

**City Council
Minutes
Monday November 14, 2011**

01. Public Hearing – Conditional use for conversion of an existing garage for two dwelling units and two parking spaces at 219 West Lincoln Highway. Parking spaces requirement is two per dwelling and such conversion requires a Conditional Use Hearing.

Mr. Rawlings explained the Public Hearing will be struck from the agenda. The request for the Conditional Use is in the process of going before the Zoning Hearing Board.

Regular Session

Vice President Martin Eggleston called the meeting to order at 7:45 p.m. and welcomed everyone to the meeting. Council members present were Council Vice President Martin Eggleston, Mssrs., Jarrell Brazzle, David Collins, Edward Simpson, Mrs. Ingrid Jones and Ms. Karen Jorgenson. 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, and Recording Secretary Ruthann Mowday.

Vice President Eggleston announced an executive session was held on November 14, 2011 to discuss personnel and legal matters.

Vice President Eggleston announced President Hamrick would not be in attendance.

1. Approval of Minutes: *October 24, 2011*

Ms. Jorgenson made a motion to approve the minutes for the October 24, 2011 meeting; Mr. Collins seconded the motion. Motion passed 5-0. Mr. Brazzle was not present for the vote.

2. Approval of Accounts Payable

Ms. Jorgenson made a motion to approve the accounts payable dated November 9, 2011; Mr. Simpson seconded the motion. Motion passed 6-0.

3. Additions, Deletions or Modifications to the Agenda

Ms. Simpson asked for a Resolution for designation and agent for funding for Hurricane Irene and Tropical Storm Lee.

4. Presentation

4.1 Coatesville Community Education Foundation by John Hall

Mr. Hall explained the foundation encourages diverse partnerships for the education, training and cultural enrichment of the youth. The mission of the Foundation is to support the development and implementation of cultural programs and learning opportunities which benefit the Coatesville area students and community. The partnerships with the Foundation are Chester County Community Foundation; City of Coatesville; Coatesville Area School District; PA Department of Education 21st Century Community Learning Center Programs; Team Children and the United Way of Chester County. Mr. Hall presented the City a sign for the achievement for the award of the 100 Best Communities for Young People from America's Promise Alliance. He asked for the sign to be posted at Gateway Park.

5. Citizens' Hearings – Regular Action Items Only

District Attorney, Joseph Carroll

Mr. Carroll voiced his concerns about the consideration of laying off the Police Officers. The long term effect could be detrimental on Coatesville. Mr. Brazzle asked Mr. Carroll to provide some solutions. Mr. Carroll said he would analyze the budget and would provide suggestions.

Marie Hess – Resident

Ms. Hess voiced her concerns on cutting the Police Officers. Cutting the Officers now would diminish the Quality of Life, which is the very thing we are working on.

Allen Smith – Non-Resident

Mr. Smith voiced his concerns about cutting Police Officers and the budget. He asked Council to refrain from proposing budget that slashes so much toward public safety.

John Pawlowski - Resident

Mr. Pawlowski voiced his concerns on cutting the Police and Fire Department expenses. He would be willing to pay more City tax for safety.

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

6. Citizens' Hearings – Non-Agenda Items Only

Mary Ellen Hopson – Resident

Ms. Hopson stated she has removed graffiti on her property. She thanked Officer Ollis for his service. It takes all of us to keep the City Clean.

Harvel Brown – Resident

Mr. Brown stated the City spent \$250,000 on the Community Center and the kids are playing in the street. The Heritage Group, District Attorney and the Community will help to clean up around the Community Center.

Marie Hess – Resident

Ms. Hess announced there were 60 plus children and adults who walked in the Halloween Parade. She thanked the sponsors of the parade. The resident had a ball.

Mr. Brazzle made a motion to close citizens' hearings on non-agenda items; Mr. Collins seconded the motion. Motion passed 6-0.

