

**City of Reading City Council**  
**Regular Meeting**  
**January 25<sup>th</sup>, postponed until January 27, 2016**

Council President Waltman called the meeting to order.

The invocation was given by Councilor Slifko.

All present pledged to the flag.

The executive session held during the Committee of the Whole meeting was regarding litigation. The executive session on Monday, January 18<sup>th</sup> was related to personnel matters.

**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  
City Solicitor C. Younger  
City Clerk L. Kelleher  
Mayor W. Scott

**PROCLAMATIONS AND PRESENTATIONS**

City Council issued the following:

- Recognition of RHS Berks Best Fall Sports
- Commendation to former Managing Director Carole Snyder for her years of service to the City
- Commendation to Chief of Police Bill Heim for his years of service to the City

**PUBLIC COMMENT**

Council President Waltman stated that there are eight (8) citizens registered to address Council on non-agenda matters and one (1) citizen registered on 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.

**Felix Freytiz, president of AFSCME 2763**, thanked the Public Works team for their diligent efforts during the recent snow storm, despite the inadequate staffing and equipment.

**Karen Grinnage, of Court Street**, wished Chief Heim well in his future endeavors. She questioned why the City is removing snow from the parking meter areas rather than from neighborhoods and half streets. She also questioned why there is inadequate follow up to remove handicapped parking spaces after qualified residents move away.

**Juan Zabala, no address provided**, questioned why City Council questioned the residency of a newly elected Council member after the election. He also questioned the process to appoint the District 6 Council member, along with the decision to reject Reimundo Encarnacion as managing director. He suggested that the only recurring thread in all these decisions appears to be based on the color of the affected person's skin.

**Wanda Negrón, of Lackawanna Street**, spoke about her relationship with Reimundo Encarnacion and she questioned why Council rejected him for the managing director position when he is clearly qualified. She expressed the belief that he is the right man for the job.

**Evelyn Morrison, of Church Street**, invited everyone to the African American Month event on February 6<sup>th</sup> from 11 am to 6 pm at the Boscov's auditorium. The event has been sponsored by ACOR for 15 years. She also invited everyone to a similar event on February 16<sup>th</sup> at the Lincoln. She expressed her belief in the power of the people.

**Nate Rivera, of North 6<sup>th</sup> Street**, expressed the belief that Council is hassling the mayor by rejecting his nomination of Reimundo Encarnacion as managing director. He expressed the belief that Council needs to follow the mayor's leadership to become part of the solution. He expressed the belief that those who oppose the mayor will be removed from office in two (2) years. He questioned the goals of Council.

**Jeffrey Nein , of Perkiomen Avenue**, was not present.

**Carlos Zayas , of South 11<sup>th</sup> Street**, distributed a document showing advertisements for the Police Civil Service test. He expressed his belief in the comments made by Mr. Zabala regarding diversity. He expressed the belief that diversity is also lacking in the ranks of the Police Department because they fail to do sufficient outreach. He suggested that the Police Department should reflect the diversity of the community.

**Ed Terrell, of Franklin Street**, stated that he will be speaking about Resolutions #2 and 5. He expressed the belief that Council members should not be appointed to the various committees as they lack the sufficient experience and qualifications in those areas. He announced that he proposed Reimundo Encarnacion as Managing Director and he asked Council to second the

motion. On lack of a second, he called out to the Council President by name and he was called to order and reminded to address the body of Council and not individuals.

When he began speaking again, he again referred to the Council President by name and he was warned to refrain from naming individual elected officials and to address the body of Council.

Mr. Terrell was provided with an additional minute to conclude his thoughts.

Mr. Terrell stated that he recently attended a West Reading Borough Council meeting where the Borough Council allows open dialog. He suggested that the Reading Council consider having a similar forum. He expressed the belief that changes are needed in Reading's government.

## **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 January 11<sup>th</sup> Regular Meeting of Council. He noted the need to amend the agenda to add a resolution ratifying the Declaration of Emergency for the recent snow storm to the Consent Agenda.

