

**MINUTES  
CITY COUNCIL MEETING  
Monday June 13, 2011**

**Regular Session**

Vice President Joseph Hamrick called the meeting to order at 7:30 p.m. and welcomed everyone to the meeting. Council members present were Council Vice President Joseph Hamrick, Mssrs., Jarrell Brazzle, Mrs. Ingrid W. Jones, and Ms. Karen Jorgenson. Staff members present included City Solicitor John Carnes, City Manager Gary Rawlings, Assistant City Manager Kirby Hudson, Police Chief Julius Canale, Acting Fire Chief Jim Lentz, Director of Public Works Donald Wilkinson, Director of Planning and Codes Enforcement Damalier Molina, Director of Finance Stacy Bjorhus, and Recording Secretary Ruthann Mowday.

Vice President Hamrick announced an Executive Session was held June 13, 2011 to discuss matters of personnel and legal matters.

Vice President Hamrick announced President Marking, Mr. Eggleston and Mr. Simpson would not be in attendance.

**Approval of Minutes: *May 23, 2011***

Ms. Jorgenson made a motion to approve the minutes for May 23, 2011; Mrs. Jones seconded the motion. Motion passed 4-0.

**Approval of Accounts Payable**

Ms. Jorgenson made a motion to approve the accounts payables dated June 9, 2011; Mr. Brazzle seconded the motion. Motion passed 4-0.

**Additions, Deletions or Modifications to the Agenda**

Vice President Hamrick made a motion to move item of discussion #2, conversion from a single family home into multiple residential to regular action item #6; Motion failed due to lack of second.

**Citizens' Hearings – *Regular Action Items Only***

There were no citizens' hearings on regular action item only. No action was required.

**Presentation**

1. Swear in Officer Jonathan Alexander Shave – Judge Gregory Hines  
Lieutenant McEvoy provided a background on Officer Shave. Judge Hines swore in Officer Shave as his mother held the bible.

**Items for Discussion**

1. Discuss Brandywine YMCA Summer Camp; The Brandywine YMCA has submitted an agreement to run the summer camp at the Community Center.  
Ms. Sue Cornell proposed a summer camp run by the YMCA for the children in the City since the City is not running a program this year. The program will meet a community need and provide a safe place for the children. The program will start June 20, 2011 and end August 26, 2011 from 9 am to 5 pm. The fee is \$75.00 per week and \$5.00 per extended hour. The cost includes lunch and snacks. The camp fees are the same rate as last year when the City ran the program. Ms. Cornell asked for the City to provide \$13,000 and the YMCA will provide the additional \$20,000

to run the camp. The YMCA expects to raise the funds to supplement the City's payment. The Counselors are required to have child abuse clearance and FBI fingerprinting prior to hiring.

Vice President Hamrick made a motion to move item of discussion #1, Brandywine YMCA Summer Camp Agreement to regular action item #6; Ms. Jorgenson seconded the motion. Motion failed 3-1, due to the lack of the majority of council.

Mr. Brazzle stated he would have approved the YMCA Summer Camp agreement, if the item had been an Action Item. Due to principal, he has stated he will not approve any items of discussion to be moved to a regular action item. He suggested having a meeting during the week or the following week. Ms. Jorgenson and Mr. Brazzle suggested a Friday meeting.

2. Discuss conversion from a single family home into multiple residential. The County response regarding the ordinance passed on first reading by the City of Coatesville

A short while ago the City passed at first reading a Zoning Ordinance amendment for purposes of removing the option of residential conversion to apartments in the City. This has generally been a problem on Chestnut Street but is also a problem elsewhere in the City as it causes serious parking problems and is viewed as reducing property values." – taken from John Carnes' email dated 05.17.11

The city has also received comments from Chester County Planning Commission asking that Council consider the use of "conditional use" permits. City Solicitor Carnes further states in his 05.17.11 email "The use of a "conditional use" proceedings as suggested by the County is expensive both for the applicants and the municipality. In conducting a "conditional use hearing" the City would have to post and advertise the hearing and obtain the presence of a court reporter. The City Solicitor would then have to guide the City Council in its decision-making process, and assist with delivering a timely written decision." Appeals to the Court of Common Pleas become possible because the Council acts as a quasi-judicial body when considering conditional use permits. "Although the City could charge for such a hearing, the general experience is that these proceedings are both cumbersome and expensive."

