

**City Council
Minutes
Monday September 26, 2011**

Regular Session

President Joseph Hamrick called the meeting to order at 7:50 p.m. and welcomed everyone to the meeting. Council members present were Council President Joseph Hamrick, 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 Public Works Donald Wilkinson, Director of Finance Stacy Bjorhus, and Recording Secretary Ruthann Mowday.

President Hamrick announced an executive session was held earlier this evening, September 26, 2011 to discuss personnel and legal matters. He apologized for the late start of the meeting.

President Hamrick announced Vice President would not be in attendance.

Approval of Minutes: *September 12, 2011*

Ms. Jorgenson made a motion to approve the minutes for the September 12, 2011 meeting; Mr. Simpson seconded the motion. Motion passed 5-0.

Approval of Accounts Payable

Mr. Simpson made a motion to approve accounts payable dated September 16, 2011; Ms. Jorgenson seconded the motion. Motion passed 5-0.

Additions, Deletions or Modifications to the Agenda

Ms. Jorgenson added Regular Action Item#8; Schedule Budget Workshop for October 26, 2010 at 6:30 pm; and Regular Action Item #9; Authorize Forensic Audit

President Hamrick added Regular Action Item #10, Authorize check for the eyebrow Tax Parcel No. 38-3-41.1

Presentation

1. Swearing in S.W.E.E.PS officer, Harry Troupe by the Honorable Judge Grover Koon
President Hamrick asked why swearing in is necessary for the SWEEPS Officer. Mr. Carnes explained swearing in the officer may protect the City against any challenges.

Honorable Judge Grover Koon swore in Harry Troupe as S.W.E.E.PS officers while his wife held the bible.
2. Swearing in Council Member David Collins by Honorable Judge Grover Koon
Honorable Judge Grover Koon swore in David Collins as Council Member as his wife held the bible. Mr. Collins will temporarily fulfill the term until January 2012.
3. Update on 2011 YMCA Summer Program, Sue Cornell
Ms. Cornell provided Council with a update on the 2011 YMCA summer Camp. It was anticipated for 50 youths and only 15 attended. The low attendance rate was due to the late start of the camp. The campers were provided a breakfast, lunch and snack every day. Programs for the campers included face painting, swim time, basketball, quiet story time, etc. The cost was \$75.00 per week and \$5.00 for extended hours.

Ms. Jorgenson asked how the City could help to get more kids to join the camp. Ms. Cornell suggested flyers and word of mouth. President Hamrick asked if any children could not get in for financial reasons. Ms. Cornell replied yes. President Hamrick asked if there is financial assistance. Ms. Cornell stated that they can work with the family to see what they can afford. Mr. Brazzle thanked Ms. Cornell for her work with the summer camp.

4. Financial Report by Stacy Bjorhus, Finance Director

Ms. Bjorhus explained as of August 31, 2011 the City had \$253,933 in unrestricted funds and \$13,607,916 in restricted funds. The year to date revenue is \$5,315,699 and the years to date expenditures are \$5,425,940 with a deficit of \$110,240. Mr. Simpson asked why the year to date budget for the transfer tax is higher than the year end budget amount. Ms. Bjorhus explained the residential and commercial are not separated. Mr. Simpson asked if the current financial program is able to provide monthly reports. Ms. Bjorhus explained the information is used for the current reports. Mr. Brazzle asked if the numbers were correct in the report. Ms. Bjorhus replied yes. Ms. Bjorhus explained that the Finance Department is short staffed due to the resignation of an employee. There was no time for cross training and no information was provided where the files were located in the system. Mr. Brazzle asked Ms. Bjorhus if she knew how to do the general ledger. Ms. Bjorhus replied no, the general ledger is usually done by another person in the department other than the Finance Director. There should only be one person making the changes in the GL or it can be chaos. Mr. Rawlings explained that the auditor is currently here one day a week to help the Finance Department and make sure things are being properly posted. Ms. Jorgenson explained the City needs a much more sophisticated accounting system and we are currently working with 4Gov. The City needs stability in the accounting system. Mr. Brazzle asked if the City is guaranteed an audit in 2011. Ms. Bjorhus replied yes, not a statement, an audit.

