

**City of Reading City Council
Regular Meeting
November 9, 2015**

Council President Waltman called the meeting to order.

The invocation was given by Councilor Daubert.

All present pledged to the flag.

The Committee of the Whole meeting did not include an executive session.

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

Managing Director Snyder

Mayor Spencer

PROCLAMATIONS AND PRESENTATIONS

Chief Heim issued a Departmental Citizens Commendation to Martin Gutierrez for coming to the aid of a Reading Police Officer when responding to a problem in a local bar was attacked by two (2) assailants.

The mayor issued a proclamation for Recycling Month.

PUBLIC COMMENT

Council President Waltman stated that there are two (2) citizens 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.

Angel Torres, of Reading, stated that he represents Abilities in Motion super action group. He announced his intent to attend Council and Reading Area Transportation System (RATS) committee meetings to monitor projects that will improve the City's roadways and handicapped ramps.

Carol Riley, of Reading, noted the need for the City to make improvements to the various intersections located in the downtown. She noted that the poor condition of the roadways creates safety risks for pedestrians.

APPROVAL OF THE AGENDA & MINUTES

Council President Waltman called Council's attention to the minutes of the October 23rd meeting and to the agenda for this meeting. He announced that the Ordinance regarding the vacation of St. George Street has been completed and the ordinance can move forward for enactment.

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. Resolution 95-2015 – promoting 2nd Deputy Fire Chief Kent A Born to 1st Deputy Fire Chief.

B. Resolution 96-2015 – promoting Fire Suppression Lieutenant Brian L Thorpe to 2nd Deputy Fire Chief

C. Resolution 97-2015 – promoting Fire Fighter Andrew F Getka to Fire Suppression Lieutenant.

D. Award of Contract - for the Penn Street Crosswalks Project to J.D. Eckman, Inc. Atglen, PA for a total amount of \$455,576.00.

PENDING FURTHER DISCUSSION

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

ADMINISTRATIVE REPORT

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

- The recent fire at 429 North 10th Street

- The launch of the Bike Share program
- Leaf collection update

AUDITOR'S REPORT

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

- Update on 2015 Unemployment Compensation
- 3rd quarter revenue from Traffic Fines and Motor Codes
- Update on the collection of the 2015 Franchise Fee

ORDINANCES FOR FINAL PASSAGE

Budget Related Ordinances Pending

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 *Introduced at the October 12 regular meeting*

Ordinance – setting the property tax rate at .017489 on the dollar, or \$17.489 on each one thousand dollars for 2016 *Introduced at the October 12 regular meeting*

Ordinance – approving the 2016 General Fund Budget *Introduced at the October 12 regular meeting*

Ordinance – approving the 2016 Capital Improvement Plan *Introduced at the October 12 regular meeting*

Ordinance – approving the 2016 Position Ordinance *Introduced at the October 12 regular meeting*

A. Bill No. 56-2015 – vacating and removing the 300 block of St. George Street from the City's Topographical Map *Introduced at the September 28 regular meeting; 28 day layover period required; Advertisement Oct 5th, 12th and 19th; Tabled Oct 26th*

Councilor Reed moved, seconded by Councilor Daubert, to enact Bill No. 56-2015.

Bill No. 56-2015 was enacted by the following vote:

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

President - 7

Nays: – None - 0

B. Bill No. 60-2015 - 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 *Introduced at the October 12 regular meeting; Advertised on October 19th; Tabled Oct 26th*

Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 60-2015.

Councilor Slifko moved, seconded by Councilor Daubert, to amend Bill No. 60-2015 by adding "C. Enforcement. Prior to the issuance of the citation and fine, notification of this law and a warning of the penalties imposed upon violation shall be posted on the vehicle one time or a copy issued to the owner or tenant of the *property in areas that are not posted with signage.*"

The amendment to Bill No. 56-2015 was adopted by the following vote:

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

Nays: – None - 0

Councilor Daubert stated that this ordinance will be welcomed by South Reading residents who have complained about large trucks parking in the South 2nd and Spruce Streets area for approximately one (1) year. He noted his support for this ordinance.

