



CITY COUNCIL

Meeting Agenda

***REGULAR MEETING
COUNCIL CHAMBERS***

***MONDAY, AUGUST 13, 2007
7:00 P.M.***

OPENING MATTERS

CALL TO ORDER

INVOCATION: Rev. Calvin Kurtz, Conference of Churches

PLEDGE OF ALLEGIANCE

ROLL CALL

PROCLAMATIONS AND PRESENTATIONS

Council Commendations:

Commending the artists, students and administrators who created the Por Que Vinimos: Why We Came, 2006 Pennsylvania Migrant Education Mural. Accepted by

Mayoral Proclamations:

Recognizing F.O.C.U.S group members Gus Giddens and Glenn J. Key.

Presenting the Reading/Trinity Lutheran Scholarships. Scholarships presented by: Mayor Thomas McMahon, Pastor Opalinski and Vestry President Jeffery Wasmuth.

PUBLIC COMMENT – AGENDA MATTERS:

Citizens have the opportunity to address the Council, by registering with the City Clerk before the start of the meeting. All remarks must be directed to Council as a body and not to any individual Council member or public or elected official in attendance. Any person making personally offensive or impertinent remarks or who shall become unruly while addressing Council may be called to order by the Presiding Officer, and may be barred from speaking before

Council, unless permission to continue speaking is granted by the majority vote of Council.

All comments by the public shall be made from the speaker's podium. Citizens attending the meeting may not cross into the area beyond the podium. Any materials to be distributed to Council must be given to the City Clerk before the meeting is called to order. Those commenting on an agenda business shall speak at the beginning of the meeting and shall limit their remarks to 5 minutes. Those commenting on general matters shall speak after the legislative business is concluded and shall limit their remarks to 3 minutes.

No comments shall be made from any other location except the podium, and anyone making "out of order" comments may be subject to removal. There will be no demonstration at the conclusion of anyone's presentation. Citizens may not ask questions of Council member or other elected or public official in attendance.

APPROVAL OF AGENDA AND MINUTES

2. AGENDA: Council Meeting of August 13, 2007.

3. MINUTES: Council Meeting of July 23, 2007.

4. CONSENT AGENDA

Award of Contract- to Windsor Service, 2415 Kutztown Road, Reading, PA, 19605, at a total bid price of \$206,777.50 for Playground Improvements at Brookline Playground for the Departments of Public Works and Community Development.
(Purchasing)

Award of Contract- for Furnishing Bituminous Materials and Asphalt Cements for Pick-up to EJB Paving and Materials Co., 1119 Snyder Road, West Lawn, PA 19609 who is the low bidder at the unit prices submitted for an estimated total bid price of \$95,050.00, for the Department of Public Works and the Reading Area Water Authority.
(Purchasing)

Award of Contract- to GeoDecisions, 1515 Market Street, Suite 2020, Philadelphia, PA 19102, to conduct a signs and signal inventory throughout the City of Reading. GeoDecisions submitted a total proposal price of \$122,047.60. **(Purchasing)**

Resolution- directing Met-Ed Energy to upgrade a company owned street light fixture, from a 175 watt mercury vapor to a 100 watt high pressure sodium vapor, in front of 1139 Church Street. **(Traffic Engineering)**

Resolution- to upgrade a company owned street light fixture, from a 175 watt mercury vapor to a 100 watt high pressure sodium vapor, in front of 1209 Church Street
(Traffic Engineering)

Resolution- directing Met-Ed Energy to upgrade a company owned street light fixtures in front of: 126 Plum Street, 1451 Centre Avenue and 1619 Centre Avenue.
(Traffic Engineering)

Resolution- directing Met-Ed Energy to install and provide energy to a company owned street light fixture, in front of 1912 Palm Street. **(Traffic Engineering)**

Resolution- directing Met-Ed Energy to upgrade a company owned street light fixture, in an alley behind 241 West Greenwich Street. **(Traffic Engineering)**

Resolution- to upgrade a company owned street light fixture, in front of 530 Crescent Avenue. **(Traffic Engineering)**

Resolution- directing Met-Ed Energy to upgrade a company owned street light fixture, in front of 729 Miltmore Street. **(Traffic Engineering)**

Resolution- directing Met-Ed Energy to install streetlights located as follows
(Traffic Engineering):

212 N. 10th Street.
400 block of Blair Avenue.
945 McKnight Street.
1129 Church Street.
1848 Forrest Street.
1816 Forrest Street.
524 Greenwich Street.
501 Greenwich Street.
251 N. 3rd Street.
242 S. 3rd Street.
214 S. 3rd Street.
306 Linden St.

Resolution- directing Met-Ed Energy to upgrade a company owned street light fixture, from a 250 watt mercury vapor to a 150 watt high pressure sodium vapor, at the intersection of Spring and Front Streets. **(Traffic Engineering)**

Resolution- authorizing the Mayor to file an application for a “Growing Greener II” grant in the amount of one million dollars (\$1,000,000.00) for the Goggle Works Apartments. **(Community Development)**

Resolution- authorizing the Mayor to file an application for a “Growing Greener II” grant in the amount of three hundred thousand dollars (\$300,000.00) for the South Third Street Helms Building Demolition project. **(Community Development)**

Resolution- authorizing to file an application for a “Growing Greener II” grant in the amount of five hundred thousand dollars (\$500,000.00) for the Reading Theatre project. **(Community Development)**

Resolution- authorizing to file an application for an Industrial Development Program (IDP) grant in the amount of seven hundred fifty-eight thousand dollars (\$758,000.00) for the Buttonwood Gateway project. **(Community Development)**

5. ADMINISTRATIVE REPORTS

6. FINANCE REPORT

7. REPORT FROM OFFICE OF THE AUDITOR

8. REPORTS FROM DIRECTORS & BOARDS AUTHORITIES AND COMMISSIONS

Civic Center Authority: report provided by Michael Ehlerman, Chair.

9. ORDINANCES FOR FINAL PASSAGE

Tabled Pending Further Discussion:

Bill No. 16- amending the City of Reading Codified Ordinances by regulating advertisements for the sale of real estate in the City of Reading. **(Waltman/Goodman-Hinnershitz) *Introduced and tabled at the 03/12/07 meeting of Council.***

Bill No. 22- amending Chapter 20, Part 1 Solid Waste, of the City of Reading Codified Ordinances. **(Managing Director) *Introduced at the 03/12/07 meeting of Council; tabled at the 03/26/07 and 04/09/07 meeting of Council; discussed at the 04/16/07 Work Session; will remain tabled pending a public meeting.***

Bill No. 58- amending Chapter 1 of the City of Reading Codified Ordinances, Charter Board Ordinance, Section 599.25: Enforcement, Violations and Penalties. **(Council Staff/Solicitor) *Introduced at the 07/09/07 meeting of Council;***

tabled at the 07/23/07 meeting of Council pending discussion with the Charter Board.

Bill No. 61- establishing the process by which the provisions of the Housing Ordinance will be implemented. **(Arrived at through collaborative efforts of Council Staff, the Solicitor's Office, Codes Division, Zoning and the Managing Directors Office)**

Bill No. 62- amending the current agreement between the City of Reading and Citizens Bank of Pennsylvania. **(Solicitor/Council Staff)**

Bill No. 63- amending the City of Reading Codified Ordinances by adding Part 17 to Chapter 10, Health and Safety, which adopts regulations governing Sidewalk Vending **(Endorsed by the Public Safety Committee)**

10. INTRODUCTION OF NEW ORDINANCES

Ordinance- renaming of sections of River Road and Front Street – from Schuylkill Avenue to Riverfront Drive – to Riverfront Drive. **(Council Staff)**

Ordinance- amending the purchasing procedures contained in the City of Reading Codified Ordinances. **(Spencer)**

Ordinance- authorizing the Mayor to execute a certain agreement between the City of Reading and Land Displays, Inc., to provide an easement for the installation of a digital sign on the Penn Street bridge. **(Managing Director)**

11. RESOLUTIONS

Resolution- appointing Joe Kuzminski to the Reading Area Water Authority. ***Tabled at the 07/09/07 and 07/23/07 meeting of Council.***

Resolution- appointing Stephen H. Price, Esq. to the position of Administrative Hearing Officer, responsible for hearing, administering and overseeing all zoning matters that might come before him. **(Solicitor)**

Resolution- amending the 2007 CDBG Action Plan, by reducing and canceling certain activities and purchasing two fire engines. **(Community Development)**

Resolution- reappointing Doris Persky Leisawitz to the Board of Ethics.
(Administrative Oversight)

Resolution- allowing the transfer of an existing handicapped parking space permit from one block to another block, even if the two (2) per block limit has already been reached. **(Solicitor/Public Works/Council Staff)**

PUBLIC COMMENT - GENERAL MATTERS
COUNCIL BUSINESS / COMMENTS
COUNCIL MEETING SCHEDULE

Committee of the Whole-Mon, August 13th, Council Offices 5:00p.m.
Regular Meeting-Mon, August 13th, Council Chambers 7:00p.m.

Meeting with the Mayor- Wed, August 15th, Mayor's Office 4:00p.m.

Public Safety Committee-Mon, August 20th, Council Office 5:00p.m.
Public Works Committee-Mon, August 20th, Council Office 5:00p.m.
Work Session-Mon, August 20th, Penn Room 7:00p.m.

Meeting with the EPA to discuss Bernharts Park-Wed, August 22nd, Council Chambers 2:00p.m.

Meeting with the Mayor-Wed, August 22nd, Mayor's Office 4:00p.m.

Committee of the Whole- Mon, August 27th, Council Office 5:00p.m.
Regular Meeting- Mon, August 27th, Council Chambers 7:00p.m.



AGENDA MEMO

FINANCE DEPARTMENT

TO: City Council
FROM: Heather Dunkle, Purchasing Coordinator
PREPARED BY: Heather Dunkle, Purchasing Coordinator
MEETING DATE: August 13, 2007
AGENDA MEMO DATE: August 8, 2007
RECOMMENDED ACTION: Awarding of Contract for Playground Improvements at Brookline Playground for the Departments of Public Works and Community Development.

RECOMMENDATION

The recommendation is to award the contract to Windsor Service, 2415 Kutztown Road, Reading, PA, 19605, at a total bid price of \$206,777.50 for Playground Improvements at Brookline Playground for the Departments of Public Works and Community Development.

BACKGROUND

Bids for Playground Improvements at Brookline Playground for the Departments of Public Works and Community Development were received on June 12, 2007. The bid award is based on various items which include renovations to the sites, safety surface installation and playground equipment installation.

A copy of the Schedule of Bids is attached for your review.

BUDGETARY IMPACT

The Departments of Community Development and Public Works and Accounting have confirmed that there are funds sufficient for this contract as follows: \$86,777.50 from Account Code 32-07-00-4216, \$100,000.00 from 31-07-00-4216 (DCNR) and the remaining \$20,000 will be obtained from the 2007 Community Development Budget.