Mr. Rawlings recommended proceeding with amending Chapter 224 as proposed which will stop the conversion of single-family dwellings to multi-family dwellings. This will add to the Quality of Life Program in Coatesville by: Stopping overcrowding and congestion from increased need for off-street parking; Reduce danger to pedestrians and motorists; Encourage open space; Eliminate cramped living conditions; Stabilize property values

Mr. Carnes explained if a conversion is banned, then the owner can attempt to claim a hardship. The hearing for the hardship is required to be in held in front of the Zoning Hearing Board. It is difficult for the property owner to prove hardship. Mrs. Jones stated the problem with converting the homes into multi-residential is parking.

Council asked for the item to be placed on the June 27, 2011 agenda as a regular action item.

3. Discuss ordinance for residential parking permits and Community Center rental fees. Add the fees for the residential permits and Community Center rental in Section 108 of the City Code.

An Ordinance amending Chapter 108 of the City of Coatesville Code governing "Fees" to provide at Section 108-1X for" (1) Residential parking permits (and renewals) at twenty (\$20.00) per month or One hundred and eighty (\$180.00) dollars per year, and a twenty (\$20.00) transfer

fee: and, to provide at Section 108-1 U. (9) a use fee for the Coatesville Memorial Community Center of three hundred (\$300.00) dollars for four (4) hours of use, one hundred (\$100.00) for each additional hour of use after four hours of use and a required one hundred and fifty (\$150.00) dollar security deposit.

Ms. Jorgenson asked what areas would be affected by the permits. Mr. Rawlings stated he would provide a map of the Central Business District at the next meeting.

Council asked for the item to be placed on the June 27, 2011 agenda as a regular action item.

4. Discuss the server replacement project. The City is currently working in the Windows 2000 domain with Windows 2003 and XP operating systems. The goal is to develop a transition plan to newer hardware, software and licenses.

Currently The City of Coatesville utilizes eight servers running either Windows 2000 or Windows 2003 in addition to their fully managed backup server provided by Help Now. The six servers range in age from three and a half years to over ten years. For documentation purposes the Police department has two Windows 2008 servers - one acting as a file and database server and the other as a Windows Remote Desktop server.

The email server software that is currently in use is Microsoft Exchange 2000. The main issue with continuing to run Exchange 2000 in a production environment is that the total mailbox size for all users cannot exceed 16GB. When this maximum limit is reached all email – both inbound and outbound – will stop flowing until users manually reduce their mailbox size. The current server environment is licensed for Microsoft Windows 2000 user client access licenses (CAL). Due to Microsoft licensing rules these licenses will need to be upgraded to Windows 2008 user CALs. Microsoft support has stopped for both Microsoft Windows Server 2000 and Exchange 2000 several years ago. Because of this Microsoft is no longer releasing any security patches for vulnerabilities.

Mr. Rawlings recommended replacing the six servers with two new highly redundant and accessible servers, update the Microsoft Active Directory environment to Windows 2008, upgrade Exchange 2000 to Exchange 2010, replace current backup battery system with a higher capacity system that includes automatic shutdown in the event of power loss and upgrade the network switch in the server cabinet to support faster speeds. Cost not to exceed \$30,832.42

Mrs. Jones asked if the City has the funds for the server replacement project. Mr. Rawlings stated he hopes to come up with amendments to approve the funding for the replacement or a lease option to replace the servers and software. The brunt of the cost is for the licenses of the programs.

Council asked for the item to be placed on the June 27, 2011 agenda as an item of discussion.

5. Discuss need for Budget amendment workshop and related meetings.

Vice President asked staff to pull Council by email for availability to have the budget amendment workshops.

## **Regular Action Items**

1. Approve first reading an Ordinance amending Section 218-11 of the City of Coatesville Parking Code to prohibit parking on the South Third Avenue from north of the driveway accessing 149 South Third Avenue south to the intersection with Oak Street on the Eastern side of the street.

Ms. Jorgenson made a motion to approve first reading an Ordinance amending Section 218-11 of the City of Coatesville Parking Code to prohibit parking on the South Third Avenue from north of the driveway accessing 149 South Third Avenue south to the intersection with Oak Street on the Eastern side of the street: Mr. Brazzle seconded the motion. Motion passed 4-0.

