

**City Council
Meeting Minutes
Monday March 26, 2012**

Salute to the Flag

Public Hearing

7:30 pm

President Simpson opened the public hearing at 7:40 pm.

1. Proposed Ordinance amending Chapter 224 Zoning, Section 224-59 “Accessory Structures” subsection B. (3) (B) governing “yard sales” to permit same on residential property in accordance with City wide Fall and Spring Community Garage Sale as set by Resolution of City Council and in addition permitting two additional yard sales a year for two consecutive days (previously not more than three consecutive days and not more than four times a year) and placing a restriction in the related sign Ordinance limiting location signs as identified in Section 224-71 M relating to “Exempt Signs” such that offsite signs location signs are limited to a maximum size of twelve inches by eighteen inches.

Mr. Carnes, City Solicitor, explained the process for a Zoning Ordinance. The City has provided a copy of the ad for the hearing, letter of approval from City Planning Commission, letter of approval from the County Planning Commission, proof of ad for the Second Reading of the Ordinance, Attested copy of the Ordinance and copy of the Ordinance.

Mr. Carnes asked if there were any questions or comments. There were no questions or comments at this time

Close Public Hearing

Mrs. Jones made a motion to close the Public Hearing at 7:45; Vice President Hamrick seconded the motion. Motion passed 7-0.

Call to Order after the Public Hearing

President Simpson called the meeting to order at 7:45 p.m. and welcomed everyone to the meeting. Council members present were President Ed Simpson, Vice President Joseph Hamrick, Msrs., Jarrell Brazzle, David Collins, Jeff LoPrinzi, Mrs. C. Villa Hunt and Mrs. Ingrid Jones. Staff members present included City Manager Gary Rawlings, Assistant City Manager Kirby Hudson, City Solicitor John Carnes, Police Chief Julius Canale, Acting Fire Chief Jim Lentz, Director of Planning and Codes Enforcement Damalier Molina, Director of Public Works Donald Wilkinson, and Recording Secretary Ruthann Mowday.

President Simpson announced an Executive Session was held earlier this evening, March 26, 2012 to discuss personnel and legal matters.

Approval of Minutes:

Vice President Hamrick made a motion to approve the minutes of the March 12, 2012 meeting; Mr. LoPrinzi seconded the motion. Motion passed 7-0.

Approval of Accounts Payable

Mr. Collins asked when the report would be more substantive. Mr. Rawlings explained Mr. Marcarelli would be presenting a report to Council during his presentation.

Vice President Hamrick made a motion to approve the accounts payable dated March 19, 2012; Mr. LoPrinzi seconded the motion. Motion passed 7-0

Additions, Deletions or Modifications to the Agenda

Vice President Hamrick made a motion to add Regular Action Item 9.7(a), A Proclamation for Harry Lewis, Jr.; Mrs. Hunt seconded the motion. Motion passed 7-0.

Presentations:

1. Chester County Highway Association

Mr. Charlie Vilotti, the Assistant Coordinator, Chester County Highway Safety Project presented to Chief Canale a Certificate of Appreciation for the Police Department. He presented Officer Ollis with a Certificate of Appreciation from the Chester County Highway Safety.

2. Finance Department Update

Mr. Marcarelli provided Council with a list of the City's top ten vendors for 2011. He provided Council with a statement of Cash Position report which reports the City fund and the bank accounts within each fund. He explained the breakdown of the major fund classifications; Governmental, Proprietary and Fiduciary. A copy of the Year to Date budget report to January 31, 2012 indicates a total of \$312,977.73 was received in the General Fund in January or 3.71% of budget. January is a slow month for Revenue. The year to date expense report shows a total of \$1,333,575.69 was expended in January or 15.84 of budget. The two items that stood out to drive the percentage higher in January were the \$506,024.96 to cover shortages to prior year MMO's and the City's annual Property and Liability coverage. The property and Liability is paid once a year in January to cover that calendar year. The year to date report is sorted by each department and the status of their YTD spending for each category (account). The City's charts of accounts have been updated and the budgetary accounts are now the same. The amounts presented are what is reported as activity for January from the 4Gov system. He is currently working on having the monthly reports only one month behind.