PREVIOUS ACTION

None

SUBSEQUENT ACTION

Formal action by Council is needed to award the contract at the August 13, 2007 meeting.

RECOMMENDED BY

Mayor, Managing Director, Directors of Finance, Community Development and Public Works.

RECOMMENDED MOTION

Approve/Deny the recommendation for the purchase of Playground Improvements at Brookline Playground in order that the contract may be awarded to Windsor Service.



AGENDA MEMO

FINANCE DEPARTMENT

TO: City Council
FROM: Heather Dunkle, Purchasing Coordinator
PREPARED BY: Heather Dunkle, Purchasing Coordinator
MEETING DATE: August 13, 2007
AGENDA MEMO DATE: August 7, 2007
RECOMMENDED ACTION: Awarding of Contract for the Furnishing Bituminous Materials for Pick-Up for the Department of Public Works and the Reading Area Water Authority

RECOMMENDATION

The recommendation is to award the contract for Furnishing Bituminous Materials and Asphalt Cements for Pick-up to EJB Paving and Materials Co., 1119 Snyder Road, West Lawn, PA 19609 who is the low bidder at the unit prices submitted for an estimated total bid price of \$95,050.00, for the Department of Public Works and the Reading Area Water Authority.

BACKGROUND

Bids for Furnishing Bituminous Materials and Asphalt Cements for the Department of Public Works and the Reading Area Water Authority were received on June 29, 2007. Since the materials are to be picked up rather than delivered, a mileage factor was taken into consideration when determining the low bidder. The total is based upon estimated usage. The actual expenditure may be greater or less than the estimate.

A copy of the Schedule of Bids is attached for your review.

BUDGETARY IMPACT

The Department of Public Works, Reading Area Water Authority and Accounting have confirmed there are sufficient funds in budget account codes 35-07-00-4815 and 50-15-86-4406 to cover the materials, with \$0 and \$1,354.61 remaining in the account codes, respectively, after the contract funds are encumbered. It is agreed that Public Works will process an appropriation transfer if necessary.

PREVIOUS ACTION

None

SUBSEQUENT ACTION

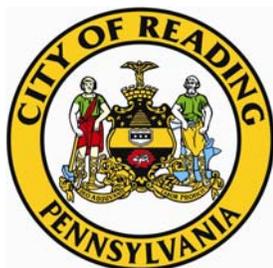
Formal action by Council is required to award the contract at the August 13, 2007 meeting.

RECOMMENDED BY

Mayor, Managing Director, Director of Finance, Director of Public Works and Executive Director of Reading Area Water Authority and the Purchasing Coordinator.

RECOMMENDED MOTION

Approve/Deny the recommendation for Furnishing Bituminous Materials and Asphalt Cement in order that contract may be awarded accordingly to EJB Paving and Materials Co.



AGENDA MEMO

FINANCE DEPARTMENT

TO: City Council
FROM: Heather Dunkle, Purchasing Coordinator
PREPARED BY: Heather Dunkle, Purchasing Coordinator
MEETING DATE: August 13, 2007
AGENDA MEMO DATE: August 8, 2007
RECOMMENDED ACTION: Awarding of Contract for Signs and Signal Inventory for the Information Technology Division.

RECOMMENDATION

The recommendation is to award the contract to GeoDecisions, 1515 Market Street, Suite 2020, Philadelphia, PA 19102.

BACKGROUND

Proposals for signs and signal inventory were received on August 1, 2007, for the Information Technology Division. The response to the requests for proposals was evaluated independently by the members of the RFP selection review committee. The proposal was rated on the basis of experience, qualifications, cost and scope of services provided. GeoDecisions was the sole proposal submitted.

BUDGETARY IMPACT

The Information Technology and Accounting Divisions have confirmed there are sufficient funds in budget account code 34-04-23-4802, project code 34-04-23-101,

funding source 2006 LOC to cover this contract with \$627,952.40 remaining in the account code after the contract funds are encumbered.

PREVIOUS ACTIONS

None.

SUBSEQUENT ACTION

Formal action by Council is needed to award the contract at the August 13, 2007 meeting.

RECOMMENDATION

The recommendation is that City Council approve the recommendation of the Administration to employ GeoDecisions to perform the Signs and Signal Inventory for the Information Technology Division.

RECOMMENDED BY

Mayor, Managing Director, Director of Finance and Purchasing Coordinator.

RECOMMENDED MOTION

To approve/deny Administration's recommendation that GeoDecisions be retained for the signs and signal inventory for the Information Technology Division.

AGENDA MEMO

TO: City Council
PREPARED BY: John Giardiello
MEETING DATE: August 13, 2007
AGENDA MEMO DATE: August 6, 2007
REQUESTED ACTION: Council approve a resolution directing Met-Ed Energy to upgrade one company owned street light fixture.

RECOMMENDATION:

The Administration recommends Council approve a resolution directing Met-Ed Energy to upgrade a company owned street light fixture, from a 175 watt mercury vapor to a 100 watt high pressure sodium vapor.

-Pole #50809-37658, in front of 1139 Church Street.

BACKGROUND:

Requested by Traffic Planner.

BUDGETARY IMPACT:

The cost to supply energy to this fixture is \$0.90 per month/fixture.

PREVIOUS ACTION:

None

SUBSEQUENT ACTION:

None

RECOMMENDED BY:

Traffic Planner, Public Works Director, Managing Director and Mayor.

RECOMMENDED MOTION:

Approve the request to direct Met-Ed Energy to upgrade electrical power to one company owned street light fixture.

CITY OF READING

RESOLUTION NO. _____

FOR THE UPGRADE OF STREET LIGHTS

WHEREAS, a contract was entered into by the City of Reading and Metropolitan Edison Company (hereinafter Met-Ed), whereby said Company shall furnish lighting; and

WHEREAS, it is necessary and proper that additional lighting should be installed and maintained for the service, accommodation, convenience and safety of the public;

NOW, THEREFORE, BE IT RESOLVED, that the City of Reading pursuant to the provisions and terms of the Company's applicable Rate Schedules and Riders, and the rules and regulations now on file and such rules and regulations, Rate Schedules and Riders hereafter filed from time to time and in effect with the Pennsylvania Public Utility Commission (hereinafter Tariff), do hereby order and direct Met-Ed to furnish additional lighting consisting of:

Upgrade one (1) existing, Company owned, 175-watt, mercury vapor, cobrahead, streetlight to a 100-watt, high-pressure sodium vapor, luminaire on pole 50809-37658 in front of 1139 Church Street within the City. Met-Ed will continue to provide energy and total maintenance to this streetlight.

Payment to be made to Metropolitan Edison Company for the additional lighting at the rates specified in the Tariff.

Resolution adopted the _____ day of _____, 2007.

By: _____
President of Council

Attest:

City Clerk

I, _____, City Clerk of the City of Reading, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the City at a meeting of said City duly called and held on the ____ day of _____, 2007.

Witness my hand and the seal of said City this ____ day of _____, 2007.

City Clerk

AGENDA MEMO

TO: City Council
PREPARED BY: John Giardiello
MEETING DATE: August 13, 2007
AGENDA MEMO DATE: August 6, 2007
REQUESTED ACTION: Council approve a resolution directing Met-Ed Energy to upgrade one company owned street light fixture.

RECOMMENDATION:

The Administration recommends Council approve a resolution directing Met-Ed Energy to upgrade a company owned street light fixture, from a 175 watt mercury vapor to a 100 watt high pressure sodium vapor.

-Pole #50809-37689, in front of 1209 Church Street.

BACKGROUND:

Requested by Traffic Planner.

BUDGETARY IMPACT:

The cost to supply energy to this fixture is \$0.90 per month/fixture.

PREVIOUS ACTION:

None

SUBSEQUENT ACTION:

None

RECOMMENDED BY:

Traffic Planner, Public Works Director, Managing Director and Mayor.

RECOMMENDED MOTION:

Approve the request to direct Met-Ed Energy to upgrade electrical power to one company owned street light fixture.

CITY OF READING

RESOLUTION NO. _____

FOR THE UPGRADE OF STREET LIGHTS

WHEREAS, a contract was entered into by the City of Reading and Metropolitan Edison Company (hereinafter Met-Ed), whereby said Company shall furnish lighting; and

WHEREAS, it is necessary and proper that additional lighting should be installed and maintained for the service, accommodation, convenience and safety of the public;

NOW, THEREFORE, BE IT RESOLVED, that the City of Reading pursuant to the provisions and terms of the Company's applicable Rate Schedules and Riders, and the rules and regulations now on file and such rules and regulations, Rate Schedules and Riders hereafter filed from time to time and in effect with the Pennsylvania Public Utility Commission (hereinafter Tariff), do hereby order and direct Met-Ed to furnish additional lighting consisting of:

Upgrade one (1) existing, Company owned, 175-watt, mercury vapor, cobrahead, streetlight to a 100-watt, high-pressure sodium vapor, luminaire on pole 50809-37689 in front of 1209 Church Street within the City. Met-Ed will continue to provide energy and total maintenance to this streetlight.

Payment to be made to Metropolitan Edison Company for the additional lighting at the rates specified in the Tariff.

Resolution adopted the _____ day of _____, 2007.

By: _____
President of Council

Attest:

City Clerk

I, _____, City Clerk of the City of Reading, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the City at a meeting of said City duly called and held on the ____ day of _____, 2007.

Witness my hand and the seal of said City this ____ day of _____, 2007.

City Clerk

AGENDA MEMO

TO: City Council
PREPARED BY: John Giardiello
MEETING DATE: August 13, 2007
AGENDA MEMO DATE: August 7, 2007
REQUESTED ACTION: Council approve a resolution directing Met-Ed Energy to upgrade three company owned street light fixtures.

RECOMMENDATION:

The Administration recommends Council approve a resolution directing Met-Ed Energy to upgrade a company owned street light fixtures.

- Pole #50859-36929, in front of 126 Plum St, from 175 watt mercury to 100 watt high pressure sodium.
- Pole #50605-37841, in front of 1451 Centre Ave, from 400 watt mercury vapor to 250 watt high pressure sodium.
- Pole #50616-37922, in front of 1619 Centre Ave, from 400 watt mercury vapor to 250 watt pressure sodium.

BACKGROUND:

Requested by Traffic Planner.

BUDGETARY IMPACT:

The cost to supply energy to this fixture is \$0.90 per month/fixture.

PREVIOUS ACTION:

None

SUBSEQUENT ACTION:

None

RECOMMENDED BY:

Traffic Planner, Public Works Director, Managing Director and Mayor.

RECOMMENDED MOTION:

Approve the request to direct Met-Ed Energy to upgrade electrical power to three company owned street light fixtures.

