

Minutes
Coatesville City Council Meeting
Monday, January 25, 2010

Regular Session

Council President Edward Simpson called the meeting to order at 7:35 p.m. and welcomed everyone to the meeting. Council Members present were Council President Edward Simpson, Council Vice President Karl Marking, Messrs., Jarrell Brazzle, Martin Eggleston, Joseph Hamrick, Ingrid W. Jones, and Karen Jorgenson. Staff members present included City Solicitor John Carnes, Interim City Manager Kirby Hudson, Director of Urban Planning and Codes Enforcement Damalier Molina, Director of Public Works Donald Wilkinson, Director of Finance Stacy Bjorhus, Fire Chief Kevin Johnson, Police Chief Julius Canale, and recording secretary Ruthann Mowday.

Mr. Simpson announced that Council met in Executive Session earlier on January 25, 2010 at 5:30 p.m. for the purpose of discussing Personnel and Legal.

Approval of Minutes

Mr. Eggleston made the motion to approve the minutes of January 11, 2010, and January 22, 2010 with corrections; Mr. Brazzle seconded the motion. Motion passed 7-0.

Approval of Payables

Mr. Hamrick made the motion to approve the accounts payable listing dated January 20, 2010; Mr. Marking seconded the motion. Motion passed 7-0.

Additions, Deletions or Modifications to the Agenda

Mr. Marking made the motion to move items for discussion #6 and #7 as Regular Action Item # 2, approve John Carnes, Esq. fee schedule as City Solicitor and #3 approve Siana, Belwoar, & McAndrew, LLP fee schedule as Labor Council; Mr. Eggleston seconded the motion. Motion passed 7-0.

Mr. Marking made a motion to add to Items of Discussion the update of the Emergency Plan with the Pennsylvania Emergency Management Agency (PEMA); Mrs. Jones seconded the motion. Motion passed 7-0.

Presentation

1. 2010 Census Overview by Mr. Richard Sumter, from the U.S. Census Bureau

Mr. Sumter announced the 2000 Census was completed by only 54% of the City residents. The low percentage meant the City lost funding from 31 federal programs. A new Census with a better count will help the City acquire funds for services such as, school lunch programs, senior citizen, and new construction. The federal money has shifted to neighboring municipalities. The U.S. constitution requires that a count of all residents taken every 10 years. The Census will only take 10 minutes to complete, there are only ten questions on the survey. The Census bureau is planning to hire 7,000 to 10,000 workers in the Philadelphia region to assist in the head count. Mr. Sumter explained the bureau wants to hire people within the area, so when people knock on their door, they will see a familiar face. The information submitted in the survey is strictly confidential.

2. Cornerstone Advisors Asset Management, Inc. - Malcom Cowen
Mr. Cowen recommended the City place Assets in an unbundled solution. The advisor (Emerald Advisors/PMG) provides investment consulting services to confirm that the client (Reserve Trust) is meeting their fiduciary responsibilities (in this case we'd need to confirm that we are meeting all 3rd Class City Charter). The Advisor: Analyzes current investment position, designs the overall investment strategy, and writes up an Investment Policy Statement (confirms the City's needs and the Advisor's understanding of our needs), implements the strategy and monitors the performance. The Consultant (Cornerstone Advisers Asset Management, Inc. establishes the Asset Allocation Model, researches the Fund Managers, performs reporting functions, executes trades and various other duties. The Custodian (Bryn Mawr Trust) physically maintains the account, accepting the information from the consultants and performing the transactions as executed by the Consultant. The City currently is bundled which means one firm (1st National Bank of Chester County) performs the three functions.

Mr. Eggleston asked the difference in cost between the bundled and unbundled. Mr. Brazzle inquired about the risk. Mr. Cowen stated the firms must follow the Third Class City Code.

