

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

Council President Acosta called the meeting to order.

The invocation was given by Councilor Daubert.

All present pledged to the flag.

An executive session on employee salaries was held during the Committee of the Whole session, preceding this meeting.

**ATTENDANCE**

Council President Acosta  
Councilor Daubert, District 1  
Councilor Sterner, District 3  
Councilor Marmarou, District 4  
Councilor Waltman, District 6  
City Auditor D. Cituk  
City Solicitor C. Younger  
City Clerk L. Kelleher  
Managing Director C. Snyder  
Mayor V. Spencer

Council President Acosta stated that Councilors Reed and Goodman-Hinnershitz entered Council Chambers immediately following roll call.

**PROCLAMATIONS AND PRESENTATIONS**

The mayor issued a proclamation to the Girl Scouts.

**PUBLIC COMMENT**

Council President Acosta 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 speaking regulations adopted by City Council.

**Josie Miller, of Wyomissing,** was not present.

**Cathy Kopicz, of Mohrsville,** was not present.

## **APPROVAL OF THE AGENDA & MINUTES**

Council President Acosta called Council's attention to the minutes of the February 9<sup>th</sup> meeting, postponed until February 17<sup>th</sup> and the February 23<sup>rd</sup> meeting and to the agenda for this meeting, including the legislation listed under the Consent Agenda heading. Resolution B under the Consent Agenda heading will be moved to the Resolution heading and considered separately.

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

### **Consent Agenda**

**A. Resolution 26-2015** – Sewage Plan Revision for the HAR Associates' Homes at Riverside project located on Weiser Street

**C. Resolution 28-2015** – authorizing the promotion of Officer Aaron Demko to the position of Sergeant

## **ADMINISTRATIVE REPORT**

The mayor read the report to Council at the meeting. In summary:

- Receipt of a Baaa1 bond rating
- Modification to the City's employment application to exclude the question regarding criminal history
- Update on the gas leak last week in the Orange and Cotton Street area
- Update on Fair Housing events for City landlords
- Update on the Wyomissing Park street lighting project

Councilor Goodman Hinnershitz noted her agreement with the "ban the box" change to the employment application. However, she noted that this will apply to the City's applications only and that the City cannot require other City businesses to remove criminal history questions from their applications.

Council President Acosta stated that although the criminal history question will be removed from the City's employment application, a criminal history and background check will be conducted.

## **AUDITOR'S REPORT**

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

- Report on the 2015 Battle of the Badges
- Return of Maria Rodriguez as Audit Coordinator

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

There were no reports issued at this meeting.

### ORDINANCES FOR FINAL PASSAGE

**A. Bill No. 8-2015** - authorizing the transfer of \$257,194 from Purchasing to Public Works for budgeted Motorola radio maintenance *Introduced at the February 17 regular meeting*

**Councilor Marmarou moved, seconded by Councilor Reed, to enact Bill No. 8-2015.**

**Bill No. 8-2015 was enacted by the following vote:**

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

**Nays: None - 0**

**B. Bill No. 9-2015** – amending the Recycling Budget (Fund 56) by transferring \$10,000 from the Portnoff Expense line item to the Contracted Services Line Item to fund contracted construction management services related to the Recycling baler project *Introduced at the February 17 regular meeting*

**Councilor Daubert moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 9-2015.**

The Managing Director stated that this transfer will cover the portion of the cost that is not covered by the project grant.

**Bill No. 9-2015 was enacted by the following vote:**

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

**Nays: None - 0**

**C. Bill No. 10-2015** – amending the Position Ordinance by adding two part-time, seasonal Graffiti Abatement Technicians to the Recycling Fund, Fund 56 *Introduced at the February 17 regular meeting*

**Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 10-2015.**

The Managing Director stated that funding for these two part-time seasonal positions were approved in the budget; however, through an error, the positions were not included in the 2015 Position Ordinance.

**Bill No. 10-2015 was enacted by the following vote:**

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

**Nays: None - 0**

**D. Bill No. 11-2015** – amending the salary range for the Police Chief to no less than \$80,000 and no more than \$125,000. ***Introduced at the February 23 regular meeting***

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Marmarou, to enact Bill No. 11-2015.**

Council President Acosta stated that he will not support the change in the salary range for the Police Chief based on the discussion held in the Committee of the Whole executive session. He noted the need for the City to fairly address the salaries of management level employees.

