



COMMITTEE of the WHOLE

CITY COUNCIL

MINUTES
July 25, 2016
5:00 P.M.

COUNCIL MEMBERS PRESENT:

S. Marmarou, M. Goodman-Hinnershitz, D. Reed, C. Daubert, J. Waltman, J. Slifko (via speakerphone)

OTHERS PRESENT:

L. Kelleher, S. Katzenmoyer, D. Cituk, G. Steckman, C. Younger, P. Vasquez, R. Johnson, B. Murray

The Committee of the Whole meeting was called to order at 5:04 pm by Mr. Waltman.

I. Towing Update

Mr. Steckman stated that the Parking Authority is currently looking for an impound location.

Ms. Goodman-Hinnershitz stated that she had a conversation with Mr. Encarnacion about towing. She stated that without a towing contract there are approximately 150 – 200 vehicles in limbo.

Mr. Twyman arrived at this time.

Mr. Steckman stated that there are also approximately 100 vehicles in storage.

Mr. Waltman stated that the City extended its current towing contract but that the Parking Authority did not renew its contract and now cannot tow vehicles.

Mr. Waltman questioned the timeline for the Parking Authority to have a towing contract. Mr. Steckman stated that he needs to collect additional information and will provide an update to Council via email.

Ms. Goodman-Hinnershitz stated that Mr. Encarnacion has a good understanding of the issue. She stated that Mr. Encarnacion fears that people will stop paying their tickets if the threat of their vehicle being towed away is gone.

Mr. Palacios arrived at this time.

Ms. Reed reiterated that the Parking Authority is not towing vehicles.

Ms. Kelleher questioned why the Parking Authority does not piggyback on the City's towing contract.

Mr. Steckman stated that the decriminalization of parking tickets is being introduced this evening.

Ms. Reed stated that allowing vehicles to sit when they are damaged is a public safety issue.

Mr. Marmarou requested clarification. He questioned if a vehicle would be towed if police received a complaint. Mr. Steckman stated that it would depend on the condition of the vehicle and the reason for the complaint.

Mr. Marmarou stated that he has heard many complaints about people's vehicles being towed by the Parking Authority contractor to a location outside of Berks County.

Mr. Twyman voiced his frustration with Council making decisions that should be borne by others. He expressed the belief that the Parking Authority is not fully functional and that there are no standard operating procedures in place. He voiced his irritation that no one knows procedure. He noted the need for the Parking Authority to have a towing contract.

Mr. Scott, Ms. Castner, and Ms. Encarnacion arrived at this time.

Mr. Steckman noted his difficulty attending both the Finance, Audit and Budget Committee and the Standards of Living Committee meetings when they occur simultaneously.

Ms. Reed stated that the Parking Authority should be autonomous and should be able to handle getting a contract.

Mr. Steckman stated that there are many issues being examined by the Parking Authority. He stated that they are currently working to identify an impound location in the City.

Ms. Goodman-Hinnershitz again noted Mr. Encarnacion's concerns.

Mr. Scott stated that the former Parking Authority tower was not a salvage company. He stated that there are currently 85+ vehicles that cannot be salvaged. He stated that he has

recommended that the vehicles be moved into a parking garage and the owners notified that they can pay to get them back. He stated that if the vehicles remain unclaimed that they be salvaged.

Mr. Steckman expressed the belief that this would cost more than the salvage value of the vehicles.

Mr. Scott stated that currently the vehicles can be impounded but not salvaged. He stated that the Parking Authority needs someone who can salvage the vehicles.

Mr. Marmarou suggested that the City tow the vehicles so that the vehicles become City property. He stated that the City can then use the State escheat process to sell them. Mr. Scott stated that the vehicles would not be City property unless the title is turned over to them.

Ms. Goodman-Hinnershitz expressed the belief that the former towing contract of the Parking Authority was inappropriate. She noted the need for the Parking Authority to address this issue quickly.

Mr. Scott stated that the Parking Authority began working on this issue in February. He stated that there are also 15 vehicles that have been abandoned in Parking Authority lots.

Mr. Waltman expressed the belief that if the vehicles have not been claimed they are probably junk. He questioned if vehicles continue to receive tickets. Mr. Steckman stated that tickets continue to be issued. He stated that for vehicles that the City tows, the titles to the abandoned vehicles should be signed over to the City and then the vehicles go to auction. He recommended that the Parking Authority use a similar process.

Mr. Waltman suggested that the Parking Authority work with the City's tower to piggyback until a permanent solution is found. He expressed the belief that the Parking Authority must be able to salvage vehicles. Mr. Scott agreed with using the City's tower as an interim solution.

Mr. Encarnacion arrived at this time.

