

**MINUTES
CITY COUNCIL MEETING
Monday December 13, 2010**

Regular Session

Council President Edward Simpson called the meeting to order at 8:05 pm and welcomed everyone to the meeting. Council members present were Council President Edward Simpson, Council Vice President Karl Marking and Msrs., Jarrell Brazzle, Martin Eggleston, Joseph Hamrick, Mrs. Ingrid W. Jones and Ms. 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, Fire Chief Kevin Johnson and recording secretary Ruthann Mowday.

Mr. Simpson announced an executive Session was held earlier this evening, December 13, 2010 to discuss Personnel and Legal.

Approval of Minutes: *November 22, 2010*

Mr. Brazzle made a motion to approve the minutes for November 22, 2010; Mr. Hamrick seconded the motion. Motion passed 6-0-1. Mr. Marking abstained from the vote due to his absence at the meeting.

Approval of Accounts Payable

Ms. Jorgenson made a motion to approve the account payable listing December 9, 2010; Mr. Hamrick seconded the motion. Motion passed 7-0.

Additions, Deletions or Modifications to the Agenda

Mr. Marking explained Paul Johnson's term for the Reserve Trust Fund Commission was incorrectly stated on the September 27, 2010 minutes. The correct term should be 2010-2011 not 2009-2010 as stated.

Mr. Marking made a motion to amend the Council meeting minutes of September 27, 2010 to reflect the correct term for Paul Johnson on the Reserve Trust Fund from 2009 – 2010 as stated to 2010-2011; Ms. Jorgenson seconded the motion. Motion passed 7-0.

Mr. Marking made a motion to add the Cessation of the City Wide Free Internet; Mr. Brazzle seconded the motion. Motion passed 7-0.

Presentations

1. Recognition of Police Officer Roger Ollis

Councilman Jarrell Brazzle recently had the occasion to witness Police Officer Roger Ollis interacting with some children and would like to recognize him for this dedication to his job as Community Policing Officer for our Police Department. Mr. Simpson read the Resolution.

Mr. Brazzle made a motion to approve a Resolution to Police Officer Roger Ollis for his dedication to his position, the community and to the citizens and particularly the youth of Coatesville; Mr. Eggleston seconded the motion. Motion passed 7-0.

2. Veterans Hospital

Ms. Ferlin Charles, Medical Foster Home Coordinator for the Veterans Administration Hospital in Coatesville, has requested time to present a program for the Community

Residential Care for Veterans to the Council and the public. This program is for veterans with mental and medical care needs to be placed in homes in the community.

Ms. Charles introduced the program. A Medical Foster Home (MFH) is a type of Community Residential Care home chosen by a Veteran who is unable to live independently. It offers family-style living with room, board and personal care. The MFH is matched with the Veterans physical, social and emotional needs, including supervision and protection. MFH can be an option for Veterans who require nursing home care but prefer non-institutional setting. The family provides some physical assistance and communicates with staff at the medical center about the veteran's health and well being. The Caregiver must live within a 30 mile radius of the Coatesville Veterans Medical Center. A coordinator is required to make unscheduled visits at least once a month to the residences. Once they reach 30 residents a second coordinator will be assigned to assist. The caregiver must live at the residence with the Veteran. The veteran is able to come and go as they please if they are able.

3. Financial Report

Ms. Bjorhus explained the unrestricted funds as of November 30, 2010 are \$343,045 and the restricted funds are \$14,321,149.87. The year to date General Fund Revenue is \$8,269,245 and the year to date expenditures is \$9,179,046 leaving a operating deficit of \$909,802.00. Mr. Simpson asked for a copy of last month's report. Mr. Simpson stated we are showing a million dollar deficit. Ms. Bjorhus explained the City will continue to show revenue and expenditures into next year until March 31, 2011. The City will receive \$500,000 in Earned Income Tax in February. Mr. Brazzle asked if there will still be a deficit as of March 31, 2011. Ms. Bjorhus replied yes, due to the pools, summer camp, recreation department and overtime. Mr. Reed asked about the \$52,000 in revenue donated for the pools. Ms. Bjorhus stated she has not yet offset the monies. Ms. Bjorhus stated the Fire Department is pushing just under \$40,000 in overtime over budget. Mr. Brazzle inquired about the Fire Department overtime. The City should have hired another Fire Fighter full time for the cost of the overtime. Mr. Hamrick explained the problem with the Fire Department was scheduling of the part time employees. Mr. Reed explained there are five to six new hires for part time positions in the Fire department in the pipeline. Mr. Simpson stated the deficit will be projected to be about \$600,000. Ms. Bjorhus stated she expects a negative variance of about \$200,000 when said and done. Mr. Hamrick explained the pools required \$30,000 for the lead removal, a cost which will not be an expense in 2011. Mr. Simpson asked where the expense was posted. Ms. Bjorhus replied Parks. Mr. Brazzle asked about the fees for the Recreation Center rentals. Ms. Bjorhus replied the City has received \$3,000 in revenue as of November 30, 2010 for the rental of the facility. Mr. Reed explained the Community Center was not rented out for the first four months of the year due to the unknown for the Recreation position. Mr. Simpson questioned the contracted services. Ms. Bjorhus stated the costs were from the Fleetwood Street demolition. The funds were reimbursed to the City within two months.