7. Special Events

7.1 A Special Event application has been received from Grover Koon c/o Rotary Club of Coatesville for the use of the Gazebo between 210-218 West Lincoln Highway every Friday from 2:00 pm to 5:00 pm and Saturday 11:00 am to 5:00 pm starting December 3, 2011 until December 24, 2011 for "Santa's House"

Mrs. Jones explained a Judicial Official should not apply for a social or public event. The application should be submitted by another member of the Rotary. Mr. Carnes explained the process. Ms. Jorgenson stated she saw it as the Rotary Club submitting the application.

Ms. Jorgenson made a motion to approve the special event application from the Rotary Club of Coatesville for the use of the Gazebo between 210-218 West Lincoln Highway

every Friday from 2:00 pm to 5:00 pm and Saturday 11:00 am to 5:00 pm starting December 3, 2011 until December 24, 2011 for “Santa’s House”; Mr. Brazzle seconded the motion. Motion passed 5-1. Mrs. Jones was the dissenting vote.

- 7.2 A Special Event application has been received from Marie Hess, Parks and Recreation Commission, City of Coatesville and Community Policing for the Tree Lighting at Gateway Park on December 2, 2011 starting at 6:30 pm.

Mr. Collins made a motion to approve a special event application from Marie Hess, Parks and Recreation Commission, City of Coatesville and Community Policing for the Tree Lighting at Gateway Park on December 2, 2011 starting at 6:30 pm; Mr. Brazzle seconded the motion. Motion passed 6-0.

8. Items for Discussion

There were no items of discussion.

9. Regular Action Items

- 9.1 Consideration of the Second Reading and Adoption an Ordinance amending Chapter 108 of the City of Coatesville’s code governing “fees” to remove certain “zoning fees” at section 108-1.R. by deleting an unnecessary reference to “\$50.00” at subsection (e), deleting subsection in its entirety subsections (e)(5) and (f) and adding to “Housing Standards” fees to provide for follow up inspections at section 108-1.V.(3),(4) and (6) at \$40.00 per inspection and adding a new section 108-1-V.(8) governing fees for after-hours inspections at \$60.00 per hour or part of hour.

Mr. Molina explained the Ordinance is to clean up the redundant fees and have all fees consistent. Mrs. Jones stated the fees are going to fall on the tenant. Mrs. Jorgenson explained it is to make sure the properties are safe. Mr. Brazzle explained the City has slumlords and they do not take care of safety issues. The fee could save a life.

Mr. Brazzle made a motion to approve for Second Reading and Adoption an Ordinance amending Chapter 108 of the City of Coatesville’s code governing “fees” to remove certain “zoning fees” at section 108-1.R. by deleting an unnecessary reference to “\$50.00” at subsection (e), deleting subsection in its entirety subsections (e)(5) and (f) and adding to “Housing Standards” fees to provide for follow up inspections at section 108-1.V.(3),(4) and (6) at \$40.00 per inspection and adding a new section 108-1-V.(8) governing fees for after-hours inspections at \$60.00 per hour or part of hour; Ms. Jorgenson seconded the motion. Motion passed 5-1. Mrs. Jones was the dissenting vote.

- 9.2 Consideration of the Second Reading and Adoption 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. Molina explained the Ordinance is amend and cleanup the Ordinance.

Mr. Brazzle made a motion to approve Second Reading and Adoption 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. Simpson seconded the motion. Motion passed 6-0.

9.3 Consideration of the Second Reading and Adoption an Ordinance authorizing the City of Coatesville to convey an easement across the ‘Conti Tract’ (Tax Parcel 29-8-5.5) to Rachel Wachs for the benefit of Tax Parcel No. 29-8-15 for five thousand (\$5,000) dollars as previously approved by Resolution dated August 11, 2008.

Mr. Simpson made a motion to approve Second Reading and Adoption an Ordinance authorizing the City of Coatesville to convey an easement across the ‘Conti Tract’ (Tax Parcel 29-8-5.5) to Rachel Wachs for the benefit of Tax Parcel No. 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 6-0.