Mr. Scott questioned where vehicles are currently impounded. Mr. Encarnacion stated that they are in Honeybrook, Chester County.

Mr. Scott informed Mr. Encarnacion about the suggestion to piggyback on the City's contract on an interim basis or to have the vehicles towed back to a Parking Authority lot. Mr. Encarnacion agreed.

Ms. Goodman-Hinnershitz stated that an Enterprise truck has been sitting at 14th & Fairview Sts for many weeks and it has received many tickets.

II. RAWA Dissolution

Mr. Waltman stated that a meeting will be scheduled with two RAWA board members, three members of Council, and members of the Administration. He stated that it has been difficult due to summer schedules.

Mr. Scott questioned if Council was agreeable to approving the RAWA AFSCME labor contract. He stated that the Board supports its approval. Mr. Waltman noted the need to discuss the specifics of the contract at the joint meeting. He noted the need for Council to have an understanding of the terms of the agreement.

Mr. Scott stated that the Board is looking for Council's assistance to set its priorities. Mr. Waltman stated that this should also be discussed at the joint meeting.

Mr. Johnson stated that the Board has seen considerable change. He stated that it is willing to work closely with both Council and the Administration. He stated that they are currently looking for a new solicitor and are preparing an RFP for a forensic audit. He stated that the Board is drafting bylaws, policies and procedures. He stated that the current turn-off process is being reviewed.

Mr. Murray stated that he is working on two turn-off processes. He explained that one process will delay the turn-off itself to allow the resident additional time to make payment without penalties. The other process will assist those who have already had their water turned off to get it back on more quickly. He noted his hope that both processes will be more user friendly. He stated that these are significant changes and that he feels good about moving them forward.

Mr. Scott stated that ultimately water will be turned off for non-payment but that more alternatives are needed.

Mr. Steckman stated that he has spoken with mortgage companies who are willing to cooperate by adding water payments to escrow amounts.

Mr. Scott stated that this is moving away from the collection agency and toward a lien on the property. He stated that currently customers cannot pay their new balance without paying their past due balance and they can never get caught up. He stated that the new processes will be more humane and make water more accessible. He stated that the current process loses large amounts of money during the Sheriff Sale process. He stated that he knows of one block where 19 properties have had their water turned off. He stated that this affects many seniors.

Mr. Murray expressed the belief that it would be ideal for RAWA not to have to turn water off for anyone. He stated that the current process has collateral costs to the City. He stated that it currently costs the City \$2,000 - \$2,500 to manage each blighted property.

Ms. Goodman-Hinnershitz stated that she has received many complaints from upstanding residents about the meter tampering fee. She questioned how many tampering fees were charged and requested that this issue be investigated.

Mr. Murray stated that he also heard this complaint many times. He stated that he has met with real estate investors to educate them on allowing the City to inspect properties after cash sales. He stated that if the City finds that the meter has been tampered the new owner will not be charged. He stated that there are financial aspects to all these issues and that addressing them will increase revenue.

Ms. Reed questioned how the City will prevent being scammed with the new process. Mr. Murray stated that the Human Relations Commission already oversees the RAWA hardship fund. He stated that they would be involved and have formulas to determine financial need. He stated that they would be watching for scammers.

Ms. Reed expressed the belief that many people will try to get their water for free if there is no threat of turn-off. Mr. Murray stated that liens will be recorded and will continue to accumulate until the property sells. He stated that at settlement the water fees will be paid.

Mr. Scott expressed the belief that this would also cause more investment properties to be sold faster and to more committed investors. He stated that the tampering fee was also suspect as the same meter was always installed but the cost of the tampering fee was inconsistent. He noted the need for the meters to be placed closer to the original source to reduce the opportunity to tamper with them.

Mr. Waltman noted his hope that the RAWA Board would bring financial projections before Council before the process changes. He stated that the reality is that water rates were increased rather than property taxes when the City entered Act 47. He questioned if there were other models that RAWA could examine.

Mr. Scott stated that some municipalities do not have meters and charge a flat rate to everyone. Mr. Murray stated that some municipalities base the rate on the number of bathrooms in a property.

Mr. Waltman requested a pro forma. Mr. Murray stated that the RAWA Board is very sensitive to the financial issues.

Mr. Krall arrived at this time.

Mr. Murray noted his hope that by not turning water off revenue will increase.

Mr. Scott stated that the RAWA Board wants to do what's right.

Mr. Johnson stated that RAWA is working to add the Birdsboro area to the system. He stated that they would be a major water user and this is a great opportunity for the City.

Mr. Waltman questioned the number of years of this agreement. Mr. Murray stated that negotiations have not gotten to that point yet.

Mr. Waltman suggested that this issue also be addressed at the joint meeting.

