

**City of Reading City Council**  
**Regular Meeting**  
**September 28, 2015**

Council President Waltman called the meeting to order.

The invocation was given by Pastor Valerie Willis, St. Matthew United Methodist 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 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**

There were no commendations issues at this meeting.

**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.

**Mary Jane Smith, of Perkiomen Avenue**, requested changes to the City's handicapped parking program to allow only the handicapped permit holder to park at the curbside spaces installed at their homes. She stated that this same program is used in Bethlehem. She described the abuses associated with the handicapped parking program from space saving to

the loose approvals issued by some physicians. She suggested that the City paint parking stall lines in all curbside parking areas.

**Mary Ann Ciarlone, of North 5<sup>th</sup> Street**, spoke about the administration's failed housing strategy which is applied to "bad landlords". She described the problems she experienced when someone attempted to transfer a property from an estate. She stated that she spoke with the mayor who was unable to waive the various regulations for rental properties. She stated that the property did not transfer and now sits abandoned. She stated that her file on this property is open for inspection.

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

Council President Waltman called Council's attention to the minutes of the September 28<sup>th</sup> meeting and to the agenda for this meeting. He announced the need to add a resolution to the Consent Agenda regarding the settlement of the recycling truck litigation.

**Councilor Marmarou moved, seconded by Councilor Daubert, 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**

**B. Resolution No. 85-2015** – making the following Council appointments - Environmental Advisory Council – John Slifko; Diversity Board – Jeffrey Waltman; Local Redevelopment Authority – Chris Daubert, Stratton Marmarou, and Jeffrey Waltman; Blighted Property Review Committee – John Slifko

**C. Resolution No. 86-2015** - approving the Council Committee Structure and Assignments for the remainder of 2015

**D. Resolution No. 87-2015** – approving the Conditional Use Application to allow 2 additional rental units at 508 N 9<sup>th</sup> Street with conditions

**E. Resolution No. 88-2015** – denying the transfer of a liquor license from Robesonia to 2101 Howard Blvd.

**E. Resolution No. 89-2015** - settling the consolidated law suit with the captions FYDA Freightliner Pittsburgh, Inc. v. City of Reading, BCCCP No. 12-21827 and Golden Equipment Co., Inc. v. City of Reading, BCCCP No. 12-21908 and the payment of the settlement amount of \$250,000

## **ADMINISTRATIVE REPORT**

There was no administrative report.

## AUDITOR'S REPORT

- Presentation of the 2014 External Audit – Herbein & Co.

Christopher Turtell, from Herbein & Co., stated that the 2014 External Audit was a clean audit with no material adjustments. He stated that the City ended 2014 with a \$2.9M surplus creating a reserve of \$22.2M, of which \$6M is unassigned. He noted that the Sewer Fund has a surplus of \$11M, RAWA has a deficit of \$2.2M and the recycling fund has a surplus of \$470K.

Mr. Turtell explained the new GASB regulations on pension funds that went into place in 2014. He stated that 80% of the City federal programs were audited and no findings were reported. He stated that overall only eight (8) findings were reported, which is a reduction from prior audits.

Council President Waltman explained that Council had an in-depth briefing on the 2014 audit last Monday evening in a Committee of the Whole setting. He stated that Council is pleased with the progress the Administrative Services Department has made over the past years.

Councilor Goodman-Hinnershitz thanked Mr. Turtell for his report noting the progress the Administrative Services Department has made on eliminating repeat findings. She questioned how the auditors would determine the need for a forensic audit.

Mr. Turtell stated that the determination to do a forensic audit would result from a finding during the audit process. He explained that calling for a forensic audit is one of several options when a large problem is discovered.

Councilor Reed inquired about the qualifications someone needs to perform a forensic audit. Mr. Turtell stated that an auditor that does forensic audits requires additional certifications beyond those required to earn a CPA. He stated that there are specific requirements and designations required for those who perform forensic audits.

The Auditor thanked Herbein & Co along with City staff who assisted in the 2014 audit process.

## ORDINANCES FOR FINAL PASSAGE

### Pending Finalization of the Plan

**A. 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 17<sup>th</sup> and 28<sup>th</sup>; Public Hearing Tuesday, September 8<sup>th</sup>; Tabled at the September 14 regular meeting***

**B. Bill No. 49-2015** – authorize intra-department transfer of \$10,000 for the repair of the vehicle exhaust removal system at the City’s EMS station. ***Introduced at the September 14<sup>th</sup> meeting***

Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 49-2015.