1. Citizens' Hearings – Regular Action Items Only

There were no comments at this time.

Vice President Hamrick made a motion to close citizens' hearings on regular action items only; Mr. Collins seconded the motion. Motion passed 7-0.

Citizens' Hearings – Non-Agenda Items Only

Reverend Floyd Narcisse – Resident

Rev. Narcisse asked for the support of City Council and the Police Department to have a rally for Trayvon Martin on Saturday March 31, 2012 at Gateway Park. Council asked for the event to end by 11:30 am. The Easter Egg Hunt is scheduled for the same day at 1:00 pm.

Mr. Brazzle made a motion to add Special Event 7.0, Rally for Trayvon Martin from 10:00 am to 11:30 am and not to exceed time; Mr. Collins seconded the motion. Motion passed 7-0.

John Pawlowski – Resident

Mr. Pawlowski announced he has been putting the lights on the trees on Lincoln Highway. Every tree has lights on them at this time. There are three electrical receptacles that are not working and two trees need to be replaced on Lincoln Highway. Council asked staff to look into the cost of fixing the three electrical receptacles.

Albert Nayer – Resident

Mr. Nayer voiced his concerns on the sidewalk deterioration from East Lincoln Highway to West Lincoln Highway. The sidewalk is not good for wheelchairs. Council asked staff to look into repairing the sidewalk.

Jane Kennedy – Resident

Ms. Kennedy explained she currently holds a Bible Study Group in the downstairs of the Library and would like to move the Group to the Coatesville Memorial Community Center on Thursday evenings. Council asked Ms. Kennedy to meet with Mr. Hudson regarding the rates and requirements of renting the Center.

Louis Hanna - Resident

Mr. Hanna announced he is with the NAACP. He invited Council to the NAACP banquet on April 28, 2012 at the Hutchinson Memorial Hall. The NAACP is would like to meet with the Fire and Police Department on Outreach to the Community. The NAACP has noticed the good work that Council has achieved.

Mr. Brazzle made a motion to close citizens' hearings on non-agenda items only; Vice President Hamrick seconded the motion. Motion passed 7-0.

Special Events

1. A special event permit was discussed for a Trayvon Martin rally on March 31, 2012 at Gateway Park from 10:00 to 11:30 am.
Mr. Brazzle made a motion to approve the Trayvon Martin Rally at Gateway park on March 31, 2012 at Gateway Park from 10:00 am to 11:30 am and waive 30 day period for event submission; Mr. Collins seconded the motion. Motion passed 7-0.
2. A banner permit has been submitted from the Brandywine Health Foundation for the street pole banners along Lincoln Highway in the Heart of Downtown Coatesville. The Banner would be hung on available poles along Lincoln Highway from Strode Avenue to 13th Avenue.
Mr. LoPrinzi made a motion to approve the application from the Brandywine Health Foundation for the street pole banners along Lincoln Highway in the Heart of Downtown Coatesville; Mr. Collins seconded the motion. Motion passed 7-0.
3. A special event application has been submitted from Judy Jones for “Celebrate Coatesville Parade Day” at Ash Park. The event date is October 6, 2012 with a rain date October 13, 2012 from 9:00 am to 4:30 pm. It is anticipated 200 people will be in attendance.
Vice President Hamrick made a motion to approve the application for Celebrate Coatesville Parade Day” at Ash Park on October 6, 2012 with a rain date October 13, 2012 from 9:00 am to 4:30 pm with no waiver of fees; Mr. Collins seconded the motion. Motion passed 7-0.
4. A special event permit has been submitted from Virtuous Sisters for Christ for the “6th Annual March for Peace on the Street” The March will begin at Gateway Park and end at Abdala Park. The event date is April 14, 2012 from 9:00 am to 1:00 pm.
Mr. Brazzle made a motion to approve the application from Virtuous Sisters for Christ for the “6th Annual March for Peace on the Street” beginning at Gateway Park and ending at Abdala Park on April 14, 2012 from 9:00 am to 1:00 pm; Vice President Hamrick seconded the motion. Motion passed 7-0.