2. Approve first reading of an ordinance to renew the lease with Coatesville Savings Bank for the use of the adjacent parking lot.

An Ordinance authorizing the City of Coatesville to enter into a lease with respect to the City's parking lot located at 17-19 North Second Avenue in the City of Coatesville to Coatesville Savings Bank for use by the said bank for \$750.00 per year subject to lease modifications including changes in tenants and terms of the lease by Resolution of City Council.

In the future the City and the Redevelopment Authority (RDA) should consider consolidating parking lots and structuring leases that will increase RDA revenue. This allows the RDA to hold City land for future development and use the lots for RDA revenue.

Ms. Jorgenson made a motion to approve first reading of an ordinance to renew the lease with Coatesville Savings Bank for the use of the adjacent parking lot; Mr. Brazzle seconded the motion. Motion passed 4-0.

3. Consider Allen Smith, Weed and Seed. To discuss Mr. Smith as an independent contractor after the expiration of the Weed and Seed agreement.

The purpose of the proposal is to provide an amicable solution to continue the action items in the 2010 Weed and Seed Revitalization and management of the Weed and Seed Program. The Weed and Seed has been functioning since 2000 and is wholeheartedly supported by the Police Department. Mr. Rawlings recommended hiring Allen Smith as a contracted consultant for the Weed and Seed Program with the following stipulations: Contract is for 1 year starting 07/01/11 thru 06/30/12; Payment not to exceed \$10,000 for FY 2011; Payment not to exceed \$10,000 for FY 2012; Allen Smith to be paid via contract using 1099 with no benefits

Ms. Jorgenson explained the grant runs out in June and there is still work for Mr. Smith to do. Mr. Rawlings explained Mr. Smith's role is to close out the grants and submit reports to the state about the program and how it has worked. The grant has been extended to September.

Mr. Brazzle made a motion to approve an agreement with Allen Smith as an independent contractor from July 1, 2011 to June 30, 2012 with a payment not to exceed \$10,000 for FY 2011 and \$10,000 for FY 2012 and no benefits; Vice President Hamrick seconded the motion. Motion passed 3-1. Mrs. Jones was the dissenting vote.

4. Approve a resolution to support the Growing Greener Program for preserving open space and farmlands, developing community park and recreation areas, cleaning up abandoned mines and Brownfield sites, restoring impaired rivers and streams, and protecting and improving state game, forest and park lands.

The Growing Greener program has provided funding for preserving open space and farmlands, developing community park and recreation areas, cleaning up abandoned mines and Brownfield

sites, restoring impaired rivers and streams, and protecting and improving our state game, forest, and park lands; and

The City of Coatesville seeks to protect the health of its citizens and enhance the quality of life for its residents, in part by planning for and implementing projects that preserve open space and historic resources, providing for community parks and recreation, and safeguarding water resources; and

The City of Coatesville understands that throughout Pennsylvania, Growing Greener II has helped to preserve nearly 34,000 acres of working family farms ; conserve more than 42,300 acres of threatened natural areas; restore more than 1,600 acres of abandoned mine lands; and enhance access to outdoor recreation through 234 community park projects and 132 state park and forest infrastructure projects; and

Mrs. Jones made a motion to approve a resolution to support the Growing Greener Program for preserving open space and farmlands, developing community park and recreation areas, cleaning up abandoned mines and Brownfield sites, restoring impaired rivers and streams, and protecting and improving state game, forest and park lands; Mr. Brazzle seconded the motion. Motion passed 4-0.

5. Approve Memorandum of Agreement executed by AFSCME that serves to supplement the existing Collective Bargaining Agreement. The Memorandum memorializes the creation of two new positions within the bargaining unit, together with the pay rate for each.

Ms. Jorgenson asked if the two positions have been filled. Mr. Rawlings replied yes. The positions were not initially in the existing collective bargaining agreement. The Agreement was provide from AFSCME listing the two positions and pay rate for approval.

Ms. Jorgenson made a motion to approve a Memorandum of Agreement executed by AFSCME that serves to supplement the existing Collective Bargaining Agreement memorializing the creation of two new positions within the bargaining unit, together with the pay rate for each; Mr. Brazzle seconded the motion. Motion passed 4-0.

