

City of Reading City Council
Regular Meeting
July 13, 2015

Council President Acosta called the meeting to order.

The invocation was given by Lay Pastor Douglas Didyoung, St Mark's Lutheran Church.

All present pledged to the flag.

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

ATTENDANCE

Council President Acosta
Councilor Daubery, 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
Solicitor C. Younger
City Clerk L. Kelleher
Managing Director C. Snyder
Mayor V. Spencer

PROCLAMATIONS AND PRESENTATIONS

No proclamations or presentations were issued.

PUBLIC COMMENT

Council President Acosta stated that there are six (6) citizens 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 participation regulations adopted by Council to those present.

Peter Sutliff, of North 5th Street, stated that the relocation of gas meters to the front façade of properties within historic districts by UGI is inappropriate and detrimental to the appearance of these historic properties. He stated that the group of affected community members

meeting to address this issue has reviewed the ordinance being traduced this evening. He stated that amendment suggestions were submitted along with a recommendation for an additional ordinance. He asked Council to consider the recommendations submitted.

Gene London, of North 5th Street, expressed the belief that properties within the City's historic districts have been seized by pre-historic gas meters. He expressed the belief that these meters are unattractive and unsafe, as they extend into the public right of way and create hazards to pedestrians and children. In addition he stated that the meters are also at risk of being hit by vehicles. He suggested that the City stop UGI from relocating meters to the exterior front façade. He stated that the meters, if they are relocated to the outside, should be placed in areas where they are not visible from the public right of way.

Mr. London stated that Flagger Force, working as a UGI subcontractor, detoured traffic into the parking lane which caused a truck to hit and damage his 100 year old tree at the front of his property. He noted that he had no advance notice that UGI was going to relocate the meter and that the subcontractor just appeared out of nowhere. He suggested that residents should stand together to object to the relocation of gas meters.

Michael Lauter, of Centre Avenue, stated that he is Executive Director of the Centre Park Historic District and that he is participating in the advisory group assembled to address the relocation of gas meters within historic districts, along with colleagues from Callowhill and Centre Park. He said that the relocation of the gas meters to the exterior front façade is upsetting and disturbing.

Mr. Lauter stated that in 1995 RAWA began relocating digital water meters to the outside of properties and that RAWA took care to make sure the meters were not placed within view of the public right of way for properties within the City's historic districts. He noted that when there was an increase in the usage of satellite dishes vs. cable, the City drafted an ordinance requiring regulation around the placement of satellite dishes at properties within the historic districts. He suggested that the City take a similar approach with the gas meters. He suggested that UGI should need to obtain HARB approval before they relocate a gas meter to the front façade, just as a satellite company must do.

Mr. Lauter questioned why UGI fails to provide sufficient notice to residents before they undertake the relocation of the gas meter.

John Slifko, of North 4th Street, stated that he too sits on the advisory group regarding the relocation of gas meters. He stated that the relocation of gas meters to the exterior front façade is a troublesome issue. He noted that the relocation is severely damaging the City's streets and sidewalks. He questioned why the City is allowing UGI to increase public safety hazards by allowing UGI to relocate the gas meters to the exterior front façade. He stated that

the advisory group reviewed the Street Cut ordinance amendment being introduced this evening. The group submitted recommendations to make the ordinance stronger, along with a second ordinance to regulate the exterior location of gas meters. He asked Council to consider these recommendations.

Bill Bender, of North 5th Street, noted the recent newspaper article regarding the award UGI received “Most Trusted Brand” status from Cogent Reports, a division of Market Strategies International. The Cogent Reports Residential Utility Trusted Brand and Customer Engagement study measures such company attributes as reputation and advocacy, customer focus, community support, communication effectiveness, environmental dedication and reliable quality. However, he suggested that UGI’s performance during the meter relocation is far from customer friendly in Reading, Lancaster and Bethlehem. He noted the difficulties both Bethlehem and Lancaster had during the meter relocation process. He also noted the lack of sufficient notice to the property owner and that the subcontractor merely shows up on the day the relocation of the meter is planned.

Mel Jacobsen, of North 5th Street, questioned the safety hazards created by the relocation of gas meters to the exterior front façade of properties, the City’s review of the PUC ruling, the need to replace the tree described by Mr. London earlier, review how other cities handled the relocation of gas meters, etc.

