

**MINUTES
CITY COUNCIL MEETING
Monday January 24, 2011**

Regular Session

Council President Karl Marking called the meeting to order at 7:48 p.m. and welcomed everyone to the meeting. Council members present were Council President Karl Marking, Council Vice President Joseph Hamrick, Mssrs., Jarrell Brazzle, Edward Simpson, Mrs. Ingrid W. Jones, and Ms. Karen Jorgenson. Staff members present included City Solicitor John Carnes, City Manager Wayne Reed, Police Chief Julius Canale, Director of Public Works Donald Wilkinson, Director of Planning and Codes Enforcement Damalier Molina, Director of Finance Stacy Bjorhus and Recording Secretary Ruthann Mowday.

President Marking announced an Executive Session was held earlier this evening, January 24, 2011 to discuss personnel and legal.

President Marking announced Mr. Eggleston would be in attendance at a later time.

Approval of Minutes: *January 10, 2011*

Vice President Hamrick made a motion to approve the minutes for January 10, 2011 with corrections; Mrs. Jones seconded the motion. Motion passed 5-0. Mr. Simpson was not present for the vote.

Mr. Simpson entered the meeting at 7:50 pm.

Approval of Accounts Payable

Mr. Simpson made a motion to approve the payable listing January 21, 2011; Vice President Hamrick seconded the motion. Motion passed 6-0.

Additions, Deletions or Modifications to the Agenda

Vice President Hamrick made a motion to add Regular Action Item #8 – to dissolve the search committee for the City Manager moving to full Council interviews; Mrs. Jones seconded the motion. Motion passed 6-0.

Presentations

1. Weed and Seed Steering Committee – Ms. Carolyn Johnson and Mr. Allen Smith

Ms. Carolyn Johnson introduced the members of the Weed and Seed Committee members. Officer Ollis gave a presentation on the activities of the Weed and Seed Committee. It is amazing how many people show up and volunteer for the Neighborhood Watch and beautification. Mr. Allen Smith discussed bringing the subcommittees back online. The subcommittees are volunteers. There is no funding attached to the subcommittees. Ms. Chaya Scott, Youth Initiative, explained the four goals for the youth. The goals are Weed and Seed improve communication within the Coatesville Community; create opportunities; develop strong out of school network of activities throughout the year; and provide training opportunities for the out of school activities. Ms. Amanda Winkey discussed the Rapid Response Program. Mr. Jim Tice, US Attorneys' Office, stated he has been with the Weed and Seed Program since 2002. He has watched it go through the ebbs and flows of success and failures. Ms. Charlotte Plains, PA Director of Weed and Seed, stated over \$3 million has been provided for the revitalization effort in Coatesville. She hopes the City can maintain a site coordinator as well as a community police liaison.

2. Pal and Brandywine Valley YMCA – Detective Gerald Pawling and Ms. Sue Cornell

Detective Gerald Pawling and Ms. Sue Cornell discussed the use of the Coatesville Memorial Community Center (CMCC). Detective Pawling stated he is looking for space to use and hopes to have access to the CMCC. Vice President Hamrick asked if the City lets you use the building, what you are looking from us besides the use of the building. Detective Pawling asked for assistance with the heat and the utilities.

3. New City Website – Mr. Karl Marking

Given the length of time used by the Weed and Seed for their presentation President Marking stated the New Web Site will be available for review after the Council meeting.

4. Financial Report – Ms. Stacy Bjorhus

Ms. Bjorhus stated the City is currently at a \$1.2 million negative variance. The City is currently waiting for a full quarter of EIT, the cable franchise fourth quarter and most of the grant programs and grant funds for the capital projects. Mr. Simpson question the expenditure budget currently showing over \$100,000 in surplus but the last report showed a deficit of \$500,000. Ms. Bjorhus stated all 2010 expenditures have not come through at this time.

Vice President Hamrick stepped out of the meeting at 8:45 pm

Citizens' Hearings – Regular Action Items Only

There were no citizens' comments on Regular Action Items only.

Mrs. Jones made a motion to close citizens' hearings on regular action items only; Ms. Jorgenson seconded the motion. Motion passed 5-0. Vice President Hamrick was not present for the vote.

Vice President Hamrick reentered the meeting at 8:50 pm.

