



COMMITTEE of the WHOLE

CITY COUNCIL

MINUTES
February 22, 2016
5:00 P.M.

COUNCIL MEMBERS PRESENT:

S. Marmarou, M. Goodman-Hinnershitz, C Daubert, B. Twyman, D. Reed, J. Slifko, J. Waltman

OTHERS PRESENT:

L. Kelleher, S. Katzenmoyer, C. Younger, A. Palacios, B. Murray, J. Pianko, A. Cohen

The Committee of the Whole meeting was called to order at 5:00 pm by Mr. Waltman.

Mr. Cituk arrived at this time.

I. CDBG Action Plan Amendment

Mr. Waltman stated that the Administration has requested a presentation on HOME funds. He stated that Council support is needed for a proposed project.

Mr. Palacios stated that there are unprogrammed funds available for this project. He stated that HUD requires funds be allocated to specific projects. He stated that the Administration is proposing a project at 122 S 2nd St for seniors.

Mr. Cohen, Senior Vice President of Woda Group, distributed packets to Council describing the company and their other projects in PA. He stated that they are proposing the Barley Square Project at 2nd and Chestnut Sts as a three story, 60 unit apartment building for low income, active seniors age 62+. He stated that there would be one and two bedroom units.

Mr. Cohen stated that funding for the project would include PA Housing Finance Agency (PHFA). He stated that this is competitive financing and that some local funding is required. He stated that local labor would be used during construction.

Mr. Cohen explained that the Woda Group has 13 properties in operation and three in development. He stated that residents would need to meet the income requirements (less than 60% of local median income). He stated that a social service coordinator would be available.

Mr. Cohen stated that in order to apply for the PHFA financing the project would need letters of support from the City. He stated that the applications are due on March 4.

Mr. Pianka stated that this is an urban project and that the Woda Group was hoping for \$150,000 in CDBG funding.

Mr. Waltman questioned if the project has the Mayor's support. He stated that Council would need to amend the Action Plan. He explained the purpose of HOME funds and questioned the debt structure of the project. Mr. Cohen stated that it would be a 30 year loan.

Mr. Waltman questioned if the project is fully taxable. Mr. Cohen stated that it is.

Mr. Slifko questioned if the project is located in a KOZ area or if other deferred taxes were available. Mr. Cohen stated that he hopes to break ground on the project in March 2017 with completion in March 2018. He stated that LERTA would be available for the first 10 years but that the project is not dependent on LERTA.

Mr. Marmarou questioned if the Woda Group had any other projects in Reading. Mr. Cohen stated that they did not.

Mr. Twyman questioned if this project was discussed in the past. Mr. Waltman stated that it was discussed but only vaguely. No specifics for the project were discussed.

Mr. Twyman questioned why the Administration waited until the deadline to approach Council. Mr. Pianko stated that the City's HUD HOME funding was just released.

Mr. Waltman requested clarification. Mr. Palacios stated that the City just received notice from HUD on their HOME allocation. He stated that there is a slight increase from last year. He stated that he has spoken with the Mayor about this project and a project at the former site of the Hillside Pool. The Mayor supports both projects and recommends amending the Action Plan.

Mr. Twyman questioned if local construction professionals would be used. Mr. Cohen stated that they would.

Mr. Daubert questioned if the units would be rented to those age 62+ only. Mr. Cohen stated that they would be rented to active seniors age 62+ only.

Mr. Piaka stated that Woda Group has only sold one facility. He stated that they will not build the project, bilk the City, and leave.

Ms. Goodman-Hinnershitz questioned if the units would be sold to individuals. Mr. Cohen stated that they would be rented.

Ms. Goodman-Hinnershitz questioned laundry facilities. Mr. Cohen stated that they will be located on the first floor and possibly on the third floor. He stated that all units will be handicapped accessible and there will be common areas on the first floor. He stated that 10% of the units will be rented to the disabled.

Ms. Reed questioned security at the facility. Mr. Cohen stated that there will be a buzzer system.

Ms. Reed questioned the off street parking. Mr. Cohen stated that there will be 90 spaces as required by the Zoning Ordinance.

Ms. Reed questioned the maximum number of people per unit. Mr. Cohen stated that it would be two.

