

City of Reading City Council
Regular Meeting
August 8, 2016

Council President Waltman called the meeting to order.

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

All present pledged to the flag.

ATTENDANCE

Council President J. Waltman

Councilor Daubert, District 1

Councilor Goodman-Hinnershitz, District 2

Councilor Twyman, District 3

Councilor Marmarou, District 4

Councilor Reed, District 5

Councilor Slifko, District 6

City Auditor D. Cituk

City Solicitor C. Younger

City Clerk L. Kelleher

Managing Director G. Steckman

Mayor W. Scott

There was an executive session on litigation at the Committee of the Whole meeting.

PROCLAMATIONS AND PRESENTATIONS

Council issued a commendation recognizing Britton Gagliardi, a political science student at St. Joe's University, who served as Councilor Daubert's summer intern.

PUBLIC COMMENT

Council President Waltman stated that there are seven (7) citizens registered to address Council on non-agenda matters. He inquired 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 rules that were adopted by Council.

Noahleen Betts Kebbay, of Perkiomen Ave., thanked the City for supporting the Miss Reading Teen pageant over the last four (4) years. She explained that the scholarship pageant is focused on young women between the ages of 13 and 19 to provide guidance and one (1)

time financial aid towards a post-high school education. She named the winners of the last four (4) pageants.

Barbara Lawley, of Fleetwood, expressed the belief that the City's confrontation of the trash collection issue along with the collection of the Business Privilege Tax (BPT) and Business Privilege license is unfair, unethical and unacceptable. She distributed copies of the City's letter mailed to the haulers in 2007 and copies of the returned checks from the City for the BPT license and tax payment made. This letter claimed that new legislation exempted the haulers from the Business License and BPT returns. She noted that the mayor's meeting with the haulers in May could have been followed up by a second meeting to discuss the new approach to the BPT issue. She expressed the belief that this approach is actually a marketing ploy for municipal trash.

James Lawley, of Fleetwood, stated that he echoes the statements made by Ms. Lawley and he agreed that a follow up meeting with the haulers could have been used to address and resolve the BPT issue. He suggested that the City improve communications with businesses.

Barry Kostal, of Eckert Ave., stated that he is a lifelong resident and he has had a contract with his hauler for 20 years. He stated that he places a 30 gallon barrel out each week and he is charged \$5 a week. He expressed the belief that paying the City's charge, which is three times more than what he pays, will not provide him with any benefit. He expressed the belief that the mindset of people must change.

Cynthia Durham, of Perkiomen Ave., stated that she has been a resident for 6-7 years and she has resided in many unfit rental properties owned by bad landlords. She suggested that the City develop regulations that will improve landlord tenant relationships and work to improve the rental properties.

Ann Marie Wolf, of Franklin Street., expressed the belief that some citizens need anger management counseling. She apologized for being nervous as this is her first time addressing Council.

Evelyn Morrison, of Church Street, noted the courage of Ms. Durham as it was her first time to address Council. She noted the various obstacles for public participation. She expressed the belief that a Councilor stopped her from attending and speaking at the zoning amendment public hearing as she was advised that the hearing was a committee meeting and closed to the public. She also noted the need to improve the recording of testimony during council meetings and to have sufficient copies of the meeting materials on hand so there is one for each person who attends. She noted that citizens, too, need to improve their attendance at public meetings.

Miss Teen Reading 2016 spoke about the positive influence the pageant has had on her life and the personal growth she has experienced as Miss Teen Reading.

APPROVAL OF THE AGENDA & MINUTES

Council President Waltman called Council's attention to the agenda for this meeting, including the legislation listed under the Consent Agenda heading, and the minutes from the July 27th Regular Meeting of Council. Council President Waltman noted the need to amend the agenda by adding the following ordinances for introduction. No member of Council objected to the additions.

Ordinance – authorizing the purchase of the East Reading Pool site

Ordinance – amending the 2016 budget by adding the PA DCNR Reimbursement Grant for the Keffer Park Playground

Ordinance – amending the 2016 budget by adding the PA DCNR Reimbursement Grant for the 11th & Pike Playground Phase II Rehabilitation Project.

Ordinance – amending the 2016 budget by adding the PA DCNR Reimbursement Grant for the Pendora Park Playground Rehabilitation Project

Councilor Marmarou moved, seconded by Councilor Daubert, to approve the minutes from the July 27th Regular Meeting of Council and the agenda, as amended, including the legislation listed under the Consent Agenda heading. The motion was approved unanimously.