Mr. Murray explained that when the water line to Birdsboro was laid it cost RAWA ratepayers \$6 - \$7 million. He estimated that supplying water to Birdsboro will provide \$2 - \$3 million in new revenue. He stated that Birdsboro is paying all legal and engineering costs.

Mr. Scott questioned when the agreement would be in effect. Mr. Murray and Mr. Johnson stated that they hope for 2018 but that this timeline may be too aggressive.

Ms. Goodman-Hinnershitz questioned how this work was funded. Mr. Murray stated that it was through a bond issue.

Mr. Waltman noted the need to schedule the joint meeting to move forward. He noted the need to continue to protect this asset.

Mr. Scott stated that the RAWA Board needs focus. Mr. Waltman stated that this would also be discussed at the joint meeting.

Mr. Scott suggested that all new BAC appointments receive training specific to their placement.

Mr. Johnson questioned when the joint meeting would be held. Mr. Waltman stated that it would depend on the individual's schedules. He stated that he has been trying to coordinate.

Ms. Reed requested that it be a Wednesday at 4:30 pm.

Mr. Daubert stated that it would be beneficial if all Council members attend the joint meeting. Ms. Reed stated that it has been kept to three members due to Sunshine Act requirements.

Mr. Daubert and Mr. Twyman voiced their need to attend.

Mr. Waltman suggested that Council have an update after the joint meeting. Ms. Goodman-Hinnershitz agreed and stated that concerns must be addressed together.

Mr. Waltman stated that his goal is to keep this process very transparent. He stated that the body will determine the direction to move. He stated that the biggest question is the best way to structure the board to keep it autonomous but also protect the asset.

Ms. Reed stated that Mr. Daubert, Mr. Twyman, Mr. Marmarou, and Mr. Slifko must be updated after the joint meeting. Mr. Waltman agreed and suggested that the same person meet with all of them to keep the message and information consistent. He noted the need to keep to the timeline and recommended that Councilors read Addendum 4.

Ms. Goodman-Hinnershitz stated that Councilors and Board members will continue to change. She noted the need to protect the asset into perpetuity.

Mr. Waltman noted his hope that RAWA would continue operating under Addendum 4. Mr. Johnson stated that the Board is adhering to Addendum 4.

Mr. Murray noted the Board's willingness to move forward at the will of the City.

III. Hillside and Barley Square Projects

Mr. Palacios stated that all the tax credits this year were awarded in the Pittsburgh and Philadelphia areas. He stated that neither of these projects will move forward.

Mr. Twyman questioned if this would postpone the projects or scrap them. Mr. Palacios stated that it will scrap them.

Mr. Twyman requested to meet with Mr. Palacios about this process. He noted his need to understand this issue fully since the City invests much work for nothing. He noted the need for real investment in the City by people who do not rely on these types of financing avenues.

IV. PennDOT Project Update

Mr. Steckman questioned if Council wished to hear this presentation two times. Mr. Waltman suggested that they make the presentation at the regular meeting only.

Mr. Krall left the meeting at this time.

V. Agenda Review

Council reviewed this evening's agenda including:

- Award of Contracts for Various Chemicals

Mr. Johnson stated that these chemicals are for the operation of the Waste Water Treatment Plant to handle odor.

Ms. Goodman-Hinnershitz stated that odors are becoming problematic. Mr. Johnson reminded all that a major piece of equipment is down during the upgrade project.

Ms. Goodman-Hinnershitz questioned how the chemicals are protected. Mr. Johnson stated that the property is locked and gated, the storage location is locked, and employees monitor them. He stated that additional security will be added during the upgrade.

- Resolution authorizing the President of Council to execute Certificates of Unpaid Interim Tax Bills for 943 E Laurel St and 414 A Minor St

Ms. Kelleher questioned Mr. Younger if this resolution should be removed. Mr. Younger stated that this may not be proper procedure.

Mr. Waltman suggested that the resolution be amended to read "authorizing the Mayor to execute". Mr. Younger agreed.

- Resolution authorizing a Sewage Planning Module for the 1100 Rockland St Student Housing Project

Mr. Johnson stated that this is standard and is required by PA DEP.

- Mayor's report

Mr. Scott stated that he received the feasibility study regarding the East Reading Pool property. He stated that the study recommends installing a splash park. He stated that this would be great for the community.

Mr. Johnson stated that he received the study this past weekend and apologized for not reviewing it with Mr. Steckman before this evening's meeting. Mr. Steckman stated that he has reviewed the study.

Mr. Scott stated that his report will be very brief.

- Ordinance authorizing Berks EIT to add a 25% collection fee to outstanding taxes

Mr. Waltman questioned if the fee was 25% on top of the tax owed. Mr. Steckman stated that it is.