Mr. Waltman expressed the belief that this project is needed in Reading. He questioned the probability that it would be approved by PHFA. Mr. Cohen stated that a market analysis has been completed. He stated that the analysis showed that the project is needed. He stated that he cannot predict the PHFA decision but that he feels confident.

Mr. Waltman questioned if there were objections from Councilors to moving this forward.

Ms. Goodman-Hinnershitz requested that the Mayor voice support directly to Council as this project is inconsistent with other statements he has made about the use of HUD funds.

Mr. Twyman objected to the small time window. Mr. Cohen stated that he applied to the City in June.

Mr. Slifko stated that the project was approved in November. He questioned why this approval was not sufficient. Mr. Waltman stated that this is final approval and noted the need for letters of support. He stated that Council will also adopt a resolution this evening in support of the project.

Council voiced support of the project and adding a resolution to this evening's agenda.

Mr. Cohen, Mr. Pianka, and Mr. Palacios left the meeting at this time.

II. Agenda Review

Council reviewed this evening's agenda including:

- Resolution approving the settlement agreement between the City and Elm View Apartments

Mr. Younger explained that Elm View Apartments missed a payment that the City has not forgiven. He stated that the City brought foreclosure action. The settlement requires Elm View Apartments to pay the City \$390,000 within 90 days or the City will take possession.

Mr. Twyman questioned the location of this property. Mr. Younger stated that it is at N 4th & Elm Sts.

Mayor Scott arrived at this time.

Mr. Waltman questioned the value of this property. Mr. Younger stated that he does not have that information with him but that it is worth more than the amount of the settlement. He stated that if Council approves the settlement agreement that the issue is not appealable.

Mr. Slifko questioned if Elm View Apartments is likely to make the required payment. Mr. Younger stated that he is unsure.

- Ordinance amending the Stadium Commission

Mr. Marmarou expressed the belief that Council should hear information first hand and requested the amendment to add liaisons from Council and Public Works.

Mr. Slifko questioned if these would be voting members. Mr. Marmarou stated that they would be.

Ms. Reed recommended that they be true liaisons and have no voting power.

Mr. Younger stated that the legislation calls all members liaisons.

Mr. Waltman suggested that the Council and Public Works positions be referred to as ex-officio. Ms. Reed agreed and stated that it retains the autonomy of the Commission and removes the politics.

Mr. Johnson arrived at this time.

- Ordinances conveying a right of way and easement on Route 625 to PennDOT

Ms. Reed questioned the specific location. Mr. Johnson stated that it is just past the Dairy Queen on Kenhorst Blvd. There is a bridge in need of reconstruction.

Ms. Reed questioned why the City owns this land in Cumru.

Mr. Younger stated that the City will be compensated by PennDOT for the right of way and easement.

- Ordinance amending the Fee Schedule Section 126 Property Sales

Mr. Waltman requested an explanation. Ms. Kelleher stated that she was not given any additional information.

Mr. Waltman suggested that the ordinance be tabled and that Mr. Natale and Ms. Butler attend the next meeting to explain.

- Ordinance amending the Position Ordinance in the CD Department

Ms. Kelleher distributed the job description as requested by Council.

Mr. Slifko questioned if the Mayor supported this position. Mayor Scott stated that he did.

Mr. Waltman stated that the educational requirements are included and he is now comfortable moving forward. Council agreed.

- Resolution supporting the Barley Square project

Mr. Waltman requested the Mayor voice his support of the project. Mayor Scott stated that he supports the project.

Ms. Goodman-Hinnershitz questioned if the project was consistent with the Mayor's vision. Mayor Scott stated that it is and that he does not want to lose this funding.

Ms. Goodman-Hinnershitz stated that the City needs accessible senior housing.

Mr. Slifko stated that the project will also bring this property back on the City's tax rolls.

III. Review Snow Emergency Plan

Mr. Johnson stated that Public Works is performing its regular review of the plan. He stated that he welcomes Council input.

Mr. Twyman questioned the date of the plan. Mr. Johnson stated that the last update was done in 2014.

Ms. Reed questioned the cost of the clean-up from the January storm. Mr. Johnson stated that the Public Works amount was submitted to the Emergency Management Coordinator but that he did not have the total cost to the City.

