

MINUTES  
CITY COUNCIL MEETING  
Regular Meeting  
October 14, 2013

**Call to Order**

President Collins called the meeting to order at 7:55 pm p.m. and welcomed everyone to the meeting. Council members present were President David Collins, Vice President Joseph Hamrick, Msrs, Edward Simpson and Mrs. Ingrid W. Jones. Staff members present included City Manager Kirby Hudson, City Solicitor John Carnes, Public Works Director Donald Wilkinson, Director of Planning and Codes Enforcement Damalier Molina, Police Chief John Laufer, Finance Director John Marcarelli, Acting Fire Chief James Lentz, and recording secretary Ruthann Mowday.

President Collins announced Mrs. Hunt, Mr. Brazzle, and Mr. LoPrinzi would not be in attendance.

An Executive Session was held October 6, 2013 and earlier this evening, October 14, 2013 to discuss personnel and legal matters.

**Approval of Minutes:**

Vice President Hamrick made a motion to approve the September 23, 2013 meeting minutes; Mr. Simpson seconded the motion. Motion passed 4-0.

**Approval of Accounts Payable**

Mr. Simpson made a motion to approve the accounts payable with the exception of check number 53002 until a conditional resolution with Marlin; Vice President Hamrick seconded the motion. Motion passed 4-0.

**Additions, Deletions or Modifications to the Agenda**

Vice President Hamrick made a motion to table the Presentation 4.1 for a later date; Mrs. Jones seconded the motion. Motion passed 4-0.

Vice President Hamrick made a motion to add a Proclamation; Mrs. Jones seconded the motion. Motion passed 4-0.

**Presentations**

There were no presentations at this time.

**Citizens' Hearings – Regular Action Items Only (5 Minutes)**

David DeSimone – Property Owner

Mr. DeSimone voiced his concerns on the increase in fees in the Codes Department and the impact it has on the landlords, contractors and homeowners. He asked Mr. Molina for various breakdowns on permit fees.

Paul Evans – Property Owner

Mr. Evans voiced his concerns on the increase in fees in the Codes Department and the impact it has on the landlords, contractors and homeowners. He questioned Mr. Carnes and Mr. Molina regarding the fees.

Mrs. Jones made a motion to close citizens' hearings on regular actions items only; Vice President Hamrick

**Citizens' Hearings – Non-Agenda Items Only (5 Minutes)**

Ted Skiadas – Property Owner

Mr. Skiadas voiced his concerns regarding the direction the City is going and the increase of the fees and the services that are being provided.

Tom Audette – Resident

Mr. Audette announced the Boy Scout Troop 48 asked City Council to include a scout master's minutes as a discussion item on their agenda on a monthly basis to update the community on the local troops projects in the community.

David DeSimone – Property Owner

Mr. DeSimone questioned the fees for trimming trees. He stated Council needs to pay attention to what is going on. Mr. DeSimone questioned the policy of third floor egress. Mr. Hudson explained it is for the safety of the resident.

Dale Dixon – Property Owner

Mr. Dixon voiced his concerns on the third floor means of egress. The property has been approved by Codes for every inspection.

Michelle Miles - Resident

Ms. Miles asked when the no parking signs will be taken down on Oak Street and new parking signs will be put up for Cambria. Mr. Wilkinson said the signs have been ordered.

Marie Hess - Resident

Ms. Hess provided Council with an update on the Playground equipment that will be placed in Ash Park from behind Gordon/Lincoln University.

Mr. Collins explained that Council is fair and equitable and everyone has freedom of speech. At no time, will council allow defamation of staff. Mr. Collins explained the landlords may not be looking at all the costs that the city needs to cover when doing the inspections.

Mr. Simpson stated everything is about compromise. He suggested three reps from the Landlord Association, Mr. Hudson, Mr. Molina and a member of Council meet to discuss the fees.

Mrs. Jones made a motion to close citizens' hearings on non-agenda items only; Vice President Hamrick seconded the motion. Motion passed 4-0.

**Regular Action Items**

1. Consider Celebrate Coatesville Cycling Event and Fireworks Date Change

Mr. Simpson made a motion to table the date change for the Celebrate Coatesville Cycling Event and Fireworks events upon further discussion; Mrs. Jones seconded the motion. Motion was tabled 4-0.

2. Consider Resolution of the City of Coatesville, Chester County, Pennsylvania, authorizing the allocation of \$345,707.91 grant from the Commonwealth of Pennsylvania for the General Municipal Pension State Aid Program

Mr. Simpson made a motion to approve a Resolution of the City of Coatesville, Chester County, Pennsylvania, authorizing the allocation of \$345,707.91 grant from the Commonwealth of

Pennsylvania for the General Municipal Pension State Aid Program; Vice President Hamrick seconded the motion. Motion passed 4-0.