Consent Agenda

- A. Resolution 59-2016** – promoting Officer Kevin Ebersole to the rank of Sergeant
- B. Resolution 60-2016** – promoting Officer Carcheri H. Gingrasso to the rank of Sergeant
- C. Resolution 61-2016** – promoting Officer Luz Shade to the rank of Sergeant
- D. Award of Contract** – for Oxychlorine Compound to George S. Coyne 3015 State Road Croydon, PA for \$116,610 per year
- E. Award of Contract** – for Potassium Permanganate to George S. Coyne 3015 State Road Croydon, PA \$102,278
- F. Resolution 62-2016** – authorizing the hiring of four (4) probationary police officers attending the Police Academy effective immediately

G. Resolution 63-2016 – authorizing the hiring of eight (8) probationary police officers effectively immediately

ADMINISTRATIVE REPORT

The managing director stated that the administration has been studying the City's trash collection system and the City's trash collection program versus the program used by the private haulers. He described the restart of the collection of the customer lists from the private haulers in February and September, as required by the ordinance. He stated that he is unaware of why the collection of these lists stopped. He described the 2007 court decision that affected BPT collection. He noted that this was not legislation as listed in the letter sent out by the City in 2007. He stated that PFM has repeatedly noted the City's poor tax collection practices resulting in significant revenue losses. PFM projects that there is approximately \$500K in uncollected BPT annually.

The managing director stated that the alleged "scare letters" sent recently by the City are actually carefully edited letters that are meant to educate those who receive them. He described the planned education program on the trash collection and set out system. He asked for all to cooperate.

Councilor Slifko noted that the trash topic has always been a hot button topic. He described his communication with various City residents. He expressed the belief that those who were incorrectly identified as not having a contact with a private hauler should receive an apology.

The managing director stated that the list of people without contracts with trash haulers was composed using lists obtained from the haulers themselves, so the apology should come from the hauler, not the City. He again explained the need for the haulers to submit their customer lists.

The mayor agreed that the City did not err, but used the information provided by the haulers. He also took issue with the City's letter sent in 2007. He explained that the City began reviewing the trash collection system due to the need to improve the quality of life in the City. He asked the private haulers to assist in the development of an improved system that will collect the trash from all City properties in an efficient manner. He noted the flaws with the current system creates confusion around which properties are on the City's comprehensive system and which are serviced by private haulers. He noted that the collection system was broken long before his administration started.

Council President Waltman agreed with the need to improve the collection program to improve the City's cleanliness.

The mayor stated that he has heard that the haulers are telling people that the City's trash collection fees are \$60 per month, when the actual monthly fee is \$18 and includes a bulky item.

He encouraged the haulers to participate the redesign of the collection program that could include collection zones.

AUDITOR'S REPORT

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

- The results from the annual pension audit
- An update on the completion of the 2015 external audit.

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

ORDINANCES FOR FINAL PASSAGE

Pending additional information required

Bill No. 2016 – creating the Reading Regional Water Authority *Introduced at the May 23 regular meeting*

A. Bill 29 - 2016 – authorizing a transfer in the sewer reserve fund in the amount of \$1,141,326.69 for construction work to be performed on the digester *Introduced at the July 25 regular meeting*

Councilor Marmarou moved, seconded by Councilor Daubert, to enact Bill No. 29-2016.

Bill No. 29-2016 was enacted by the following vote:

Yeas: Daubert, Marmarou, Goodman-Hinnershitz, Reed, Slifko, Twyman, Waltman,
President - 7
Nays: None - 0

B. Bill 30 - 2016 – authorizing a transfer from the Agency Fund in the amount of \$20,000.00 to General Plant Supplies and amending the 2016 Agency Fund operating budget to allocate funds for the purchase of supplies for the K-9 and bicycle units through the use of public sector contributions *Introduced at the July 25 regular meeting*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Slifko, to enact Bill No. 30-2016.

Councilor Goodman-Hinnershitz noted that it refreshing to see private contributions that support the K-9 and Police bicycle units.

Councilor Twyman agreed and noted the benefits these programs provide.

Bill No. 30-2016 was enacted by the following vote:

Yeas: Daubert, Marmarou, Goodman-Hinnershitz, Reed, Slifko, Twyman, Waltman, President - 7
Nays: None – 0

C. Bill 31 - 2016 – amending City Code Chapter 576 Vehicles and Traffic, Part 5 Parking Meters, A. Regulations by adding an Administrative Appeal Process Section 576-518 and repealing the imprisonment provision for default of payment in Section 576-517 (B) ***Introduced at the July 25 regular meeting***

Councilor Daubert moved, seconded by Councilor Marmarou, to enact Bill No. 31-2016.

Councilor Daubert stated that he supports this change as it is fair and humane.

Councilor Goodman-Hinnershitz also expressed her support of this program as it will improve the way parking tickets are administered.

Councilor Slifko echoed the previous statements and he expressed the belief that this new program will improve the collection of parking ticket fines.

Bill No. 31-2016 was enacted by the following vote:

Yeas: Daubert, Marmarou, Goodman-Hinnershitz, Reed, Slifko, Twyman, Waltman, President - 7
Nays: None - 0

Mayor Scott thanked Council for supporting this new program.

D. Bill 32 - 2016 – adopting the 2016 Operating Budget of Community Development Fund 32 and authorizing the appropriation of funds in the amount of \$4,673,875.24 to fund projects and administrative operations ***Introduced at the July 25 regular meeting***

Councilor Slifko moved, seconded by Councilor Daubert, to enact Bill No. 32-2016.

The managing director explained that this budget amendment will add the 2016 CDBG Budget to the accounting system, which will address one of the repeat audit findings.