CITY OF READING

RESOLUTION NO. _____

FOR THE UPGRADE OF STREET LIGHTS

WHEREAS, a contract was entered into by the City of Reading and Metropolitan Edison Company (hereinafter Met-Ed), whereby said Company shall furnish lighting; and

WHEREAS, it is necessary and proper that additional lighting should be installed and maintained for the service, accommodation, convenience and safety of the public;

NOW, THEREFORE, BE IT RESOLVED, that the City of Reading pursuant to the provisions and terms of the Company's applicable Rate Schedules and Riders, and the rules and regulations now on file and such rules and regulations, Rate Schedules and Riders hereafter filed from time to time and in effect with the Pennsylvania Public Utility Commission (hereinafter Tariff), do hereby order and direct Met-Ed to furnish additional lighting consisting of:

- a. **Upgrade one (1) existing, Company owned, 175-watt, mercury vapor, cobrahead, streetlight to a 100-watt, high-pressure sodium vapor, luminaire on pole 50859-36929 in front of 126 Plum Street.**
- b. **Upgrade one (1) existing, Company owned, 400-watt, mercury vapor, cobrahead, streetlight to a 250-watt, high-pressure sodium vapor, luminaire on pole 50605-37841 in front of 1451 Centre Avenue.**
- c. **Upgrade one (1), existing, Company owned, 400-watt, mercury vapor, cobrahead, streetlight to a 250-watt, high-pressure sodium vapor, luminaire on pole 50616-37922 in front of 1619 Centre Avenue.**

Met-Ed will continue to provide energy and maintenance to these streetlights.

Payment to be made to Metropolitan Edison Company for the additional lighting at the rates specified in the Tariff.

Resolution adopted the _____ day of _____, 2007.

By: _____
President of Council

Attest:

City Clerk

I, _____, City Clerk of the City of Reading, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the City at a meeting of said City duly called and held on the ____ day of _____, 2007.

Witness my hand and the seal of said City this ____ day of _____, 2007.

City Clerk

AGENDA MEMO

TO: City Council
PREPARED BY: John Giardiello
MEETING DATE: August 13, 2007
AGENDA MEMO DATE: August 6, 2007
REQUESTED ACTION: Council approve a resolution directing Met-Ed Energy to install a company owned street light fixture.

RECOMMENDATION:

The Administration recommends Council approve a resolution directing Met-Ed Energy to install and provide energy to a company owned street light fixture. The fixture will be a 100 watt high pressure sodium vapor, installed at the following location:

-Pole #51306-38058 in front of 1912 Palm St.

BACKGROUND:

Requested by Traffic Planner.

BUDGETARY IMPACT:

The cost to supply energy to this fixture is \$12.30/month.

PREVIOUS ACTION:

None

SUBSEQUENT ACTION:

None

RECOMMENDED BY:

Traffic Planner, Public Works Director, Managing Director and Mayor.

RECOMMENDED MOTION:

Approve the request to direct Met-Ed Energy to upgrade electrical power to one company owned street light fixture.

CITY OF READING

RESOLUTION NO. _____

FOR ADDITIONAL STREET LIGHTS

WHEREAS, a contract was entered into by the City of Reading and Metropolitan Edison Company (hereinafter Met-Ed), whereby said Company shall furnish lighting; and

WHEREAS, it is necessary and proper that additional lighting should be installed and maintained for the service, accommodation, convenience and safety of the public;

NOW, THEREFORE, BE IT RESOLVED, that the City of Reading pursuant to the provisions and terms of the Company's applicable Rate Schedules and Riders, and the rules and regulations now on file and such rules and regulations, Rate Schedules and Riders hereafter filed from time to time and in effect with the Pennsylvania Public Utility Commission (hereinafter Tariff), do hereby order and direct Met-Ed to furnish additional lighting consisting of:

Install and provide energy and total maintenance to one (1) Company-owned, 100-watt, high pressure sodium vapor, cobrahead streetlight located on wood pole 51306-38058 in front of 1912 Palm Street within the City.

Payment to be made to Metropolitan Edison Company for the additional lighting at the rates specified in the Tariff.

Resolution adopted the _____ day of _____, 2007.

By: _____
President of Council

Attest:

City Clerk

I, _____, City Clerk of the City of Reading, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the City at a meeting of said City duly called and held on the ____ day of _____, 2007.

Witness my hand and the seal of said City this ____ day of _____, 2007.

City Clerk

AGENDA MEMO

TO: City Council
PREPARED BY: John Giardiello
MEETING DATE: August 13, 2007
AGENDA MEMO DATE: August 6, 2007
REQUESTED ACTION: Council approve a resolution directing Met-Ed Energy to upgrade one company owned street light fixture.

RECOMMENDATION:

The Administration recommends Council approve a resolution directing Met-Ed Energy to upgrade a company owned street light fixture, from a 175 watt mercury vapor to a 100 watt high pressure sodium vapor.

-Pole #50457-37363, in alley behind 241 West Greenwich St

BACKGROUND:

Requested by Traffic Planner.

BUDGETARY IMPACT:

The cost to supply energy to this fixture is \$0.90 less per month/fixture.

PREVIOUS ACTION:

None

SUBSEQUENT ACTION:

None

RECOMMENDED BY:

Traffic Planner, Public Works Director, Managing Director and Mayor.

RECOMMENDED MOTION:

Approve the request to direct Met-Ed Energy to upgrade electrical power to one company owned street light fixture.

CITY OF READING

RESOLUTION NO. _____

FOR THE UPGRADE OF STREET LIGHTS

WHEREAS, a contract was entered into by the City of Reading and Metropolitan Edison Company (hereinafter Met-Ed), whereby said Company shall furnish lighting; and

WHEREAS, it is necessary and proper that additional lighting should be installed and maintained for the service, accommodation, convenience and safety of the public;

NOW, THEREFORE, BE IT RESOLVED, that the City of Reading pursuant to the provisions and terms of the Company's applicable Rate Schedules and Riders, and the rules and regulations now on file and such rules and regulations, Rate Schedules and Riders hereafter filed from time to time and in effect with the Pennsylvania Public Utility Commission (hereinafter Tariff), do hereby order and direct Met-Ed to furnish additional lighting consisting of:

Upgrade one (1) existing, Company owned, 175-watt, mercury vapor, cobrahead, streetlight to a 100-watt, high pressure sodium vapor, luminaire on pole 50457-37363 in the alley behind 241 West Greenwich Street within the City. Met-Ed will continue to provide energy and total maintenance to this streetlight.

Payment to be made to Metropolitan Edison Company for the additional lighting at the rates specified in the Tariff.

Resolution adopted the _____ day of _____, 2007.

By: _____
President of Council

Attest:

City Clerk

I, _____, City Clerk of the City of Reading, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the City at a meeting of said City duly called and held on the _____ day of _____, 2007.

Witness my hand and the seal of said City this _____ day of _____, 2007.

City Clerk

AGENDA MEMO

TO: City Council
PREPARED BY: John Giardiello
MEETING DATE: August 13, 2007
AGENDA MEMO DATE: August 6, 2007
REQUESTED ACTION: Council approve a resolution directing Met-Ed Energy to upgrade one company owned street light fixture.

RECOMMENDATION:

The Administration recommends Council approve a resolution directing Met-Ed Energy to upgrade a company owned street light fixture, from a 175 watt mercury vapor to a 100 watt high pressure sodium vapor.

-Pole #50803-38192, in front of 530 Crescent Ave.

BACKGROUND:

Requested by Traffic Planner.

BUDGETARY IMPACT:

The cost to supply energy to this fixture is \$0.90 per month/fixture.

PREVIOUS ACTION:

None

SUBSEQUENT ACTION:

None

RECOMMENDED BY:

Traffic Planner, Public Works Director, Managing Director and Mayor.

RECOMMENDED MOTION:

Approve the request to direct Met-Ed Energy to upgrade electrical power to one company owned street light fixture.

CITY OF READING

RESOLUTION NO. _____

FOR THE UPGRADE OF STREET LIGHTS

WHEREAS, a contract was entered into by the City of Reading and Metropolitan Edison Company (hereinafter Met-Ed), whereby said Company shall furnish lighting; and

WHEREAS, it is necessary and proper that additional lighting should be installed and maintained for the service, accommodation, convenience and safety of the public;

NOW, THEREFORE, BE IT RESOLVED, that the City of Reading pursuant to the provisions and terms of the Company's applicable Rate Schedules and Riders, and the rules and regulations now on file and such rules and regulations, Rate Schedules and Riders hereafter filed from time to time and in effect with the Pennsylvania Public Utility Commission (hereinafter Tariff), do hereby order and direct Met-Ed to furnish additional lighting consisting of:

Upgrade one (1) existing, Company owned, 175-watt, mercury vapor, cobrahead, streetlight to a 100-watt, high-pressure sodium vapor, luminaire on pole 50803-38192 in front of 530 Crescent Ave. Met-Ed will continue to provide energy and total maintenance to this streetlight.

Payment to be made to Metropolitan Edison Company for the additional lighting at the rates specified in the Tariff.

Resolution adopted the _____ day of _____, 2007.

By: _____
President of Council

Attest:

City Clerk

I, _____, City Clerk of the City of Reading, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the City at a meeting of said City duly called and held on the ____ day of _____, 2007.

Witness my hand and the seal of said City this ____ day of _____, 2007.

City Clerk

AGENDA MEMO

TO: City Council
PREPARED BY: John Giardiello
MEETING DATE: August 13, 2007
AGENDA MEMO DATE: August 6, 2007
REQUESTED ACTION: Council approve a resolution directing Met-Ed Energy to upgrade one company owned street light fixture.

RECOMMENDATION:

The Administration recommends Council approve a resolution directing Met-Ed Energy to upgrade a company owned street light fixture, from a 175 watt mercury vapor to a 100 watt high pressure sodium vapor.

-Pole #50386-37433, in front of 729 Miltimore Street.

BACKGROUND:

Requested by Traffic Planner.

BUDGETARY IMPACT:

The cost to supply energy to this fixture is \$0.90 per month/fixture.

PREVIOUS ACTION:

None

SUBSEQUENT ACTION:

None

RECOMMENDED BY:

Traffic Planner, Public Works Director, Managing Director and Mayor.

RECOMMENDED MOTION:

Approve the request to direct Met-Ed Energy to upgrade electrical power to one company owned street light fixture.

CITY OF READING

RESOLUTION NO. _____

FOR THE UPGRADE OF STREET LIGHTS

WHEREAS, a contract was entered into by the City of Reading and Metropolitan Edison Company (hereinafter Met-Ed), whereby said Company shall furnish lighting; and

WHEREAS, it is necessary and proper that additional lighting should be installed and maintained for the service, accommodation, convenience and safety of the public;

NOW, THEREFORE, BE IT RESOLVED, that the City of Reading pursuant to the provisions and terms of the Company's applicable Rate Schedules and Riders, and the rules and regulations now on file and such rules and regulations, Rate Schedules and Riders hereafter filed from time to time and in effect with the Pennsylvania Public Utility Commission (hereinafter Tariff), do hereby order and direct Met-Ed to furnish additional lighting consisting of:

Upgrade one (1) existing, Company owned, 175-watt, mercury vapor, cobrahead, streetlight to a 100-watt, high-pressure sodium vapor, luminaire on pole 50386-37433 in front of 729 Miltimore Street within the City. Met-Ed will continue to provide energy and total maintenance to this streetlight.

