

**City Council
Minutes
Monday September 12, 2011**

Regular Session

President Joseph Hamrick called the meeting to order at 7:35 p.m. and welcomed everyone to the meeting. Council members present were Council President Joseph Hamrick, Council Vice President Martin Eggleston, Mssrs., Jarrell Brazzle, Edward Simpson, and Mrs. Ingrid W. Jones. Staff members present included City Solicitor John Carnes, Assistant City Manager Kirby Hudson, Lieutenant Rita Shesko, Acting Fire Chief Jim Lentz, 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 earlier this evening, September 12, 2011 to discuss personnel and legal matters.

Approval of Minutes:

Mrs. Jones made a motion to approve the minutes for August 22, 2011; Mr. Simpson seconded the motion. Motion passed 5-0-1. Ms. Jorgenson abstained from the vote.

Approval of Accounts Payable

Mr. Simpson made a motion to approve accounts payable dated September 8, 2011; Ms. Jorgenson seconded the motion. Motion passed 6-0.

Mr. Simpson asked if the bills are being paid. Ms. Bjorhus explained the bills are being held at this time. Mr. Simpson asked if this is normal. Ms. Bjorhus explained the bills are usually paid the next day. Mrs. Jones questioned the bill from Tufnuts based in New Mexico. Mr. Wilkinson explained the company is used for parts and is located locally. The New Mexico address may be their main office.

Additions, Deletions or Modifications to the Agenda

Mrs. Jorgenson made a motion to add regular action item #6; appoint replacement for Karl Marking position on City Council; Mr. Simpson seconded the motion. Motion passed 6-0.

President Hamrick made a motion to add regular action item #7; accept counter offer of \$1,500 for tax parcel no. 16-1-14.1 and regular action item #8; withdrawal of \$2,000,000 from the City Reserve Trust Fund and payback of the funds as soon as possible; Mr. Brazzle seconded the motion. Motion passed 4-1-1. Vice President Eggleston was the dissenting vote and Mr. Brazzle abstained from the vote.

Presentation

1. Growing Greener Packet – Patrick Cox

Mr. Cox provided Council with a copy of the Growing Greener Plus application 2011 submitted. The grant request was for \$148,400. The grant and contributors matching funds will cover the design and construction of the entire system for \$351,000. Mr. Simpson inquired about the City's ten percent match. Mr. Cox explained the match can be in kind services. Mr. Carnes asked if the in kind services can be done by the City staff. Mr. Cox replied yes. The Brandywine Creek is impaired water shed.

2. Neighborhood Health Agencies – Andrea Devoti

Ms. Devoti presented Council with a packet on Neighborhood Health Agencies. Ms. Devoti explained the statistics for the City indicate that 629 Coatesville residents were served during the fiscal year 2010-2011. The individuals had 17,486 visits by hospice or homecare. The mission

is to provide cost effective quality home health care, including maintenance, health education and anticipatory guidance to individuals, families, and groups within the community through the programs and services offered regardless of race, age, color, creed, physical disability, sexual orientation, or ability to pay based upon the available resources.

3. La Comunidad Hispana – Paul Schroeder

Mr. Schroeder explained the mission of La Comunidad Hispana is to empower immigrants and low income residents of Southern Chester County to stay healthy, build strong families and lead productive and fulfilling lives. Mr. Schroeder explained La Comunidad Hispana would like to hold classes teaching English on Tuesday and Thursday nights at the Coatesville Community Memorial Center from 6pm to 9pm. They are willing to pay \$150.00 to cover the utility expense for the center. Vice President Eggleston asked Mr. Schroeder to provide Council with a proposal for the use of the center. Council explained that a special event application is not required but a facility use application should be submitted.

Citizens' Hearings – Regular Action Items Only

There were no Citizens' comments on *regular action items only*

Mr. Brazzle made a motion to close citizens' hearings on regular action items only; Vice President Eggleston seconded the motion. Motion passed 6-0.

Special Events

1. A special event application was received from Penn Crossing Home Owners Association for Residents, family and friends cook-out Block Party on Saturday September 17, 2011 from 12:00 noon to 9:30 pm. A request was made to close the street from 10th – 11th Merchant.