Councilor Slifko explained that the ordinance applies to vehicles that weigh over 10,000 GVW. He described the types of vehicles that will be prohibited. He noted his support for this ordinance.

Councilor Goodman-Hinnershitz expressed the belief that this is a practical solution to a growing problem which increases parking congestion. She noted the need to educate the public about this new regulation that prohibits large trucks from parking in the City.

Councilor Marmarou described the problems created by large trucks parking in District 4.

Councilor Reed described the problems created by large trucks parking in District 5, which creates safety problems and congested parking.

Councilor Daubert stated that this ordinance was crafted to address a multitude of variables that are created with truck parking.

Council President Waltman stated that while he agrees with the principle of the prohibition, the City must be commerce friendly.

Bill No. 60-2015 was enacted, as amended, by the following vote:

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

Nays: – None - 0

C. 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 Oct 21st at 5 pm

Councilor Goodman-Hinnershitz moved, seconded by Councilor Daubert, to enact Bill No. 48-2015.

Councilor Reed noted her support of DID due to their positive influence on the downtown. However, she expressed concern with the apparent disconnect between the DID administration and the downtown business owners. She noted the support DID provides to the growing number of events that take place in the downtown. She expressed hope that the DID administration will consider the input provided by those who spoke at the two (2) public hearings and respond appropriately. She expressed the belief that the City could not replicate the services provided to the downtown.

Councilor Daubert stated that the high attendance at the public hearings shows that there are problems that DID needs to address.

Councilor Goodman-Hinnershitz noted her support for the reauthorization of DID as they provide great support to the re-energized downtown.

Councilor Sterner stated that he supports the continuation of DID due to the service it provides in the downtown.

Council President Waltman stated that while he feels divided on this issue, he agrees with the need for DID to continue with no change in the assessment. He noted the need for DID to respond to the concerns expressed at the hearings. He expressed the belief that the DID administration should have more person to person outreach. He noted the need to make sure the process to reauthorize DID is fair. He stated that he believes the reauthorization of DID for five (5) years will allow DID to improve their outreach to business owners.

Bill No. 48-2015 was enacted by the following vote:

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

Nays: – None - 0

D. Bill No. 63-2015 – authorizing the transfer of funds from Solid Waste Fund Balance Account to Recycling Legal Fees Account to pay for legal settlement with FYDA freightliner Pittsburgh, Inc. & Golden Equipment Co., Inc., per Council approved resolution no. 89-2015 on September 28, 2015 ***Introduced at the October 26 regular meeting***

Councilor Marmarou moved, seconded by Councilor Slifko, to enact Bill No. 63-2015.

Council President Waltman stated that the settlement to the lawsuit was previously approved by Council resolution.

Bill No. 63-2015 was enacted by the following vote:

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

Nays: – None - 0

E. Bill No. 64-2015 –authorizing the transfer within the 2015 Department of Public Works, Division of Solid Waste & Recycling budget \$40,000.00 from General Plant Supplies and Minor Capital to Truck Maintenance for the purpose of covering funds for current and future invoices for truck maintenance for Recycling Department ***Introduced at the October 26 regular meeting***

Councilor Daubert moved, seconded by Councilor Slifko, to enact Bill No. 64-2015.

Bill No. 64-2015 was enacted by the following vote:

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

Nays: – None - 0

F. Bill No. 65-2015 – authorizing the transfer of \$10,000 from Salaries to Community Promotions in the Mayor’s Office to Redesign Reading CDC for start-up funds for Penn Street Market from 2014 ***Introduced at the October 26 regular meeting***

Councilor Slifko moved, seconded by Councilor Daubert, to enact Bill No. 65-2015.

Councilor Goodman-Hinnershitz questioned why a transfer to pay a 2014 bill is occurring at the end of 2015. The Managing Director stated that there were various holdups as the paperwork was processed by the mayor’s office personnel and the CDC.

Bill No. 65-2015 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. Bill No. -2015 – Establishing the annual salary of the City Solicitor at \$72,000, effective July 1, 2015.