Payment to be made to Metropolitan Edison Company for the additional lighting at the rates specified in the Tariff.

Resolution adopted the _____ day of _____, 2007.

By: _____
President of Council

Attest:

City Clerk

I, _____, City Clerk of the City of Reading, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the City at a meeting of said City duly called and held on the ____ day of _____, 2007.

Witness my hand and the seal of said City this ____ day of _____, 2007.

City Clerk

AGENDA MEMO

TO: City Council
PREPARED BY: John Giardiello
MEETING DATE: August 13, 2007
AGENDA MEMO DATE: August 6, 2007
REQUESTED ACTION: Council approve a resolution directing Met-Ed Energy to install 12 company owned street light fixtures.

RECOMMENDATION:

The Administration recommends Council approve a resolution directing Met-Ed Energy to install and provide energy to eight (8) company owned, 100-watt, high pressure sodium vapor, streetlights located as follows:

- Pole #51062-36896, in front of 212 N. 10th Street.
- Pole #50285-37599, in the 400 block of Blair Avenue.
- in front of 945 McKnight Street.
- Pole #50809-37647, in front of 1129 Church Street.
- Pole #51553-36813, in front of 1848 Forrest Street.
- Pole #51524-36813, in front of 1816 Forrest Street.
- Pole #50815-37352, in front of 524 Greenwich Street.
- in front of 501 Greenwich Street.

Install and provide energy and total maintenance to four (4) company owned, 70-watt, high pressure sodium vapor, streetlights located as follows:

- Pole #50680-37178, in alley behind 251 N. 3rd Street.
- Pole #50652-36860, in alley behind 242 S. 3rd Street.
- Pole #50652-36890, in alley behind 214 S. 3rd Street.
- Pole #51238-37198, in alley behind 306 Linden St.

BACKGROUND:

Requested by Traffic Planner.

BUDGETARY IMPACT:

The cost to supply energy to each fixture is approximately \$12.00/month/fixture.

PREVIOUS ACTION:

None

SUBSEQUENT ACTION:

None

RECOMMENDED BY:

Traffic Planner, Public Works Director, Managing Director and Mayor.

RECOMMENDED MOTION:

Approve the request to direct Met-Ed Energy to install and supply electrical power to 12 company owned street light fixtures.

CITY OF READING

RESOLUTION NO. _____

FOR ADDITIONAL STREET LIGHTS

WHEREAS, a contract was entered into by the City of Reading and Metropolitan Edison Company (hereinafter Met-Ed), whereby said Company shall furnish lighting; and

WHEREAS, it is necessary and proper that additional lighting should be installed and maintained for the service, accommodation, convenience and safety of the public;

NOW, THEREFORE, BE IT RESOLVED, that the City of Reading pursuant to the provisions and terms of the Company's applicable Rate Schedules and Riders, and the rules and regulations now on file and such rules and regulations, Rate Schedules and Riders hereafter filed from time to time and in effect with the Pennsylvania Public Utility Commission (hereinafter Tariff), do hereby order and direct Met-Ed to furnish additional lighting consisting of:

Install and provide energy and total maintenance to eight (8), Company owned, 100-watt, high-pressure sodium vapor, streetlights located as follows within the City.

- a. **In front of 212 South 10th Street on pole 51062-36896.**
- b. **In the 400 block of Blair Avenue on pole 50285-37599.**
- c. **In front of 945 McKnight Street.**
- d. **In front of 1129 Church Street on pole 50809-37647.**
- e. **In front of 1848 Forrest Street on pole 51553-36813.**
- f. **In front of 1816 Forrest Street on pole 51524-36813**
- g. **In front of 524 Greenwich Street on pole 50815-37352.**
- h. **In front of 501 Greenwich Street.**

Install and provide energy and total maintenance to four (4), Company owned, 70-watt, high-pressure sodium vapor, streetlights located as follows within the City.

- a. **Alley behind 251 North 3rd Street on pole 50680-37178.**
- b. **Alley behind 242 South 3rd Street on pole 50652-36860.**
- c. **Alley behind 214 South 3rd Street on pole 50652-36890.**
- d. **Alley behind 306 Linden Street on pole 51238-37198.**

Payment to be made to Metropolitan Edison Company for the additional lighting at the rates specified in the Tariff.

I, _____, City Clerk of the City of Reading, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the City at a meeting of said City duly called and held on the _____ day of _____, 2007.

Witness my hand and the seal of said City this _____ day of _____, 2007.

City Clerk

AGENDA MEMO

TO: City Council
PREPARED BY: John Giardiello
MEETING DATE: August 13, 2007
AGENDA MEMO DATE: August 7, 2007
REQUESTED ACTION: Council approve a resolution directing Met-Ed Energy to upgrade one company owned street light fixture.

RECOMMENDATION:

The Administration recommends Council approve a resolution directing Met-Ed Energy to upgrade a company owned street light fixture, from a 250 watt mercury vapor to a 150 watt high pressure sodium vapor.

-Pole #50568-37571 at the intersection of Spring and Front Streets

BACKGROUND:

Requested by Traffic Planner.

BUDGETARY IMPACT:

The cost to supply energy to this fixture is \$0.90 less per month/fixture.

PREVIOUS ACTION:

None

SUBSEQUENT ACTION:

None

RECOMMENDED BY:

Traffic Planner, Public Works Director, Managing Director and Mayor.

RECOMMENDED MOTION:

Approve the request to direct Met-Ed Energy to upgrade electrical power to one company owned street light fixture.

CITY OF READING

RESOLUTION NO. _____

FOR THE UPGRADE OF STREET LIGHTS

WHEREAS, a contract was entered into by the City of Reading and Metropolitan Edison Company (hereinafter Met-Ed), whereby said Company shall furnish lighting; and

WHEREAS, it is necessary and proper that additional lighting should be installed and maintained for the service, accommodation, convenience and safety of the public;

NOW, THEREFORE, BE IT RESOLVED, that the City of Reading pursuant to the provisions and terms of the Company's applicable Rate Schedules and Riders, and the rules and regulations now on file and such rules and regulations, Rate Schedules and Riders hereafter filed from time to time and in effect with the Pennsylvania Public Utility Commission (hereinafter Tariff), do hereby order and direct Met-Ed to furnish additional lighting consisting of:

Upgrade one (1) existing, Company owned, 250-watt, mercury vapor, cobrahead, streetlight to a 150-watt, high pressure sodium vapor, luminaire on pole 50568-37571 at the intersection of Spring and Front Streets within the City. Met-Ed will continue to provide energy and total maintenance to this streetlight.

Payment to be made to Metropolitan Edison Company for the additional lighting at the rates specified in the Tariff.

Resolution adopted the _____ day of _____, 2007.

By: _____
President of Council

Attest:

City Clerk

I, _____, City Clerk of the City of Reading, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the City at a meeting of said City duly called and held on the _____ day of _____, 2007.

Witness my hand and the seal of said City this _____ day of _____, 2007.

City Clerk

RESOLUTION NO. _____

WHEREAS, "Growing Greener II" grants are available through applications: and

WHEREAS, the City of Reading has identified the Goggle Works Apartments project as suitable for "Growing Greener II" grant application in the amount of one million dollars (\$1,000,000.00);

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:

That the Mayor of the City of Reading is authorized to file an application for a "Growing Greener II" grant in the amount of one million dollars (\$1,000,000.00) for the Goggle Works Apartments project and to execute any and all necessary documents and to carry out all procedures as required to receive said grant.

Adopted by Council _____, 2007

President of Council

Attest:

City Clerk

RESOLUTION NO. _____

WHEREAS, "Growing Greener II" grants are available through applications: and

WHEREAS, the City of Reading has identified the South Third Street Helms Building Demolition project as suitable for "Growing Greener II" grant application in the amount of three hundred thousand dollars (\$300,000.00);

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:

That the Mayor of the City of Reading is authorized to file an application for a "Growing Greener II" grant in the amount of three hundred thousand dollars (\$300,000.00) for the South Third Street Helms Building Demolition project and to execute any and all necessary documents and to carry out all procedures as required to receive said grant.

Adopted by Council _____, 2007

President of Council

Attest:

City Clerk

RESOLUTION NO. _____

WHEREAS, "Growing Greener II" grants are available through applications: and

WHEREAS, the City of Reading has identified the Reading Theatre project as suitable for "Growing Greener II" grant application in the amount of five hundred thousand dollars (\$500,000.00);

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:

That the Mayor of the City of Reading is authorized to file an application for a "Growing Greener II" grant in the amount of five hundred thousand dollars (\$500,000.00) for the Reading Theatre project and to execute any and all necessary documents and to carry out all procedures as required to receive said grant.

Adopted by Council _____, 2007

President of Council

Attest:

City Clerk

RESOLUTION NO. _____

WHEREAS, Industrial Development Program (IDP) grants are available through applications: and

WHEREAS, the City of Reading has identified the Buttonwood Gateway project as suitable for an IDP grant application in the amount of seven hundred fifty-eight thousand dollars (\$758,000.00) for infrastructure (roads, utilities, traffic light, etc.);

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:

That the Mayor of the City of Reading is authorized to file an application for an Industrial Development Program (IDP) grant in the amount of seven hundred fifty-eight thousand dollars (\$758,000.00) for the Buttonwood Gateway project and to execute any and all necessary documents and to carry out all procedures as required to receive said grant.

Adopted by Council _____, 2007

President of Council

Attest:

City Clerk

BILL NO. _____

AN ORDINANCE

AN ORDINANCE CREATING THE PROCESS TO IMPLEMENT THE NEW HOUSING PERMIT ORDINANCE, UNDER THE CODIFIED ORDINANCES, CHAPTER 11 HOUSING.

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Creating the process to implement the new Housing Permit Ordinance as attached in Exhibit A.

SECTION 2. This ordinance shall be effective ten (10) days after its adoption and approval by the Mayor, or repassage by City Council over the Mayor's veto, in accordance with Section 219 of the City of Reading Home Rule Charter, or as set forth in Section 221 of the City of Reading Home Rule Charter.

Enacted _____, 2007

President of Council

Attest:

City Clerk

(Council Staff)

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

EXHIBIT A

Housing Permit Implementation Process

1. If a dwelling unit, rooming unit or property address, structure or building has the appropriate zoning permit to rent the unit the owner thereof shall proceed under the procedures and application process as adopted by the new Housing Permit Ordinance.