**Councilor Daubert moved, seconded by Councilor Marmarou, to approve the minutes from the January 11<sup>th</sup> 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 No. 5A-2016** – appointing Council Members to the following for the following 2 years:

1. Environmental Advisory Council (EAC) – John Slifko
2. Diversity Board - Brian Twyman
3. Local Redevelopment Authority – Jeffrey Waltman, Stratton Marmarou, Chris Daubert
4. Blighted Property Review Committee (BPRC) – Brian Twyman
5. RATS (Reading Area Transportation Study) – John Slifko, with Donna Reed as the alternate
6. Act 47 Implementation Work Group – President, Vice Pres, Finance Committee member
7. Rec Commission - Marcia Goodman-Hinnershitz and Chris Daubert
8. Audit Committee – Finance Chair
9. Capital Planning Committee - Finance Chair
10. Revenue Committee – Finance Chair
11. BCAP (Berks Community Action Program) – Jeffrey Waltman
12. Main St – liaison – Donna Reed, with Brian Twyman as Alternate
13. BCCJAB (Berks County Community Judicial Action Board) – Stratton Marmarou

14. School District Work Group – Chris Daubert and Brian Twyman
15. Reading Eagle Public Safety Committee – Marcia Goodman-Hinnershitz and Donna Reed

**B. Resolution No. 6-2016** - approving the Council Committee Structure and Assignments for the following 2 years

1. Finance Committee – Ms. Goodman-Hinnershitz, Mr. Slifko, Mr. Twyman
2. Standards of Living – Ms. Reed, Mr. Daubert, Mr. Marmarou
3. Nominations – Mr. Marmarou, Mr. Slifko, Mr. Twyman, Ms. Goodman-Hinnershitz

**C. Resolution No. 7-2016** – ratifying the Council Policy and Procedure Handbook

**D. Resolution 8-2016** – promoting Firefighter Robert J. Stichter to Lieutenant-Fire Prevention Officer in the Fire Marshall’s Office.

**F. Resolution No. 9-2016** – ratifying the Declaration of Emergency executed by the Mayor and Council President on Saturday, January 23<sup>rd</sup>.

## **ADMINISTRATIVE REPORT**

The mayor did not provide a written report to Council. He made comments to the audience, in summary:

The mayor announced that he will be giving the State of the City address this Friday at 4 pm in Council Chambers and his report will divulge the mistakes made over the past years and the corrective solutions required for the City to exit Act 47.

The mayor stated that former Managing Director Carole Snyder decided to stop working for the City, although he wanted her to stay on. He stated that his Transition Team informed him that Ms. Snyder had told them that she only intended to keep the position for a six (6) month period to train the new person. He stated that he became excited when he heard this information as it provided him with the ability to nominate Reimundo Encarnacion for the job. He stated that he then gave Ms. Snyder the required 15 day notice.

The mayor noted his vast experience serving as a Magisterial District Judge and he questioned how Mr. Encarnacion is not qualified to serve as the managing director. He announced his intent to ask Council to reconsider his nomination of Mr. Encarnacion for the managing director position and he suggested that Council withhold judgment of the mayor during their reconsideration.

The mayor promised his supporters that he will hire people who reflect the Reading community. He then announced his intent to nominate Andres Dominguez, Jr. for the Police Chief position. He stated that Mr. Dominguez is currently employed by the Secret Service

and that he has FBI clearance. He again asked Council to reconsider the nomination of Mr. Encarnacion and he gave some highlights of the upcoming State of the City address.

Councilor Goodman-Hinnershitz inquired if Mr. Dominguez was vetted by the local District Attorney. The mayor stated that Mr. Dominguez was suggested by his Transition Committee.

Councilor Goodman-Hinnershitz stated that the Public Works team and District 2 did an impressive job dealing with the recent snow storm. She questioned why the snow removal on Penn Street cannot be arranged so it will not occur at the beginning or end of the average work day. She stated that the snow removal at the end of the work day caused a great deal of congestion for those leaving the City.

The mayor expressed the belief that people were not negatively impacted by the snow removal at the end of the work day and people welcomed the sight of the snow removal progress. He described the process used during the storm to make decisions and he stated that the School District and Parking Authority were included on the team.

## **AUDITOR'S REPORT**

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

- 2015 Transfer Tax collection resulting in a \$1.3 surplus.