Mr. Marmarou stated that the Governor has requested that the President declare an emergency to allow access to FEMA funds. He questioned if outside agencies assist the City. Mr. Johnson stated that PennDOT assisted and that others were hired.

Mr. Marmarou questioned if large businesses or the School District assisted. Mr. Johnson stated that they are also busy but that the City is now working closely with the School District during snow events. Mayor Scott agreed and stated that they were also involved in the planning meetings.

Mr. Twyman questioned Mr. Johnson's opinion about the execution of the Plan during the January storm. Mr. Johnson opined that it went well. He stated that during the January 1996 storm the City essentially shut down. He stated that during this storm the main arteries were kept open. He stated that there were problem areas where cars were abandoned but that overall residents were cooperative.

Ms. Goodman-Hinnershitz stated that the City should be more proactive in encouraging the use of parking garages during storms. Mr. Slifko agreed. Mr. Johnson stated that the City is also working with churches and schools to use their parking lots so residents have better access and do not need to leave their vehicles downtown.

Mr. Waltman suggested that the large parking area at Price Rite also be considered. Mr. Johnson stated that this is private property and that Price Rite wanted the City to pay a large sum to dump snow there.

IV. Angelica Park and the DCNR

Mr. Johnson stated that DCNR is supposed to review projects every five years. He stated that although this review was not done the land owner is still responsible.

Ms. Goodman-Hinnershitz questioned the City's options. Mr. Johnson stated that the most likely option is that land of equal value will be designated as conservation.

Ms. Godman-Hinnershitz questioned if it must be new land. Mr. Johnson stated that Mr. Coleman is currently reviewing the specifics.

Mr. Waltman questioned the amount of land. Mr. Johnson stated that it is 100 acres. Ms. Kelleher explained that Angelica Park was acquired as several separate parcels over several years.

Mr. Johnson stated that the DCNR definition of park differs from the City's definition. He stated that their definition includes the locations of the Fire Training Center and the WWTP.

Mr. Waltman questioned if the entire 100 acres must be replaced or only parts that are no longer parkland. Mr. Johnson stated that Mr. Coleman has not yet made that determination.

Mr. Waltman noted the need for the City to proceed with caution. He stated that the City cannot afford to buy 100 acres. He noted the need for the City to understand the amount of the land that is still parkland.

Ms. Goodman-Hinnershitz stated that the City already owns a lot of land.

Mr. Johnson stated that the land must be accessible. He stated that the ballfields will count as parkland if Alvernia makes them more accessible.

Mr. Waltman noted the need for the City to have more details before fully considering this issue. He stated that there has been much controversy at this site in the past.

Mr. Johnson stated that outside engineers are needed and that the City will be requesting more time from the DCNR.

Mayor Scott noted his concern with the start of the new project at Angelica. He suggested that the project not begin while the park is under review. He noted the possible penalties and questioned who would be responsible to pay them.

Mr. Waltman noted the need to work to find a solution. He noted his concern that this would be another situation where the City was forced into action by another governmental entity similar to the consent decree at the WWTP.

Ms. Goodman-Hinnershitz questioned if Berks Nature owned the land on Neversink Mountain. Mr. Johnson stated that it owns some, but not all.

Ms. Goodman-Hinnershitz expressed the belief that all City land will be vulnerable if the City goes into receivership. She noted the need to protect more land and suggested that it be given to Berks Nature so that it is not at risk.

Mr. Waltman requested a legal brief.

Mayor Scott stated that Berks Nature has been notified of the issue and he recommended that work on the project cease.

Ms. Reed stated that many municipalities are also affected since DCNR is performing this review State-wide. Ms. Kelleher agreed and stated that it was called Project 500 and addressed water preservation and mine issues during the 1970's.

Mayor Scott stated that the City should have known about these restrictions.

Mr. Waltman stated that he is willing to work on the compliance issues as long as Reading does not become a mockery.

Agenda Review (Continued)

- Ordinance eliminating the penalty section from the Curbside Waste Fee

Mr. Johnson stated that since RAWA collects the fee for the City, they already have fees in place. He stated that this fee would have been duplicative.