Mr. Jacobsen also questioned the City’s business friendly approach as he delivered a completed Conditional Use application to the Zoning Office with the required \$1000 fee on May 18, 2015. He stated that he made numerous calls to Zoning to find out when the hearing would be scheduled. About three (3) weeks ago the Zoning Office told him that the application was forwarded to the City Clerk; however, when he spoke with the City Clerk, he learned that the application was not forwarded. He stated that the City Clerk’s office followed up several times with the Zoning Administrator and the application was finally forwarded today, July 13th. He questioned the need for a two month delay to handle an application that took only two hours to complete.

APPROVAL OF THE AGENDA & MINUTES

Council President Acosta called Council's attention to the minutes of the June 22nd meeting, and to the agenda for this meeting, including the legislation listed under the Consent Agenda heading. He stated that the Resolutions C and E on the Consent Agenda will be tabled until the next meeting and that the administration requested the addition of resolution under the Resolution heading to increase the salaries of some management employees.

Councilor Sterner moved, seconded by Councilor Marmarou, 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 63-2015 – Authorizing the promotion of Officer Jacquelyn M. Flanagan to the rank of Sergeant effective July 13, 2015

C. Resolution 64-2015 – authorizing the Mayor to sign and submit a Commonwealth Financing Authority Multimodal Transportation Fund Program Grant application to request funding (\$910,099.00) of the total project cost (\$1,820,197.00) for improvements to be made at the Schuylkill River Trail – ***Tabled until the July 27th Regular Meeting***

D. Resolution 65-2015 – authorizing the hiring of Candance Drabeck, Christopher Fortin, Richard Grier, Barry Lust, Anthony Schappell, Justin Sneeringer, Tyler Svitak as probationary patrol officers, effective July 13, 2015

E. Resolution 66-2015 – authorizing the submission of a Commonwealth Financing Authority Multimodal Transportation Fund Program Grant application to request funding (\$1,051,500.00) of the total project cost (\$1,500,000.00) for improvements to be made at Skyline Drive. – ***Tabled until the July 27th Regular Meeting***

F. Resolution 67-2015 – authorizing the execution of an agreement with PennDOT entitled Winter Traffic Services Five-Year Contract for the City to perform snow and ice clearance for state highways and bridges.

ADMINISTRATIVE REPORT

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

- Completion of the ADA assessment for curb ramps and cross walks
- Discontinuation of the City's non-emergency transport service

Councilor Goodman-Hinnershitz questioned if the Naloxone training is being provided to Police and EMS personnel. The mayor stated that he believes that this training is provided to Police and all Fire employees.

Councilor Goodman-Hinnershitz explained that Naloxone is a drug used to aid those who have overdose symptoms related to opiates.

AUDITOR'S REPORT

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

- 2014 Parking Authority external audit results
- 2014 Real Estate Transfer Tax collections
- Update on the City's 2014 external audit

Council President Acosta inquired about properties that transferred but did not pay the transfer tax. The Auditor stated that some transfers are exempt from the Transfer Tax such as properties that transfer due to divorce, foreclosure, estates, etc.

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

Renee Dietrich, President of the Reading Public Library Board, thanked Council and the administration for their increased contribution to the Library in 2015. She stated that that increased amount allowed the Library to restore many services that were previously cut.

Ms. Dietrich explained that the City's increased contribution was viewed as an endorsement of the services provided by the Library to the community. She stated that the increased contribution increased donations from the general public, as donors saw the increased contribution as a guarantee that the Library would continue to operate. She stated that the 2015 Summer Reading program has 2007 participants (adults and children) and the increased contribution has provided funding to staff the program. She again thanked the City for increasing the contribution to the Reading Public Library and requested that the City continue this increased funding level.

ORDINANCES FOR FINAL PASSAGE

Pending for Further Review

C. Bill No. 33-2015 – Amending Chapter 5 Administrative Code of the City Code Part § 5-303 entitled “Severance” by addressing accrued vacation time for Department Directors

D. Bill No. 34-2015 – Amending Chapter 70 Personnel of the City Code by adding a new part § 70-716 entitled “Severance” for career employees and renumbering the section accordingly.

There were no ordinances eligible for final enactment.

