

MINUTES
CITY COUNCIL MEETING
Monday June 14, 2010

Council President Edward Simpson welcomed everyone to the meeting

Public Hearing- City of Coatesville Community Development Block Grant

Mr. Simpson announced prior to the regularly scheduled Council meeting there will be a Public Hearing on the Community Development Block Grant. Mr. Barry explained the City of Coatesville is holding a public hearing to receive comments on the submission of the Community Development Block Grant application to the Chester County Department of Community Development. The purpose of the application is to receive funding for the paving and storm sewer repairs/rehabilitation on Walnut Street between Third and Fifth Avenues; Thompson Street between Oak Street and Walnut Street and Woodland Avenue between Oak Street to the City Line. The total cost of the project is \$345,980 which includes \$46,000 for the design and engineering work. The City is applying for \$299,000 and will seek grant funding from other sources to pay for the design and engineering costs. Mr. Barry asked for residents to send letters of support for the project to City Hall. A template for the letters will be made available at City Hall for interested parties. Mr. Barry announced once the City is awarded the project, the work will begin next spring. Mr. Barry asked for any questions from the public.

Ms. Ray asked when the project will be started. Mr. Barry replied the application is due on June 30th and the projects are awarded in the beginning of 2011. The City hopes to begin the construction next spring. Ms. Ray asked what would happen to Thompson Alley. Nothing has happened there in 30 years. Mr. Simpson stated Public Works will look at the repairs on a case by case basis. Ms. Ray thanked Mr. Molina and Mr. Barry for looking at Thompson.

Ms. Jones made a motion to close the Public Hearing for City of Coatesville Community Development Block Grant at 7:45 pm; Mr. Hamrick seconded the motion. Motion passed 7-0.

Regular Session

Council President Edward Simpson called the meeting to order at 7:45 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, Ted Reed, Director of Urban Planning and Codes Enforcement Damalier Molina, Director of Public Works Donald Wilkinson, Director of Finance Stacy Bjorhus, Police Chief Julius Canale and recording secretary Ruthann Mowday.

Mr. Simpson announced that Council met in Executive Session earlier on June 14, 2010 at 5:30 pm for the purpose of discussing Personnel and Legal.

Approval of Minutes: May 10, 2010 and May 24, 2010.

Mr. Hamrick made a motion to approve the minutes for May 10, 2010 and May 24, 2010; Mrs. Jorgenson seconded the motion. Motion passed 7-0.

Approval of Accounts Payable

Mr. Hamrick made the motion to approve the Accounts payable listing dated June 8, 2010; Mr. Marking seconded the motion. Motion passed 7-0.

Mr. Hamrick inquired about the credit card payments. Ms. Bjorhus stated the City credit cards are payable to cardmember services. There are only two credit cards in the City. Mr. Marking asked if the items have been paid and are posted on the A/P report. Ms. Bjorhus replied yes. Mr. Marking asked of the amount for the Nextel bill was for all departments. Ms. Bjorhus replied yes. Mr. Brazzle questioned the invoices for Millview Estates. Mr. Molina explained the invoices are for engineering services to review and question the compliance requirements. The invoices are reimbursable by the developer. Mr. Brazzle asked who I the Water Guy. Mr. Eggleston stated the supplier of the water fountain for City Hall.

Additions, Deletions or Modifications to the Agenda

Mr. Marking made the motion to add Special Event Permit Application #10 from Karl Marking and Jarrell Brazzle for Halloween Parade, Remove blank item #9, Add Item #9 resolve and move payroll back to Finance Department as per City Charter Section 5-6, Change language of Regular Action Item #2 to reappointment of Animal Control Officer and Parking Enforcement Officer; Mr. Hamrick seconded the motion. Motion passed 7-0.

Mr. Marking made a motion to add Regular Action item #10, authorization to proceed with the filing to the Pennsylvania Utility Commission regarding the Pennsylvania American Water Rate Hike; Mr. Hamrick seconded the motion. Motion passed 7-0.