2. If a dwelling unit, rooming unit, or property address, structure or building has historically had housing permits therefor issued by the City of Reading for utilization of such property for rental purpose they may apply for an expedited process established hereby to obtain a zoning permit for utilization of the structure, unit, premise as a rental. The expedited process established hereby by the City of Reading is utilization of an Administrative Hearing Officer. The Administrative Hearing Officer shall be a person appointed by the Zoning Hearing Board for the City of Reading including their solicitor, excluding the City of Reading Zoning Administrator. To proceed under this expedited process an owner must submit an application of a form prescribed by the City of Reading. To qualify and obtain a Zoning Permit per this expedited process, an owner / the premises must meet the criteria established by this Ordinance. The application will be compared to the records of the City of Reading for compliance with the established criteria, should the criteria be complied with the Administrative Hearing Officer will approve the application and instruct the Zoning Administrator for the City of Reading to issue the necessary Zoning Permit. The City of Reading and Zoning Hearing for the City of Reading reserve the right to remove any matter from the Administrative Hearing Officer agenda and refer it through the normal appropriate zoning process. If it is determined that the property does not meet the established criteria, the application will be removed from the agenda of the Administrative Hearing Officer and referred to the appropriate authority for relief, e.g., the normal zoning process, per the City of Reading Zoning Ordinance. For example for **R3, RO, CR, CN, CH rental properties** the appropriate authority for relief or normal zoning process shall be an application to the Zoning Hearing Board for a variance or special exception and for **R1, R1A, R2, RPO rental properties** the appropriate authority for relief or normal zoning process shall be a conditional use hearing before the City of Reading City Council. Obtaining permits under this expedited process shall not remove a property from continued compliance and enforcement of the City of Reading Zoning Ordinance.

The time period for submission of an application and consideration for a zoning permit under the aforesaid established expedited process shall be from August 15, 2007 through and including October 15, 2007. Any application for a zoning

permit submitted after this time period, rather it meets the established criteria or not, shall be required to proceed through the appropriate normal course of zoning application. Upon receipt of an application, the City of Reading shall gather the requisite information to determine if the property meets the established criteria for submission of the application to the Administrative Hearing Officer. If it is determined that the established criteria are satisfied, the City of Reading will forward the application to the Administrative Hearing Officer with a recommendation for approval thereof. Should it be determined that the established criteria are not met, the City of Reading will so advise the applicant and in doing so advise that upon submission of the appropriate fee the application will be forwarded to the appropriate authority.

A fee of fifty dollars (\$ 50.00) must be submitted and accompany an application for the expedite process for a zoning permit set forth herein. Said fee is nonrefundable. However, if an applicant is denied the expedited process, the fifty dollars (\$50.00) will be credited toward the requisite fee for application to the appropriate authority for consideration.

Note: Properties in the **R3, RO, CR, CN, CH** zoning districts having an abandoned business use on the first floor and residential living above, convert to residential use under Section 27-607 of the Zoning Ordinance.

3. If a dwelling unit, rooming unit, or property address, structure or building has not historically had housing permits therefor issued by the City of Reading for utilization of such property for rental purpose, was removed at the discretion of the City of Reading or Zoning Hearing Board for the City of Reading from the expedited process or fails to meet the established criteria for the applicable zoning district, shall be required to apply for and proceed through a hearing with the appropriate authority, normal course, dependent upon the zoning district, either the Zoning Hearing Board for a special exception or variance or the City Council for the City of Reading for a conditional use.

Criteria Summary

A. *R3, RO, CR, CN, CH Zoning Districts*

1. Housing Permit for 5 concurrent years, without record of City legal action compelling owner to obtain such permits
2. Property Maintenance Inspection within the last five (5) years with no outstanding issues.
3. No guilty verdicts regarding property maintenance code or other life, safety and health code violations within the last 12 months.
4. Rental Units meeting Zoning Square Footage Specifications.
5. Complies w/ Roommate Housing Ordinance or has previously obtained approval and registered as a non-conforming use from said requirement.
6. Property Meets Zoning Utility Facility Requirements

B. *R1, R1A, R2, RPO Zoning Districts*

1. Housing Permit for 10 concurrent years, without record of City legal action compelling owner to obtain such permits
2. Property Maintenance Inspection within the last five (5) years with no outstanding issues.
3. No guilty verdicts regarding property maintenance code or other life, safety and health code violations within the last 12 months.
4. Rental Units meeting Zoning Square Footage Specifications.
6. Complies w/ Roommate Housing Ordinance or has previously obtained approval and registered as a non-conforming use from said requirement.
7. Property Meets Zoning Utility Facility Requirements
8. Property has 1.5 off street parking spaces per unit or has received a Variance from the Zoning Hearing Board.

Criteria Detail

- Property has had **active housing permits** for all units for a **ten (10) year period for for properties in the R1, R1A, R2, RPO Zoning Districts** and for a **five (5) period in the R3, RO, CR, CN, CH Zoning Districts** without record of City legal action compelling owner to obtain such permits, and
- Property must have had an **Property Maintenance Inspection within the past five (5) years**, and
- **No guilty verdicts regarding property maintenance code** or other life, safety and health code violations within the last twelve (12) months, and
- **Property Taxes are current**, and
- **Tenant List** is provided, and
- **City Utility Bills and fees are current**, and
- Copy of valid **Trash Contract**
- Proof of participation in City **Recycling** Program
- Copy of sample **lease**
- Proof of **Property Insurance**
- Listing of all rental properties owned
- Copy of **Business Privilege License**
- **Address of property** and number of units therein
- **Contact information** and proof of ID for Property Owner and Manager, if owner does not reside within Berks County
- Rental units **meet the specifications Zoning Ordinance 27-1202 4 B**
 - Apartment Square Feet
 - Efficiency or Studio 400
 - One Bedroom 550
 - Two Bedroom 700
 - Base Apartment Unit 800
 - Three Bedroom Unit 850, and
- **Utility facilities shall meet the requirements under Zoning Ordinance 27-1202 (4) (C)**,
 - Documents indicating to the Board's satisfaction that all plumbing, heating and electrical equipment and facilities are adequate and appropriate for the proposed use, and
- **Properties in R1, R1A, R2, or RPO Zoning Districts must have 1.5 off street parking spaces per unit or have a Variance** from the City of Reading Zoning Hearing Board, and
- Property must be in **compliance with Zoning Ordinance 27-1202 (16)**

Roommate Housing Arrangements. (as defined in §27-2202, “roommate households”), when exceeding three non-related persons living in one dwelling unit, require review and approval by the Zoning Hearing Board as a special exception review. The applicant must present to the hearing board:

A site plan and architectural plans, drawn to scale. These plans must show the location and dimensions of off-street parking, private entrances, walkways, the dimensions and square footage of each room and storage space and shall indicate the intended use of each room.

B. The Roommate Housing Arrangement must meet the standards of the City of Reading building, housing and fire codes as required for residential rental properties. The owner must verify to the City of Reading on an annual basis that the building meets all of the plumbing, electrical, heating, building, fire, and similar standards set by the City and by the Commonwealth of Pennsylvania.

C. No cooking facilities of any kind shall be located in any room except the central kitchen.

D. Every bedroom shall be at least 70 square feet of floor area and there shall be no more than two occupants per bedroom.

E. No basement or cellar shall be used as a habitable bedroom except by special approval and variance.

F. No Roommate Housing Arrangement shall be located within 800 feet of another Roommate Housing Arrangement except by special approval and variance.

BILL NO. _____-2007

A N O R D I N A N C E

AUTHORIZING THE MAYOR TO EXECUTE THE LEASE BETWEEN THE CITY OF READING AND CITIZENS BANK OF PENNSYLVANIA, FOR CERTAIN PROPERTY TO BE USED AS AN AUTOMOBILE PARKING LOT.

WHEREAS, the City of Reading is the legal owner of certain property fronting on the West side of Centre Avenue, South of Cathedral Street and North of First Energy Stadium as set forth in the attached agreement; and

WHEREAS, an agreement is currently in place between the City of Reading and Citizens Bank of Pennsylvania whereby the aforementioned property is used as a parking lot, as described in the attached agreement; and

WHEREAS, Citizens Bank of Pennsylvania desires to amend the present agreement, in order to extend the term for four (4) additional five (5) year terms.

NOW, THEREFORE THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The Mayor is authorized to execute any and all documents necessary to effectuate the amendment of the lease between the City of Reading and Citizens Bank of Pennsylvania, extending the lease of certain property used as an automobile parking lot for four (4) additional five (5) year terms.

SECTION 2. This Ordinance shall be effective ten (10) days after passage.

Enacted _____, 2007

President of Council

Attest:

City Clerk
(Council Staff)

FIRST AMENDMENT TO AGREEMENT OF LEASE

THIS FIRST AMENDMENT TO AGREEMENT OF LEASE (this "Amendment") is made and entered into this ___ day of June, 2007 by and between CITY OF READING, PENNSYLVANIA, a Pennsylvania municipal corporation, with its offices located at 815 Washington Street, Reading, Pennsylvania (hereinafter called "Landlord") and CITIZENS BANK OF PENNSYLVANIA, a Pennsylvania financial institution, with its offices located at 801 Market Street, Philadelphia, PA 19107 (hereinafter called "Tenant").

WITNESSETH:

WHEREAS, Landlord and Tenant entered into that certain Agreement of Lease (the "Lease") dated August 11, 2003 and a certain prior Agreement of Lease, whereby Landlord demised and leased to Tenant that certain premises situated on a parcel of land fronting on the West side of Centre Avenue, South of Cathedral Street and North of First Energy Stadium in the City of Reading, County of Berks, State of Pennsylvania for use as an automobile parking lot, as more particularly described in the Lease (hereinafter called the "Premises") and

WHEREAS, Landlord and Tenant desire to amend the Lease in order to (i) grant Tenant the option to extend the term of the Lease for four (4) additional five (5) year terms, (ii) grant Tenant the right to transfer, assign or convey all of Tenant's right, title and interest in, to and under the Lease to Inland (as defined below) or any other third (3rd) party at any time during the term of the Lease without obtaining the consent or approval of Landlord and (iii) make other agreements all on the terms and conditions provided herein.