9.4 Consideration of First Reading an Ordinance authorizing the City of Coatesville to accept deeds of dedication for the public improvements (roadways and public park and amenities) in the Millview subdivision from Coatesville Communities Corporation and/or Coatesville Housing Associates (or other owner thereof) subject to the execution of an appropriate maintenance agreement secured by appropriate security and subject to receipt of a title report establishing clear title to the property at issue (with appropriate releases of liens etc.) and conditioned upon approval of the legal description of the roadways and other public improvements by the City engineer and certification by the City engineer that the public improvements are acceptable for dedication.

Ms. Jorgenson asked if the Ordinance would protect the City to get the work done. Mr. Carnes replied yes, the agreements are in front of Council. The work on the roadways began on November 2, 2011.

Mr. Brazzle made a motion to approve First Reading an Ordinance authorizing the City of Coatesville to accept deeds of dedication for the public improvements (roadways and public park and amenities) in the Millview subdivision from Coatesville Communities Corporation and/or Coatesville Housing Associates (or other owner thereof) subject to the execution of an appropriate maintenance agreement secured by appropriate security and subject to receipt of a title report establishing clear title to the property at issue (with appropriate releases of liens etc.) and conditioned upon approval of the legal description of the roadways and other public improvements by the City engineer and certification by the City engineer that the public improvements are acceptable for dedication; Mr. Simpson seconded the motion. Motion passed 6-0.

Mr. Brazzle made a motion to approve the City of Coatesville Subdivision and Land Development Improvement and Maintenance Agreement; Financial Security Agreement-Cash Escrow; and the Financial Security Agreement – Escrow Account for Millview Development; Mr. Simpson seconded the motion. Motion passed 6-0.

9.5 Consideration of waiver for the Redevelopment Authority regarding the Coatesville Train Station Project.

Mr. Simpson made a motion to approve the waiver for the Redevelopment Authority regarding the Coatesville Train Station Project; Ms. Jorgenson seconded the motion. Motion passed 5-0. Mr. Brazzle was the dissenting vote.

9.6 Consideration of Redevelopment Authority designee for the Train Station project.

Ms. Jorgenson made a motion to approve the Redevelopment Authority designee for the Train Station Project; Mr. Collins seconded the motion. Motion passed 6-0.

9.7 Consideration of an extension on the 90-day review period for the subdivision plans for the Marriott Hotel and Office Building.

Mr. Simpson explained the Pulver has come before Council on the eleventh hour on many occasions regarding the Hotel and Office Building. Mr. Carnes stated Mr. Pulver needed to put together more plans. Mr. Simpson asked if the plans were being changed from a parking garage to a parking lot. Mr. Carnes stated yes. Mr. Collins asked if the option of the parking garage is still there. Mr. Carnes replied yes. Mr. Simpson stated Mr. Pulver always asks Council to jump through hoops.

Mr. Collins made a motion to approve an extension on the 90-day review period for the subdivision plans for the Marriott Hotel and Office Building; Ms. Jorgenson seconded the motion. Motion failed 3-3. Vice President Eggleston, Mr. Simpson and Mr. Brazzle were the dissenting votes.

9.8 Consideration of the Sale of Vehicles.

Mr. Eggleston asked if the vehicles are valued as scrap. Mr. Rawlings replied yes. The vehicles have been stripped of parts and used on other vehicles.

Mr. Collins made a motion to approve the sale of the vehicles for scrap; Mrs. Jones seconded the motion. Motion passed 6-0.

9.9 Consideration of the 2012 Proposed Budget

Mr. Simpson stated the proposed budget needs a lot of work. There have been no proposed cuts. Mr. Collins stated proposed cuts were discussed. Ms. Jorgenson stated the Early Intervention Program showed cuts in the department in regards to the population. Ms. Jorgenson asked for clarification on what Council is approving this evening. Mr. Rawlings explained it is for the proposed budget and the scenarios can be discussed at a later date. Ms. Jorgenson explained the City may need to adjust and raise the millage to meet the lower appraised values. Mr. Collins explained that reassessed properties will lower revenue. Mr. Rawlings suggested a Budget Workshop on November 21, 2011. Mr. Eggleston asked for Mr. Rawlings to pinpoint the items. Council agreed the current proposed budget needs a lot of work. Council asked Mr. Rawling to look into how high a millage rate can be.