3. Financial Report – Stacy Bjorhus
Ms. Bjorhus explained the draft 2009 Financial Report is still in the initial stages. The City has yet to receive \$300,000 to \$400,000 from Real Estate, Solid Waste and Earned Income Tax for the year 2009. The City will receive the revenues by mid February. The 2009 expenditures were noted in the report. The City currently has a positive variance due to the withdrawal from the Reserve Trust in 2009.

Citizens' Hearings – Regular Action Items

There were no citizens' hearings for regular action items at this time.

Regular Action Items

1. Receive and consider a motion to approve dates for the 2011 Budget Workshop.
Mrs. Jorgenson made a motion to approve the dates for the 2011 Budget Workshop; Mr. Marking seconded the motion. Motion passed 7-0.
2. Receive and consider a motion to approve John S. Carnes, Esq. fee schedule as City Solicitor
Mr. Brazzle made a motion to approve John S. Carnes, Esq. fees schedule as City Solicitor; Mrs. Jones seconded the motion. Motion passed 7-0.
3. Receive and consider a motion to approve Siana, Belwoar & McAndrew, LLP fee schedule agreement as Labor Council
Mr. Simpson announced language in the original agreement submitted has been deleted and initialed by the Siana, Belwoar & McAndrew firm as requested by Council.

Mr. Hamrick made the motion to approve the Siana Belwoar & McAndrew fees schedule agreement as Labor Council with a language change; Mrs. Jones seconded the motion. Motion passed 7-0.

Items for Discussion

1. Cornerstone Advisors Asset Management Inc.
Mr. Simpson stated the Reserve Trust is the City of Coatesville not the Redevelopment Authority. Ms. Bjorhus announced the Reserve Trust is currently held in the 1st National Bank of Chester County. Mr. Simpson asked for referrals from Cornerstone Advisors Asset Management, Inc. Mr. Marking asked for the information regarding the investment from 1st National Bank. Mr. Brazzle asked for citizen's comments and concerns regarding moving the money from the Reserve Trust Fund.

2. Riverwalk Phase 1, Part B
Mr. Barry reviewed the process for the bids for Riverwalk, Phase I, Part B bids. The bids for Part B were opened on January 18, 2010. Mr. Barry agreed with the recommendation from Buchart Horn, Inc for the lowest bidder, James R. Kenney Excavating and Paving, Inc. Mr. Barry explained James R. Kenney Excavating and Paving was awarded Phase I, Part A.

3. Parking Enforcement
Mr. Hudson explained the issues with parking in the city's central business district. Mr. Hudson suggested \$1.00 an hour parking. An increase in the parking rate would compensate the yearly salary of parking enforcement. Mr. Hudson explained a traffic study was completed in the City. He suggested that electronic pay stations be placed throughout the City. The pay stations would cost about \$13,000 a piece.

Chief Canale asked Council for the Police Department to reinstate the Parking Enforcement position. The City revenue for parking has declined as well as overall parking compliance in the City with reduced enforcement. The responsibility of the parking officer includes all metered parking; all permit required City owner parking lots, as well as street sweeping tickets issued during the shift worked.

Mr. Marking suggested keeping the technology and the enforcement officer separate. The City is currently struggling to get people into town without increasing the cost of parking. Mrs. Jorgenson asked for the street parking permits to be reinstated. Mr. Hamrick questioned the cost of the pay stations. Mr. Simpson stated the parking enforcement officer would address the quality of life issues.

4. Clarification of Minutes
Mr. Marking suggested the minutes not to be verbatim but paraphrased. Mr. Marking suggested the citizens no longer be required to announce their home address. The elimination of the home address would provide a comfort level for citizen comment. Citizens have been harassed, threatened and even scared to speak due to the public knowing their home address. Mrs. Jorgenson stated the home address is public knowledge and anyone can look this up on the internet. Mr. Eggleston stated some people are intimidated to speak at Council meetings. Mr. Eggleston suggested the citizen note whether they are a city resident or no resident. Mr. Simpson asked Mr. Carnes to look into the requirements for citizens comments.

