

City of Reading
2013 Charter Review Commission
October 23, 2013
6:00-8:00 p.m. Center Park Artifacts Bank

The meeting of the 2013 Charter Review Commission was held on Wednesday, October 23, 2013 at Center Park Artifacts Bank, 705 N. 5th St, Reading, PA. The meeting was called to order at 6:05 p.m. by Chairperson Rosemary Frank-Vitale.

Members of the Commission present were: Rosemary Frank-Vitale, David M. Cituk, John Slifko, Marcia Goodman-Hinnershitz, Vaughn D. Spencer, Thomas Anewalt, Carl Geffken and Frank B. Denbowski.

Members not present were: Anne Sheehan, Randy Corcoran, and Michael H. Reese. Also present was, Ernest Schlegel, Mike Lauter, Eron Lloyd, Charles Younger, Paul Janssen, Charter Review Commission Facilitator and Carol R. Lewis, Recording Secretary.

Minutes - Motion by M. Goodman-Hinnershitz second by T. Anewalt and unanimously carried to accept the minutes of October 16, 2013 with a change in the charge of the Historical Society from \$75 to \$75 per hour or \$225 total.

Public Comments/Visitors – P. Janssen provided copies of the surveys if any of the public wanted one. Ernest Schlegel agreed with one of the comments in the paper that the Charter has a basic flaw in it but he disagrees with the basic reasoning. He feels it is more personality conflicts and a lack of progressive thinking and financial planning. The Home Rule Charter is more than a legal document and if they need to have confidence in their knowledge of the Charter. Under its current form Counsel has broad powers. There needs to be a better definition of roles and housekeeping of the document.

Receive and Approve Bills: The following invoices were received: Carol R. Lewis, \$100 and Reading Eagle, \$50. Motion by D. Cituk second by J. Slifko and unanimously carried to approve the bills.

Old Business:

Additional Survey Recipients: P. Janssen posted a list of all the survey recipients to date. The Board added 5 additional recipients. The Board discussed how to get it out to a more diverse population. V. Spenser will give the survey to the faith community to disseminate. It was decided to post the survey on the City website with electronic response boxes along with the background information consisting of the 2002 report and the FAQs. P. Janssen warned that if there was an overwhelming response, he would need help compiling them which the Board agreed to do. A deadline for the receipt of the surveys will be set for December 1, 2013.

List of Categorized Charter Issues: P. Janssen passed out the draft list of Charter issues brought up to date. He has them in 4 categories, Administrative/Procedural, structural, clarifications and procedural. He also received the annotated City Charter. It is an unofficial

document annotated by the Charter Board. It contains all Charter Board opinions and advisory opinions. The Board then discussed the process for putting a referendum on the ballot.

Commission Member Discussion on Charter Issues for Consideration by the Members:

The Board discussed categorizing the list once it is complete and identifying which items are Administration items and which are Charter items. The Charter items should have suggested language changes for the recommendations. The Administration items should be forwarded on to the appropriate body for their consideration and attention. They discussed some of the issues brought up by Counsel and Administration which had commonalities and opposing views. There was only one that had opposing views on the same issue. V. Spencer clarified that the Administration had formally changed their position on that matter and felt it could be handled by a wording change making it clear that the solicitor represented the City of Reading, not any particular body within the City. Discussion was held whether or not this would be enough to alleviate the conflict which can come about when two different bodies have conflicting viewpoints on a matter. F. Denbowski felt it was important for the residents of the City to see a unified legal voice. Then if there are conflicts can have an arbitrator. It was pointed out that the solicitor only advises as to what is and is not legal; they do make or influence policy. T. Anewalt suggested they talk to the City of Bethlehem which has a similar population to see what their experiences are. He will try to arrange for some of them to attend a meeting or at least pose these questions to them. E. Lloyd pointed out that some of the problems come about through inconsistencies and grey areas in the power language of the Administration Code that cause unnecessary conflict. Also, the Charter's intent to have one solicitor creates an issue as to the ability to hire special Counsel. It has been inferred that one solicitor has to do it all. It was suggested that some of these items could be addressed through an ordinance. The Board then discussed the possibility of eliminating the Administrative Code. It was pointed out that some departments are outlined in the Charter but some are not. M. Goodman-Hinnershitz suggested a member of Counsel come to a meeting to give the other side of the story since they have heard from the Administrative side. The Administrative Code did predate the Charter but not to the extent that it does now. J. Slifko said the Transition Committee drafted the Administrative Code and Personnel and Fiscal Codes which were enacted in Ordinance form. The Board agreed they would like to hear from the Transition Committee after they clarify what information they are looking for. The members agreed to look at the list of issues and consider their priorities for next week.

New Business – None to note.

Public Comment – Ernest Schlegel commented that Governments get together a lot behind closed doors. There is a lot of talk about conflict resolution and those tools are needed but they also need to make sure the citizens and their rights are protected.

M. Goodman-Hinnershitz stated that it is the nature of Democracy to have conflict in government. This is healthy although painful. She feels the Charter needs to clarify some matters but not eliminate all conflict. She especially likes the idea of remediation as it respects the taxpayer's money.

Mike Louter agreed with her. Currently hundreds of thousands of dollars are wasted with no resolution to the conflicts. Another mechanism is needed.

D. Cituk thanked the Center Park Artifacts Bank for allowing them to meet there.

Motion by C. Geffken second by D. Cituk and unanimously carried to adjourn the meeting at 7:48 p.m.

Respectfully submitted,

Carol R. Lewis
Recording Secretary