5. Quarterly Fire Department Report by Jim Lentz, Temporary Fire Chief

Chief Lentz stated many outstanding issues have been addresses within the fire department as well as creating an overall improvement in the moral and interest throughout the ranks. One of the primary objectives is to keep FD overtime down but to maintain staffing as well. So far we are below 2010's actual OT cost. Though we are down, it is not because of any administrative improvement within the dept. Remarkable improvements to maintain a reasonable OT budget are finally underway, and we anticipate improvements by the end of the year.

The fire department is doing its best to stay within the parameters of that 2011 budget on anything that is within their control. Moving forward, they are working to develop a plan to maintain safe staffing levels and maintain leadership within the dept at all times while maintaining a balanced budget.

FD training has been a top priority. The training team has been up and running now for a couple of months. This team consists of both paid and volunteer firefighters that work together to deliver the common goal. Several training sessions are being conducted monthly within the department and this is expected to continue all year round.

All personnel are required to complete a refresher in the National Incident Management System. Also, all personnel are required to have all of their training records on file here at City Hall. The deadline to complete these two tasks is December 31, 2011. Updated training requirements are in place. Moving forward, some will take effect in the spring 2012 and 2013. Once we have

everyone training records on file, the training team will be able to deliver a schedule based on the needs of the dept.

Also, several operational improvements have been made over the last few months that are having a remarkable effect on the safety of the firefighters. With fire prevention week fast approaching, plans are underway to provide fire safety programs to our youth as well as fire exit drills throughout the educational facilities in our community. Over the last several years the program has somewhat faded away and it is our intent to not only bring it back, but to see that it is active all year around.

A Proposed ordinance change for a Fire inspection program will be brought forward in the coming weeks for a proactive fire inspection program. This proposal would cover all of the commercial and retail occupancies within the City, and also inspect the multi-family apartment buildings.

A committee will be established in the coming days that will be charged with organizing a proposal to downsize and modernize the current fleet of fire apparatus. The current average age of our fire apparatus fleet is 20.8 years old. It is my intent to provide a plan that will reflect a long term cost savings and an improvement in our efficiency. Currently we have both of our ladder trucks out of service, one because it is so old we cannot locate replacement parts. Moving forward we hope to gain support from council to make some improvements in the coming months.

Mr. Simpson asked for a breakdown of the fulltime and part-time salaries. Mr. Collins asked why the overtime was so high. Chief Lentz explained the overtime was due to the lack of part time personnel. Mr. Brazzle asked when the City will be advertising for the Fire Chief position. Mr. Rawlings stated the job description has been completed and the job will be posted.

6. Quarterly Public Works Department Report by Don Wilkinson, Public Works Director

Mr. Wilkinson explained the new Solid Waste Education and Enforcement Program (SWEEPS). The program is to enforce the current ordinance on trash, recycling (residential, commercial/multifamily) and yard waste. The primary job of the SWEEP Officer is to educate the resident/commercial about the city's Solid

Mr. Wilkinson explained the main focus of the SWEEPS Officer is to educate the residential/commercial owners about the City's solid waste regulations and pick up regulations. If the public receives enough education, than most of the ongoing issues can be solved. There is a lack of recycling and people leave their trash can out on the streets at all times, not just pick up days. This is a violation of the Code. Residents can recycle glass, plastics, aluminum, paper, and cardboard in a single stream location. Many of the residents are not recycling, which lead to litter and more is placed in the trash than what is allotted.

Ms. Jorgenson stated the current trash company is dumping the recycling in with the trash. They drive around the block and pick up the recycling and throw it in the same truck that just picked up the trash in the back. Mr. Wilkinson said he would contact the Disposal Company regarding the recycling.