Discussion Items

1. Discuss Constable Contract

Chief Canale announced he met with the City Manager and Judge Koon to discuss implementing the Constable Contract. Judge Hines was unable to meet. Chief Canale explained that staff will meet with Judge Hines. The staff has met with all the Constables. The staff liaison will work with the Constable issuing the warrants. A tracking process will be in place for the warrants and costs. The City will utilize all constables and as warrants are issued, the constables will receive more warrants.

2. Discuss Downtown Coatesville

Vice President Hamrick asked for the item to be placed on the agenda. He asked about the safety of the lights. He asked if they are up to Code. Mr. Wilkinson explained they are up to Code and are all GFI. Vice President Hamrick stated the light idea is a good idea and asked staff to move swiftly to get it done. Mrs. Hunt suggested a unified look on Main Street. She suggested putting fronts on the vacant buildings to make them look better. Mr. Brazzle suggested working with the Business owners. Mr. Molina explained there may be issues with historical buildings.

Mr. Brazzle stepped out of the meeting at 9:00 pm.

Regular Action Items

1. Consider Resolution supporting the filing of a grant application to the Chester County Department of Community Development for Community Revitalization Program Grant Funds for the National Velodrome Center Infrastructure Project.

Vice President Hamrick made a motion to approve the Resolution supporting the filing of a grant application to the Chester County Department of Community Development for Community Revitalization Program Grant Funds for the National Velodrome Center Infrastructure Project; Mr. Collins seconded the motion. Motion passed 6-0.

2. Consider Second Reading and Adoption an Ordinance of the Council of the City of Coatesville, Chester County, Pennsylvania ("City"), entering into an Intergovernmental Cooperation Agreement with Valley Township (Public Road maintenance Agreement) as identified in Exhibit "A" Attached Hereto and further authorizing that the City and Valley Township be permitted to amend the Public Road Maintenance Agreement by Resolution to address such further matters as may be mutually agreed upon by the Municipalities.

Mr. Collins made a motion to approve Second Reading and Adoption an Ordinance of the Council of the City of Coatesville, Chester County, Pennsylvania ("City"), entering into an Intergovernmental Cooperation Agreement with Valley Township (Public Road maintenance Agreement) as identified in Exhibit "A" Attached Hereto and further authorizing that the City and Valley Township be permitted to amend the Public Road Maintenance Agreement by Resolution to address such further matters as may be mutually agreed upon by the Municipalities; Vice President Hamrick seconded the motion. Motion passed 6-0.

3. Consider Second Reading and Adoption an Ordinance establishing Chapter 79 of the Codes entitled "tree regulations" containing relevant definitions; procedures for the permitting and location of tree plantings; procedures governing the appropriate trimming, maintenance, and care of trees relative to the impact of trees upon public walks, street and highways; provisions identifying the obligations for property owners of maintenance and care and penalties for breach of such obligations; provisions for permitting, provisions permitting the promulgation of rules

and regulations; provisions for imposing a municipal lien and provisions identifying violations and imposing penalties for violation of this Chapter.

Vice President Hamrick asked the timeline for the trees to be cut or removed before receiving citations. Mr. Carnes explained the Ordinance takes 30 days to be in effect. Mr. Molina explained the person has ten days after warning to have the violation resolved before a citation is issued.