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

Public Works Director Ralph Johnson recapped the work of the Public Works team during the recent storm event to keep the major roadways in passable condition. He stated that this storm was similar to the storm in January 1996. He thanked all those involved, especially the crew who was assigned to 12 hour shifts. He stated that he is now evaluating the decisions made during the storm which will result in improvements for future events. He noted that Public Works will begin removing items to save parking spaces tomorrow.

Council President Waltman thanked the entire Public Works team for their diligent effort during the storm.

## **ORDINANCES FOR FINAL PASSAGE**

**A. Bill No. 1-2016** – amending the City's Purchasing Policies adding the requirement for the need for those who contract with the City to pay all taxes, fees, etc. ***Introduced at the January 11 regular meeting***

**Councilor Marmarou moved, seconded by Councilor Daubert, to enact Bill No. 1-2016.**

**Bill No. 1-2016 was enacted by the following vote:**

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

**President - 7**

**Nays: None - 0**

**B. Bill No. 2-2016** – Amending §5-209 of the Administrative Code, Public Participation by making a correction to the registration requirements for Special Meetings ***Introduced at the January 11 regular meeting***

**Councilor Slifko moved, seconded by Councilor Reed, to enact Bill No. 2-2016.**

**Bill No. 2-2016 was enacted by the following vote:**

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

**President - 7**

**Nays: None - 0**

**C. Bill No. 3-2016** – authorizing an all way stop at S. 17<sup>th</sup> and Haak St, in accordance with City Code Section 576-213 ***Introduced at the January 11 regular meeting***

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to enact Bill No. 3-2016.**

Councilor Goodman-Hinnershitz stated that this stop sign has been long awaited for this location.

**Bill No. 3-2016 was enacted by the following vote:**

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

**President - 7**

**Nays: None - 0**

**D. Bill No. 4-2016** – authorizing an amendment to the 2016 Position Ordinance as follows:

1. In the Managing Director Office, eliminate the position of Business Analyst, and replace it with a Staff Assistant.
2. In the Community Development Department, eliminate the position of Confidential Secretary.
3. In the Community Development Department, replace the Housing and Development Coordinator with a Community Development Coordinator.
4. Replace the vacant IT Developer position with the IT Data Analyst position.

***Introduced at the January 11 regular meeting***

**Councilor Slifko moved, seconded by Councilor Goodman-Hinnershitz, to amend Bill No. 4-2016 by removing #3 replacing the Housing and Development Coordinator with a Community Development Coordinator and introducing that position separately.**

The motion to amend Bill No. 4-2016 was adopted by the following vote:

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

Councilor Daubert moved, seconded by Councilor Reed, to enact Bill No. 4-2016 as amended.

Bill No. 4-2016, as amended, was enacted by the following vote:

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

**E. Bill No. 5-2016** – authorizing an amendment to the 2016 Budget Ordinance for the Mayor’s Office Salary Line Item as follows:

1. \$56,100 from the Wage Increase line in Human Resources
2. \$20,000 from Community Development Salaries
3. \$19,900 from Managing Director Salaries

*Introduced at the January 11 regular meeting*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Daubert, to enact Bill No. 5-2016.

Bill No. 5-2016 was enacted by the following vote:

Yeas: Daubert, Goodman-Hinnershitz, Marmarou, 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** – eliminating the penalty section from the Curbside Waste Fee

**B. Ordinance** – authorizes the transfer within the 2015 Department of Public Works, Division of Solid Waste & Recycling budget \$20,500.00 from Legal Services (56-07-46-4224) to Contracted Services (56-07-47-4216) for the purpose of covering funds for the last residential solid waste contracted service invoices of 2015.

**C. Ordinance** – amending City Code Chapter 23 Boards, Commissions, Committees and Councils Part 4 First Energy Stadium Commission by adding liaisons from the Public Works

Department and City Council

**D. Ordinance** – execution of a Right-of-Way to convey to the PennDOT, a right-of-way upon that portion of premises 0.0421 acres along State Route 625 in Cumru Township as attached in the exhibit

**E. Ordinance** – execution of a Temporary Easement for Construction Purposes to convey to PennDOT, a temporary construction easement upon that portion of premises p.056 acres along State Route 625 in Cumru Township as attached in the exhibit

**F. Ordinance** – amending the City Code Fee Schedule Section 126 Property sales: certificate of transfer; health and safety inspections

**G. Ordinance** – authorizing an amendment to the 2016 Position Ordinance as follows:

1. In the Community Development Department, replace the Housing and Development Coordinator with a Community Development Coordinator.