NOW THEREFORE, Landlord and Tenant, in consideration of the mutual promises and covenants contained herein and in the Lease, and intending to be legally bound hereby, agree to amend the Lease as follows:

1. Landlord and Tenant agree and acknowledge that the current term of the Lease commenced on April 1, 2004 and expires on March 31, 2009 (the "Initial Term"). Landlord and Tenant further agree and acknowledge that Tenant by giving Landlord twelve (12) months written notice of its intention to do so, may extend the Initial Term for one (1) additional five (5) year period running from April 1, 2009 until March 31, 2014, under the same terms and conditions of the Lease with the exception of the payment of rent (the "First Extended Term"). Landlord hereby agrees to grant Tenant the option to further extend the First Extended Term for four (4) additional extended

terms of five (5) years each (the "Additional Extended Term(s)"). Tenant may exercise its option to extend for any Additional Extended Term(s) by giving written notice to Landlord at any time during the then existing term of the Lease, but no later than twelve (12) months prior to the end of the then existing term. All of the terms and conditions applicable during the term shall apply during any Additional Extended Term(s), except for rent. In the event Tenant exercises an Additional Extended Term(s) as provided herein, the rent payable under the Lease shall increase at the greater of the following: (i) three (3%) percent per annum during each year of the Additional Extended Term(s), as exercised by Tenant (for example, if Tenant exercises the first Additional Extended Term, Tenant shall pay rent to Landlord in the amount of TWO THOUSAND ONE HUNDRED NINETY FOUR DOLLARS AND FORTY NINE CENTS (\$2,194.49) per month beginning April 1, 2014, and on the first day of each month thereafter through March 31, 2015, thereafter the rent shall again increase as provided herein.) or (ii) effective as of the first day of the second and each subsequent lease year throughout the Additional Extended Term(s) as exercised by Tenant, the rent payable by Tenant shall be increased by an amount determined by multiplying the rent payable during the then current lease year by the CPI Increase. The term "CPI Increase" shall mean a fraction, expressed as a decimal, the numerator of which is the Current CPI minus the Prior CPI and the denominator of which is the Prior CPI. The "Current CPI" is the CPI for the calendar month that is three months prior to the first calendar month of the lease year for which the rent increase is being calculated (e.g., January 2014 for a Lease Year commencing April 1, 2014) and the "Prior CPI" is the CPI for the calendar month that is fifteen months prior to the first calendar month of the lease year for which the yearly rent increase is being calculated (e.g., January 2013 for a Lease Year commencing April 1, 2014). The term "CPI" shall mean the "Consumer Price Index for All Urban Consumers (CPI-U)" published by the Bureau of Labor Statistics of the United States Department of Labor, All Items (1982-84=100), U.S. City Average, or any successor index thereto, appropriately adjusted. If the CPI ceases to be published and there is no successor thereto, such other government or non-partisan index or computation shall be used which would obtain a substantially similar result as if the CPI has not been discontinued. Notice of the new rent shall be delivered to Tenant twenty (20) days prior to the effective date of any such adjustment, but any failure to do so by Landlord shall not be or be deemed to be a waiver by Landlord of Landlord's rights to collect such sums.

2. Notwithstanding the provisions contained in the Lease to the contrary, Landlord expressly and irrevocably agrees, acknowledges and consents to Tenant transferring, assigning or conveying all of Tenant's right, title and interest in, to and under the Lease to Inland American CFG Pennsylvania Portfolio DST, a Delaware statutory trust ("Inland") or to any other third (3rd) party at any time during the term of the Lease and agrees that the assignment shall not be a default under the Lease. Upon any such transfer, assignment or conveyance of the Lease, Landlord hereby releases Tenant, its affiliates, and their respective officers, directors, agents and employees from any and all liability under the Lease regardless of when such liability

arose, excepting only rental payments accruing up through the date of transfer, assignment or conveyance to Inland or such third (3rd) party.

3. In the event that Landlord reasonably determines that the Premises should be included in a future development project for an abutting land owner in the City of Reading, Pennsylvania Landlord reserves the right, to require Tenant, upon one hundred eighty (180) day's prior written notice to Tenant, to cease its parking activities at the Premises and relocate (the "Relocation Right") its parking activities to a new parking area owned by Landlord (the "New Premises"). In the event Landlord exercises the Relocation Right, the Relocation Right shall not be deemed validly exercised by Landlord unless the New Premises meets all of the following requirements: (i) the New Premises is a reasonable distance from the Premises but no greater than twenty (25) feet linear feet from the front of the Premises; (ii) The New Premises contains the same or a greater amount of dedicated parking spaces for Tenant's exclusive use and (iii) The New Premises is of substantially equivalent size, shape, condition and configuration and is provided to Tenant at no additional cost or expense to Tenant. If the Relocation Right is validly exercised by Landlord it shall be on all of the same terms and conditions of the Lease.

4. Except as expressly modified herein, the terms and conditions of the Lease shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties aforesaid have hereunto set their hands and seals the day and year first above written.

LANDLORD:

Attest:

CITY OF READING, PENNSYLVANIA

By: _____

By: _____

Name:
Title: City Clerk

Name:
Title:

TENANT:

Attest:

CITIZENS BANK OF PENNSYLVANIA

By: _____

By: _____

Name:
Title:

Name:
Title:

**B I L L N O. _____
A N O R D I N A N C E**

AMENDING THE CITY OF READING CODIFIED BY ADDING A NEW PART 17 TO CHAPTER 10 HEALTH AND SAFETY ADOPTING REGULATIONS GOVERNING THE SIDEWALK VENDORS IN THE CITY OF READING.

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1: Amending the Codified Ordinances by adding Part 17 Sidewalk Vendors to Chapter 10 Health and Safety as attached in Exhibit A and adding the associated fees to the City of Reading Fee Schedule.

SECTION 2. This ordinance shall be effective ten (10) days after its adoption and approval by the Mayor, or repassage by City Council over the Mayor's veto, in accordance with Section 219 of the City of Reading Home Rule Charter, or as set forth in Section 221 of the City of Reading Home Rule Charter.

Enacted _____, 2007

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

**EXHIBIT A
SIDEWALK VENDORS**

§10-1700 Purpose. The purpose of this ordinance is to provide for the regulation of sidewalk vendors in the City of Reading to promote an active and attractive pedestrian environment. The City of Reading has the responsibility to provide public safety for pedestrians and to protect public facilities. Whereby, reasonable regulation of sidewalk vendors is necessary to protect the public health, safety, and welfare in the public right of way. It is the finding of City Council that the regulation of sidewalk vendors is necessary to promote the orderly and efficient use of sidewalks, to prevent undue interference with established businesses and to assure the performance of essential utility, traffic control and emergency services.

§10-1701 Title. This ordinance shall be known as the Sidewalk Vendor Ordinance.

§10-1702. Interpretation. The provisions of this Ordinance shall be construed to be the minimum requirements necessary to serve the general welfare and safety of the residents of the City of Reading. Where the provisions of any statute, other ordinance or regulation impose greater restrictions or higher standards than those enumerated in this Ordinance, the provisions of such statute, ordinance or regulation shall govern.

§10-1703. Definitions. For the purpose of this article, certain terms shall be defined as follows:

Kiosk. A freestanding structure upon which temporary information and/or posters, notices and announcements are posted; an open gazebo, pavilion or similar structure used as a newsstand, refreshment booth or the like

Official Map. The topographical survey of the City of Reading, Pennsylvania on file in the Engineering Office.

Passable. Free of any impediment or obstruction, whatsoever, that would hinder the travel of the public.

Public right-of-way. Any place of any nature which is legally open to public use and used and/or intended for vehicular or pedestrian traffic, including public streets, alleys, sidewalks, and roadways, but excluding any public property of the City of Reading. The official topographic survey map of Reading, Pennsylvania, on file in the Engineering Office shall be the final authoritative document should the existence of any street, dedicated or not be disputed.

Public outdoor pay telephone. Any outdoor publicly accessible pay telephone any portion of which, or its enclosure, is situated on, projects over, or hangs over a portion of the public right-of way; or is situated such that it can be used by a person standing on the public right-of way.

Public property. All real and personal property, whether within or outside the corporate City limits, belonging to the City of Reading, excluding that which is used and/or intends for use by vehicular or pedestrian traffic and defined herein as a public right-of-way.

Sandwich board. Any portable sign which is intended, by design, use or construction, to be used by resting upon the ground for support and may be easily moved or relocated for reuse.

Sidewalk. That portion of a public right-of-way for which paving is required under this Chapter of the Codified Ordinances of the City of Reading and which is used primarily for pedestrian travel.

Sidewalk area. That portion of the public right-of-way occurring between the curblineline and the topographical building line.

Sidewalk vendor. Person or persons who exhibits, displays, or sells any food, beverage, goods, printed materials or merchandise from and stand, cart vending machine or trailer while on or about the sidewalk area.

Sidewalk Vendor License. The written authorization, issued by the City of Reading, to construct, install, erect, or place any obstruction within the public right-of-way. *The license must be displayed prominently on each stand, cart, trailer and/or obstruction.*

Stand. Any structure, device or object erected, installed, or placed within any portion of the public right-of-way or chained, bolted or otherwise attached to a building or structure in such a manner that any portion of said structure, device or object projects over or into the public right-of-way used to exhibit, display or sell food or goods. Stands shall include but are not limited to kiosks, newsracks, newsstands, outdoor pay telephones, sandwich boards, stands, street furniture and vending machines. The terms tables, carts, stands and trailers shall be used interchangeably throughout this ordinance and should be construed to the same meaning.

Trailer. Vehicle designed to be towed by a motor vehicle.

Vending Cart. Small, light vehicle moved by hand for the purpose of conducting food sales.

Vending License Board. Board authorized to approve permits and the location of sidewalk vendors, pursuant to §10-1708.

Vending Machine. Any self-service device that provides for the sale or distribution of food, beverage or goods, newspapers, other printed materials either in bulk or in package, without the necessity of replenishing the device between each vending operation.

Commercial Core Zoning District is defined as the downtown center for government services, offices, shopping, hotels, entertainment and cultural activity. Please see the City of Reading Zoning Map.

§10-1703. License Required. It shall be unlawful for any person to engage in the business of a sidewalk vendor within the City of Reading without first obtaining a license pursuant to this Section. Such sidewalk vending activities are only permitted within the Commercial Code Zoning District *and between the southern border of Franklin Street, the northern border of Washington Street, the western border of 8th Street and the eastern border of 11th Street.*

The restrictions of this section shall not apply to itinerant food operations associated with the organized festival, carnival, fair, parade, picnic or other affair that may be approved or sponsored by the City or its associated bureaus or agencies, in such areas which may be designated and approved for itinerant food operations on a temporary basis.

(a) Location, Type and Number. A sidewalk vendor license shall only be issued for and restricted to vendor sales from an approved stand at specific and fixed locations within the Commercial Core Zoning District. All sidewalk vending shall be conducted within the public right-of-way, as defined herein. Vending on private property shall follow provisions set forth in the City of Reading Zoning Ordinance for the zoning district in which the vendor is located.

Ten (10) sidewalk vending licenses shall be issued for food-related sales annually per District as determined by the Vending License Board. Ten (10) sidewalk vending licenses for self-serve vending machines. The Vending License Board shall determine the exact location of each vendor or vending machine in each district. The City may increase or decrease the number and locations of the sidewalk vendors at any time with proper notification to the vendors. The City may, if necessary, temporarily relocate any or all vendor(s) by giving the vendor(s) forty-eight (48) hour notice.