Mr. Wilkinson explained the Public Works Department is working with old equipment. The costs in repairs annually are high because the maintenance is more frequent than on newer equipment. It would be cheaper to replace some of the equipment as costs for repairs may be more than the cost of new equipment.

Citizens' Hearings – Regular Action Items Only

There were no citizens' comments on regular action items only.

Mr. Collins made a motion to closed citizen's hearings on regular action items only; Ms. Jorgenson seconded the motion. Motion passed 6-0.

Mr. Brazzle excused himself from the meeting at 9:15 pm due to illness.

Special Events

1. A special event application was received from the Brandywine Health Foundation for a 5k marathon on Saturday, December 3, 2011 from 9 am to 10 am. The run will be in conjunction with and prior to the Coatesville Christmas Parade. It has been requested for a street closing on Lincoln Highway in conjunction with the Christmas Parade. It is anticipated 600 people will be in attendance.

Mr. Simpson made a motion to approve special event application from the Brandywine Health Foundation for a 5k marathon on Saturday, December 3, 2011 from 9 am to 10 am; Ms. Jorgenson seconded the motion. Motion passed 5-0.

2. A special event application was received from the Parks and Recreation Commission for the 2nd Annual Halloween Parade on October 29, 2011 from 4:45 pm to 6 pm. It has been requested for a street closing on Lincoln Highway from 5th Avenue to 8th Avenue. It is anticipated 50-75 people will be in attendance.

Ms. Hess asked to change the permit from a street closure to a rolling parade.

Mr. Collins made a motion to approve a special event application was received from the Parks and Recreation Commission for the 2nd Annual Halloween Parade on October 29, 2011 from 4:45 pm to 6 pm as a rolling parade and not closing the street; Ms. Jorgenson seconded the motion. Motion passed 5-0.

3. A banner request has been received from Coatesville Sports Hall of Fame for placing a banner at Main and 1st Avenue on or around September 26, 2011. A request has been submitted for waiving the banner fee.

Ms. Jorgenson made a motion to approve the banner request from Coatesville Sports Hall of Fame for placing a banner at Main and 1st Avenue on or around September 26, 2011 without the waiver of the banner fee; Mr. Simpson seconded the motion. Motion passed 5-0.

President Hamrick explained the banner fee was not waived last year. He paid the banner fee for the Coatesville Sports Hall of Fame in 2010. President Hamrick and Ms. Jorgenson offered to pay the banner fee for the Coatesville Sports Hall of Fame in 2011.

4. A special event application was received from the Coatesville Neighborhood Center, YWAM (Youth With A Mission) for a Block Party on October 8, 2011. It has been requested to close the street at Lincoln Highway from 8th Avenue to Palmer Avenue

Mrs. Jones stated that no times were posted on the application and Penn Dot approval is required for closing East Lincoln Highway.

Ms. Jorgenson made a motion to approve a special event permit from Coatesville Neighborhood Center, YWAM (Youth With A Mission) for a Block Party on October 8, 2011; Mr. Simpson seconded the motion. Motion failed 0-5.

Items for Discussion

1. Discuss Vacant Premises Moratorium or Registration Fees

On March 9, 2009 Council adopted Resolution 2009-08 (copy attached) 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. Carnes suggested amending the current Ordinance. Council asked Mr. Carnes to move forward with the Ordinance and make the amendments as discussed.

2. Discuss amendments to Chapter 224 Section 224-59 B (3)(b)(1) and (2) regarding Yard Sales

Regulating Yard and Garage sales is an issue in Coatesville. East Lincoln Highway seems to be an area where there are a number of Yard Sales being conducted. A List shows that 44% of permit requests generate from East of 8th Avenue.

The amendment proposed is to limit yard sales to two consecutive days no more than twice within a calendar year and limit the signage to four square feet and prohibits signage off premises.