B. Bill No. -2015 – amending the Fee Schedule by increasing the curbside collection fee with and without municipal trash service as follows:

Curbside waste collection with municipal trash service ~~\$303.10~~ \$315.00

Curbside waste collection without municipal trash service ~~\$91.83~~ \$95.04

Penalty: Any unpaid curbside waste collection fee not paid by ~~December 31 of the year it was~~ the date due shall incur a 10% penalty, and may be subject to additional collection costs and fees.

C. Bill No. -2015 – authorizing the transfer of funds from General Fund Debt Service Accounts to General Fund Accounts – Rental/Lease And Contingency to pay loan balance to First Columbia Bank & Trust for the Honeywell loan.

D. Bill No. -2015 – creating a Land Bank Board in accordance with the provisions of Act 153, enacted by the PA General Assembly on October 24, 2012, to return vacant property to productive status using a unified, predictable, and transparent process, thereby revitalizing neighborhoods and strengthening the City's tax base.

E. Bill No. -2015 – approving the 5th addendum to the water system lease with RAWA

F. Bill No. -2015 – approving the amendment to the lease agreement with the Parking Authority

G. Bill No. -2015 – amending the City Code Chapter 508 Streets and Sidewalks, Part 7 Street Cut Permits regarding gas meters

H. Bill No. -2015 - amending the City Code Chapter 308 Housing Ordinance by retitling Part I and Part III, deleting non-applicable definitions, changing all references to housing permits to housing registration, further defining the registration and inspection requirements as well as renaming the applicable appeals board to the Code and License Appeals Board

I. Bill No. -2015 - amending the City Code Chapter 212 Fee Schedule Part 116 Rental Housing Inspection

J. Bill No. -2015 – amending the City Code Chapter 212 Fee Schedule Part 128 Rental Housing Inspection

K. Bill No. -2015 – amending the City Code Chapter 5 Administrative Code, Section 5-212

Ordinances regarding the sale of City owned property

L. Bill No. -2015 – amending the City’s Purchasing Policy by adding provisions for the sale and lease of City owned property

RESOLUTIONS

A. Resolution 98-2015 – adopting the 2016 CDBG Action Plan

Councilor Goodman-Hinnershitz moved, seconded by Councilor Slikfo, to adopt Resolution No. 98-2015.

Councilor Goodman-Hinnershitz explained that this 2016 budget was carefully studied by Council. She stated that these federal dollars cannot be spent unless the federal regulations are carefully followed. She suggested publicizing the requirements on the City’s website and making the regulations a part of the transition documents.

Resolution No. 98-2015 was adopted by the following vote:

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

Nays: – None - 0

B. Resolution 99-2015– appointing Steven Symons to the Reading Area Water Authority

Councilor Marmarou moved, seconded by Councilor Daubert, to adopt Resolution No. 99-2015.

Councilor Marmarou spoke about the skill and experience of this applicant.

Resolution No. 99-2015 was adopted by the following vote:

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

Nays: – None - 0

C. Resolution 100-2015 – appointing Stephen Karnat to the Officers & Employees’ Pension Board

Councilor Daubert moved, seconded by Councilor Reed, to adopt Resolution No. 100-2015.

Resolution No. 100-2015 was adopted by the following vote:

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

COUNCIL COMMENT

Councilor Goodman-Hinnershitz stated that the beautiful evergreen tree is making its way to downtown Reading for the upcoming holidays. She thanked Councilor Reed for organizing a planning group to handle this issue.

Councilor Goodman-Hinnershitz noted the assistance of neighborhood children to rake leaves and then use the leaves as a landing pad at a sliding board at a local playground.

Councilor Daubert noted the vast difference between the number of people at the start of a Council meeting versus the low number of people who are present at the end of a Council meeting.

Councilor Reed listed the Veteran's Day ceremonies planned around Reading.

Councilor Goodman-Hinnershitz thanked those who spoke about the problems at the North 6th and Penn intersection. She agreed that the condition of the intersection creates safety issues for pedestrians.

Council President Waltman reviewed the upcoming Council meeting schedule.

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

Respectfully submitted by Linda A. Kelleher CMC, City Clerk