

**City of Reading City Council
Regular Meeting
October 12, 2015**

Council President Waltman called the meeting to order.

The invocation was given by Pastor Steve Elmarzouky, Islamic Center of Reading.

All present pledged to the flag.

The Committee of the Whole meeting held before the start of this meeting included an executive session on litigation.

ATTENDANCE

Council President Waltman
Councilor Daubert, District 1
Councilor Goodman-Hinnershitz, District 2
Councilor Sterner, District 3
Councilor Marmarou, District 4
Councilor Reed, District 5
Councilor Slifko, District 6
City Auditor D. Cituk
Solicitor C. Younger
City Clerk L. Kelleher
Mayor V. Spencer

PROCLAMATIONS AND PRESENTATIONS

- Mayoral Proclamation to the Olivet 21st Century Kids Club Program

PUBLIC COMMENT

Council President Waltman stated that there is one (1) citizen registered to address Council on non-agenda matters. He asked 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 participation regulations adopted by Council to those present.

Juan Zabala, of North Front Street, stated that he was disappointed with the process Council used to appoint the District 6 representative. He expressed the belief that the process used was undemocratic and that District Council vacancies should be selected by those who reside in the District, not by the body of Council. He stated that his problem is with the process

Council used, not the person who was selected to fill the vacancy.

APPROVAL OF THE AGENDA & MINUTES

Council President Waltman called Council's attention to the minutes of the September 28th meeting and to the agenda for this meeting. He announced that Resolution 90 concerning 247 Washington will be withdrawn for further discussion.

Councilor Marmarou moved, seconded by Councilor Sterner, to approve the agenda, as amended, including the legislation listed under the Consent Agenda heading and the minutes as listed. The motion was approved unanimously.

Consent Agenda

A. Award of Contract - none

B. Resolution No. 90-2015 - allowing the property at 247 Washington Street to be converted to rental housing and to be transferred to Reading Housing Authority as a rental property for low and moderate income level households – **WITHDRAWN FOR FURTHER DISCUSSION**

C. Resolution 91-2015 – authorizing the Solicitor to Petition the Court of Common Pleas of Berks County to implement and/or impose a nonresident earned income tax (EIT) in the amount not to exceed one and three tenths percent (1.3%) by an appropriate ordinance.

ADMINISTRATIVE REPORT

The administrative report was distributed at the meeting; in summary:

Fire Prevention Week

PennDOT repaving of North 6th Street, North 9th Street and Hill Road

Update on the activities of the CDC

Councilor Goodman-Hinnershitz stated that as the CDC is funded solely with public funding from the Housing Authority, the Parking Authority, the Water Authority and the Redevelopment Authority, their minutes should be publically posted. She questioned the status of the Sustainability Committee. The mayor stated that the CDC will be taking over the Sustainability Committee in the transition.

Councilor Goodman-Hinnershitz noted the excellent financial information available on the City's website.

AUDITOR'S REPORT

The auditor's report was distributed at the meeting; in summary:

- 2016-17 Municipal Sewage Rate Calculation

- 2015 Admissions Tax collection

ORDINANCES FOR FINAL PASSAGE

Pending

Bill No. 48-2015 – authorizing the extension of the Downtown Improvement District (DID) for a five year period and authorizing the execution of the agreement between DID and the City ***Introduced at the July 27 regular meeting; Advertised on August 17th and 28th; Public Hearing Tuesday, September 8th; Tabled at the September 14 regular meeting; 2nd Public Hearing scheduled for Oct 21st at 5 pm***

Ordinance – vacating and removing from the 300 block of St. George Street from the City’s Topographical Map - ***28 day layover period required; Advertisement scheduled for Oct 5th, 12th and 19th***

Ordinance – amending the City Code Chapter 600 Zoning, by adopting a new Section §600-818 providing for a Riparian Buffer Overlay District and amending §600-2202 Definitions ***Introduced at the September 28 regular meeting; Advertisement scheduled for Oct 5th and 12th; Public Hearing scheduled for Oct 19th at 5 pm***

Ordinance – amending the City Code Chapter 600 Zoning by amending Part 8 Districts to add alternative energy systems as Accessory Uses, Part 10 Accessory Uses by renaming Section 1012 Wind Turbines to Alternative Energy Systems, and amending Section 2202 Definitions ***Introduced at the September 28 regular meeting; Advertisement scheduled for Oct 5th and 12th; Public Hearing scheduled for Oct 19th at 5 pm***

A. Bill No. 53-2015 – authorizing the execution of a lease agreement with the organization “Christmas in Reading” to continue the Holiday Light Display at Hillside Playground ***Introduced at the September 14th regular meeting; tabled at the September 28th regular meeting***

Councilor Daubert moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 53-2015.

