

**City Council
Minutes
Monday October 10, 2011**

Regular Session

President Joseph Hamrick called the meeting to order at 7:40 p.m. and welcomed everyone to the meeting. Council members present were Council President Joseph Hamrick, Council Vice President Martin Eggleston, Msrs., Jarrell Brazzle, David Collins and Edward Simpson. 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, October 10, 2011 to discuss personnel and legal matters. He apologized for the late start of the meeting.

President Hamrick announced Mrs. Jones and Ms. Jorgenson would not be in attendance.

Approval of Minutes: *September 26, 2011*

Mr. Simpson made a motion to approve the minutes for the September 26, 2011 meeting; Mr. Collins seconded the motion. Motion passed 5-0.

Approval of Accounts Payable

Mr. Simpson made a motion to approve the accounts payable dated October 7, 2011; Mr. Brazzle second the motion. Motion passed 4-1. Vice President Eggleston was the dissenting vote.

Additions, Deletions or Modifications to the Agenda

Mr. Simpson asked for a modification on regular action item #8 to add the Ordinance for the Easement Agreement between the City of Coatesville and Rachel Wachs.

President Hamrick asked to add the Girl Scouts as presentation #1 and move the posted presentations down as the Girl Scouts need to get home.

President Hamrick asked to add regular action item #9, approve Dan Becker to negotiate the price with Reinsel, Kuntz and Leshar for the Forensic Audit.

President Hamrick asked to add regular action item #10, settlement with Andre Flowers, SIR fund.

Presentation

1. Girl Scouts

This year is the 100th Anniversary of the Girl Scouts. The Girls Scouts will be providing 100 acts of community service. Some of the services provided are Commemorate 9/11 and a food drive is planned. The goal is to plant 1,000 bulbs within the parks of Coatesville.

2. Celebrate Coatesville presentation by Judy Jones

Ms. Jones announced that many local organizations have shown interest in the Celebrate Coatesville Day on October 22, 2011. Celebrate Coatesville Day is a family fun day which will include live music, a memory slide show, door prizes, low cost food vendors and , most importantly people who love Coatesville. The admission is free. Vice President Eggleston stated he may be able to find chairs to be donated for the day.

3. Quarterly Assistant Manager Department Report by Kirby Hudson

Mr. Hudson provided Council with the current status of the five year plan and management audit (Early Intervention Program) performed by Fairmount Capital. Mr. Hudson explained the status/changes and impact to each department as defined in the report. The total revenue enhancements equal \$22,500; the total expenditure reductions are \$260,304; the total increased transfers are \$75,000; the total increased capital contributions are \$150,000; and the total net budgetary impact was \$207,804. The budgetary impact of initiatives reflects net budgetary impact after costs of implementation. Mr. Collins asked what the limit for the quotes and bids is. Mr. Carnes explained from \$2,500 to \$10,000 requires three quotes, \$10,000 and above requires a bid process.

4. Quarterly Police Department Report by Lieutenant Rita Shesko

Lieutenant Shesko announced the Police Department will be implementing new programs. The parking ticket process will be transferred to the Police Department where they will take the tickets. There will be a 24 hour collection box in the Police lobby. The boot program and auto license plate reader will be implemented to better enhance the collection of fines. The department has created a court liaison position which has saved over \$20,000 in police overtime. Lieutenant Shesko explained the court liaison position. There have been raised reviews of the position. The department has run into problems with the cameras, the seal are breaking and have become ineffective in some areas.

Mr. Marrion, Communications Systems Inc, (CSI), explained the current camera system is not working properly. CSI has reviewed the current installations. Council asked Mr. Marrion to provide Council with a presentation with the specs and cost of the installation.

5. Quarterly Codes Works Department Report by Damalier Molina, Planning and Codes Enforcement Director

Mr. Molina explained the current code enforcement procedures starting with the Notice of Violation issued. Should the responsible party comply with the notice, the case will be closed. Should the responsible party not comply with the notice, citation will be issued until corrected. If the judge finds the responsible party not guilty, the case is dismissed. If the judge finds the party guilty, fines and costs are assessed. The defendant can appeal the decision within 30 days or pay fine and the case is closed. In understanding the Codes enforcement process, step 1 is receiving the complaint; step 2 assess the situation; step 3 research; Step 4 field investigation, step 5 investigate report; step 5 file report; step 6 notice of violation letter; step 7 follow up for compliance; Step 8 issuing citations; and step 9 file closure.