(b) More Than Two Licenses Prohibited. A person who holds or has an interest in two sidewalk vendor licenses as an owner, partner or shareholder shall not have any additional interest, either directly or indirectly, as an owner, partner or shareholder in any other sidewalk vendor license.

(c) License Nontransferable. A sidewalk vendor license shall not be transferable to another holder except upon the permanent disability of the holder, and any prohibited transfer of the license shall work an automatic forfeiture thereof. If the license holder is not a natural person, the transfer of any

ownership interest in the holder of the license shall be deemed a prohibited transfer.

§10-1704. *Permitting for Sidewalk Vendors Outside the Permitted Area.*

Applications for sidewalk cafes outside the Commercial Core zoning district shall be submitted to the Codes Enforcement Office in accordance with the regulations contained herein. Such applications shall be forwarded to City Council for approval.

§10-1705. LICENSE APPLICATION

(a) **Notice of License Availability.** Applications for sidewalk vending licenses will be available between November 1 and November 15 in the City of Reading Codes Office. Notice of such availability will be made through a newspaper of general circulation not more than 30 days nor less than 14 days prior to November 1.

(b) **Application.** Any person interested in applying for a sidewalk vendor's license may, after public notice listed above, make application by filing such forms containing the required information with the City of Reading Codes Office with a nonrefundable application fee of Fifty Dollars (\$50.00) no later than 4 p.m. on November 15^h. The application shall at a minimum set forth:

1. True name and address of the applicant. P.O. Boxes will not be permitted.
2. Names and addresses of any employees, other than the owner, who operate the stand.
3. Photographs and specifications of the proposed sidewalk vendor cart(s), stand(s) or trailer(s) to be used in sufficient detail showing compliance with the design criteria, standards, and specifications in §10-1705 herein.
4. Sufficient detail about the proposed sidewalk vendor and the products proposed for sale must be submitted with the application for evaluation and compliance with applicable City and State Health Codes, along with copies of the required City and State Health Permits.
5. A copy of the applicant's Business Privilege License.
6. A copy of the permit allowing for the use of on-unit heating, cooking, water, electrical or cooling devices. Utility connections to neighboring properties shall be prohibited.
7. A complete listing of the items to be offered for sale or distribution.

Applications will be initially reviewed by the Codes Office for completeness. Incomplete applications may be amended one time and resubmitted on or before November 15th as stated above.

(c) **Review of Applications.** Not more than forty-five (45) days following application deadline, the Vending License Board shall complete the review of all applications filed and notify the applicants of the results thereof in writing. An application shall be denied and the applicant shall be ineligible for a sidewalk vendor license if:

1. The application is incomplete in any material respect.
2. The proposed vending cart does not comply with the cart design criteria, standards or specifications and/or applicable health requirements.
3. The applicant does not have a Business Privilege License.
4. The applicant, or any natural person having an interest in the entity making the application has:
 - A. An interest in more than two sidewalk vendor licenses; or
 - B. Within the past five (5) years held or had an interest in a sidewalk vendor license that had been revoked; or
 - C. Within the past ten (10) years been convicted of selling, offering to sell or possession with intent to sell a controlled substance or convicted of a felony.
5. If an application is denied, the applicant shall be notified in writing of the reason(s) therefore.

(d) Each license shall be issued for one calendar year, February 1 to January 31st, and shall be subject to review during the calendar year for adherence to the requirements of this Ordinance.

§10-1706. DESIGN STANDARDS

(a) **Design and Appearance.**

1. General Requirements: All sidewalk vendor carts, trailers or stands shall be designed to be attractive, easily maintained in a sanitary

condition, and mobile. There will be no fixed design as such; however, literature on designs, manufacturers, costs and similar details will be available in the City Codes Office.

In addition, vending must comply with state and local health and sanitation requirements on such matters as refrigeration, cooking, utensils and appliances, materials and food storage. A health permit must be obtained by all vendors selling food before operation of sales begins.

2. Required Physical Features:

- A. The dimensions of the vending shall not exceed 4'x 8'. This is the largest in operation size and states the largest exterior dimensions permitted (including wheels, handles and similar parts). Fold-out shelves for larger merchandise are permitted, provided there will be no interference with pedestrian movement.
- B. Mobility: Vending carts must have at least two wheels. They must permit easy movement and maneuverability in the event of emergency and required relocation.
- C. License Display: The vending license must be clearly displayed on the cart in such a manner and location as to be clearly visible to customers.
- D. Trash Receptacles: Each vending cart will have provisions for vendor and customer trash disposal. Vendors are responsible for proper disposal of this trash whenever the container becomes full or at a minimum at the conclusion of the day's operation.
- E. Covers: Umbrellas or canopies are desirable. The umbrella must not conflict with public passage on the right of way, nor be obtrusive to vendors' signs or neighboring business. The cover must be well maintained.
- F. Utility Connections: utility connections for water, cooking, cooling, electric, heating, etc must be contained in the unit. Utility connections to neighboring properties shall be prohibited.
- G. Fire: A Five Pound ABC type dry chemical fire extinguisher is required for all vending carts utilizing a flame for any purpose.

3. Prohibited Features.

- A. Advertising other than the name of the vendor's business or suppliers. (Advertising must appeal to the sensibilities of the general public.)
- B. Propulsion systems other than manual.

- C. Gas cylinders larger than twenty pounds.
 - D. Vending directly from a motor vehicle is prohibited except for those provisions under .05(a).
4. Waivers will not be permitted for any requirement based on health, safety or sanitation considerations.
5. ~~All carts shall comply with standards and specifications described herein and adopted by the City. Failure to comply shall be sufficient grounds for rejection of a vending license application or suspension or revocation of any license issued.~~
- (b) **Maintenance.** All sidewalk vendor carts shall at all times be maintained in good condition and repair. Any repairs to or replacements of sidewalk vendor carts shall comply fully with the existing design criteria, standards and specification. No replacement cart may be placed into operation until approved.
- (c) **Carts Self Contained.** All sidewalk vendor carts shall be so designed that all sale activities, including trash disposal facilities, can be conducted totally from the vending cart. Use of the sidewalk by a vendor for product display, storage, or disposal of trash shall be prohibited.
- (d) **Sign.** No sign shall be permitted except an identification of the vendor's business name and the listing of items available to sale and the price thereof. The sign must not be obtrusive to the public way or conflict with neighboring businesses.

§10-1707. SIDEWALK VENDOR OPERATION STANDARDS

- (a) **Days and Hours of Operation.** Sidewalk vendor sales may be conducted daily between the hours of 9:00 a.m. and 5:00 p.m. from October 1 through March 31 of each year and between the hours of 9:00 a.m. and 7:30 p.m. from April 1 through September 30 of each year, unless otherwise permitted or restricted by regulations adopted by the City.
- (b) **Daily Removal.** Sidewalk stands and accouterments shall be removed from the sidewalk daily, not later than ½ hour after the close of business or and not returned thereto earlier than ½ hour before the time permitted for opening, unless otherwise provided by the regulations adopted by the City. Any item not removed from the sidewalk at the close of business may be removed and stored by the City of Reading. The Vendor will be charged for costs, storage and the penalty prescribed under §10-1710 herein.

(c) Safe and Sanitary Condition. Sidewalk vendor carts and vending areas shall be maintained in a safe, broom-clean and sanitary condition at all times.

Sidewalk vendor carts licensed hereunder to sell food products shall:

1. Be subject to inspection at any time by a City of Reading Codes Inspector and shall at all times be licensed under and be in compliance with all applicable state and local codes.
2. If using portable heating or cooking facilities, subject to inspection at all times by the City of Reading Fire Marshal and Codes Office and shall comply with all applicable codes of the City of Reading. A permit must be obtained from the Fire Marshal before operation of sales begins.

(d) Quiet Operations. Sidewalk vendors shall conduct business in an orderly fashion and shall not make loud or raucous noises or use sound amplifying devices to attract attention, nor verbally hawk or solicit product sales to pedestrians or motorists.

(e) Use and Maintenance of Sidewalk. All sales and related activity shall be conducted from the vending area during which times the vending cart shall not be moved from the assigned vending location. No products shall be stored or displayed, on the sidewalk or any adjacent outside area. The Sidewalk Vendor shall be solely responsible to keep the sidewalk area free of trash, litter, debris or spillage generated by the vendor's business. The vending cart shall be placed so as not to impede the free movement of pedestrian traffic. The use of tables, chairs, benches, etc. around the vending cart is strictly prohibited.

(f) Public Liability Insurance. Each license holder shall maintain and provide the City of Reading with proof thereof, insurance for public liability, with minimum coverage of \$100,000 per individual and \$500,000 per incident.

(g) Prohibitions. An object, device or structure as regulated under the terms of this Ordinance shall be expressly prohibited when its construction, erection, installation or placement would result in any of the following conditions:

- (1) A passable sidewalk width less than five (5) horizontal feet; *and*
- (2) A horizontal projection from the building line in excess of five (5) feet; *and*
- (3) A reduction in sight triangle;

§10-1708. SUSPENSION OR REVOCATION OF LICENSE

license shall be subject to suspension or revocation by the City for violation of any provision of this Ordinance or any regulations promulgated or enacted hereunder, or

violation of applicable state or local, including but limited to all health or safety regulations, zoning and taxation.

§10-1709. VENDING LICENSE BOARD

The Vending License Board shall consist of the one (1) Member of the Board of Directors of the Reading Downtown Improvement District Authority (DID) or their designee, one (1) member of the City of Reading Planning Commission or their designee, one (1) employee from the Codes Office, Reading Police Traffic Enforcement and Public Works.

Responsibilities. The Vending License Board shall have the following responsibilities and duties:

1. Meet no later than December 30th annually to review and approve vendor license applications.
2. Determine vendor locations for each approved applicant within the Commercial Core Zoning District.
3. Recommend amendments to this Ordinance to the Council of the City of Reading.

§10-1710. ENFORCEMENT

This Ordinance will be enforced under the jurisdiction of the City Codes Office and the Reading Police Department.

§10-1711. CONSTRUCTION AND SEVERABILITY

In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional, such invalidity, illegality or unconstitutionality shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of the Council of the City of Reading that such remainder shall remain in full force.

§10-1712. PENALTY

Any person violating any provision of this Ordinance or of the regulations promulgated hereunder, shall, upon conviction thereof in a summary proceeding, be sentenced to pay

a fine of not more than Five Hundred Dollars (\$500.00) for each and every offence, to be collected as other fines and costs are by law collectible, or shall be imprisoned for not more than ninety (90) days or both. Each day during which the person violated any provision of this Ordinance shall constitute a separate offense.

Institution of a prosecution for the imposition of the foregoing penalty shall not be construed to limit or deny the right of the City to such equitable or other remedies as may be allowed by law.

