

City of Reading City Council
Regular Meeting
April 27, 2015

Council President Acosta called the meeting to order.

The invocation was given by Pastor Junior Oriol, Freedom Gate Ministry.

All present pledged to the flag.

An executive session was held about litigation before the start of this meeting.

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

Council issued the following commendations:

- Recognizing RHS Berks Best winter athletes
- Recognizing RHS Art and Music students

The mayor issued the following proclamations:

- Proclamation for Elia Auto Body, accepted by Chet Elia
- Recognizing Dan Luckey's 25 years of service to the Reading Housing Authority
- Proclamation for Lupus Awareness Month, accepted by Annette Boynes
- Proclamation for Sexual Assault Awareness Month, accepted by Mary Kay Bernosky

PUBLIC COMMENT

Council President Acosta stated that there are three (3) citizens registered to address Council on non-agenda matters and one (1) citizen registered to address Council on 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.

Tim Daley, of Steuban Road, asked Council to retain the Ethics regulations for campaign reporting because changing the regulations now would create an unlevel playing field for those candidates who have been obeying the regulations. He expressed the belief that the regulations should not be suspended or repealed during this election cycle.

Maryann Ciarlone, of North 5th Street, distributed packets to City Council and expressed the belief that RAWA is not a transparent organization. She described her problems with the trash collection charges and the termination of her water service at a property she purchased in the 800 block of North 4th Street. She also reminded Council of the Judge Sprecher court decision which she in part read aloud.

Kelly Fegley, of South 16th Street, spoke about problems she has being a crossing guard at the 16th and Haak Elementary School. She stated that she has reported these problems to the mayor's office without resolve. She requested a stop sign at 17th and Haak Streets, a handicapped curb ramp, a reduced speed limit sign and an adjustment to the current drop-off zone to alleviate traffic back-ups. She also noted that the crossing guards have not gotten a pay increase for years and described her difficulty making ends meet. She questioned why the crossing guards, as part time employees, must pay the unemployment tax when they are ineligible for unemployment benefits.

Jennie Giles and Mary Jane Smith, from the Bethel AME Church, stated that the church would like to hold a carnival on the Windsor and Ritter playground and asked the City for permission to do so.

Councilor Reed stated that the playground belongs to the Reading School District.

Council President Acosta asked the Managing Director to assist in making the arrangements with the District.

APPROVAL OF THE AGENDA & MINUTES

Council President Acosta called Council's attention to the minutes of the April 13th meeting, and to the agenda for this meeting, including the legislation listed under the Consent Agenda heading. He noted the addition of a Consent Agenda resolution regarding a solid waste minimization plan.

Councilor Sterner moved, seconded by Councilor Marmarou, 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 39-2015 – authorizing streetlights for the Schuylkill Ave Bridge

B. Resolution 40-2015 – authorizing the removal of the Met Ed owned streetlights in Wyomissing Park

C. Resolution 41-2015 – promoting Fire Suppression Lieutenant James Stoudt Jr. to 2nd Deputy Fire Chief and Fire Fighter David Williams to Fire Suppression Lieutenant.

D. Resolution 42-2015 – authorizing the submission of a Financial Assistance Application to the Pennsylvania Infrastructure Investment Authority (PENNVEST) for the incurrence of debt in the amount of \$37,214,485.00, for the purpose of financing/partially financing the improvements to the WWTP.

E. Resolution 43-2015 – authorizing Ballard Spahr’s engagement as outside labor counsel for the City

F. Resolution 44-2015 – authorizing the development of a plan to encourage solid waste minimization

ADMINISTRATIVE REPORT

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

- Update on the Scoop Sessions and Town Meetings
- Announcing the first Micro Enterprise Grant
- Reporting on the celebration of the 30th anniversary of Arbor Day

Councilor Reed requested additional information on the repairs required for the Public Works building located at 14th and Walnut Streets. She noted that this is an historic building.

Council President Acosta agreed, noting that the façade of the building is made of stone from the former City prison, formerly located at 11th and Penn Streets.

AUDITOR’S REPORT

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

- 2015 Admissions Tax collection
- 2015 Transfer Tax collection

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

There were no reports issued at this meeting.

ORDINANCES FOR FINAL PASSAGE

A. Bill No. 17-2015 – Amending the City Code § 453-205 by increasing the number of Sidewalk Vending Licenses for food related sales issued annually to 20. *Introduced at the April 13 regular meeting; Advertised on 4-20-15*

Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to table Bill No. 17-2015.

Bill No. 17-2015 was tabled by the following vote:

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

Nays: None - 0

C. Bill No. 18-2015 – Repealing and rewriting Chapter 564 Health and Safety, Part 105 Storage of Motor Vehicle Nuisances, by providing clarification on the prohibition of parking commercial and recreational vehicles in Residential and Preservation zoning districts and providing the PennDOT classification sheets explaining the types of commercial vehicles that are affected *Introduced at the April 13 regular meeting; Advertised on 4-20-15*

Councilor Daubert moved, seconded by Councilor Marmarou, to enact Bill No. 18-2015.

Bill No. 18-2015 was enacted by the following vote:

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

Nays: None - 0

D. Bill No. 19-2015 – Suspending Code of Ethics Section 12, Campaign Contributions and Reporting Requirements

Councilor Reed moved Bill No. 19-2015. The motion failed due to the lack of a second.

Councilor Goodman-Hinnershitz moved, seconded by Councilor Marmarou, to table Bill No. 19-2015.

Bill No. 19-2015 was tabled by the following vote:

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

Nays: None - 0

E. Bill No. 20-2015 – amending the 2015 Budget by transferring \$250,000 from Contingency to the Board of Ethics

Councilor Reed moved, seconded by Councilor Daubert, to table Bill No. 20-2015.

Bill No. 20-2015 was tabled by the following vote:

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

Nays: None - 0

INTRODUCTION OF NEW ORDINANCES

The Council President read the following ordinances into the record:

A. Ordinance – authorizing the transfer of cash reserves in the Shade Tree Fund (Fund 20) in the amount of \$201,000 and amending the 2015 Shade Tree Fund operating budget to allocate funds for the purchase of a bucket truck and chipper/shredder.

B. Ordinance – amending the City Code, Chapter 141, Part 2 Animals, Section 205 Caring For Animals by adding Dog Code Blue and Code Red requirements

RESOLUTIONS

No resolutions were considered at this meeting.

COUNCIL COMMENT

Councilor Marmarou noted the problems created by the closure of the gate enclosing the bleachers at Baer Park.

Council President Acosta noted the investment made to this facility by Baseball Town and he recalled that the bleachers are reserved for coaches and players. He suggested that the Rec Commission review this issue.

Councilor Goodman-Hinnershitz congratulated all who participated in the community sponsored events held over the past weekend. She noted the importance of community ownership of various City issues.

Councilor Reed expressed the belief that some candidates are confused by the new Ethics Code campaign reporting regulations and that changes to the regulations should not occur until the election cycle has been completed. She stated that she is holding a community meeting on the proposed removal of the Bushong Dam on April 29th at 6 pm at the Christ

Lutheran Church.

Council President Acosta thanked everyone for their prayers and well wishes for his mother who has recently taken ill. He described the success of the Project Peace event sponsored by the Reading School District this past Saturday. He noted the commitment and engagement of Dr. Mumin with all young and adult community members.

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

Respectfully submitted by Linda A. Kelleher CMC, City Clerk