Mr. Molina explained the City is currently working with see, click fix. President Hamrick asked the cost of the program. Mr. Molina replied \$100.00 per month. Mr. Collins stated he would meet with Mr. Molina to provide information for technology to cut down response time.

Citizens' Hearings – Regular Action Items Only

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

Mr. Simpson made a motion to closed citizen's hearings on regular action items only; Vice President Eggleston seconded the motion. Motion passed 5-0.

Mr. Brazzle asked for citizens hearings on non-agenda items to be placed after citizens hearing on regular action items on the next meeting agenda and thereafter. Council agreed for the change on the next meeting agenda.

Items for Discussion

1. Discuss Miscellaneous Property Conveyance

The City has been offered six properties at no cost to the City by the estate of Louis Pia. Each lot is small and undevelopable. The City has no public purpose for the lots and they would become a tax liability to the City without the ability to develop the properties. Mr. Brazzle explained to take over the property the city would acquire more bills. Council agreed not to move forward with the conveyance of the properties to the City.

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

Mr. Rawlings announced the Planning Commission is meeting on October 12th and will discuss the yard sales. Mr. Carnes explained that once the Planning Commission approves it, then it will go in front of the County Planning Commission. President Hamrick asked how the residents would be educated on yard sales and what if a neighbor lets them post the sign in their yard. Mr. Molina suggested revising the permit to address the signs. Mr. Collins asked for staff to look inot the adjacent municipalities and their code on yard sales. President Hamrick suggested having community yard sales days twice a year. Council asked for the Planning Commissions comments at the next meeting.

3. Discuss Business Parking and Signage

The City has received a request from Sole Source for a business loading sign to be placed in front of their store at 805 Merchant Street.

Mr. Simpson asked if 805 Merchant Street used to be loading zone. Vice President Eggleston stated that he was told that it was a loading zone before, and the sign was taken down. Mr. Rawlings explained staff would put together a recommendation for the next meeting.

4. Discuss Easement Agreement for Parcel No. 29-8-15 approved by Resolution 2008-21

There was no discussion since item is also placed as a regular action item.

Regular Action Items

1. Consideration of the Second Reading and Adoption 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.

Vice President Eggleston made a motion to approve Second Reading and Adoption 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 Second Reading and Adoption 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. Brazzle made a motion to approve Second Reading and Adoption 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.

3. Consideration of the Second Reading an Final 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 made a motion to approve Second Reading an Final 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 4-1. Vice President Eggleston approved with reservations and Mr. Brazzle was the dissenting vote.

4. Consideration of the Second Reading and Adoption 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. Simpson explained that playtime is over, the City cannot do it anymore. There needs to be serious changes, enough is enough. There is a budget workshop on October 26, 2011. Council receives a balance budget every year, unless there are severe changes, all will suffer. Mr. Brazzle stated he wants to see a change in the budget or not see it at all. Mr. Rawlings explained that he will provide Council with a more realistic budget. Mr. Collins explained that there needs to be better control on the budget. Council should have a quarterly meeting to monitor spending. Each department should be held accountable for their budget. Departments should review monthly. Mr. Simpson said we need to get control. If cuts are proposed, we need to do it. Mr. Brazzle stated we need to grab the bull by the horns, and need to drive.

Mr. Simpson made a motion to approve Second Reading and Adoption 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. Brazzle seconded the motion. Motion passed 5-0. Vice President Eggleston and Mr. Collins approved with reservations.

5. Consider of the Second Reading and Adoption 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. Simpson made a motion to approve Second Reading and Adoption 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. Brazzle seconded the motion. Motion passed 5-0.

6. Consideration of First Reading an Ordinance amending Chapter 82 (“Building Construction”) of the City of Coatesville, Chester County, Pennsylvania, to replace Article IV “Vacant Premises” to the chapter to establish a new such chapter simplifying the identification of Vacant Premises and the process of registration to require annual registration fees for a period of up to two years – subject to extensions – and setting forth procedures for boarding up such properties as a temporary measure.

Mr. Collins asked if the property owner fails, fail to honor fee or citation, can the City place a lien on the property. Mr. Carnes explained the ordinance says the registration fee is lienable. Mr. Carnes explained that he drafted the ordinance two different ways. He explained the ordinances and explained the issues with boarding and lots.