Special Event

1. A Special Event Permit Application has been received from Trinity United Bible Church is requesting a Special Events Permit to hold a Festival at Abdala Park on Thursday, July 21 to Sunday, July 24, (four days) from 9:00 a.m. to 10:00 p.m. The anticipated attendance is 150 people per day.

Mr. Brazzle made a motion to approve a Special Event Permit Application from Trinity United Bible Church is requesting a Special Events Permit to hold a Festival at Abdala Park on Thursday, July 21 to Sunday, July 24, (four days) from 9:00 a.m. to 10:00 p.m.; Mrs. Jones seconded the motion. Motion passed 6-0.

2. A Special Event Permit Application has been received from the Rotary Club of Coatesville is requesting a Special Events Permit to hold the Lewis and Clark Circus at Gateway Park on Wednesday, June 14 and Thursday, June 15. The anticipated attendance is about 500 to 1,000 people per day.

Vice President Hamrick made a motion to approve a Special Event Application from Rotary Club of Coatesville for the Lewis and Clark Circus at Gateway Park on Wednesday June 14 and Thursday, June 15, 2011; Mr. Brazzle seconded the motion. Motion passed 6-0.

Items for Discussion

1. Discuss SWEEP Program

President Marking read during the last meeting on January 10, Mr. Patrick Hopkins, Lancaster City Business Administrator, gave a presentation to Council on Lancaster's Property Violation Notice System which includes the Instant Ticketing Program. The City Staff would like to continue discussions with Council for a similar program in Coatesville to determine if the Council would direct the Staff to prepare further information and a draft ordinance for Council's consideration.

Mr. Reed explained staff would like direction from Council on the how to proceed. Mr. Molina stated he is looking for ways of enhancing the quality of life issues. Mr. Simpson asked about the cost of the Program. Mr. Molina suggested gradually phasing in the program. Mr. Simpson asked if it would be cost prohibitive from the get go. Mr. Reed explained the staff can put together a long range estimate plan in the budget to purchase the software and one digital handheld. Mr. Molina explained Allentown does the manual process. Council agreed to receive information on cost analysis of the program from staff.

Regular Action Items

1. Receive and Consider Second Reading and Final Reading an Ordinance amending Chapter 84, "Building Contractors", Licensing of" of the General Laws of the City of Coatesville, narrowing the application of a licensing fee to contractors engaged in Commercial Construction, providing for the registration of all contractors engaged in business within the City of Coatesville for the purpose of providing insurance certificates, defining the term registration of contractors, providing for the establishment of the application requirements and fees, and providing for penalties for violations.

Mr. Simpson made a motion to approve for Second Reading and Adoption an Ordinance amending Chapter 84, "Building Contractors", Licensing of" of the General Laws of the City of Coatesville, narrowing the application of a licensing fee to contractors engaged in Commercial Construction, providing for the registration of all contractors engaged in business within the City of Coatesville for the purpose of providing insurance certificates, defining the term registration of contractors, providing for the establishment of the application requirements and fees, and providing for penalties for violations; Vice President Hamrick seconded the motion. Motion passed 6-0.

Mr. Brazzle stepped out of the meeting at 9:05 pm.

2. Receive and Consider appointments to the Authorities, Boards, Commissions and Committees

Mr. Simpson made a motion to reappoint Jack Burkholder to the Redevelopment Authority for the term of January 1, 2011 to December 31, 2015; Mr. Brazzle seconded the motion. Motion passed 5-0.

Mr. Simpson nominated Joseph Kandler to the Redevelopment Authority to complete the term of Jon Kasitz (January 1, 2010 to December 31, 2014); Motion failed 2-3. Mrs. Jones, Ms. Jorgenson and President Marking were the dissenting votes.

President Marking nominated Eric Collins to the Redevelopment Authority to complete the term of Jon Kasitz (January 1, 2010 to December 31, 2014); Motion appeared to pass 3-2. Mr. Simpson and Vice President Hamrick were the dissenting votes. However, Mr. Simpson raised the question as to whether or not a majority of council persons present was needed to make an appointment to an authority – or whether a majority as a whole was required. Mr. Carnes

indicated that according to the Code, it must be a majority of Council as a whole. As such the motion failed (due to lack of a majority of council votes).

Vice President Hamrick made a motion to reappoint Stephen Crane to the Zoning Hearing Board for the term of January 1, 2011 to December 31, 2013; Mr. Simpson seconded the motion. Motion passed 5-0.