Presentations

1. City pride / fund-raising initiative – Karl Marking

Mr. Marking presented Council with a power point presentation. Mr. Marking explained he has ideas to re-energize a sense of pride and community in the Coatesville. The process can begin with a simple flag; then have a campaign to come up with an official City slogan; then have a flag with/without the slogan. Mr. Marking explained the seal of the flag s symbolical. The tree and woods stand for steady growth, the mill stands for the first and largest steel plates, the house stands for the City's own particular type and the stream stands for the Historic Brandywine Creek. Mr. Marking showed a variety of suggestions for the Flag. Mr. Marking suggested a new pole flag measuring 3' x 5' for residents to have outside their homes. The flag would feature the city flag's original colors but with a new slogan. The proceeds from the flag sales would be used for beautification initiatives in the City such as civic pride initiatives, focus on the main street, then expand to parks; focus on young adult involvement to foster civic responsibility and ownership. The focus is to move the City forward in a unified and positive direction. The flags can be sold at City Hall or managed independently. Mr. Simpson asked for the Flag project to be added to the next meeting's agenda under items of discussion.

Special Events

1. A Special Event Permit application was received from Charles Brewer for a cookout at Palmer Park on June 20, 2010 from 4:00 pm to 9:00 pm. It is anticipated 85 people will be in attendance.
2. A Special Event Permit application was received from Tanesha Lopez for a Block Party on June 19, 2010. A request has been made for the street closing of Pine Alley from 9:00 am to 9:00 pm. It is anticipated 50 people will be in attendance.

3. A Special Event Permit application was received from Patrick Hudson for a "Peace on the Streets Rally" at Ash Park on July 17, 2010 from 12:00 pm to 6:00 pm. It is anticipated 300 people will be in attendance.
4. A Special Event Permit application was received from Coatesville Community Children's Mass Choir for a "Louisiana Fish Fry and Flea Market Bonanza in the Park at Ash Park" on June 26, 2010 from 8:00 am to 6:00 pm. It is anticipated 100 plus people will be in attendance.
5. A Special Event Permit Application was received from CYWA Family Center for a picnic at Palmer Park on June 26, 2010 from 2:00 pm to 8:00 pm. It is anticipated 100 people will be in attendance.
6. A Special Event Permit Application was received from Narcotics Anonymous for a fund raiser at Ash Park on August 14, 2010 and August 28, 2010 from 12:00 pm to 6:30 pm. It has been requested to waive the fees for the event.
7. A Special Event Permit Application was received from the Rotary Club of Coatesville/City of Coatesville for "Celebrate Coatesville" at Gateway Park on July 10, 2010 from 9:30 am until the end of the fireworks. It is anticipated 2,000 plus people will be in attendance.
8. A Special Event Permit Application was received from The Graystone Society for a Fundraiser at the Graystone Society on June 26, 2010 from 5:00 to 11:00 pm. The request is to close 1st Avenue between Harmony Street and Walnut Street.
9. A Special request was received from Pittsburgh Pirates sponsoring a Charity Bike Run between June 28, 2010 and June 30, 2010. The request is to allow the use of the road way in which the ride will be taking place.
10. A Special Event Permit Application was received from Karl Marking and Jarrell Brazzle for a Halloween Parade on October 31, 2010 from 4:00 pm to 8:00 pm. The request is for the street to be closed on Lincoln Highway between 8th Avenue and 11th Avenue.

Mr. Brazzle made a motion to approve Special Events #1-10 without any waivers of fees; Mr. Eggleston seconded the motion. Motion passed 7-0.

Items for Discussion

No Items were added as Items of Discussion.

Citizens' Hearings – Regular Action Items Only

Patsy Ray – Resident

Ms. Ray asked what will be amended on the 2010 Budget. Mr. Reed stated the information will be available if approved. Mr. Simpson stated there have been several meetings discussing the amendments. Ms. Ray thanked Council for working on the rate increase for PAWC with PUC. Ms. Ray asked if the hardship with moving payroll to finance will be a hardship, will another person need to be hired. Mr. Simpson stated the Charter is clear. Ms. Ray stated she hopes Council approves the CDBG Grant. Ms. Ray asked if the animal control officer and the parking enforcement officer will be reinstated. Mr. Simpson stated that is the intent.