BILL NO. _____-2007

AN ORDINANCE

AUTHORIZING THE CHANGE OF NAMES OF CERTAIN STREETS IN THE 5TH AND 6TH WARDS TO RIVERFRONT DRIVE

WHEREAS, renaming certain segments of River Road and Front Streets is in keeping with the recommendations of the Riverplace master plan; and

WHEREAS, it is the understanding of both the City of Reading and Riverplace Development Corporation that there are currently no property owners along these street segments using either River Road or Front Street as their postal address; and

WHEREAS, renaming the abovementioned street segments will create a continuous roadway with one common, unifying name, which will aid visitors and encourage economic development.

NOW, THEREFORE THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The Topographical Survey of the City of Reading is hereby revised as follows: sections of River Road and Front Street, from Schuylkill Avenue to Riverfront Drive shall be changed to Riverfront Drive.

SECTION 2. The Traffic Engineer is hereby authorized and directed to enter and record the above mentioned changes in the topographical survey book of streets in the office of Traffic Engineering.

SECTION 3. All ordinances or parts or ordinances conflicting with the provisions of this ordinance are hereby repealed insofar as they are inconsistent with this ordinance.

SECTION 4. This Ordinance shall be effective ten (10) day after passage and approval by the Mayor.

Enacted _____, 2007

President of Council

Attest:

City Clerk

**BILL NO. ____-2007
AN ORDINANCE**

**AMENDING THE CODIFIED ORDINANCES OF THE CITY OF READING
CHAPTER 1, PART H, EXHIBIT A PURCHASING PROCEDURES, BID
SOLICITATION, EVALUATION AND AWARD PROCEDURE, 11.4 BID AWARD
AND ADDING 11.5 OTHER ACTIVITIES REQUIRING CITY COUNCIL
APPROVAL VIA ORDINANCE.**

**NOW, THEREFORE THE COUNCIL OF THE CITY OF READING
HEREBY ORDAINS AS FOLLOWS:**

SECTION 1. Amending the Codified Ordinances Chapter 1, Part H, Exhibit A Purchasing Procedures, Bid Solicitation, Evaluation and Award Procedure, Item 11.4 Bid Award and adding 11.5 Other Activities Requiring City Council Approval via Ordinance as follows:

11.4 BID AWARD:

11.4.1 It is the policy of the City to make awards to the vendor who meets the specifications for the items or services to be purchased at the lowest cost. Factors such as delivery time, quality, operating and maintenance costs, service, etc., as well as initial price, should be taken into consideration in determining the lowest cost vendor.

11.4.2 The department director shall review all bids and make a recommendation to the purchasing manager by completing the "Recommendation to Award Contract" form. If the purchasing manager does not agree with the recommendation of the department director, the award will be referred to the purchasing committee for determination.

11.4.3 The Director of Finance shall review the recommendation to ensure an award is compatible with the budget.

11.4.4 The Managing Director shall approve all recommendations.

11.4.5 The Mayor shall have final approval of contracts under ~~\$50,000~~ **\$25,000**.

11.4.6 City Council shall award or reject all contracts exceeding ~~\$50,000~~ **\$25,000**.

11.5 OTHER ACTIVITIES REQUIRING CITY COUNCIL APPROVAL VIA ORDINANCE¹:

- 1. Salary increases that were not approved in or included in the budget for the fiscal year and fall outside the labor contract for union employees.*
- 2. All expenditures not approved and listed in the operating or capital budgets for the fiscal year.*

SECTION 2. This Ordinance shall become effective ten (10) days after its approval, in accordance with Section 221 of the City of Reading Home Rule Charter.

Enacted _____, 2007

Vaughn D. Spencer, President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

¹ Already set forward under Administrative Code Section 1-186 Fiscal Provisions, Part 3. Regulations Concerning Appropriations and Transfers, Item G.

BILL NO. _____-2007

A N O R D I N A N C E

AUTHORIZING THE MAYOR TO EXECUTE A CERTAIN AGREEMENT BETWEEN THE CITY OF READING AND LAND DISPLAYS, INC., TO PROVIDE AN EASEMENT FOR AN OFF PREMISES SIGN ON CITY OWNED PROPERTY IN EXCHANGE FOR THE PURCHASE AND INSTAL-LATION OF A DITIGAL SIGN.

WHEREAS, the City of Reading is interested in placing a digital sign on the Penn Street bridge to be viewed by eastbound traffic entering the City; and

WHEREAS, Land Displays, Inc., is interested in obtaining an easement for an off-premises sign on City owned property (PIN # 530620928299); and

WHEREAS, the City of Reading and Land Display, Inc., desire to memorialize an agreement for the exchange of an easement for installation of a digital sign,

NOW, THEREFORE THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

1. **SECTION 1.** The Mayor is authorized to execute the agreement between the City of Reading and Land Displays, Inc., (attached as Exhibit A), which provides for the City of Reading's grant of an easement on premises with PIN # 530620928299 to Land Displays, Inc., for an off-premises sign in exchange for the installation of a digital sign on the Penn Street Bridge, Reading, Berks County, PA.

SECTION 2. This Ordinance shall be effective ten (10) days after passage.

Enacted _____, 2007

President of Council

Attest:

City Clerk

(LAW DEPT.)

R E S O L U T I O N O._____

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS
FOLLOWS:

That Joseph P. Kuzminski is appointed to the Reading Area Water
Authority, with a term ending January 1, 2012.

Adopted by Council_____, 2007

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk

RESOLUTION NO. _____-2007

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:

Stephen H. Price, Esquire, is hereby appointed as Administrative Hearing Officer for the City of Reading for the purpose of hearing, administering, overseeing and ruling on Zoning matters.

Passed Council _____, 2007

President of Council

Attest:

City Clerk
(LAW)



CITY OF READING,
PENNSYLVANIA

MEMORANDUM

TO: Linda Kelleher, City Clerk
FROM: Adam Mukerji, Community Development Manager
DATE: June 26, 2007
SUBJECT: Passage of a resolution authorizing the Mayor to execute a 2007 Action Plan amendment.

CD is asking City Council to approve the amendment at the **August 13, 2007** City Council meeting.

BACKGROUND: The administration wishes to spend CDBG funds expeditiously so that the City is in conformance to CDBG regulatory requirements.

BUDGETARY IMPACT: None.

PREVIOUS ACTION: None.

SUBSEQUENT ACTION: None.

RECOMMENDED BY: Mayor, Managing Director, Fire Chief, and Community Development Manager.

RECOMMENDED MOTION: To amend the FFY2007 one year Action and FFY2004 to FFY2008 five year Consolidated Plans.

Cancel the \$750,000 2007 Redevelopment Project activity.

Cancel the \$150,000 2007 East Reading Pool activity.

Reduce the \$500,000 2007 Re-lighting of the City of Reading activity by \$50,000 to \$450,000.



Reprogram the CDBG funds:

\$475,000 to purchase a fire truck known as Engine 11 located at the Schuylkill Riverside Station McKnight and Spring Streets.

\$475,000 to purchase a fire truck known as Engine 13 located at the Rainbow Junior Station 8th and Court Streets.

RESOLUTION NO. _____

**RESOLUTION OF THE COUNCIL OF THE CITY OF READING
AUTHORIZING THE MAYOR TO EXECUTE A FFY2007 ONE YEAR ACTION PLAN
AND FFY2004 TO FFY2008 FIVE YEAR CONSOLIDATED PLAN AMENDMENT**

WHEREAS, under 24 CFR Part 91, the U.S. Department of Housing and Urban Development (HUD) outlines the consolidated submissions for community planning and development programs which will serve as: (1) a planning document for the City that builds on a participatory process at the grass roots level, (2) an application for federal funds under HUD's formula grant program, (3) a strategy to be followed in carrying out HUD programs, and (4) an Action Plan that provides a basis for assessing performance;

WHEREAS, the FFY2004 to FFY2008 five year Consolidated Plan (30th to 34th CD years January 1, 2004 to December 31, 2008) and the FFY2007 one year Action Plan (33rd CD year January 1, 2007 to December 31, 2007) have been prepared meeting HUD's requirements and providing guidance for addressing the housing and community development needs of the City;

WHEREAS, \$950,000 is available in CDBG funds to re-program for eligible and fundable activities.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF READING THAT:

The FFY2007 one year Action and FFY2004 to FFY2008 five year Consolidated Plans are amended

The \$750,000 2007 Redevelopment Project activity is cancelled.

The \$150,000 2007 East Reading Pool activity is cancelled.

The \$500,000 2007 Re-lighting of the City of Reading activity is reduced by \$50,000 to \$450,000.

The CDBG funds are reprogrammed for the following activities:

1. \$475,000 to purchase a fire truck known as Engine 11 located at the Schuylkill Riverside Station McKnight and Spring Streets.

2. \$475,000 to purchase a fire truck known as Engine 13 located at the Rainbow Junior Station 8th and Court Streets.

The new activities eligibility / fundability is low mod area 24CFR570.208(a)(1) / public facilities and improvements 24CFR570.201(c) and 24CFR570.207(b)(ii).

The Mayor, on behalf of the City of Reading, is authorized and directed to execute the amendment to the satisfaction of HUD.

RESOLUTION._____

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:

That Doris Persky Leisawitz is reappointed to the Ethics Board, with a term ending August 13th, 2010 .

Adopted by Council _____, 2007

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk

RESOLUTION NO. _____

AMENDING RESOLUTION NO. 134-2002 BY ADDING A PROVISION WHICH WOULD ALLOW AN APPLICANT TO TRANSFER AN EXISTING HANDICAPPED PARKING SPACE PERMIT FROM ONE BLOCK TO ANOTHER BLOCK EVEN IF THE TWO (2) PER BLOCK LIMIT HAS ALREADY BEEN REACHED.

WHEREAS, Resolution 134-2002 provided a handicapped parking policy procedure; and

WHEREAS, it has become necessary to modify Resolution 134-2002 to provide for the transfer of a handicapped parking space permit from one block to another block; and

WHEREAS, the handicapped parking space designation may be established by the City of Reading.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:

SECTION 2 of 134-2002 is amended to read as follows:

In making the final determination, the City Health Officer shall be limited to granting no more than two (2) handicapped parking spaces per block where there is parking permitted on both sides of the street, and one (1) handicapped parking space per block where parking is permitted on only one (1) side of the street. Any such handicapped parking space permits having previously been granted prior to the effective date of this resolution where there is an excess of two (2) per block where applicable, or one (1) per block where applicable shall be permitted to remain in effect. In the event handicapped parking permits exceed the two (2) per block or the one (1) per block limit set forth above, the City Health Officer shall refrain from granting handicapped parking spaces for such block or blocks until such time as handicapped parking spaces as a result of failure to renew or cancellations fall below the per block limit set forth above.

Except that an applicant is permitted to transfer an existing handicapped parking space permit from one block to another block.