Vice President Hamrick made a motion to approve a Second Reading and Adoption an Ordinance establishing Chapter 79 of the Codes entitled “tree regulations” containing relevant definitions; procedures for the permitting and location of tree plantings; procedures governing the appropriate trimming, maintenance, and care of trees relative to the impact of trees upon public walks, street and highways; provisions identifying the obligations for property owners of maintenance and care and penalties for breach of such obligations; provisions for permitting, provisions permitting the promulgation of rules and regulations; provisions for imposing a municipal lien and provisions identifying violations and imposing penalties for violation of this Chapter; Mr. Collins seconded the motion. Motion passed 5-1. Mr. LoPrinzi was the dissenting vote.

Mr. Brazzle reentered the meeting at 9:10 pm.

4. Consider Second Reading and Adoption an Ordinance amending Chapter 224 Zoning, Section 224-59 “Accessory Structures” subsection B. (3) (B) governing “yard sales” to permit same on residential property in accordance with City wide Fall and Spring Community Garage Sale as set by Resolution of City Council and in addition permitting two additional yard sales a year for two consecutive days (previously not more than three consecutive days and not more than four times a year) and placing a restriction in the related sign Ordinance limiting location signs as identified in Section 224-71 M relating to “Exempt Signs” such that offsite signs location signs are limited to a maximum size of twelve inches by eighteen inches.

Vice President Hamrick made a motion to approve Second Reading and Adoption an Ordinance amending Chapter 224 Zoning, Section 224-59 “Accessory Structures” subsection B. (3) (B) governing “yard sales” to permit same on residential property in accordance with City wide Fall and Spring Community Garage Sale as set by Resolution of City Council and in addition permitting two additional yard sales a year for two consecutive days (previously not more than three consecutive days and not more than four times a year) and placing a restriction in the related sign Ordinance limiting location signs as identified in Section 224-71 M relating to “Exempt Signs” such that offsite signs location signs are limited to a maximum size of twelve inches by eighteen inches; Mr. Collins seconded the motion. Motion passed 6-1. Mr. Brazzle was the dissenting vote.

5. Consider First Reading an Ordinance enacting as Chapter 182 entitled “Municipal Liens” a section of the City Code authorizing, assessing, imposing, ratifying and adopting a schedule of attorney fees (as well as costs) to be assessed in the collection of all delinquent accounts for which a municipal claim may be lawfully imposed or assessed on any property in the Commonwealth by a City and authorizing the amendment of such schedule from time to time by Resolution of the City Council; providing for notice before assessing fees; authorizing assessing, ratifying and imposing a penalty of five percent (5%) of any delinquent account as a penalty for the non-payment thereof on all property in the Commonwealth by the City; authorizing, assessing, ratifying and imposing interest on all Municipal Claims which may be lawfully imposed or assessed on property in the Commonwealth by the City; providing a savings clause; repealing inconsistent Ordinances or parts and amending the City Code Section 108-1 W (2) to

supply a schedule of fees consistent with Section 3 of said Ordinance and providing that said section of the City Code can thereafter be amended by Resolution of the City Council.

Mr. Brazzle made a motion to approve First Reading an Ordinance enacting as Chapter 182 entitled “Municipal Liens” a section of the City Code authorizing, assessing, imposing, ratifying and adopting a schedule of attorney fees (as well as costs) to be assessed in the collection of all delinquent accounts for which a municipal claim may be lawfully imposed or assessed on any property in the Commonwealth by a City and authorizing the amendment of such schedule from time to time by Resolution of the City Council; providing for notice before assessing fees; authorizing assessing, ratifying and imposing a penalty of five percent (5%) of any delinquent account as a penalty for the non-payment thereof on all property in the Commonwealth by the City; authorizing, assessing, ratifying and imposing interest on all Municipal Claims which may be lawfully imposed or assessed on property in the Commonwealth by the City; providing a savings clause; repealing inconsistent Ordinances or parts and amending the City Code Section 108-1 W (2) to supply a schedule of fees consistent with Section 3 of said Ordinance and providing that said section of the City Code can thereafter be amended by Resolution of the City Council; Mr. LoPrinzi seconded the motion. Motion passed 7-0.