Ms. Jorgenson made a motion to approve a special event application from Penn Crossing Home Owners Association for Residents, family and friends cook-out Block Party on Saturday September 17, 2011 from 12:00 noon to 9:30 pm closing the street from 10th – 11th Merchant; Vice President Eggleston seconded the motion. Motion passed 5-1. Mrs. Jones was the dissenting vote.

Mrs. Jones asked if an Ordinance was passed denying the closing of streets for special events. Mr. Rawlings read the changes made to the Ordinance on special events in which there is no mention of denying the street closings.

2. A special event application was received from Judy Jones for a Coatesville residents/alumni reunion block party at Ash Park on October 22, 2011 or raindate October 23, 2011 from 10:00 am to 5:00 pm. It is anticipated 200-300 people will be in attendance.

Mr. Brazzle made a motion to approve a special event application was received from Judy Jones for a Coatesville residents/alumni reunion block party at Ash Park on October 22, 2011 or rain date October 23, 2011 from 10:00 am to 5:00 pm with the tent fee included; Ms. Jorgenson seconded the motion. Motion passed 6-0.

3. A special event application was received from La Comunidad Hispana to use the Community center on Tuesday and Thursday nights from 6:00 pm to 9:00 pm until May 24, 2012 to teach adult English classes

Council stated the item is not a special event and the requestor should fill out a Facility use application for the use of the Coatesville Community Memorial Center.

4. A special event application was received from West End Fire Company for a car/bike show on October 9, 2011 from 7:00 am to 4:00 pm at 134 Strode Avenue. It is anticipated 60-100 people will be in attendance.

Ms. Jorgenson made a motion to approve a special event application from West End Fire Company for a car/bike show on October 9, 2011 from 7:00 am to 4:00 pm at 134 Strode Avenue; Mr. Brazzle seconded the motion. Motion passed 6-0.

Mr. Simpson explained the West End holds the car/bike show annually. The event has expanded over the years and held on their property. They will not be using a tent but a canopy. Mr. Simpson announced they would like to have a cruise through Coatesville. He asked for a Police Escort for the cruise. Ms. Jorgenson stated it is a community event.

Items for Discussion

1. Discuss Special Event Permits

Mr. Rawlings explained since taking the reins as City Manager I have noticed a lot of Special Event Permit Applications come to Council for consideration. Ordinance 1339-2010 Section 1 (192.7) sets the approval process where the City Manager can approve or deny a request except for the following conditions: The anticipated attendance to the Special Events exceed 100 participants; A request for closing of street for more than two (2) hours is made; An admission fee is to be charged for entrance to a special event; A request or City requirement for Police presence requiring a fee for compensation is made; and the City Manager's denial of a Special Event Application may be appealed to the City Council for final disposition. To have these requests handled internally I suggest amending the ordinance in the following way: raise the attendance to "exceed 200 participants" and raise the fee to \$100.00 to cover the city's costs for manpower and the barricades on street closings. Mr. Rawlings stated he will provide Council with a listing of the special events.

Council directed the City Manager to move forward and add the Ordinance as an agenda item for the next meeting.

2. Discuss Planning Commission recommendations on Zoning Hearing Appeals Fees

President Hamrick announced Council received a letter from Mark Kahler, Chairman, Coatesville City Planning Commission requesting that Council amend the Fee Structure for Zoning Hearing Appeals as follows: Application Fee \$ 50.00; Residential Appeal \$ 900.00; Commercial Appeal \$1200.00. The current Zoning Hearing Board Appeal Fees are: Residential \$ 500.00; Nonresidential \$ 750.00; Curative challenge \$1000.00; and the Amendment challenge \$1000.00. The current fees do not cover the cost of legal review, advertising and stenographer costs that are necessary for Zoning Hearing Appeals.

Council directed the City Manager to move forward and add the Ordinance as an agenda item for the next meeting.

3. Discuss removing the moratorium on payment of registration fee for vacant premises.

President Hamrick explained on March 9, 2009 Council adopted Resolution 2009-08 (to establish a moratorium on the payment of registration fees for vacant premises located in Coatesville. The \$250.00 annual fee (Section 82-21) helps cover the cost of monitoring and tracking vacant premises throughout the city. At present count there are over 100 vacant houses in Coatesville that need to be tracked. The City Solicitor has found there are some sections of Ordinance 1307-2008 that are not unenforceable such as Section 82-22 Vacant Premises Plan. Council could amend the ordinance to include a Vacant Property Review Committee (VPRC) which could aid

the Codes Department with identifying uninhabitable properties and prioritizing those properties that need immediate attention.