Tisha Brown – Resident

Ms. Brown asked what roadway will be taken regarding the charity bike run. Mr. Simpson stated Business US 30 West. Ms. Brown asked if Council converses with the residents for approval. Ms. Brown stated the events are approved or denied before a resident can speak regarding the special events. Mr. Brazzle asked if the residents have input. The events are approved before a resident can provide input. There should be a way the citizen can speak up about an event prior to approval. Mr. Simpson asked staff to place Citizens comments on Agenda items prior to Special Events on the agendas from this point forward.

Mr. Marking made the motion to closed citizen's hearings on regular action items; Mr. Eggleston seconded the motion. Motion passed 7-0.

Regular Action Items

1. Consider first reading of an Ordinance to amend the 2010 Municipal Budget

Mrs. Jorgenson asked can regular action item #2 pass if no action is taken on amending the 2010 budget. Mr. Carnes explained the monies for the items to approved must be appropriated in the budget. The funding for the positions . The Council at any time amend the operating budget, but changes in appropriations, either increases or decreases, shall be made pursuant to an Ordinance authorizing such changes. Council shall make necessary adjustments in appropriations to maintain a balanced budget. Mr. Simpson stated Council is not increasing budget to spend more money. There have been additional costs from the previous year. Mrs. Jorgenson asked if all four positions have been added to the budget. The positions are reappointing an animal control officer, parking enforcement officer and filling a vacant position in Public Works Department and Codes Department. Mr. Simpson stated that Council has agreed Animal Control and Parking Enforcement are quality of life issues. Mr. Eggleston asked to be cautious and specific on amendments being made to the budget. Mr. Marking asked for the listing of employee dates, hire date, tenures, vacation time. Mr. Reed stated the information is being compiled and will be available hopefully by the end of the week. Mr. Marking asked if the employee in question at the budget meeting has been added to the budget. Mr. Reed replied yes, it is in the budget.

Mr. Eggleston made a motion to approve an First Reading an Ordinance amending the 2010 adopted municipal budget and appropriating specific sums; Mr. Brazzle seconded the motion. Motion passed 7-0.

2. Consider authorizing the Interim City Manager to proceed with authorizing reappointment for the positions of Animal Control Officer, Parking Enforcement Officer, Codes Inspector and Public Works Laborer.

The proposed 2010 amended budget includes the employment of an Animal Control Officer; a Parking Enforcement Officer; A Codes Inspector; and a Public Works Laborer 1. The Council has voiced their desire to proceed with the employment of persons for these positions no earlier than July 1, 2010. The staff is recommending that they be authorized to proceed with receiving applications for these positions with employment on or after July 1, 2010, provided Council approves the Budget Amendment Ordinance funding these positions prior to the offer of employment to any person.

Mrs. Jorgenson asked if the previous employees will be rehired or if the City can accept applications for the positions. Mr. Barnes stated as per the Union Contract the employees who were laid off have the opportunity to come back to the position. The jobs will need to be offered to the previous employees first. If the employee does not wish to come back, then the City can hire someone else in that position.

Mr. Hamrick made a motion to authorize the City Manager to proceed with reappointment for the positions of Animal Control Officer, Parking Enforcement Officer, Codes Inspector and Public Works Laborer; Mr. Eggleston seconded the motion. Motion passed 7-0.

3. Consider Resolution to submit CDBG application to Chester County for street and storm sewer improvements

Mr. Simpson explained earlier this evening Council held a duly advertised Public Hearing on a Community Development Block Grant application to be submitted to the Chester County Department of Community Development to fund various street improvements.

Mrs. Jorgenson made a motion to approve the Resolution to submit the CDBG application to Chester County for street and storm water improvements; Mr. Brazzle seconded the motion. Motion passed 7-0.

4. Consider proposal for web site assistance from Aim Web Design, LLP, in the amount of \$9,670.

Mr. Simpson explained during the last meeting Council discussed the update of the City's website in phases rather than proceeding with a complete update. The City has been working with AIM Web design, LLP for the past several months for various applications which have been at no charge to the City. The Council authorized the receipt of the proposal from AIM Design, LLP to assist the City in updating the website. Mr. Eric Rounds has submitted his company's detailed proposal for this work with a total cost of \$9,670. Sufficient funds are available in the present budget for the work.