Bill No. 32-2016 was enacted by the following vote:

Yeas: Daubert, Marmarou, Goodman-Hinnershitz, Reed, Slifko, Twyman, Waltman, President - 7
Nays: None - 0

E. Bill No. 33-2016 – amending the City of Reading Code of Ordinances, Chapter 600 Zoning,

Section 600-2111 Telecommunications Facility Exemptions ***Introduced at the June 27 regular meeting; Advertised on June 28, July 18 and 25; Public Hearing held August 1***

Councilor Daubert moved, seconded by Councilor Reed, to enact Bill No. 33-2016.

Councilor Slifko explained that this amendment is the first of a two (2) phase amendment process to create regulations on towers, antennae, etc. to provide improved internet connections for devices and smartphones. He explained the research being performed by City staff to draft the new regulations.

Bill No. 33-2016 was enacted by the following vote:

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

INTRODUCTION OF NEW ORDINANCES

Councilor Goodman-Hinnershitz read the following ordinances into the record:

A. Ordinance - amending the City Code, Chapter 5 Administrative Code, Section 5-806 Fiscal Provisions to provide improved clarity by providing a new Section 807 covering the Annual Budget and Capital Program, incorporating the Purchasing Policies currently identified as Section RE3117-OO5a-Ex A within Section 809, adding reserved sections for future use and renumbering Section 800 in its entirety, as attached in Exhibit A.

B. Ordinance - amending the City's Zoning Ordinance, Section 600-800, Districts, Section 600-1203 Conditional Use, Section 600-2100 Telecommunications Towers and Antennas, and Section 600-2206 Telecommunication Definitions.

C. Ordinance - authorizing the purchase of the East Reading Pool site

D. Ordinance - amending the 2016 budget by adding the PA DCNR Reimbursement Grant for the Keffer Park Playground

E. Ordinance - amending the 2016 budget by adding the PA DCNR Reimbursement Grant for the 11th & Pike Playground Phase II Rehabilitation Project.

F. Ordinance - amending the 2016 budget by adding the PA DCNR Reimbursement Grant for the Pendora Park Playground Rehabilitation Project

RESOLUTIONS

A.Resolution 64-2016 - Reappointing Robert Fegley to the Plumbing Board.

Councilor Marmarou moved, seconded by Councilor Slifko, to adopt Resolution No. 64-2016.

Councilor Marmarou spoke of the skill and experience Mr. Fegley brings to the Plumbing Board

Resolution No. 64-2016 was adopted by the following vote:

Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Slifko, Twyman, Waltman

President - 7

Nays: None - 0

B. Resolution 65-2016 – appointing Lucy Cortez to the DID Authority Board.

Councilor Marmarou moved, seconded by Councilor Slifko, to adopt Resolution No. 64-2016.

Councilor Reed stated that Ms. Cortez has been very involved in the downtown as an active member on the Main Street Board and her commitment to the downtown makes her a perfect fit for the DID Authority Board.

Resolution No. 65-2016 was adopted by the following vote:

Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Slifko, Twyman, Waltman

President - 7

Nays: None - 0

COUNCIL COMMENT

Councilor Marmarou expressed the belief that the administration is on the right track with their ideas to correct the trash issues within Reading.

Councilor Goodman-Hinnershitz noted that the trash topic is always controversial. She expressed her belief in the well-rounded education plan the administration has arranged for property owners of solid waste collection, set out and littering. She noted the importance of the Keep America Beautiful program implemented by former President Johnson, which focused on personal accountability.

Councilor Goodman-Hinnershitz corrected the misstatement made during the public comment period by Ms. Morrison about the zoning amendment public hearing. She stated that Ms. Morrison asked her the location of the Strategic Planning Meeting and she advised Ms. Morrison that the Strategic Planning Meeting was to be held in the Council Office.

Councilor Goodman-Hinnershitz noted the upcoming races on Duryea Drive in late August and the Reading 120 Bike race in early September. She stressed the importance of keeping these

areas tidy.

Councilor Daubert expressed his agreement with the administration's study of the trash collection system. He also again thanked Ms. Gagliardi for interning with him over the past several months. He noted that this same opportunity is open to other students and he encourages students to become involved as interns or in other capacities that will introduce them to the activities of local government and public service.

Councilor Reed noted that four (4) administrations have come and gone since the first consideration of the trash issue in 1998. She expressed her belief in the free market system and she stressed the importance of having the private haulers participate in the discussion and in the development of a plan that will work properly in Reading's various neighborhoods. She noted that the trash problems are quite different in areas that are primarily owner occupied versus primarily rental. She suggested that all work together to devise a reasonable solution.

Councilor Slifko announced the upcoming community meeting at the Centre Park Artifacts Bank. He noted the great work performed by the Gilmore Henne organization at various City locations. He thanked everyone who provided him with support as he recovers from his near tragic accident.

Council President Waltman reviewed the upcoming Council meeting schedule.

Councilor Marmarou moved, seconded by Councilor Daubert, to adjourn the regular meeting of Council.

Respectfully submitted by Linda A. Kelleher CMC, City Clerk