- Ordinance transferring \$20,500 in Solid Waste and Recycling

Mr. Johnson explained that there was a slight shortfall to cover the fourth quarter contract payment. He explained that the transfer is within the Recycling Enterprise Fund.

V. Access to Records

Mr. Waltman reminded all that Council staff no longer has access to property records. He stated that he poled Council to determine if they felt access was necessary. He stated that the issue will not be resolved this evening but that conversation needs to continue. Mayor Scott agreed.

Mr. Waltman stated that conversation can be deferred but that not all Councilors responded to the pole.

Mr. Slifko noted his concern that staff indicated many tasks that they cannot perform without access. He stated that besides those items, this is a Freedom of Information Act (FOIA) issue and believes that the records should be public. He suggested that staff keep a log of when they use the database and the purpose of their action.

Mr. Waltman stated that the body's opinion is needed.

Mr. Twyman expressed the belief that further review is needed. He noted his support of staff logging their use.

Mr. Daubert agreed with the use of a log. He questioned if the Mayor's staff has access. Mayor Scott stated that his office has no need for access. He stated that Councilors may need access but questioned who really wants access.

Ms. Reed expressed the belief that this is a FOIA issue. She stated that the database has been available to staff for many years. She questioned why it was taken away now and stated that it appears to be a control issue and raises red flags.

Mr. Waltman stated that he will have further discussions with the Mayor and report back to the body.

Ms. Goodman-Hinnershitz agreed that this is a FOIA issue and that public access needs to be clarified.

Mr. Waltman stated that Council has a strong history with the information in this database as they assisted with verifying data and ensuring the data was correct.

VI. Other Matters

- Fire on S. 16 ½ St

Mayor Scott stated that 632, 634 and 636 sustained massive fire damage and will need to be demolished. He stated that 638 and 640 are also compromised as they are leaning and may fall when the demolition is complete. He stated that he is requesting review by a structural engineer.

Mr. Waltman stated that this is a big liability risk to the City.

Mayor Scott stated that the City has begun conversation with the resident to provide another property in the area. He stated that she has no insurance since the property next door was abandoned.

Ms. Goodman-Hinnershitz noted the need for quick action.

- Railroad Museum, Post Office and Penn St Properties

Mayor Scott stated that he met with Commissioner Barnhardt and BARTA about purchasing the Franklin St Station for the railroad museum. He stated that he is securing funds from outside Berks County to develop the museum and to fund other projects on Franklin St. He stated that approximately \$5 million is owed on the property and that he is looking for grant funds.

Mayor Scott stated that he is hoping to acquire the Post Office property to use as a police station. He stated that this would attract business and address downtown safety issues.

Mayor Scott stated that there are three developers interested in the Penn St properties. He noted the need for an overall downtown revitalization plan which includes more than housing.

Mr. Slifko questioned if the County and BARTA are interested in discussions about the Franklin St Station. Mayor Scott stated that they are and that he is also looking to link the station to bring rail service back to Reading.

Mr. Waltman noted his support of the railroad museum. He stated that there are many resources and much interest. He suggested forming a steering committee. He questioned the costs of moving the police department to the post office building. Mayor Scott stated that the building is sound and would not need much remodeling to prepare it. He expressed the belief that this would increase development and address the safety issues of visitors.

Mr. Marmarou stated that the post office is near the original location of City Hall.

Mr. Waltman suggested that the Administration prepare a Pro Forma showing investment costs and maintenance costs.

- City Hall Roof Replacement

Mayor Scott stated that an insurance company is inspecting the City Hall roof to determine if there is hail damage.

- Police Chief Candidate

Mayor Scott stated that the candidate is still interested. He stated that the candidate wants a contract but that he is reviewing that with Law as PA is an at-will state. He stated that when the contract is finalized he will bring the candidate forward. He stated that contracts give professionals security but that it may then become an issue for other positions.

Ms. Goodman-Hinnershitz noted the need for the public to understand that Council is working with the Administration. She stated that there was a flyer on her car after the last Council meeting indicating that they were not working together.

Mayor Scott stated that he does not control the public and does not invite speakers or seek the attacks on Council. He stated that he has spoken with these individuals and asked them to take a break to see how things progress.

The meeting adjourned at 6:43 pm.

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