Mr. Hamrick made a motion to approve the proposal for web site assistance from Aim Web Design, LLP, in the amount of \$9,670; Mr. Marking seconded the motion. Motion passed 7-0.

5. Consider Chester County Department of Community Development agreement Amendment #2 to extend the River Walk grant time to June 30, 2011. (Note: this has absolutely nothing to do with extension of time for contractor. I unfortunately confused this issue in my explanation at the last meeting.)

Mr. Simpson explained there have been various delays in the Riverwalk Project which will lead to the need to extend the City's grant from Chester County Department of Community Development, which is set to expire on June 30, 2010. Upon discussion, with the CCDC, the County has agreed to extend the grant one year, to June 30, 2011, to provide sufficient time to complete the project and submit all closing documentations. This extension has nothing to do with the construction contract or any request by the contractor for an extension of time. This extension refers only to the City's grant.

Mr. Marking made a motion to approve the Chester County Department of Community Development agreement Amendment #2 to extend the River Walk grant time to June 30, 2011; Mrs. Jones seconded the motion. Motion passed 7-0.

6. Consider request from River Walk contractor for a 45 day extension on his contract to complete the project. (Note: the contractor and our T&M engineer will be present to discuss)

Mr. Simpson explained the Riverwalk construction contractor, James R. Kenney Excavating and Paving, has experienced some unforeseen delays such as material shipments which may not be received until after the contract deadline. The contractor is requesting a 45 day extension to the contract for the Riverwalk to allow for the additional time needed to receive the material. The contractor's request and the recommendation for our engineers, T&M Associates.

Mr. Hamrick made a motion to approve a request from River Walk contractor for a 45 day extension on his contract to complete the project; Mrs. Jorgenson seconded the motion. Motion passed 7-0.

7. Consider the Chester County Recycling Authority request for grant support to purchase equipment for the composting facility.

Mr. Simpson explained During Councils May 10 meeting Mr. Robert Struble, Central Chester County Recycling Authority gave a presentation explaining that the Authority had received a grant to purchase composting equipment for use among the member municipalities which includes Coatesville. The grant has a member matching requirement of \$33,000 based on population. Coatesville match then is 44%.

During the May 24, Council meeting the Council discussed two items listed as part of the local share; the local share for 32 gallon containers (\$810) and the Ordinance update (\$350). When questioned about these two items, Mr. Struble agreed they should be deleted from the local share determination sionce the containers were actually purchased by East Fallowfield and the City does not require updating its Ordinance. With these two items removed, the total local member share is \$30,165 and Coatesville's 44% share will be \$13,272.60

Mrs. Jones made a motion to approve the Chester County Recycling Authority request for grant support to purchase equipment for the composting facility; Mr. Marking seconded the motion. Motion passed 7-0.

8. Consider ratifying the three Pension Boards' approval to proceed with extending the contract with Montgomery, McCracken, Walker & Rhoads for the completion of the preparation of the three Pension Plans and payment of the outstanding bills.

Mr. Simpson explained the City and the three Pension Committees have been working on the development of the three Pension Plans for several years. The costs of the legal fees have far exceeded the original expectations. In an effort to complete this required work the City Solicitor has negotiated with the law firm, Montgomery, McCracken, Walker & Rhoads, LLP, and person working on this project to complete this work at a flat fee of \$12,500 plus the outstanding balance on prior bills amounting to \$21,316.19 since November, 2009.

In a meeting of the three Pension Boards on June 7, the three Boards approved a motion to amend the present services agreement with Montgomery, McCracken, Walker & Rhoads, LLP, to proceed with the completion of three Pension Plans and to pay the firm the outstanding invoice balance and to recommend that the Council approve and confirm this action.

Mr. Hamrick made the motion to authorize an amendment to the Legal Services Agreement with Montgomery, McCracken, Walker & Rhoads, LLP, for the completion of the three Pension Plans at a flat fee of \$12,500 and the payment of the outstanding balance due to the law firm which will be paid proportionally from each of the three Pension Funds; Mr. Eggleston seconded the motion. Motion passed 7-0.