Ms. Jorgenson asked what the limit for yard sales is currently. Mr. Molina explained the Code says limited to three consecutive days and not more than four times per year. There must be at least a thirty day period between sales. Ms. Jorgenson asked how the code is enforced on the weekends. Mr. Rawlings explained the Police Department monitors the yard sales and collects signage. Ms. Jorgenson inquired about rain dates. Mr. Molina explained currently, if it rains, the requestor will come in for another permit for another day.

Mr. Carnes explained that yard sales and the signage are within the Zoning portion of the Code. The request for amendments to Zoning must be brought before the Planning Commission and then back to Council in an Ordinance.

Regular Action Items

1. Consideration of the First Reading an Ordinance amending Chapter 192 – Special Events of the Code of the City of Coatesville, Chester County, Pennsylvania to identify that an event which comes before Council will require anticipated attendance exceeding 200 participants (rather than only 100 participants) and that the existence of an admission fee or Police presence shall not be conditions requiring City Council approval. This Ordinance also adjusts the fee for a street closing identified in Section 192-7C (2), raising the fee as found at Chapter 108-1.U “Governing Recreation Fees” at Section 108-1U. (5) from \$30.00 to \$100.00.

Mr. Simpson made a motion to approve for First Reading an Ordinance amending Chapter 192 – Special Events of the Code of the City of Coatesville, Chester County, Pennsylvania to identify that an event which comes before Council will require anticipated attendance exceeding 200 participants (rather than only 100 participants) and that the existence of an admission fee or Police presence shall not be conditions requiring City Council approval. This Ordinance also

adjusts the fee for a street closing identified in Section 192-7C (2), raising the fee as found at Chapter 108-1.U “Governing Recreation Fees” at Section 108-1U. (5) from \$30.00 to \$100.00; Mr. Collins seconded the motion. Motion passed 5-0.

2. Consideration of the donation request from Neighborhood Health Agencies, Inc.
Mr. Collins made a motion to approve a donation request from Neighborhood Health Agencies; Mr. Simpson seconded the motion. Motion failed 1-4. President Hamrick, Mrs. Jones, Ms. Jorgenson and Mr. Simpson were the dissenting votes.
3. Consideration of the First Reading an Ordinance authorizing and confirming action by the City of Coatesville to purchase property located between old and new Route 82 (lot) identified as Tax Parcel No. 16-1-14.1 for \$1,500.00 plus costs.
Mrs. Jones made a motion to approve for the First Reading an Ordinance authorizing and confirming action by the City of Coatesville to purchase property located between old and new Route 82 (lot) identified as Tax Parcel No. 16-1-14.1 for \$1,500.00 plus costs; Mr. Simpson seconded the motion. Motion passed 5-0.
4. Consideration of the First Reading an Ordinance re-enacting and reapproving the Emergency Ordinance authorizing the withdrawal (borrowing) and use of principal of a City Reserve Trust Fund in an amount up to two million dollars for emergency needs.
Mr. Collins asked if there are any safeguards in the system to keep this from happening again. President Hamrick stated we need to make sure we stay on budget. Ms. Jorgenson stated that we need to have a realistic budget. Mr. Collins stated the shortfall comes in quality of a budget. He suggested quarterly reviews on the budget.

Ms. Jorgenson made a motion to approve a First Reading an Ordinance re-enacting and reapproving the Emergency Ordinance authorizing the withdrawal (borrowing) and use of principal of a City Reserve Trust Fund in an amount up to two million dollars for emergency needs; Mr. Simpson seconded the motion. Motion passed 4-0-1. Mrs. Jones was the dissenting vote.
5. Consideration of the First Reading an Ordinance of the City of Coatesville, County of Chester and Commonwealth of Pennsylvania, amending the 2011 adopted Municipal Budget and appropriating specific sums estimated to be required for the specific purpose of the City Government as therein set forth for the year 2011.
Ms. Jorgenson made a motion to approve First Reading an Ordinance of the City of Coatesville, County of Chester and Commonwealth of Pennsylvania, amending the 2011 adopted Municipal Budget and appropriating specific sums estimated to be required for the specific purpose of the City Government as therein set forth for the year 2011; Mr. Collins seconded the motion. Motion passed 5-0.
6. Consider of the First Reading an Ordinance amending Chapter 108 of the City of Coatesville’s Code Governing “Fees” to provide at Section 108-1 R. (b) Governing Zoning Hearing Board Applications as follows: (1) Raising the application fee at Section to \$50.00; Raising the residential appeal fee to \$900.00 and raising the non residential appeal fee to \$1,200.00.
Mr. Collins asked why there is a large increase for the fees. Mr. Rawlings explained that the current fees do not cover the costs for legal fees and stenographer.