President Marking made a motion to appoint Eric Lacerte to the Zoning Hearing Board as an alternate for the term of January 1, 2010 to December 31, 2012; Mr. Simpson seconded the motion. Motion passed 5-0.

Mr. Simpson questioned the process of the nominations. The Redevelopment Authority was done by nomination process and the others were done by motions. Mr. Carnes clarified the process of voting for Authority, Boards, Commission and Committee members by reading the Roberts Rules of Order.

Mr. Brazzle reentered the meeting at 9:15 pm.

Vice President Hamrick made a motion to reappoint Jose Rios to the Police Pension Commission, Firefighters Pension Commission and the Non Uniform Pension Commission; Mr. Simpson seconded the motion. Motion passed 6-0.

Mr. Simpson made a motion to appoint Don Wilkinson to the Non Uniform Pension Commission as staff member for the term January 1, 2011 to December 31, 2011; Mr. Brazzle seconded the motion. Motion passed 6-0.

Vice President Hamrick made a motion to reappoint Carmen Boyd and Tonya Thames Taylor to the Historical Commission for the term of January 1, 2011 to December 31, 2013; Motion passed 6-0.

Vice President Hamrick made a motion to reappoint Mark Kahler to the Planning Commission for the term January 1, 2011 to December 31, 2014; Ms. Jorgenson seconded the motion. Motion passed 6-0.

Vice President Hamrick made a motion to reappoint Paul Johnson to the Reserve Trust Fund Commission for the term January 1, 2011 to December 31, 2012; Ms. Jorgenson seconded the motion. Motion passed 5-1. Mrs. Jones was the dissenting vote.

Mr. Simpson made a motion to appoint Karl Marking to the Technology Commission for the term of January 1, 2011 – December 31, 2011; Mrs. Jones seconded the motion. Motion passed 6-0.

President Marking made a motion to appoint Ruthann Mowday to the Technology Commission for the term of January 1, 2011 – December 31, 2012; Mr. Simpson seconded the motion. Motion passed 6-0.

3. Receive and Consider Resolution for signatures for the City of Coatesville Bank Accounts
With the change in Council officials it is necessary for the President and Vice President of Council to be authorized to sign checks if needed. A Resolution providing for this authorization in presented for Council's consideration.

Mrs. Jones made a motion to approve Resolution for signatures for the City of Coatesville Bank Accounts; Mrs. Jorgenson seconded the motion. Motion passed 6-0.

4. Receive and Consider AFSCME Non-Uniform Union Contract

The American Federation of State, County and Municipal Employees (AFSCME) Union Contract expired on December 21, 2009. The Union and the City began discussions for a new contract in late 2009 but did not proceed beyond the first one or two meetings. Discussions began again last summer between the Council-appointed Negotiating Team and the Union representatives. In early January the two groups tentatively agreed upon a draft agreement and on January 13 the AFSCME Union members approved the agreement pending the City's approval.

The proposed contract provides for the following salary increases over the four year life of the contract: 2010 – 0% increase; 2011 – 2% increase; 2012 – 2% increase; and 2013 – 2.5% increase. Other changes include: 1) eliminates five weeks of vacation after 15 years for employees hired after January 1, 2010; 2) eliminates annual paid employee sick leave for all employees hired after January 1, 2010; 3) paid lunch is reduced from one hour to 15 minutes with an additional 30 minutes of unpaid lunch allowed; 4) reduces longevity pay for employees hired before January 1, 2010 and eliminates longevity pay for any employees hired after January 1, 2010; 5) provides for employee co-pay of \$25/\$35 for insurance and 4% monthly insurance costs participation beginning January 1, 2012 and 5% participation beginning January 1, 2013; 6) provides for the reopening of the contract should the Office of Auditor General determines that any provision of the Non-uniform Pension Plan is inconsistent with the Third Class City Code.

Mr. Eric Brown, Solicitor, stated the contract achieves three objectives the negotiating committee for the City is charged with: one to secure salary freeze for first year; two, establish a more equitable sharing system for health care costs, and three beginning to phase out longevity payments.

Mr. Simpson thanked the union members that negotiated. There are some serious concessions here. We have to start somewhere. It was tough to ask for the concessions considering the times, but we have to start somewhere.

5. Receive and Consider a Resolution of the Council of the Coatesville, Chester County, Pennsylvania, adopting amendment No. 1 to the City of Coatesville Police Pension Plan to clarify certain provisions.