### **Solicitors Report**

Mr. Carnes explained the Millview Litigation. The City has participated in a lawsuit brought by the Homeowners' Association against the Builder and Developer of the community (Coatesville Communities Corp. and Chetty Builders, Inc., respectively). The President of the relevant corporations, Carl Chetty was also a Defendant in the suit as was the City of Coatesville. The lawsuit sought to have the Developer/Builder complete the public improvements now for many years unfinished. Currently, FTP Millview, LP, Mr. Chetty and the Regency Apartments, formally known as Coatesville Housing Associates, a Pennsylvania limited partnership, are all participating in separate agreements to assure that there are sufficient funds to complete the work in accordance with the Order of Settlement. Mr. Chetty, as mentioned, has personally guaranteed the completion of the road system. Mr. Chetty has assured all involved that the work will be completed by the end of July.

### **City Manager's Report**

Mr. Rawlings announced he has worked with the department heads to discuss projects within their departments. The department heads are currently working on the recommendations. He meets with the staff on the following Tuesday after a Council meeting to review the items discussed/recommendations from Council. Mr. Rawlings stated he has provided Council with a copy of his daily calendar.

**Citizens' Hearings – Non-Agenda Items Only**

Harry Colon – Resident

Mr. Colon asked BJORHUS if she was the PR person for the City? Mr. Rawlings stated the City does not have a PR person. Mr. Colon asked the process for the Solid Waste invoicing, receipts of payment and who collects the data. Ms. BJORHUS explained the data in 2009 was unable to be updated and the information was posted manually. Mr. Colon asked why Mr. Smith of the Daily Local News was in the Finance Office after the RDA meeting and if this was a breach of security.

Marie Hess – Resident

Ms. Hess asked for the City to remove Mr. Cane as a member of the Parks and Recreation Commission. Mr. Cane no longer wants to be on the Commission. Ms. Hess announced the Bike event on June 25<sup>th</sup> at Jeanne Treadwell James Park and the Blueberry Festival at Patton Park on July 9, 2011. Ms. Hess stated as the Parks and Recreation Commission chairperson, the City should rethink what we did for the YMCA, they were keeping the prices the same for the camp and the program is need in the City. Mr. Brazzle explained he answered no, to move an item from discussion to a regular action item as a matter of precedence.

Ms. Jorgenson made a motion to close citizens' hearings on non-agenda items only; Mr. Brazzle seconded the motion. Motion passed 4-0.

**Council Comments**

Mr. Brazzle announced he thinks the YMCA will move forward. He explained he answered no, and will continue to vote no when moving an item from discussion to regular action item. Had the item been a regular action item, he would have voted yes. He suggested having a meeting on Friday. Mr. Brazzle explained the City has the worst streets in life. A person can get a flat tire just driving on them. The city has an obligation to the residents and citizens to fix the streets. Mr. Brazzle asked why the fire truck responds to a call that is not a fire. Chief Lentz explained the truck is in the presence of the employee (firefighter) at any call for safety reasons. Mr. Brazzle stated he has received several calls regarding the dirt pile at the Walgreens development site.

Ms. Jorgenson stated she was disappointed in the recreation vote. The item could have moved forward. She asked for the Zoning Hearing Board meetings and issues to be posted on the website. There are key things to keep track of. Ms. Jorgenson asked Mr. Wilkinson the process for yard waste pickup. Mr. Wilkinson stated a resident can call the reception desk or public works with the address of the property where the yard waste is located, the Public Works Department picks up yard waste bi-weekly. It can take more than one day to pick up all the waste. She asked what to do if the waste is not picked up. Mr. Wilkinson said to call and give the address and the PW dept. will pick it up. Ms. Jorgenson stated the trash carrier is putting the recyclables in the trash. Mr. Wilkinson said he would look into the matter.

Mrs. Jones thanked everyone for attending the meeting and asked everyone to continue to come.

Vice President Hamrick thanked everyone for coming to the meeting. A citizen pointed promoting citizens to clean up after themselves. There is no community value in the City. The City should get signs that point out cleaning up your City. Help the City in moving people to help clean up the City. The children of the community are everyone child. There are a lot of children and adults in the community; we can help to watch over our neighbors.

**Adjournment**

Mr. Brazzle made a motion to adjourn the meeting at 9:15 pm; Mrs. Jones seconded the motion. Motion passed 4-0.

Agenda Submitted by:  
Gary Rawlings  
City Manager