Mr. Brazzle stated there is a property located at 537 Harmony Street that he believes is a vacant property. Mr. Brazzle asked the Codes Department to look into the occupancy of the property.

Council directed the City Manager to move forward and add the Ordinance as an agenda item for the next meeting with the revisions requested by the solicitor.

Regular Action Items

1. Consider co-sponsorship with South Coatesville for the Brandywine Trail Feasibility Study.

President Hamrick announced the City Manager attended a meeting 08.16.11 involving the Borough of South Coatesville and their consultant, Kairos Design Group, LLC, who are putting together a TCDI Application on behalf of the borough to complete a Feasibility Study for the Brandywine Bike Trail. Mr. Bachik was at the 08.22.11 Council meeting to present the feasibility study which details a bike lane/trail from the Riverwalk down 1st Avenue and out into South Coatesville and Modena.

South Coatesville is asking if the City of Coatesville will become a “joint-applicant” for the feasibility study. Our match would be \$2,500.00 and South Coatesville is matching with \$7,500.00. At this time I do not know if Modena will also match.

This worthwhile project will supplement the Velodrome Project and add to the improved image of Coatesville and its successes spinning off from bicycle-related activities.

Mr. Brazzle asked where the City will get the \$2,500 for the match. Mr. Bachik explained that he is hoping to get community donations and not have any money come from the General Fund. Mr. Rawlings stated the monies can be placed in the 2012 budget.

Ms. Jorgenson made a motion to approve the Resolution regarding the co-sponsorship with South Coatesville for the Brandywine Trail Feasibility Study; Vice President Eggleston seconded the motion. Motion passed 6-0.

2. Consider Resolution for bank signatories for the City’s Accounts.

President Hamrick explained with the resignation of Karl Marking a new Resolution for Signatures for the City of Coatesville Bank Accounts is needed.

Vice President Eggleston made a motion to approve a Resolution for bank signatories for the City’s accounts; Ms. Jorgenson seconded the motion. Motion passed 5-0. Mrs. Jones was the dissenting vote.

3. Consider 2011 proposed budget amendments.

President Hamrick announced a budget workshop was held on July 25, 2011 to discuss various topics regarding the fiscal year 2011 city budget. Mr. Rawlings presented many ideas to lessen the gap between revenues and expenditures and Council reviewed the proposed budget amendments. The Finance Director and the City Manager met with members of the Reserve Trust Fund Commission on September 7, 2011 to review the City’s dire financial situation. The Reserve Trust Fund Commission understands the financial situation the City is in and passed a Resolution authorizing the loan from the Trust to the City of up to \$2 million to cover bills, payroll and pension obligations.

Ms. Jorgenson explained the discussion of the loan from the Reserve Trust is Regular Action Item #8 in which a motion would be for the game plan only.

Ms. Jorgenson made a motion to approve the City Manager to implement his "game plan"; Mr. Simpson seconded the motion. Motion passed 6-0.

Mr. Simpson explained the budget is being increased by a considerably amount of money. Mr. Rawlings explained it is to pay the bills. The City will need to make gut wrenching decisions for the next year.

4. Consider Parks and Recreation Appointment and resignations from the Historical Commission.
President Hamrick announce the City has received and application from Yvonne Perry for appointment to the Parks and Recreation Commission for the term 2009-2012 and resignation letters from Jay Byerly and Lucille Austin of the Historical Commission.

Ms. Jorgenson made a motion to appoint Yvonne Perry to the Parks and Recreation Commission for the term 2009-2012 and accept the resignations from Jay Byerly and Lucille Austin from the Historical Commission; Mr. Brazzle seconded the motion. Motion passed 6-0.

5. Consider a Council member to represent the City on the Celebrate Coatesville Steering Committee.

President Hamrick announced since the very successful Celebrate Coatesville Event on July 3, 2011 the organizers have started to meet and make preparations for 2012. It has been decided to form a Steering Committee which will make the major decisions and then each group represented on the Steering Committee will make their individual plans and report back to the Steering Committee who will coordinate efforts. The organizers of the Steering Committee would like a Council representative on the committee. Meetings will be in the early evenings once a month and twice a month as we get closer to the event date.