Mr. Simpson made a motion to approve First Reading an Ordinance amending Chapter 108 of the City of Coatesville’s Code Governing “Fees” to provide at Section 108-1 R. (b) Governing

Zoning Hearing Board Applications as follows: (1) Raising the application fee at Section to \$50.00; Raising the residential appeal fee to \$900.00 and raising the non residential appeal fee to \$1,200.00; Ms. Jorgenson seconded the motion. Motion passed 5-0.

7. Consideration of setting the date for Trick or Treat for the City of Coatesville.

Ms. Jorgenson made a motion to approve Trick or Treat on Saturday, October 29, 2011 from 7:00 pm to 9:00 pm; Mr. Collins seconded the motion. Motion failed 1-0-4. President Hamrick, Mr. Simpson, Ms. Jorgenson and Mr. Collins were the dissenting votes.

Ms. Jorgenson made a motion to approve Trick or Treat on Monday, October 31, 2011 from 5:30 pm to 7:30 pm; Mr. Collins seconded the motion. Motion passed 5-0.

8. Consideration of Budget Workshop on October 26, 2011 at 6:30 pm

Ms. Jorgenson made a motion to approve a Budget Workshop on October 26, 2011 at 6:30 pm; Mr. Simpson seconded the motion. Motion passed 5-0.

9. Consideration to authorize a Forensic Audit

Ms. Jorgenson made a motion to approve a Forensic Audit; Mr. Collins seconded the motion. Motion passed 5-0.

10. Consideration of authorizing a check for the eyebrow, Parcel no. 38-3-41.1

Ms. Jorgenson made a motion to authorize a check for the eyebrow parcel no. 38-3-41.1; Mr. Simpson seconded the motion. Motion passed 5-0.

Solicitors Report

Mr. Carnes asked if Council had any questions on the Solicitor report.

City Manager's Report

Mr. Rawlings asked if there were any questions on the City Managers information provided in the packer. There were no questions.

Citizens' Hearings – Non-Agenda Items Only

James Pitcherella

Mr. Pitcherella asked if Mr. Reed, the previous City Manager, has visited City Hall. Mr. Hudson explained that Mr. Reed is on several committees that meet at City Hall. Mr. Simpson stated that Mr. Reed is allowed to come to City Hall.

Ms. Jorgenson made a motion to close citizens' hearings on non agenda items only; Mr. Simpson seconded the motion. Motion passed 5-0.

Council Comments

Mrs. Jones thanked everyone for attending the meeting and hopes everyone continues to come to the meetings. Mrs. Jones thanked Mr. Collins for stepping up and volunteering to be on City Council.

Mr. Collins thanked everyone for attending the meeting. He thanked the Board members and staff. Mr. Collins stated he hopes to be an asset to City Council.

Ms. Jorgenson thanked Mr. Collins and welcomed him to City Council. .

Mr. Simpson thanked Mr. Collins. He thanked everyone for attending the meeting.

President Hamrick thanked everyone for attending the meeting. He thanked Mr. Collins for volunteering his service to be on City Council. He announced he attended the award ceremony at the Spanish soccer league and handed out awards. He hopes to the league continues to use the fields.

Adjournment

Mrs. Jones made a motion to adjourn the meeting at 10:20 pm; Mr. Collins seconded the motion. Motion passed 5-0.

Submitted by:
Gary Rawlings
City Manager