Councilor Sterner stated that this is a new public-private partnership arrangement for the continuation of the Hillside Holiday Light Display, originated by the Hillside Playground Association.

Bill No. 53-2015 was enacted by the following vote:

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

Nays: – None - 0

B. Bill No. 54-2015 – amending Sections § 576-826 and 827 of the City Code relating to Towing Fees *Introduced at the September 28 regular meeting; Advertised Oct 5th*

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 54-2015.

The Managing Director stated that the last Towing Fee adjustment occurred in 2003. She stated that this initial increase is a market rate increase. Further adjustments may be required.

Bill No. 54-2015 was enacted by the following vote:

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

Nays: – None - 0

C. Bill No. 55-2015 – amending the City Code Chapter 5 Administrative Code, Section 5-806 Fiscal Provisions Part C Regulations Concerning Appropriations and Transfers adding language regarding the reserve, as required by the Amended Act 47 Recovery Plan *Introduced at the September 28 regular meeting*

Councilor Slifko moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 55-2015.

The Managing Director stated that this policy on the reserve requires the City to retain funds that will cover two (2) months of expenditures. She stated that this new policy represents solid business practices.

Councilor Goodman-Hinnershitz stated that although it will be difficult to follow this initiative, the City must continue to be diligent to secure its financial health.

Councilor Slifko stated that the reserve policy should also assist with the City's bond rating.

Bill No. 55-2015 was enacted by the following vote:

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

Nays: – None - 0

INTRODUCTION OF NEW ORDINANCES

Councilor Goodman-Hinnershitz read the following ordinances into the record:

A. Ordinance - amending the City Code Chapter 576 – Vehicles and Traffic, Part 12 Parades, Special Events and Public Gatherings, Section 576-1205 Fees, Time Limit and Cost of Event by adding the DID and Parking Authority to the processes.

B. Ordinance - amending the City Code, Chapter 564 Health and Safety, Part 105 Storage of Motor Vehicle Nuisances, by prohibiting commercial vehicles from parking on all public rights of way within the City of Reading

C. Ordinance – amending the City Code Chapter 453 Part 2 Sidewalk Vendors by replacing Vending Appeals Board with Code and License Appeals Board

D. Ordinance – authorize the execution and delivery of the required documents in connection with the two PennVest loans for the Sewage Treatment Plant upgrade, including authorization for the issuance of two Guaranteed Revenue Notes of the City. The two loans are in the amount of \$84,586,034 for the Liquids Treatment Facilities Upgrade and \$37,214,485 for the Solids Treatment Facilities Upgrade.

E. Ordinance – providing for a commuter tax of up to a maximum of 1.3% on all earned income and net profits generated in the City of Reading for 2016

F. Ordinance – setting the property tax rate at (.017489) on the dollar, or seventeen dollars and forty-eight point nine cents (\$17.489) on each one thousand dollars for 2016

G. Ordinance – approving the 2016 General Fund Budget

H. Ordinance – approving the 2016 Capital Improvement Plan

I. Ordinance – approving the 2016 Position Ordinance

RESOLUTIONS

There we no resolutions for adoption.

COUNCIL COMMENT

Councilor Reed stated that it is unfortunate that Mr. Zabala left the meeting. She stated that the process to fill Council vacancies is defined by the Charter and the process mirrors that used by all other municipalities. Laureldale is currently in the process of filling two (2) Council vacancies and is using the same process. She expressed her belief in the process that is required for Reading and other municipalities. She noted that if municipalities do not fill a vacancy within the required time period, the appointment will be made by a party further unrelated to the municipality. She stated that if the Reading City Council fails to fill a vacancy within 30 days, the Court of Common Pleas can make the appointment.

Councilor Goodman-Hinnershitz noted that although the District Councilors are elected by the people of the six (6) Charter defined Districts, the person selected is responsible for issues that impact the entire community, not only the District. She noted the upcoming concert by the Gin Blossoms that will precede the first Royals home game.

Councilor Daubert stated that the person appointed to fill a vacancy is not appointed to a four (4) year term, but until the next municipal election. He expressed the belief that the democratic process is not a spectator sport.

Council President Waltman reviewed the upcoming Council meeting schedule.

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

Respectfully submitted by Linda A. Kelleher CMC, City Clerk