Ms. Bjorhus explained a Police Officer took over the position of community policing officer for the Weed and Seed. A stipend has been offered to the employee for \$10,000 in 2010 and \$10,000 in 2011. The money will come out of the Weed and Seed grant of \$40,000 covering the position. The officer has acquired more duties which he does on his off hours. Mr. Brazzle asked if the Officer knew about these duties before signing up for the position. Lieutenant Shesko replied not really, the Weed and Seed programs have grown.

Mr. Marking made a motion to award the Police Officer a total of a \$20,000 stipend from the Weed and Seed grant money; Mr. Brazzle seconded the motion. Motion passed 7-0.

Citizens' Hearings – Regular Action Items Only

There were no citizens' hearings at this time.

Mr. Hamrick made a motion to close citizens' hearings on regular action items only; Mrs. Jones seconded the motion. Motion passed 7-0.

Items for Discussion

1. Discuss Benner School Speed Bumps

Lieutenant Shesko recommended putting a speed table or a speed cushion to cause cars to slow down. The speed table or speed cushion will not cause damage to the Fire trucks, Police cars or Public Works vehicles. Mr. Brazzle asked if the school wants the City to pay for this. Lieutenant Shesko explained that in discussions the school does not want the City to pay. Mr. Brazzle asked if the Police Department is okay with both options. Mr. Hamrick asked the cost. Mr. Eggleston asked for clarification on who is paying. Lieutenant Shesko suggested if the school does not pay, then the City should put up signs like in front of St. Cecilia's to close off the street during school hours.

2. Discuss Brandywine Creek River Walk Trail Opening

The River Walk is ready to open to the public. Once the Riverwalk trail is opened the City will be able to receive the remainder of the grant funds.

Mr. Barry stated Phase I of the River Walk/Brandywine Creek Trail project is complete. The City is in the process of submitting the necessary paperwork to close out the grant and complete the project. When the trail is open, it will be accessible during normal park hours. The hours are posted at the site. In order to open the trail, the City will need to install a fence as a buffer from the Flats. If the City acquires funding from the County the fence will need to be permanent. The fence will be required to stay after the Flats have been developed. A temporary fence is an alternative which will require a monthly rental fee, but can be taken down once the development on the Flats has occurred.

3. Discuss Authority, Board, Commission and Committee Openings

The Authority, Board, Commission and Committee currently have openings due to vacancies, resignations and term expirations. Mr. Marking asked for the openings to be advertised on the website and Daily Local News.

4. Discuss City Agenda Packets

During the Council Budget Work Session last Monday evening the Council members present discussed as one of the ways to help reduce expenses, providing the bi-weekly agenda packets to the Council members by a DVD on the Fridays before the Council meetings rather than the printed Agenda packets which require thousands of pages of paper and several hours of staff preparation, printing, collating and preparing for delivery. The Council members would then be responsible for printing the agenda for the Council meeting or bring a lap-top computer with the information on it. Mr. Eggleston asked for a practice run. Mr. Reed stated a CD with a copy of the December 13, 2010 meeting packet will be forwarded to the Council members.

Regular Action Items

1. Receive and Consider Second and Final Reading an Ordinance of the City of Coatesville, County of Chester and Commonwealth of Pennsylvania, appropriating specific sums estimated to be required for the specific purpose of the City Government as therein set forth for the year 2011