3. Consider First Reading an Ordinance amending Chapter 82 “Building Construction” to add Article V “Water Supply” to establish that public water is to be used in the City of Coatesville and that private wells not already in existence are prohibited

Mr. Carnes explained the City currently provides limited regulations of private wells under the City’s Subdivision and Land Development Ordinance at Chapter 97 of the City Code. The City of Coatesville will amend its Chapter 82 regarding Building Construction by the addition of an Article V governing “Water Supply.”

Mr. Simpson made a motion to approve First Reading an Ordinance amending Chapter 82 “Building Construction” to add Article V “Water Supply” to establish that public water is to be used in the City of Coatesville and that private wells not already in existence are prohibited; Vice President Hamrick seconded the motion. Motion passed 4-0.

4. Consider First Reading an Ordinance amending Chapter 192 governing Special Events to add a subsection (D) noting that with respect to “Street Closings” in addition to any other provisions, there shall be a required fee of \$300.00 with no exceptions other than: (1) “Celebrate Coatesville”; (2) The “Halloween Parade”; and (3) The “Christmas Parade” which shall be exempt from this fee and amending the City fee schedule at Chapter 108-1 U (5) to reflect this same fee requirement

Vice President Hamrick stated that he agrees with fellow Council that the fee is too high. Mr. Simpson asked how many neighbors will need to approve the closing of the street. Mr. Hudson and Mr. Carnes stated 100%. Mr. Simpson asked for an Ordinance to be developed for no street closures for special events unless City sponsored Christmas Parade, Halloween Parade and Celebrate Coatesville.

Mr. Simpson made a motion to approve First Reading an Ordinance amending Chapter 192 governing Special Events to add a subsection (D) noting that with respect to “Street Closings” in addition to any other provisions, there shall be a required fee of \$300.00 with no exceptions other than: (1) “Celebrate Coatesville”; (2) The “Halloween Parade”; and (3) The “Christmas Parade” which shall be exempt from this fee and amending the City fee schedule at Chapter 108-1 U (5) to reflect this same fee requirement; Vice President seconded the motion. Motion failed 1-3. President Collins, Vice President Hamrick, and Mr. Simpson were the dissenting votes.

5. Consider First Reading an Ordinance amending Zoning Ordinance relative to the Fair Housing Act amendments by: 1) Redefined Group Home and providing definitions for reasonable accommodation and reasonable modifications; 2) Confirming that a Group Home is permissible in every residential Zoning District in the City; and, 3) Providing for notice to the public that complies with reasonable accommodation requirements.

Mr. Carnes explained the differences and how it will conform to the Fair Housing Act. In order to receive funding, the Ordinance must be in place.

Vice President Hamrick made a motion to approve a First Reading an Ordinance amending Zoning Ordinance relative to the Fair Housing Act amendments by: 1) Redefined Group Home and providing definitions for reasonable accommodation and reasonable modifications; 2) Confirming that a Group Home is permissible in every residential Zoning District in the City; and, 3) Providing for notice to the public that complies with reasonable accommodation requirements; President Collins seconded the motion. Motion passed 4-0.

6. Consider First Reading an Ordinance amending Chapter 190, Section 9 of the Code of the City of Coatesville to address licensing of collectors and to establish that there is no charge for the City's licensing or registration of same, and also amending Section 20 to establish that it is unlawful to burn recyclables or materials identified in the recycling program, and to identify violations of Chapter 190 as subject to alternative enforcement by means of fine and citation at the discretion of the City.

Mr. Carnes explained in order for the Recycling Grant to move forward with DEP the Ordinance on burning recyclables must be in place.

Mr. Simpson made a motion to approve First Reading an Ordinance amending Chapter 190, Section 9 of the Code of the City of Coatesville to address licensing of collectors and to establish that there is no charge for the City's licensing or registration of same, and also amending Section 20 to establish that it is unlawful to burn recyclables or materials identified in the recycling program, and to identify violations of Chapter 190 as subject to alternative enforcement by means of fine and citation at the discretion of the City; Vice President Hamrick seconded the motion. Motion passed 4-0.

7. Consider Xerox Firehouse Software Agreement

Vice President Hamrick made a motion to approve the Xerox Firehouse Software Agreement; Mr. Simpson seconded the motion. Motion passed 4-0.

### **Solicitors Report**

Mr. Carnes stated that he worked on the four Ordinances for consideration brought before Council this evening.

### **City Manager's Report**

Mr. Hudson announced Forgotten Cats will be back in the City. They will be going Ward by Ward. The program is called Trap, Neuter, and Return and is the most effective method for stabilizing the stray cat population. Mr. Hudson announced the Fire Department completed a Fire Inspection on Thursday October 10, 2013. Staff is working to correct any and all violations.

Vice President Hamrick read a Proclamation on Equality and Human Rights. He announced All Council, Department Heads and the City Solicitor will sign the proclamation and it will be posted in the Reception Area.