Bill No. 49-2015 was enacted by the following vote:

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

Nays: – None - 0

**C. Bill No. 50-2015** – amending the Sidewalk Sales hours and making other clarifications ***Introduced at the September 14<sup>th</sup> meeting; Advertised on September 21<sup>st</sup>***

Councilor Daubert moved, seconded by Councilor Marmarou, to enact Bill No. 50-2015.

Council President Waltman explained that this ordinance increases the operational hours for Sidewalk Sales conducted by “brick and mortar businesses”.

Bill No. 50-2015 was enacted by the following vote:

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

Nays: – None - 0

**D. Bill No. 51-2015** – amending the City Code Chapter Street 508 Streets and Sidewalks, Part 7 Street Cut Permits, by adding provisions relating to the rejection of Street Cut Applications ***Introduced at the September 14<sup>th</sup> meeting; Advertised on September 21<sup>st</sup>***

Councilor Reed moved, seconded by Councilor Slifko, to enact Bill No. 51-2015.

Bill No. 51-2015 was enacted by the following vote:

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

Nays: – None - 0

**E. Bill No. 52-2015** – amending the City Code, Chapter 23, Part 10 Diversity Board, Section

10 Membership Removal to provide clarity ***Introduced at the September 14<sup>th</sup> meeting***

Councilor Daubert moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 52-2015.

Bill No. 52-2015 was enacted by the following vote:

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

**Nays: – None - 0**

**F. 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 14<sup>th</sup> meeting***

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

Bill No. 53-2015 was tabled 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 Sections § 576-826 and 827 of the City Code relating to Towing Fees ***Advertisement scheduled for Oct 5<sup>th</sup>***

**B. Ordinance** – 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

**C. Ordinance** – amending the City Code Chapter 600, by adopting a new Section §600-818 providing for a Riparian Buffer Overlay District and amending §600-2202 Definitions ***Advertisement scheduled for Oct 5<sup>th</sup> and 12<sup>th</sup>; Public Hearing scheduled for Oct 19<sup>th</sup> at 5 pm***

**D. 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 ***Advertisement scheduled for Oct 5<sup>th</sup> and 12<sup>th</sup>; Public Hearing scheduled for Oct 19<sup>th</sup> at 5 pm***

**E. 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 5<sup>th</sup>, 12<sup>th</sup> and 19<sup>th</sup>***

## **RESOLUTIONS**

There we no resolutions for adoption.

## **COUNCIL COMMENT**

Councilor Marmarou noted the need for the City to think about the enforceability of ordinances prior to their enactment. He noted that the Albright students arrived in Reading at the end of August and three of the past four weekends there have been loud parties at off campus rentals. He stated that affected residents have had enough disruption. He stated that both the police and Albright security responded. He questioned why no citations were issued.

Councilor Daubert noted the upcoming open house at the Liberty Fire House. He noted the importance of the collection at the museum and how much there is to learn about the history of fire fighting. He suggested that everyone take advantage of the October 10<sup>th</sup> open house to tour the facility.

Councilor Reed congratulated the Fightin Phils, our boys of summer, for a great and successful season. She noted the superior talent of the team. She also described all the events over the prior weekend such as the Pretzel Fest, the Wing Fling and the event at the Centre Park Inn.

Councilor Slifko described the fundraiser held at the Centre Park Inn for the improvement and revitalization of Centre Park. He stated that the project started with the removal of some of the tree canopy by the Shade Tree Commission and the Public Works Department. He explained the multi-phase improvement plan that will be conducted by the Centre Park Historical organization. He thanked Chris Miller and Bill Bender for their work to hold the event in celebration of the Centre Park community.

Councilor Goodman-Hinnershitz noted the expansion of the events in the area and how those events inspire the growth and rejuvenation of the community. She stated that Oktoberfest begins this Wednesday evening at the Leiderkrantz. She noted that an additional concert will be held in the downtown prior to the Royals opening game.

Councilor Goodman-Hinnershitz expressed concern with the abuse of the handicapped parking program as described by Ms. Smith during the Public Comment period. She asked City staff to further explore the program used in Bethlehem.

Council President Waltman reviewed the upcoming Council meeting schedule.

**Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to adjourn the meeting.**

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