Mr. Reed announced Council met three times to discuss the revenue and expenses. Mr. Reed read the budget expectation cuts made from the original budget. Mr. Brazzle asked why the City Council phones are being eliminated. He stated as a Council person, people need to get in touch with me. It will run up his minutes and it does not make sense for him to pay out of his pocket and get a plan to accommodate that. Ms. Jorgenson asked if he is paid as a council person. Mr. Brazzle stated the council compensation is a joke. Mr. Brazzle stated the Recreation should offer more programs not be cut from the budget. How can we say that we are interested in the future of the children when were not willing to invest in the children. You say crimes are going up. If you give the youth nothing to do what do you expect? Ms. Jorgenson asked where the money should be taken out of the budget to pay for the programs. Mr. Brazzle stated that he will never approve something when it takes away from the youth of Coatesville. Mr. Brazzle stated with what little money we have should be directed to the programs. He asked if we have looked for money with grants, have we done anything to look for additional funding for the programs. Mr. Hamrick mentioned camps run by churches and Youth Initiative. He suggested the little money the City has can be used to support those programs. Mr. Hamrick explained the ReCreate Program started by a previous Recreation Director. The program was a great program for the youth. The program had more youth participating. He put his own money and time into it. We have to balance a budget. We cannot inflate the budget. That is why we end up in the arrears every year. Mr. Brazzle stated losing two positions in the City is not going to help the budget. Ms. Jorgenson asked Mr. Brazzle if he attended the budget meetings. Mr. Brazzle replied he did not. Mr. Hamrick stated the pools will still be open in the summer. Mr. Brazzle stated we are not offering any recreation to the youth. Ms. Jorgenson stated there are programs through Weed and Seed, Pal, Youth Initiative, mentoring, churches, etc... Mr. Simpson explained to Mr. Brazzle if he would like to make a request to add something back into the budget, the time is now. Mr. Brazzle stated it was no point.

Mr. Hamrick made a motion to approve Second Reading and Adoption an Ordinance of the City of Coatesville, County of Chester and Commonwealth of Pennsylvania, appropriating specific sums estimated to be required for the specific purpose of the City Government as therein set forth for the year 2011; Mr. Marking seconded the motion. Motion passed 5-2. Mr. Brazzle and Mr. Eggleston were the dissenting votes.

2. Receive and Consider Second and Final Reading an Ordinance providing for salaries and wages for personnel employed by the City of Coatesville

Mr. Marking made a motion to approve Second Reading and Adoption of an an Ordinance providing for salaries and wages for personnel employed by the City of Coatesville; Mr. Hamrick seconded the motion. Motion passed 5-2. Mr. Brazzle and Mr. Eggleston were the dissenting votes.

3. Receive and Consider Second and Final Reading an Ordinance amending Chapter 203 (Taxation) of the City of Coatesville, Chester County Pennsylvania

There is no tax increase proposed. Mr. Brazzle questioned the breakdown of the taxes on the Ordinance for recreation. Are the monies from the taxes supposed to be used for Recreation? Mr. Reed explained Mr. Walker wanted to break the tax rate down. Mr. Simpson asked if the fees are to be applied to recreation. Ms. Bjorhus stated there a basic guidelines and not a

dedicated tax. Mr. Reed asked Ms. Mowday to get the prior year's Ordinances with the breakdowns.
Council agreed to move forward with the action items until the ordinances were located.

Mr. Eggleston stepped out of the meeting.

4. Receive and Consider a First Reading an Ordinance of the City of Coatesville, Chester County Pennsylvania, amending Chapter 35 of the Administrative Code, which is entitled "Personnel Policies," to revise certain definitions contained therein, and to revise provisions of the code concerning job qualifications, transfer of employees, disciplinary actions and appeals, hours of work and benefits, and replacing all other Ordinances, or parts of Ordinances, in consistent therewith

Mr. Hamrick made a motion to approve for First Reading an Ordinance of the City of Coatesville, Chester County Pennsylvania, amending Chapter 35 of the Administrative Code, which is entitled "Personnel Policies," to revise certain definitions contained therein, and to revise provisions of the code concerning job qualifications, transfer of employees, disciplinary actions and appeals, hours of work and benefits, and replacing all other Ordinances, or parts of Ordinances, in consistent therewith; Ms. Jorgenson seconded the motion. Motion passed 6-0. Mr. Eggleston was not present for the vote.

5. Receive and Consider Riverwalk Grant Amendment

The County has approved the City's request for an additional \$84,936 of grant funds for the River Walk project. This additional funding will be used to install an 8' high chain link fence coated in a black vinyl along the west border of the trail, the extension of a wood barrier fence along the East border of the trail, the installation of a swing gate on the rail spur bridge and the installation of three signs to address park rules, hours of operation, etc. It is noted in the County's letter that there is no extension of the grant contract time in this amendment. The City's required match for this additional grant funding is met by the State Dept. of Conservation and Natural Resources (DCNR) grant of \$250,000. An amendment to the current grant contract adding \$84,936.00 of grant funding is presented for the Council's consideration.

Mr. Brazzle made a motion to approve Amendment #3 to the Chester County grant to increase the grant an additional \$84,936 to a new total of \$1,084,936 for the River Walk project, Contract ID #8229 and authorize the Council President and the Interim City Manager to execute the Amendment on behalf of the City; Ms. Jorgenson seconded the motion. Motion passed 6-0.

6. Receive and Consider Free Holiday Parking

In the past the City Council has allowed free parking on all City parking meters in observance of the holiday season. The Staff is requesting that the Council continue this tradition and allow free meter parking through January 1, 2011.