Mr. Waltman questioned how partial payments would be handled. Mr. Steckman stated that Berks EIT would determine how partial payments would be handled. He noted his understanding that Berks EIT would prorate partial payments. He stated that Berks EIT has elected not to use other collection methods.

- Ordinance authorizing a transfer from the Shade Tree budget to purchase a bucket truck

Mr. Johnson explained that the funds were available in 2015 but that the bill was not received until 2016 which created the need for this transfer.

- Ordinance amending the 2016 budget to create a line item for the PennDOT Reimbursement Grant for the Downtown Lighting project

Mr. Steckman stated that this is an accounting issue. He stated that Council will be seeing many other similar items. He stated that line items will be created for grants to track funding and expenditures in the USL program which should eliminate one of the repeat findings in the annual external audit.

- Ordinances amending Chapter 496 Solid Waste Part 1 defining trash can and dumpster and removing the definition of container and Ordinance amending Chapter 496 Solid Waste Part 2 requiring storage in containers and defining the type of trash bag that may be used for set out

Mr. Daubert questioned what would happen if another size bag were set out. Mr. Steckman noted his preference for 30 gallon bags. He noted the need for a large educational campaign. He stated that using lots of small bags increases the labor of the haulers. He stated that this is important when bidding the new trash contract to keep costs down. He also noted the need for the bags to be tied tightly to prevent trash from spilling and scattering.

Mr. Daubert stated that this will take a significant amount of education. Mr. Steckman agreed and stated that information will be in the water bills, reported in the newspaper, and appear on social media. He stated that no tickets will be issued until after six months have passed.

Mr. Scott questioned the required thickness of the bags. Mr. Steckman stated that it must be 1 mil or more.

Ms. Goodman-Hinnershitz stated that education will be very important. She stated that currently residents use small shopping bags because they are more cost effective. Mr. Steckman stated that if trash is packaged properly it will reduce the cost of trash removal and will result in a cleaner City.

Ms. Goodman-Hinnershitz questioned if these amendments also required bags to be placed at the curb in a can. Mr. Steckman stated that it does.

Mr. Waltman questioned the response of Republic Services to the City adding 4,800 additional pick-ups. Mr. Steckman stated that he and Mr. Johnson will be meeting with Republic Services in the near future.

- Ordinance authorizing use of the reserve to pay off the balance of the 2010 unfunded debt bond in the amount of \$6,570,000

Mr. Steckman stated that the bond issue is at 6% interest.

VI. Other Matters

- RFP Updates

Mr. Steckman stated that the bids for the WWTP project have been opened and they are down \$6 million from the last bid. He stated that he is very comfortable moving forward.

Mr. Steckman stated that he will be meeting with Mr. Twyman to review the RFP for tax collection this week.

Mr. Steckman stated that Mr. Younger is currently reviewing the RFP for solid waste collection services so that it can be out to bid before the end of August.

- Fund Balance Policy

Mr. Steckman stated that he will be bringing this forward for Council review. He stated that the policy will assist when the City goes to the bond market.

- Anonymous Packet

Mr. Marmarou stated that he received an anonymous packet in the mail at home that appears to have MDJ citation information. He requested that Mr. Younger review the information.

Mr. Waltman stated that it is not the City's responsibility to oversee the MDJs and Mr. Younger also has no role in their oversight.

Ms. Reed suggested that the information be given to the President Judge.

- East Reading Pool Site Feasibility Study

Ms. Goodman-Hinnershitz questioned if the study would be posted on the City's website. Mr. Johnson stated that he will post it with Mr. Steckman's permission. Mr. Steckman stated that he would like to review the study with the Mayor before posting it.

Ms. Goodman-Hinnershitz stated that the study contains good information. She expressed the belief that many residents are in denial about the condition of the pool.

Ms. Castner expressed the belief that very dangerous situations could occur.

Mr. Waltman noted the need for the Recreation Commission to be involved.

Mr. Scott requested permission to purchase the site. Mr. Waltman noted the need for a formal approval to purchase the site. He suggested that capital funds be used to make the purchase.

Ms. Reed noted the need for Council to review this purchase and the proposed splash park use to ensure that funds are being used in their best capacity.

Mr. Daubert and Ms. Goodman-Hinnershitz noted the need for the Recreation Commission to be involved.

- Housing Policy

Mr. Twyman stressed the need for a housing policy. He stated that housing overlaps with many other City issues including beautification, recreation, youth and trash. He stated that the Blighted Property Review Commission will also be moving forward with acquisition methods for blighted properties to move them forward.

VII. Executive Session

Mr. Waltman announced the need for Council to enter executive session to discuss a litigation matter. Council entered executive session at 6:29 pm and exited at 6:56 pm.

The meeting adjourned at 6:56 pm.

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