Councilor Reed inquired if a violation of the Chief's contract would occur if the proposed amendment does not occur. The Solicitor and Managing Director stated that a potential contract violation would occur if the proposed amendment does not occur.

**Bill No. 11-2015 was enacted by the following vote:**

**Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Sterner, Waltman - 5**

**Nays: Reed, Acosta, President - 2**

**E. Bill No. 12-2015** – authorizing the issuance of the City's Series A and B of 2015 Bonds to complete the proposed refunding project for the 2008 GO Bonds ***Introduced at the February 23 regular meeting***

**Councilor Marmarou moved, seconded by Councilor Daubert, to enact Bill No. 12-2015.**

The Managing Director explained that the Amended Recovery Plan includes this transaction and lists interest savings of approximately \$1.375M; however, Stevens and Lee predicts that the savings will come closer to \$1.5M due to the marketplace conditions.

**Bill No. 12-2015 was enacted by the following vote:**

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

**Nays: None - 0**

## Pending March 23<sup>rd</sup> Public Hearing

**Ordinance**– Amending the Zoning Ordinance, Chapter 27, §27-1204 C providing for Conditional Use applications and procedures eliminating the ability of the City and property owner to waive a decision made by City Council. ***Introduced at the February 23 regular meeting; Advertised March 9<sup>th</sup> and March 16<sup>th</sup>***

### INTRODUCTION OF NEW ORDINANCES

Council President Acosta read the following ordinances into the record:

**A. Ordinance** – Amending Chapter 339 Of The Reading City Code, Entitled “Licenses And Permits,” by creating a New Part 3 adding definitions, duties, penalties, exceptions, prohibited acts, licensing requirements and other related items regarding provision of immigration assistance services provided by Notary Public businesses and individuals; all under certain terms and conditions ***Advertisement on 3-10 and 3-16***

**B. Ordinance** – Amending Plumbing Code Of The City Of Reading, Section § 180-902. amendments to allow installation of pex or plastic water type piping in all structures, to the same extent that it is permitted under the 2009 International Plumbing Code as adopted by the Pennsylvania Uniform Construction Code. ***Advertisement on 3-16***

### RESOLUTIONS

**A. Resolution 29-2015** – reappointing Richard McDougall to the Downtown Improvement District Authority

**Councilor Marmarou moved, seconded by Councilor Daubert, to adopt Resolution No. 29-2015.**

Councilor Marmarou noted the skill of the candidate being reappointed.

Councilor Goodman-Hinnershitz noted that the interview sheets drafted by the City Clerk provide value as they help guide the interview process for each individual board opening.

**Resolution No. 29-2015 was adopted by the following vote:**

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

**President - 6**

**Nays: Reed - 1**

**B. Resolution No. 27-2015**– approving Donald Pottiger as Acting Administrative Services Director

**Councilor Daubert moved, seconded by Councilor Reed, to adopt Resolution No. 27-2015.**

The Managing Director stated that the skills and abilities of Mr. Pottiger will help lead the Administrative Services Department until a new director is identified and appointed.

**Resolution No. 27-2015 was adopted by the following vote:**

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

## **COUNCIL COMMENT**

Councilor Daubert stated that he visited the emergency shelter opened at Amanda Stout area where the gas leak took place last week. He stated that the Fire Department handled this potentially dangerous situation very well and communicated well with those affected. He thanked all service providers such as the Reading School District, the Animal Rescue League, the Red Cross and the Fire Department for their assistance in handling this problem safely and efficiently.

Councilor Goodman-Hinnershitz thanked Councilor Daubert for visiting the area where the gas leak occurred. She noted this area is a location where Districts 1 and 2 merge. She thanked all responders for their assistance.

Councilor Goodman-Hinnershitz noted the new art show planned for the Goggleworks over the next six year period. She stated that this is the type of program envisioned for the Goggleworks and that the program will bring an exciting economic opportunity to Reading.

Councilor Marmarou thanked Public Works for their work to repair the many new potholes that are springing up.

Councilor Reed expressed condolences to Big John Ulrich's family. She noted that Big John was an icon to the Greater Berks area. She stated that Big John represented City Council District 5 from 1998 to 2002. She stated that when she ran against Big John for the District 5 seat, she learned that civility in politics can occur. She spoke about Big John's life time of generosity and philanthropy.

Council President Acosta described the Dominican Republic event held on February 21<sup>st</sup> and he noted the education provided at the event.

**Councilor Marmarou moved, seconded by Councilor Reed, to adjourn the meeting.**

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