*Note: These ordinances will be ineligible for enactment at the February 8<sup>th</sup> regular meeting as the Charter required 14 day layover period will not be completed on February 8<sup>th</sup>.*

## RESOLUTIONS

**A. Resolution No. 8-2016** – denying the appeal of the COA to retain the asphalt shingle roofing at 1028 North 4<sup>th</sup> Street and orders the Respondent to comply with the orders issued in HARB Resolution 65-15 and report

**Councilor Slifko moved, seconded by Councilor Marmarou, to adopt Resolution No. 8-2016.**

Councilor Slifko provided the background on this decision noting that the asphalt shingles were installed without the required permits.

**Resolution No. 8-2016 was adopted by the following vote:**

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

**President - 7**

**Nays: None - 0**

**B. Resolution No. 9-2016** – denying the appeal of the COA to retain the two vinyl replacement windows with two white vinyl replacement windows at the first floor front façade at 835 Rose Street, and ordering the property owners to comply with the decision issued by HARB in the attached report.

**Councilor Reed moved, seconded by Councilor Slifko, to adopt Resolution No. 9-2016.**

Councilor Daubert stated that he will not support the denial of this Certificate of Appropriateness as vinyl windows were installed on the 2<sup>nd</sup> floor of the property when the property was purchased by the current owner.

**Resolution No. 9-2016 was adopted by the following vote:**

**Yeas: Goodman-Hinnershitz, Reed, Slifko, Waltman President - 4**

**Nays: Daubert, Marmarou, Twyman - 3**

**C. Resolution No. 10-2016** – denying the Conditional Use Permit for 403 Elm Street to add one rental unit

**Councilor Slifko moved, seconded by Councilor Marmarou, to adopt Resolution No. 10-2016.**

Councilor Slifko explained that illegal units were installed at this property without the required permits.

Councilor Goodman-Hinnershitz expressed the belief that allowing the further conversion of this property would be creating a density and parking problem.

**Resolution No. 10-2016 was adopted by the following vote:**

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

**Nays: None - 0**

**D. Resolution No. 11-2016** – appointing \_\_\_\_\_ as Council Vice President

**Councilor Slifko moved, seconded by Councilor Goodman-Hinnershitz, to nominate Donna Reed as Council Vice President and to adopt Resolution No. 11-2016.**

**Resolution No. 11-2016 was adopted by the following vote:**

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

**Nays: None - 0**

**E. Resolution No. 12-2016** – appointing Linda A. Kelleher as City Clerk

**Councilor Reed moved, seconded by Councilor Marmarou, to adopt Resolution No. 12-2016.**

**Resolution No. 12-2016 was adopted by the following vote:**

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

**F. Resolution No. 13-2016** – reappointing Timothy Strunk to the HVAC Board

**Councilor Daubert moved, seconded by Councilor Reed, to adopt Resolution No. 13-2016.**

Councilor Goodman-Hinnershitz noted the qualifications of Mr. Strunk. She suggested that citizens with the desire to participate in local government should apply for openings on the City's Boards, Authorities and Commissions.

**Resolution No. 13-2016 was adopted by the following vote:**

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

## **COUNCIL COMMENT**

Councilor Marmarou asked Public Works to delay the removal of items placed to reserve parking spaces for a few more days.

Councilor Reed noted the need for everyone to behave respectfully towards each other and work cooperatively. She asked Mr. Zabala to arrange a meeting to discuss the issues he raised during the public comment period.

Councilor Goodman-Hinnershitz described her disappointment in not being appointed to the vacant Council District 2 seat in 2003, then working to get elected to the seat.

Councilor Daubert thanked everyone for attending the Council meeting and staying for the entire meeting. He noted that democracy is not usually a spectator sport.

Councilor Twyman agreed and noted the need for citizens to get involved in local government.

Councilor Goodman-Hinnershitz announced the Groundhog Day celebration planned for February 2<sup>nd</sup> at the Pagoda.

Council President Waltman stated that everyone around this table was either elected or appointed and each play a critical role in our local government. He noted the need for

everyone to work together to build a strong community. He noted that during his tenure on Council, race has never entered the decision making process.

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

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