Vice President Eggleston made a motion to appoint Council Member Jarrell Brazzle to represent the City on the Celebrate Coatesville Steering Committee; Mr. Simpson seconded the motion. Motion passed 5-1. Mr. Brazzle was the dissenting vote.

6. Consider replacement for the open position on City Council due to the resignation of Karl Marking.

Mr. Brazzle nominated David Collins for the open position in City Council.

Mr. Simpson nominated Eric Lacerte for the open position for City Council.

Vice President Eggleston asked Mr. Carnes to explain the process for filling the vacancy on City Council. Mr. Carnes read the Code of the City of Coatesville Chapter 2 Charter, Section 2-202 Qualifications for Office and Section 2-208 Filling of vacancies.

Vice President Eggleston stated that Council should continue to operate with the members presently on Council. Vice President stated Mr. Collins and Mr. Lacerte have not attended any meeting to know the issues that are currently in front of Council. It would take until January before they are fully aware of the issues Council is currently facing.

A vote was taken on the nomination for David Collins for the open position on City Council for the 4th Ward due to the resignation of Karl Marking. Nomination passed 5-1. Vice President Eggleston was the dissenting vote.

7. Consider accepting the counter offer of \$1,500 from County Tax Bureau for Tarlecky Enterprises tax parcel no. 16-1-14.1 for the City to purchase

President Hamrick explained the City has received a counter offer of \$1,500 from County Tax Bureau for Tarlecky Enterprises tax parcel no 16-1-14.1 for the City to purchase. President Hamrick stated the property is a little parcel within the eyebrow on Route 82.

Mrs. Jorgenson made a motion approve the counter offer of \$1,500 from County Tax Bureau for Tarlecky Enterprises tax parcel no 16-1-14.1 for the City to purchase; Mr. Simpson seconded the motion. Motion passed 6-0.

8. Consider withdrawal of \$2,000,000 from the City Reserve Trust Fund and payback of the funds as soon as possible

Mr. Rawlings explained the majority of the money will go toward \$1.1 million for outstanding pension payments. The pension payments are both for this year and to cover outstanding bills and penalties. Council as a whole discussed some of the overages in the budget to include, servers, legal fees, audit fees and security system. The revenue projected for the year is not in. There is a reduction in services and there needs to be cuts. The City cannot attempt to work like this.

Ms. Jorgenson made a motion the withdrawal of \$2,000,000 from the City Reserve Trust Fund and payback of the monies to the fund as soon as possible; Vice President Eggleston seconded the motion. Motion passed 5-1. Mr. Brazzle was the dissenting vote.

Solicitors Report

Mr. Carnes asked if there were any questions on his report. There were no questions.

Mr. Carnes announced a meeting was held with Mr. Pulver and the easement has been moved up to be viable to the City.

Mr. Carnes announced arrangements have been made to have a revised cash escrow agreement to cover the project and curb work requiring completion at Millview.

City Manager's Report

Mr. Rawlings asked if there were any questions on his report. There were no questions.

Citizens' Hearings – Non-Agenda Items Only

Ed Segarra – Resident

Mr. Segarra stated there should be a complaint process review for Codes. Mr. Segarra stated there are people that want to clean up properties but nothing is in place. Mr. Brazzle explained there are a lot of community services in place cleaning up the City. Council suggested for Mr. Segarra to speak with Ms. Hess and Officer Ollis about current programs in the City. Mr. Segarra asked the City to look into the cleanup of the alley at 430 Maple Avenue.

Mr. Brazzle made the motion to close citizens' hearings on non agenda items only; Vice President Eggleston seconded the motion. Motion passed 6-0.

Council Comments

Mrs. Jones thanked everyone for attending the meeting and wished everyone a good night.

Ms. Jorgenson thanked everyone for attending the meeting and thanked Ms. Hess for all she has done in the City.

Mr. Brazzle thanked Ms. Hess and Officer Ollis for their work. He asked the Codes department to look into the house on Harmony Street.

Mr. Simpson had no comment at this time.

Vice President Eggleston had no comment at this time.

President Hamrick thanked Graystone for the 9/11 Commemoration and announced he spoke at the event. President Hamrick invited anyone who would like to attend to come to the Hispana soccer league celebration to hear him speak. He thanked everyone for attending the meeting.

Adjournment

Mr. Brazzle made a motion to adjourn the meeting at 9:20 pm; Mr. Simpson seconded the motion. Motion passed 6-0.

Gary Rawlings
City Manager