9. Consider switching payroll function from Human Resources to Finance Department as per City Charter Section 5-6

Mr. Reed explained the Finance Department is currently working on the 2008 and 2009 audits and the everyday functions for 2010. Mr. Reed asked the prudency of the move. Mr. Reed asked Ms. Bjorhus if moving payroll to Finance Department is an additional hardship. Mr. Hamrick stated Ms. Bjorhus is in charge of Finance and oversees the Department. She should know if the

department is capable. Mr. Simpson stated it was never brought before Council to move payroll to Human Resources. Mr. Brazzle asked Ms. Bjorhus if the Finance Department can handle taking payroll at this time. Ms. Bjorhus stated Mrs. Entrekin has reentered the Finance Department and Finance can take it on.

10. Consider authorization to proceed with the filing to the Pennsylvania Utility Commission regarding the Pennsylvania American Water Rate Hike

Mr. Carnes announced the City has received offers from Thomas, Long, Niesen & Kennard and Gilbert Hamberg, Attorney at Law to represent the City jointly regarding the Pennsylvania American Water Company Rate increase. The Borough of Parkesburg has retained the services of the two law firms for the PAWC Rate increase.

Mr. Marking made a motion to approve the engagement by the City of Coatesville of Thomas, Long, Niesen & Kennard to perform jointly with Gilbert Hamberg, Esquire regarding the Pennsylvania American Water Company's general rate filing with the Pennsylvania Public Utility Commission for its Coatesville Wastewater district; Mrs. Jones seconded the motion. Motion passed 7-0.

Solicitors Report

Mr. Carnes explained the City has approved Phase 1 and a meeting was held June 3, 2010 at City Hall attended by the City, Parkesburg Borough, West Caln Township and East Fallowfield Township to discuss with the PUC attorneys procedures for intervention and cost sharing (West Sadsbury Township and Highland Township) did not participate. A percentage allocation was approved based upon sewage connections of the participating municipalities.

Mr. Carnes explained the bids for Fleetwood Street have been received. The lowest responsible bidder exceeds the grant amount of \$250,000. Further the City needs to identify which properties are being retained for restoration by the owners and binding agreements need to be executed for those properties which are going to be demolished. Without certainty as to which houses are going to be demolished, the City cannot move forward with a bid award. In addition, the costs of settlement need to be reviewed and a proposal made to the County for a cost increase taking into consideration all issues. For instance, title insurance is \$379.00 per unit less costs already paid for a search and less any discount given if there has been title insurance within 10 years. In addition, there is a cost of the preparation and filing of a deed (filing fee \$65.00 per deed) plus transfer taxes of 3% which must be addressed.

Mr. Carnes announced there are two Zoning Hearing meetings for development. Mr. Molina explained Mr. Maupin, is seeking a Special Exception to the City's Ordinance 224. The requests for a six (6) units multi-family (apartments). The property located at 642-644 Merchant Street is zoned RN-3. The RN-3 zoning district does allow multifamily (apartments). A total of two parking spaces are required per unit. Mr. Simpson asked about the parking. Mr. Molina stated the parking will be in the rear of the building. Council questioned the availability of space for parking. Mr. Molina stated the required space is available. Council requested for Mr. Molina to measure the space and provide Council with the information at the next Council Meeting. Mr. Eggleston stated he would present at the Zoning Hearing meeting.

City Manager's Report

Mr. Reed announced the City is continuing to move forward with the preparation of the Ash Park Swimming Pool to open on Saturday, June 26. The City has had many, many volunteers already working on the repairs, particularly contractors that have donated their time and materials and businesses such as Home Depot that have donate material for use in the repairs.

The City is happy to report that the total donations to date for the Ash Park Swimming Pool project is \$50,000 broken down as follows:

Brandywine Health Foundation	\$20,000
Pennsylvania American Water	\$ 7,500
Bulldog Construction Company	\$ 7,500
First Niagara Bank	\$10,000
ArcelorMittal Steel	<u>\$ 5,000</u>
	\$50,000

There are several other organizations and businesses considering our request for funding which will hopefully come through.