In 2007 the Council approved an amendment to the Police Pension Plan which specifically excluded the Chief of Police from the Plan to accommodate the then new Chief of Police who had no prior retirement benefit in the Plan. Since the present Chief of Police came in through the ranks of the Coatesville Police Department and was previously in the Plan, it is necessary to amend the Plan to include the current Chief of Police.

Vice President Hamrick made a motion to approve a Resolution of the Council of the Coatesville, Chester County, Pennsylvania, adopting amendment No. 1 to the City of Coatesville Police Pension Plan to clarify certain provisions; Mrs. Jorgenson seconded the motion. Motion passed 6-0.

6. Receive and Consider a Resolution adopting the Pension Plan Provision Guide Versions 1.7 and 1.8

The City's Pension Plan is administered by Massachusetts Mutual Insurance Company and has been working with the City Staff and our legal counsel to develop the Pension Plans for all three

City unions. Part of this process requires the development of a document called “Plan Provision Guide” which is a summary and smaller version of the actual Pension Plan and is used by Mass Mutual to develop its maintenance program which provides detailed information to each plan participant. The Police Pension Fund Commission met earlier this month and approved the recommendation to the Council for their official approval which is required by the City Code.

Vice President Hamrick made a motion to approve the Police Pension Plan – Plan Provision Guide, Versions 1.7 and 1.8, and authorize the President and Interim City Manager to execute these documents and provide to Mass Mutual; Mr. Simpson seconded the motion. Motion passed 6-0.

7. Receive and Consider engagement letter from Barbacane, Thornton & Company LLP to perform the 2009 and 2010 municipal auditors

Barbacane, Thornton & Company, LLP, has begun work on the 2009 municipal audit after which they will continue with the 2010 municipal audit.

Mr. Simpson made a motion to approve the engagement letter from Barbacane, Thornton & Company LLP to perform the 2009 and 2010 municipal auditors; Mrs. Jorgenson seconded the motion. Motion passed 6-0.

8. Receive and Consider dissolving the search committee for the City Manager and moving to full City Council interviews

Mrs. Jorgenson made a motion to dissolve the search committee for the City Manager and move to full Council Interviews; Mr. Simpson seconded the motion. Motion passed 6-0.

Solicitors Report

Mr. Carnes asked if there were any questions on the Solicitors Report. There were no questions.

City Manager’s Report

Mr. Reed announced the Velodrome developers made a presentation of their sketch plans to the planning committee last week and has met with the surrounding municipalities. Mr. Reed announced he will be presenting the annual report at the next meeting.

Citizens’ Hearings – Non-Agenda Items

Matt Rusnuk – Resident

Mr. Rusnuk stated a car has been parked on his street. It causes a problem when it snows, and blocks the way of plowing. The car cannot be towed because of valid plates and registration. The car constricts the plow to go around. Chief Canale stated he would look into the matter.

Resident

A Resident asked about the security camera placement on Diamond and 6th Avenue and 6th and Chestnut. The resident asked if there has been any progress on this issue. Chief Canale stated he would look into the matter. The resident explained there is furniture in the alley at 6th and Diamond that has been there for a few months.

Anthony Taylor – Resident

Mr. Taylor stated the Parking Enforcement Officer has done a phenomenal job. He asked what happens if a car receives two or three tickets left on a car. Chief Canale stated that after thirty days they are forwarded to District Court. Mr. Taylor stated the Instant Ticket Program is an excellent idea and indicated his support for maintaining quality of life.

Vice President made a motion to close citizens hearing on non agenda items only; Mr. Simpson seconded the motion. Motion passed 6-0.

Council Comments

Mr. Brazzle thanked everyone for coming out this evening.

Mr. Simpson thanked everyone for coming out this evening and wished everyone a good night.

Ms. Jorgenson thanked everyone for coming out this evening. Ms. Jorgenson told Ms. Brown she was sorry she had to move out of town and hopes that we catch the guy.

Mrs. Jones thanked everyone for coming out this evening.

Vice President Hamrick thanked everyone for coming out this evening.

President Marking offered to preview the new website for anyone who would like to see it.

Adjournment

Mrs. Jones made a motion to adjourn the meeting at 10:15 pm; Vice President Hamrick seconded the motion. Motion passed 6-0.

Ted Reed
Interim City Manager