5. Fee Scale for Abandoned Properties
Mr. Molina explained a moratorium was placed in May 2009 on the payment of the registration fee for vacant properties. The initial Vacant Premises Registration Program

served as the City's primary tool for tracking, monitoring and managing vacant properties in the City. The stipulated registration fee was \$250.00 per vacant premise. The registration fee was established to recapture some of the City's cost related to the properties that are not maintained. Mrs. Jorgenson explained the moratorium was set up because a woman spent six months out of the City and was charged the fee. Mr. Eggleston asked Mr. Molina to narrow the fees more comparable to the City of Coatesville. Mr. Marking asked for a better distinction between residential and commercial. Mr. Eggleston asked Mr. Molina to modify the Ordinance in place to suit the City of Coatesville.

6. Leonard Smoker, lease to farm on Conti Property

Mr. Hudson explained the prior year rental. The property was rented to Mr. Smoker for framing corn. Mr. Hudson explained Mr. Smoker maintained the property. This helped to keep the maintenance away from the City. Mr. Simpson asked who approved the lease the prior year. Mr. Hudson explained Mr. Walker signed the lease. Mr. Carnes stated in order for the City to rent property an Ordinance must be approved. Mr. Simpson stated the rental of the property was not discussed with Council in prior years. Mr. Eggleston asked if the City is liable for the property. Mr. Simpson asked Mr. Carnes to look into the lease and the liability to the City.

7. Emergency Plan Update (PEMA)

Mr. Marking explained the City should update the Current Emergency Plan for Pennsylvania Emergency Management Agency (PEMA).

Interim City Manager's Report

Mr. Hudson stated at the last Council Meeting he reported that he met with two developers to discuss the possible purchase & development of three different buildings within the City's CBD. The Milanese Property (originally YMCA), 204-206 East Lincoln Highway (Records Building) and the property located at 103 -105 East Diamond. The JonesCo and the Spirit Entertainment Group, Inc have a million dollars to invest in Coatesville. Last week, he had a phone meeting with the two developers, and is happy to report that he should receive both companies' full development proposals by the end of this week.

Mr. Hudson announced last Week, January 15th, Staff met with the Chester County Department of Community Development regarding the City's preliminary plans for the use of the Demolition Funding for Fleetwood and Oak Street. In other words, the City's primary goal is to get rid of all unsafe structures destroyed by the arson fires. The main problem is the homes to be demolished are not consecutive. The City will soon place for bids its' plans for the removal of all unsafe structures.

Mr. Hudson announced a Pre-construction Meeting for the River Walk, Phase I – Part A was held on Friday, January 15th with the Chester County Department of Community Development, the Chester County Conservation District, the City's Engineer CMX, Bucharth Horn, the RDA, Brandywine Conservancy & the Contractor – James R. Kenney Excavating & Paving Inc.

Mr. Hudson announced a Pre-construction Meeting for the Diamond Street Parking Lot & the Lumber Street Storm Sewer Project was held on Friday, January 15th with the Chester County Department of Community Development, CMX, and Church Representatives from the Second Baptist Church and the Contractor – Bulldog Construction. The Lumber Street Storm Sewer project will begin on Wednesday, January 27 2010.

Mr. Hudson announced the Bid Opening was held on Monday, January 18th at City Hall for the River Walk Project, Phase I - Part B. Signage for the River Walk Project will be installed within the next two weeks.

Mr. Hudson announced he met with staff to discuss the River Walk Project Ground- breaking Ceremony. The River Walk Event will take place on Friday, February 19th, at 10:00 AM at the River Walk Entrance (near the intersection of Route 30 – Lincoln HWY and Route 82. The inclement weather date will be on the following Friday, February 26th.

Mr. Hudson explained staff along with Councilman Eggleston met with Princeton Green Management to discuss various trends in the environmental industry as well as discussed how the City can become more energy efficient.