Mr. Reed explained a major issue concerning the repairs is the belief that there may be lead paint in the ceiling and soffits of the bathhouse. The City has contacted a contractor that specializing in removing and encapsulating lead paint. The contractor will be making a complete inspection Tuesday and if lead is found he will provide a price to remediate the problem. The City will be seeking a donation for this specific purpose from a local foundation.

Mr. Reed announced the YMCA has moved forward with employing staff and life guards for the Pool including the required training and certifications. The City is also working with the YMCA to develop a Management Services Contract which we will present to the Council at the June 28 meeting.

Mr. Reed announced the City is planning a "Donors Recognition Luncheon" on Monday, June 28, at noon at City Hall. The Council members are invited to attend this celebration of all the financial donors and all the volunteers who have put so much time, material and efforts in such a short period of time to allow us to open the Ash Park Swimming Pool this year. After the luncheon we will move to the Pool for photograph opportunities with the news media.

Mr. Reed announced the Council is reminded of our Strategic Planning session on Tuesday, June 22, beginning at 6:00 p.m. in City Hall. Tom Comitta Associates will be the facilitator and will help the Council develop a strategic plan for the next two year period. This is a vital endeavor that will set the direction for the City for the next 18 - 24 months. We are definitely counting on every member of Council to attend.

Mr. Reed announced Kirby Hudson, Assistant City Manager, and he attended the First Suburbs Project Community Meeting in Pottstown on Thursday, June 10, at the Montgomery County Community College. There were 255 citizens who attend this meeting along with three Montgomery State Representatives and State Senator Rafferty. He participated in the presentations during the one and a half hour session.

Mr. Reed announced the focus of the evening was to educate the public as well as the local and state elected officials of the concerns regarding location of Section 8 housing assistance concentration in less affluent communities; the hardships for paying for infrastructure improvements in these communities; and the need for fairer State funding to schools in the less affluent communities compared to the funding for more affluent communities. First Suburbs is planning another program in Lancaster County on July 16 to further resent the concerns and issues of this organization.

Mr. Marking asked Mr. Reed to place the "Fee in Lieu of" paid by Walgreens to be added to the next agenda for items of discussion.

Citizens' Hearings – *Non-Agenda Items*

John Pawlowski – Resident

Mr. Pawlowski stated there are not too many people who comment on bringing pride back into the City. Mr. Pawlowski offered a slogan for the new flag "Letter ain't Glitter". He explained it takes longer to get permission to clean up the graffiti from the owners of the property that it takes to paint over it.

Harry Colon – Resident

Mr. Colon inquired about the status of the requirements for the City Manager. Has the City started the search for a new City Manager? Mr. Simpson explained the search will start in August. Mr. Colon asked why the City only has a 1 year commitment from the YMCA and not a five year or 10 year. Mr. Reed explained the YMCA wanted to concentrate on one function at this time. Mr. Colon stated the property on Oak Street affected by the arson has overgrown weeds on the site.

Patsy Ray – Resident

Ms. Ray asked the Police Department to patrol Fleetwood Street. There are people sitting on the porches of the vacant homes. The residents are complaining about the noise from events at Ash Park. Ms. Ray stated that transportation would help to stop Section 8 in Coatesville. MS. Ray stated that when she was on Council she asked about tuition reimbursement and believes the employee should have a commitment to the City. The employee should stay with the City for a length of time after receiving their reimbursement.

Council Comments

Mr. Brazzle thanked everyone for their support and comments. Mr. Brazzle asked about the employee handbook. Mr. Brazzle stated Ms. Mowday has been here and stayed here after her schooling. There should be a commitment to the City after receiving reimbursement. Mr. Brazzle stated that on Bantel Row there is not enough parking for the homes.

Mr. Eggleston offered a public apology to Mr. Colon.

Mr. Marking stated there is not a length of service in effect at this time. The staff is currently following the 2004 handbook. Mr. Marking asked everyone to bring their scary on for the Halloween Parade.

Mrs. Jones thanked everyone for coming out this evening. She thanked Mr. Marking for his diligence on the Parade and the Flag.

Mr. Hamrick thanked everyone for coming out this evening.

Mrs. Jorgenson thanked Mr. Marking for all his efforts.

Mr. Simpson thanked everyone for coming out this evening.

Adjournment

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

Flag Samples