### **Discussion Items**

1. Walking on Street

Mr. Simpson stated that people are walking in the streets; they no longer walk on the sidewalks. He asked what we can do to stop this. Chief Laufer explained it is enforceable per the vehicle code. The Police Department has cited people for the offense. President Collins asked if foot patrol will be brought back to the City. Chief Laufer stated it is not financially feasible for foot patrol.

2. Codes reinspections – License and Permit Fees

Vice President Hamrick explained that he did not understand how the fees would impact the landlords, contractors, and the community when approved in January. The fee schedule needs to be reviewed. Mr. Simpson asked why there is third party electrical inspection required and when did this start. Mr. Molina replied before he started. Mr. Simpson asked if the City charged for

the inspector to come back out to verify the third party inspection. Mr. Molina and Mr. Simpson discussed the various fees. Vice President Hamrick asked the current rates for permits of the surrounding municipalities. Council agreed to meet with landlords to work on a resolution. Mr. Simpson stated to be contingent that there will not be enough revenue to cover expenses.

## Special Events

1. Consider a Special Event Permit Application from the Parks and Recreation Commission for the Halloween Parade on October 26, 2013 starting at 4:00 pm to 6:00 pm. The parade will begin at 3rd Avenue and end at 8th Avenue. It has been requested for a rolling stop along Lincoln Highway.

Vice President Hamrick made a motion to approve a Special Event Permit Application from the Parks and Recreation Commission for the Halloween Parade on October 26, 2013 starting at 4:00 pm to 6:00 pm. The parade will begin at 3rd Avenue and end at 8th Avenue. It has been requested for a rolling stop along Lincoln Highway; Mr. Simpson seconded the motion. 4-0.

2. Consider a Special Event Permit Application from the Parks and Recreation Commission for the Tree Lighting Ceremony to be held at Gateway Park on December 6, 2013 starting at 6:00 pm.

Vice President Hamrick made a motion to approve a Special Event Permit Application from the Parks and Recreation Commission for the Tree Lighting Ceremony to be held at Gateway Park on December 6, 2013 starting at 6:00 pm; Mr. Simpson seconded the motion. Motion passed 4-0.

3. Consider a Special Event Permit Application from the Coatesville Christmas Parade, Inc. for the Coatesville Christmas Parade on December 7, 2013. It has been requested to close the Lincoln Highway from Strode Avenue to 8<sup>th</sup> Avenue from 7 am to 2 pm.

Vice President Hamrick made a motion to approve a Special Event Permit Application from the Coatesville Christmas Parade, Inc. for the Coatesville Christmas Parade on December 7, 2013 requesting to close the Lincoln Highway from Strode Avenue to 8<sup>th</sup> Avenue from 7 am to 2 pm; Mr. Simpson seconded the motion. Motion passed 4-0.

4. Consider a Special Event Permit Application from Brandywine Health Foundation for a street closure in conjunction with the Coatesville Christmas Parade for the annual 5K run on December 7, 2013

Vice President Hamrick made a motion to approve Special Event Permit Application from Brandywine Health Foundation for a street closure in conjunction with the Coatesville Christmas Parade for the annual 5K run on December 7, 2013; Mr. Simpson seconded the motion. Motion passed 4-0.

5. Consider a Special Event Permit Application from the Rotary Club of Coatesville for “Santa’s in Town” on Friday and Saturday from December 7, 2013 until December 21, 2013 11:00 am to 5:00 pm at the Gazebo 2<sup>nd</sup> Avenue and Lincoln Highway.

Mr. Simpson made a motion to approve a Special Event Permit Application from the Rotary Club of Coatesville for “Santa’s in Town” on Friday and Saturday from December 7, 2013 until December 21, 2013 11:00 am to 5:00 pm at the Gazebo 2<sup>nd</sup> Avenue and Lincoln Highway; Vice President Hamrick seconded the motion. Motion passed 4-0.

6. Consider a Banner Permit Application for the Coatesville Christmas Parade Banner to be installed from November 1, 2013 until December 9, 2103 across East Lincoln Highway, just East of First Avenue

Vice President Hamrick made a motion to approve a Banner Permit Application for the Coatesville Christmas Parade Banner to be installed from November 1, 2013 until December 9, 2013 across East Lincoln Highway, just East of First Avenue; Mr. Simpson seconded the motion. Motion passed 4-0.

**Council Comments**

Mr. Simpson thanked everyone for attending the meeting.

Mrs. Jones thanked everyone for attending the meeting. She quoted “ Be Inspired, Wear Harmony, Support Peace, Make a Difference.”

Vice President Hamrick thanked everyone for attending the meeting. It is inspiring to see the Council Chambers full.

President Collins thanked everyone for attending the meeting.

**Adjournment**

Vice President Hamrick made a motion to adjourn the meeting at 10:20 pm; Mr. Simpson seconded the motion. Motion passed 4-0.

Kirby Hudson  
City Manager