before the Administration can hire more personnel than the Position ordinance allows. **(Law)**

J. Ordinance - amending City Code Chapter 346 Litter and Advertising Material, section 103 Prohibiting the Placement of Advertising Material on Automobiles **(Waltman/Council Staff)**
Reviewed by the Standards of Living Committee 3-17-14; Advertisement scheduled for April 3rd

K. Ordinance – amending the Solid Waste and Recycling Fund 56 Budgets; Solid Waste budget will increase by \$90,372, Recycling budget will increase by \$24,775 for a combined 2014 budget of \$5,867,456 **(Man Dir) Reviewed by the Finance Committee 3-17-14**

L. Ordinance – amending the Recreation Commission Agreement of Cooperation **(Law)**

RESOLUTIONS

A Resolution 45-2014 – reappointing Ellen Horan to the Main Street Board **(Nom & Appts)**

B. Resolution 46-2014 – reappointing Jared Barcz to the Zoning Hearing Board **(Nom & Appts)**

C. Resolution 47-2014 – reappointing Tom Fox to the Zoning Hearing Board **(Nom & Appts)**

Councilor Marmarou moved, seconded by Councilor Reed, to adopt Resolutions 45-47-2014.

Councilor Marmarou made remarks concerning the skills and abilities of those being reappointed tonight.

Resolution Nos. 45-47-2014 were adopted by the following vote:

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

E. Resolution 44-2014 – authorizing an application for a PA DCNR Community Conservation Partnerships Program Grant for a Phase II rehabilitation project at the Pendora Park Playground **(Pub Works)**

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to adopt Resolution 44-2014.

Councilor Goodman-Hinnershitz stated that the Rec Commission has some questions about the City's prioritization of this project, as it appears that there are other more pressing needs elsewhere. She requested additional information before the DCNR Grant is submitted.

Resolution No. 44-2014 was adopted by the following vote:

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

COUNCIL COMMENT

Councilor Marmarou noted his pride in the Greek community.

Council President Acosta noted the 16th birthday of his eldest son.

Council President Acosta stated that when the meeting adjourns Council will be meeting in an executive session to discuss litigation and a lease.

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

Respectfully submitted by Linda A. Kelleher CMC, City Clerk