Mr. Eggleston reentered the meeting.

Mr. Hamrick made a motion to authorize free parking on all parking meters in the City beginning December 14 through January 1, 201; Ms. Jorgenson seconded the motion. Motion passed 7-0.

7. Receive and Consider Redevelopment Authority request to Postpone Loan Interest Payment

In 2009 the City Council agreed to transfer \$7 million from the Reserve Trust Fund to pay a bank note in that amount for the Redevelopment Authority which had matured. The City and the RDA entered into an agreement whereby the RDA would repay the loan from the City as RDA properties are sold by refunding 95% of the property purchase price which the City would return to the Reserve Trust Fund. The agreement provides that the RDA would pay the 4% interest on the loan each year which amounts to \$275,000.

The RDA has not sold any properties and is faced with a year-end budget deficit. The RDA is respectfully requesting that the City Council allow a postponement (not a waiver) of the 2010 interest payment. It should be noted that these funds were not included in the 2010 budget.

Mr. Brazzle made a motion to approve the Redevelopment Authority request to postpone the loan interest payment; Mr. Hamrick seconded the motion. Motion passed 6-1. Mr. Brazzle was the dissenting vote.

The council resumed dialogue on regular action item #3, Receive and Consider Second and Final Reading an Ordinance amending Chapter 203 (Taxation) of the City of Coatesville, Chester County Pennsylvania.

Mr. Carnes addressed the tax breakdown. The City has made a line item breakdown of the taxes as a sort of general indication to City residents as to where the tax money goes. Mr. Carnes recommended striking the reference to a breakdown of the assessments.

Mrs. Jorgenson made a motion to approve for Second Reading and Adoption an Ordinance amending Chapter 203 (Taxation) of the City of Coatesville, Chester County Pennsylvania as recommended by the City Solicitor; Mr. Hamrick seconded the motion. Motion passed 5-2. Mr. Eggleston and Mr. Simpson were the dissenting votes.

Mr. Eggleston requested a copy of the new clean version.

8. Receive and Consider Cessation of the City Free Wireless

Mr. Brazzle stated the City is now taking away the free wireless from the community. Mr. Marking stated it is not exactly free. The site is unsecured so there is a risk to the City. There is no agreement on how the service is used, so people can use it for whatever they like, and it will be tracked back to the City servers. Everyone is paying for it, but not everyone is able to access it. Mr. Reed indicated it would take a couple of weeks to deactivate the service.

Mr. Marking made a motion for the cessation of the City Free Wireless; Mr. Hamrick seconded the motion. Motion passed 6-1. Mr. Brazzle was the dissenting vote.

Solicitors Report

Mr. Carnes explained the Access Agreement is unresolved as of Friday. Mr. Simpson stated the easement that was agreed upon with the City originally has moved on the property. The proposed area will be unfeasible for the City to provide the easement.

Ms. Jorgenson made a motion to authorize signing of plans and execution of the development and easement agreement with Coatesville Inn Associates and release them subject to conditions of escrow imposed upon Solicitors approval; Mr. Marking seconded the motion. Motion passed 5-2. Mr. Eggleston and Mr. Simpson were the dissenting votes.

Mr. Brazzle excused himself at 11:05 pm

City Manager's Report

Mr. Reed wished everyone a Happy Holiday.

Citizens' Hearings – *Non-Agenda Items*

Marie Hess – Resident

Ms. Hess asked for permission and was granted to put together a Tree Lighting Ceremony for this year. The tree will be at Gateway Park within the next couple of days. The proposed tree lighting will be on Saturday December 18, 2010.

Joseph Gower – Resident

Mr. Gower explained he has received several tickets for parking in front of his home. He lives across the street from the Post Office. Signs were just posted for 15 minute parking. There is no place for the residents to park that live across the street from the Post Office. Mr. Wilkinson and Lieutenant Shesko stated they would investigate the parking signs.

Council Comments

Mr. Eggleston asked if we could go home and wished everyone a Merry Christmas.

Mr. Hamrick stated the Minister's Alliance thanked the City of Coatesville for the Proclamation.

Ms. Jorgenson wished everyone a Merry Christmas.

Mrs. Jones thanked everyone for coming out. Your support is invaluable.

Mr. Marking stated that after about 100 hours of working on the City's website content will be delivered to the developer by the end of the week.

Mr. Simpson thanked everyone for coming out this evening, sorry it took so long. The reorganization meeting will take place on the first Monday in January. Mr. Simpson thanked everyone for the past year.

Adjournment

Mr. Hamrick made a motion to adjourn the meeting; Mr. Hamrick seconded the motion. Motion passed 6-0.

Ted Reed
Interim City Manager