Mr. Hudson announced The Urban Planning and Codes Department partook in discussion with members of the Western Chester County Regional Planning Committee regarding creation of a Regional Infrastructure Improvement Zones (RIZ). The RIZ encourages private-sector involvement in road building through favorable tax treatment of funds. As such, the RIZ will allow private corporations or individuals to contribute funds toward the construction of roadways and other infrastructure (not limited to transportation infrastructure). These donations will be tax-deductible contributions and can be spent only on transportation upgrades that the whole community is eligible to use. This new, innovative solution to infrastructure construction was developed by the Ohio-Kentucky-Indiana Regional Council of Governments (OKI) in conjunction with the National Association of Regional Councils (NARC). In short, this concept addresses the need for alternative sources of funding to help build the infrastructure to keep people, businesses and the economy growing and moving.

Mr. Hudson announced the Codes Department Staff attended a quarterly meeting with other Pennsylvania Regional Code Enforcement Agencies (in Bethlehem Township) to learn about Notices of Violations & Citations and how the process can lead to a Warrant and a Court Order to mitigate the violation. The class was taught by the Bethlehem Township's Legal Counsel.

The Bethlehem Township Solicitor's office also provided a review of procedures for "Administrative Search Warrants" a tool in the administration and enforcement of Property Maintenance and Housing Codes and Case law updates on Building Codes and Property Maintenance & Housing Codes.

Citizens' Hearings – Non-Agenda Items

Mike Zamacke

Mr. Zamacke asked Council to bring back animal control. Mr. Zamacke voiced his concerns regarding the animal issues within the City. Mr. Zamacke asked if the City has a tree Ordinance and if Mosaic Development has deposited the escrow money

Matt Baker

Mr. Baker inquired about the status of Mr. Walker. Mr. Baker voiced his concerns regarding the dumpster at Raymar Hall, and the fines for vacant properties. Mr. Baker asked if the City had a contract with the SPCA. Mr. Baker provided suggestions for the utilization of the spokesperson salary.

Dick Saha

Mr. Saha voiced his concerns regarding parking in front of the Post Office. The tickets would pay for salaries if the law was enforced there.

Harry Colon

Mr. Colon inquired about the Fire Escrow Ordinance. Mr. Colon asked Council to make sure Ordinances do not overlap regarding Codes violations.

Ben Bruton

Mr. Bruton asked if an Ordinance was done for the Pension Plans. Mr. Bruton question the vacant properties Ordinance. Mr. Bruton asked when the 2010 Information Packet would be out for the residents.

Mr. Hamrick made the motion to close citizens hearing on non-agenda items; Mr. Marking seconded the motion. Motion passed 7-0.

Council Comments

Mrs. Jorgenson thanked everyone for attending this evening.

Mr. Hamrick thanked everyone for coming out and participating this evening.

Mrs. Jones thanked everyone for coming out this evening and wished everyone a good night.

Mr. Brazzle thanked everyone for attending this evening. Mr. Brazzle asked Mr. Wilkinson to look at the pothole on Pennsylvania Avenue and Harmony Street.

Mr. Eggleston announced it has been an interesting week. The accusations made against him are false. Mr. Eggleston thanked everyone for their support. There is a process to be followed and he understands and respects the process. .

Mr. Marking stated it's great to see everyone still here. Mr. Marking stated the Animal Control issue needs to be addressed.

Mr. Simpson announced this has been a productive meeting. The Council is interacting as a group and working. The new process is working, there a more and more items placed on the agenda. Mr. Simpson thanked everyone for coming out this evening. Mr. Simpson announced City Council will be retiring to executive session after the Regular meeting is adjourned.

Adjournment

Mr. Marking made the motion to adjourn the meeting at 10:05 pm.; Mr. Eggleston seconded the motion. Motion passed 7-0.

Respectfully Submitted,

Kirby Hudson
Interim City Manager