6. Consider First Reading an Ordinance amending Chapter 136 of the City Code governing Housing Standards to provide for a new paragraph Q to Section 136-9 requiring the designation of a Resident Agent responsible for maintenance of Rental Property in the City of Coatesville where the property owner resides outside of the City; and amending Section 136-13 Leasing Licenses to require under Subsection “C” that a new rental application is necessary whenever there is a change of tenancy and that all tenants are to be listed on forms made available by the Codes Department so that the City is aware of the tenants at the property and the status of the license applications.

Mr. LoPrinzi asked if there would be one point of contact. Mr. Molina explained that one person would be held accountable plus the owner. Mr. Simpson asked if there is a current resident agent. Mr. Molina explained only on Vacant Property. Mr. Collins stated the documents do not coincide with one another. He asked for the information to be corrected on the Ordinance regarding City or County residency.

Mr. Brazzle made a motion to approve First Reading and Ordinance amending Chapter 136 of the City Code governing Housing Standards to provide for a new paragraph Q to Section 136-9 requiring the designation of a Resident Agent responsible for maintenance of Rental Property in the City of Coatesville where the property owner resides outside of the County; and amending Section 136-13 Leasing Licenses to require under Subsection “C” that a new rental application is necessary whenever there is a change of tenancy and that all tenants are to be listed on forms made available by the Codes Department so that the City is aware of the tenants at the property and the status of the license applications; Mr. LoPrinzi seconded the motion. Motion passed 7-0.

7. Consider and Receive a Proclamation for Tamara Cansler

Vice President Hamrick made a motion to approve a Proclamation for Tamara Cansler; Mr. LoPrinzi seconded the motion. Motion passed 7-0.

- a. Consider and receive a Proclamation for Harry Lewis Jr.

Mr. Brazzle made a motion to approve a Proclamation for Harry Lewis Jr.; Vice President Hamrick seconded the motion. Motion passed 7-0.

8. Consider Resolution authorizing the filing of proposal for funds with the Department of Community and Economic Development (DCED), Commonwealth of Pennsylvania

Mr. Brazzle made a motion to approve a Resolution authorizing the filing of proposal for funds with the Department of Community and Economic Development (DCED), Commonwealth of Pennsylvania; Vice President Hamrick seconded the motion. Motion passed 7-0.

Solicitors Report

Mr. Carnes explained there has been a setback on Millview. The County has agreed to the terms of the agreement of sale for the Amtrak Parcel. The settlement has been delayed due to title issues and Amtrak procedures. He explained he has been working with Mr. Hudson regarding the leasing of the Coatesville Memorial Community Center.

City Manager's Report

Mr. Rawlings asked if there were any questions on his City Manager TCFYI's. He provided Council with his calendar for January and February and Letters to and from various entities.

Council Comments

Mrs. Jones thanked everyone for attending. It was a healthy and productive syllabus. She wished everyone a good night.

Mr. Collins thanked everyone for attending.

Mrs. Hunt thanked everyone for attending. The general consensus is the public is looking forward to change structure of the City. She wished everyone a good night.

Vice President Hamrick explained Council has changed. The work shop meetings on the first Monday of each month has been very productive. The discussions are addressed at the workshop meetings have cut down the time at Council Meetings.

Mr. LoPrinzi thanked everyone for attending. He asked everyone to continue to let Council know how they are doing. He hopes it is right and if not to let them know so they can make it better.

Mr. Brazzle thanked everyone for attending. He hopes to see everyone at the two events.

Mr. Simpson thanked everyone for attending.

Adjournment

Vice President Hamrick made a motion to adjourn the meeting at 9:30 pm; Mr. Collins seconded the motion. Motion passed 7-0.

Submitted by:
Gary Rawlings
City Manager