INTRODUCTION OF NEW ORDINANCES

Council President Acosta read the following ordinances into the record:

A. Ordinance - re-enacting local firearms regulations, in part, located within Chapter 219 and repealed by Bill No. 2-2015

B. Ordinance - authorizing the transfer of \$4,417,085.00 from Fringe Benefits accounts ending in 4900 that include other Post Employment benefits to accounts ending in 4914 to identify both medical and prescription expense benefits associated with retired employees.
This transfer has zero effect on All Funds Budgeted Spending

C. Ordinance - amending the City Code, Chapter 5 Administrative Code, Section 5-701 Duties of City Health Officer as attached

D. Ordinance - amending the City of Reading Code of Ordinances, Chapter Street 508 Streets and Sidewalks, Part 7 Street Cut Permits, as attached in Exhibit A.

RESOLUTIONS

A. Resolution 67-2015 – increasing the salary of David Ruyak, Operations Division Manager, Public Works Department, by \$6,000.00 per annum, effective retroactively to the date of the discontinuance of Mr. Ruyak’s Acting Salary

Councilor Daubert moved, seconded by Councilor Goodman-Hinnershitz, to adopt Resolution No. 67-2015.

The Managing Director explained that the 2015 Budget planned a 2% salary increase for management level employees, those unrepresented by collective bargaining agreements. However, the new Recovery Plan states that the 2015 allocation for salaries cannot exceed the 2014 salary cap. She stated that due to attrition, not re-hiring to fill some positions, etc. created a level of funding available to increase some management salaries. She stated that the Department Directors discussed this issue at several meetings and identified a number of employees who are underpaid, when compared to the marketplace. She stated that there are six (6) management level employees who will get an increase beyond the 3% listed within the City Code; therefore Council approval is required.

The Auditor questioned if the correct process was being used to increase the one Department Director listed in Exhibit A. The Managing Director expressed the belief that the process used is correct.

The Auditor inquired about the effective date and retroactivity of the increases. The Managing Director stated that the increases will be retroactive to July 2, 2015, not the beginning of 2015.

Resolution No. 67-2015 was adopted by the following vote:

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

Nays: None - 0

C. Resolution 68-2015 – to adjust the annual salary of the six management employees contained on the attached spreadsheet marked as Exhibit A.

Councilor Daubert moved, seconded by Councilor Goodman-Hinnershitz, to adopt Resolution No. 68-2015.

Resolution No. 68-2015 was adopted by the following vote:

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

COUNCIL COMMENT

Councilor Waltman stated that the City has come to a crossroads with the UGI gas meter issue. He noted the need to create a solution and successfully implement the solution in a way that will benefit Reading and its properties. He expressed the belief that this issue will be a battle that Reading needs to win. He stated that this issue will take time and effort.

Councilor Goodman-Hinnershitz thanked the residents from Callowhill and Centre Park for attending tonight's meeting and addressing Council. She noted that District 2 residents unsuccessfully tried to fight the relocation of gas meters to the exterior front façade of properties. She noted the great impact this has had on public safety, especially on Cotton Street and other streets where the sidewalks are narrowly sized. She stated that locating the meters on these small sidewalks increases the risk of injury to pedestrians, children and handicapped individuals. She also stated that locating the meters on these small sidewalks increases the risk of damage due to automobile crashes.

Councilor Marmarou described his experience when UGI relocated his meter to the exterior front façade. He noted the unrepaired damage to his landscaping. He also noted that Council had the PUC to Reading for a tour of the Cotton Street area a few months ago. He stated that the streets in his district are in horrible condition due to the relocation of the gas meters.

Councilor Reed noted that the relocation of gas meters to the exterior front facades creates safety issues city-wide. She described the problems on Schuylkill Avenue and in other District 5 areas. She voiced her support for properties within the City's historic districts. She expressed support for the need for the citizens and government to work together to develop a sound solution for the relocation of gas meters.

Councilor Reed described the great effort that include several people, along with the RHS Girls Basketball team this past Sunday on Penn Street.

Council President Acosta stated that City Council has not ignored the issue relating to the relocation of the gas meters, as Council has been attempting to address the issue for approximately five (5) years with the various administrations. He also noted some prior

meetings were held with UGI staff members who told various mistruths and made promises that were not kept.

Councilor Sterner expressed the belief that fighting this issue will take a large effort and assistance from the media.

The group continued the discussion on the relocation of UGI gas meters.

Councilor Daubert described the quality of life problems created by large trucks parked in No Parking areas over weekends. He stated that the truckers, who reside elsewhere, will be approached about parking on a private lot.

Council President Acosta reviewed the upcoming Council schedule.

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

Respectfully submitted by Linda A. Kelleher CMC, City Clerk