Mr. Simpson made a motion to approve First Reading an Ordinance amending Chapter 82 (“Building Construction”) of the City of Coatesville, Chester County, Pennsylvania, to replace Article IV “Vacant Premises” to the chapter to establish a new such chapter simplifying the identification of Vacant Premises and the process of registration to require annual registration fees for a period of up to two years – subject to extensions – and setting forth procedures for boarding up such properties as a temporary measure; Mr. Brazzle seconded the motion. Motion passed 5-0.

7. Consideration Civil Service Commission appointment and resignation from Redevelopment Authority and Vacant Property Review Committee.

Mr. Brazzle made a motion to appoint Marie Hess to the Civil Service Commission for the term 2011-2014 and accept the resignation from Matthew Baker from the Redevelopment Authority and the Vacant Property Review Commission; Vice President Eggleston seconded the motion. Motion passed 5-0.

8. Consideration of Easement Agreement approved by Resolution 2008-21 between the City of Coatesville and Rachel Wachs.

Mr. Carnes explained the City approved a Resolution in 2008 with Rachel Wachs regarding an easement across the Conti Tract parcel no. 29-8-15. An ordinance is required authorizing the easement.

Mr. Simpson made a motion to approve the an Ordinance authorizing the City of Coatesville to convey an easement across the “Conti Tract” (tax parcel No. 29-8-5.5) to Rachel Wachs for the benefit of Tax parcel 29-8-15 for five thousand \$5,000 dollars as previously approved by Resolution dated August 11, 2008; Mr. Collins seconded the motion. Motion passed 5-0.

9. Consideration for Dan Becker to negotiate the price with Reinsel, Kuntz and Leshar for the Forensic Audit.

Mr. Brazzle made a motion to approve Dan Becker to negotiate the price with Reinsel, Kuntz and Leshar for the Forensic Audit; Mr. Simpson seconded the motion. Motion passed 5-0.

10. Consideration of settlement with Andre Flowers, SIR fund

Mr. Simpson made a motion to approve a settlement with Andre Flowers with the SIR fund; Mr. Collins seconded the motion. Motion passed 4-1. Mr. Brazzle was the dissenting vote.

Solicitors Report

Mr. Carnes explained the development agreement has been reviewed and is being revised to break out park costs. Mr. Chetty has stated that he wishes to start doing the work the second week of October.

City Manager's Report

- TCFYI Items

Citizens' Hearings – *Non-Agenda Items Only*

Marie Hess – Resident

Ms. Hess announced a cleanup was held on October 8, 2011 on Blackhorse Hill Road. She thanked Public Works for picking up all the trash. Officer Ollis received a tree for the tree lighting ceremony. The tree will be planted and the City will no longer need to acquire a tree each year. The Nursery that has donated the tree will plant it for the City.

James Clark – Resident

Mr. Clark stated a codes officer is against him and filing complaints when he has permits for the property. The citations should be withdrawn since he does have permits. Mr. Clark stated that the Codes Director has been responsive to his complaint.

Corey Fields – Resident/Landlord

Mr. Fields commended the City with the apprehension of the alleged drug traffickers. One of the houses broken into by the Police was one of his homes. The property has been vacant since April. He should not be responsible for the repair bill if no one lives there and the Police did the damage. Vice President Eggleston asked Mr. Fields to meet with the Police Lieutenant. Mr. Fields told Mr. Hudson that the City's fees are already high enough. Mr. Hudson explained that fees have not been raised in years, and they do not cover the costs.

Vice President Eggleston made a motion to close citizens' hearings on non agenda items only; Mr. Collins seconded the motion. Motion passed 5-0.

Council Comments

Mr. Collins stated it was a very robust meeting and accomplishing to get things done. Many decisions that come out of Council may not be taken favorable for some.

Mr. Brazzle thanked everyone for attending the meeting. Council is on the semi right track and hope to get on the right track. There are changes coming soon and some residents may not be happy. He asked everyone to stick with them and to please be understanding.

Mr. Simpson thanked everyone for attending the meeting. October is Halloween month and mischief night. Keep an extra eye out and don't hesitate to call 911. If you don't call, no one will know about it.

Vice President Eggleston welcomed Mr. Collins. He appreciates all the commitment and community service provided by Officer Ollis and Marie Hess.

President Hamrick thanked everyone for attending the meeting. He agrees with all of Council. The great pumpkin is looking forward to the parade.

Adjournment

Mr. Brazzle made a motion to adjourn the meeting at 9:50 pm; Mr. Simpson seconded the motion. Motion passed 5-0.

Gary Rawlings
City Manager