Mr. Simpson made a motion to approve the 2012 proposed budget; Ms. Jorgenson seconded the motion. Motion passed 4-1-1. Mrs. Jones abstained from the vote and Mr. Brazzle was the dissenting vote.

9.10 Consideration of the Designation of Agent Resolution regarding Hurricane Irene and Tropical Storm Lee

Mr. Simpson explained the Resolution is to apply for reimbursement for funds used for Hurricane Irene and Tropical Storm Lee.

Ms. Jorgenson made a motion to approve the Designation of Agent Resolution regarding Hurricane Irene and Tropical Storm Lee; Mr. Simpson seconded the motion. Motion passed 6-0.

10. Solicitors Report

Mr. Carnes explained the City has received the tax exemption for the lots on Fleetwood Street. He announced the Development Agreement for Millview has been finalized. The City is moving forward with the appropriate documentation in anticipation of the dedication of the roadways and the public park which are part of Millview subdivision.

11. City Manager's Report

Mr. Rawlings announced the Tree lighting ceremony on December 2, 2011.

Ms. Jorgenson asked if staff has followed up with Eagle Disposal for mixing the trash and recyclables together. Mr. Wilkinson stated that he was keeping an eye on them.

Mr. Rawling announced a temporary finance professional from McCauley Consulting LLC, worked in the Finance Department for a couple of days. The professional is currently undergoing the background checks, as per direction of Council, before he returns to work in the City. Mr. Simpson asked if the firm in which the professional is affiliated with covers the liability insurance. Mr. Rawling replied yes. Mr. Collins stated that the rate of \$70.00 rate per hour for the professional was too high. He asked if the employee from the auditors was helping out in the Finance Department. Mr. Rawlings stated Mr. Mood does help out as needed. Mr. Simpson asked what the rate for the employee from Barbacane Thornton. Mr. Rawlings replied \$150.00 per hour. The temporary finance professional is paid an hourly rate and no benefits. Mr. Collins stated the City could hire a certified Public Accountant. Mr. Simpson explained the City needs and individual with municipal experience. Mr. Eggleston explained the concern of the Council is that in the past, it was stated as we just need to get by. Mr. Eggleston stated the City needs to get beyond getting by. Mr. Rawlings stated he understood.

Council Comments

Mr. Collins thanked everyone for attending the meeting. He stressed to the public that sitting up here might look easy, but it is not an easy job. He asked that everyone listen to Council and listen to their comments. Council is doing their best to do their due diligence and serve the City.

Mrs. Jones thanked everyone for attending the meeting. She thanked the members of law enforcement community in their support to protect and serve. Hopefully, the City can iron out the issues and law enforcement can continue to protect and serve.

Ms. Jorgenson thanked everyone for attending the meeting. On an owners perspective and of the business's in here are she appreciates the Police and Fire service. On a budget side, there are tough decisions to make. With the economy, she certainly hopes to be able to keep the law enforcement that is in place.

Mr. Brazzle thanked everyone for attending the meeting. He explained that no matter what decision Council makes, it affects them also. Council members live in the City and are affected by the choices approved by Council. Mr. Brazzle explained the last thing that he would like to see is a cut in the Police Department. He asked what is going to happen when there is nothing left of the trust fund. No money has been put back in the fund, just continue to take. He will not vote for any money to be taken from the trust fund. Mr. Brazzle thanked Officer Ollis for his work in the community.

Mr. Eggleston announced he is grateful for the attendance. He stated not everything is easy. The decisions made by Council affect us as families, individuals, business owners. There are tough

times ahead and budget time is not easy. He asked everyone to be cautious of what they hear, and don't just listen to rumors. Stay involved in the community.

12. Adjournment

Mr. Brazzle made a motion to adjourn the meeting at 9:30 pm; Mr. Collins seconded the motion. Motion passed 6-0.

Submitted by:
Gary Rawlings
City Manager