

MINUTES
CITY COUNCIL MEETING
OCTOBER 13, 2014

Call to Order

President Hamrick called the meeting to order at 7:50 p.m. and welcomed everyone to the meeting. Council members present were President Joseph Hamrick, Vice President David Collins, Mssr, Edward Simpson and Mrs. C. Arvilla Hunt, Mrs. Marie Lawson, Mrs. Ingrid W. Jones, and Mrs. Linda Lavender-Norris. Staff members present included City Solicitor John Carnes, Finance Director John Marcarelli, Director of Planning and Codes Enforcement Damalier Molina, Public Works Director Donald Wilkinson, Police Chief John Laufer, and recording secretary Ruthann Mowday.

An Executive Session was held earlier this evening October 13, 2014 to discuss personnel and legal matters.

Approval of Minutes:

Mrs. Lavender-Norris made a motion to approve the September 22, 2014 meeting minutes; Vice President Collins seconded the motion. Motion passed 7-0.

Approval of Accounts Payable

Mr. Simpson made a motion to approve the accounts payable; Mrs. Hunt seconded the motion. Motion passed 7-0.

Additions, Deletions or Modifications to the Agenda

There were no additions, deletions or modifications at this time.

Presentations

1. Downtown Economic Retail Strategies and Incentive Program by 1st State Community Fund and PNC Bank

Mr. Joe Wilson from PNC Bank explained the bank offers multiple options to make borrowing easier for the new or existing business owner. To start, business owners will be required to guarantee any bank loans. Therefore, a clean personal credit history of five or more years will typically no recent 30 day late payments will be required. PNC Bank will establish a clear program description that identifies all the qualifiers for the potential business borrower and the participants and the overall administration of the program. Note; the actual details still need to be worked out.

However, thus far, the preliminary key components to the PNC Bank-Coatesville business lending program are as follows:

- a. Establish title insider for the Collateralized funds.
- b. All Business Owners/Borrowers must be credit worthy with the understanding, collateral will not guarantee an approval.
- c. The Business Loan will be reviewed annually by PNC.
- d. PNC will only offer business loans equal to \$10,000 as a minimum whether the loan is a line of credit or an installment loan.
- e. All Business Loans must be paid back by way of ACH from the PNC Business Account. Additionally, a PNC Checking Account must be set up an established.
- f. Loans from competitors cannot be restricted. PNC will not deny loans to non-participants.

g. PNC states, the City of Coatesville owns collateral process fully. PNC will not factor in any decision of who is approved to use it.

2. Short film for School Project – Malcom Robinson

Mr. Robinson announced he is currently working on a short film (school project) about the epidemic years ago. The film is to help the younger generations to understand that when you do this, this will happen to you. It will show the cause and effect of your actions. He asked to close the 6th Avenue and Belmont Street for the next four Sundays for four hours. Vice President Collins asked Mr. Robinson to add a positive note of Revitalization in his film. Chief Laufer asked Mr. Robinson to come before Council, due to the involvement of prop guns. The event will require Police presence. Council asked Mr. Robinson to notify the residents in the area of the nature of the filming as to not call for alarm. Council thanked Mr. Robinson.

3. After Action Report 2013-2014 Winter Weather Incident by Jim Lentz

Mr. Lentz provided counsel with an after action report for the December 2013-March 2014 winter storms by the Coatesville Emergency Management Team. The Emergency Management Team consisted of the Coatesville Police Department, Coatesville Borough of Fire, Coatesville Public Works Department, and the City Manager's office. He provided a summary of the snowstorms with the dates and inches of snow received. There were nine plowed snow incidents, 13+ hours of plowing an estimated 5.7 feet of snow. There was one activation of the Coatesville Emergency Operation Center (EOC). The EOC was ready for two additional situations but was not activated. Plans were in place for three temporary short-term shelters if necessary, but were not activated.

For further considerations Mr. Lentz asked for the training of additional personnel in the Knowledge Center (class is now on the County training calendar for January 21, 2015, class is free); mass public education on snow declarations: mass delivery of emergency messages Citywide by Robo calls, email, text message, other means; improve our use of social media; training radio use/ unit designations. The EEOC needs the appropriate administrative support, reliable telephone system, upgrade of high band radio system (currently in progress), and maintain Internet usage by hardline and/or hot spot for all essential computers. The next steps are to finalize the 2014 radio upgrade; continue to assess the operational needs of our EEOC and make improvement; complete EM trailer-generators and barricades; take appropriate steps to provide backup electricity throughout City Hall; develop additional operating guidelines for radio use an EEOC communication; and have the balance of essential personnel acquire appropriate NIMS training. Mr. Wilkinson stated he is working on transfer switches for more power with the generators.

4. Family Dollar Store

Mr. Gill from Buckley Brion McGuire Morris and Summer LLP presented plans for the Family Dollar store downtown. The building will be 8,320 ft located at 4th Avenue and Business 30. Mr. Gill indicated he received Mr. Comitta's recommendations for exterior façade and based on the recommendation from City Council would request compliance with the Color Palette for the area. Mr. Comitta, City architect stated this plan has been the most complete thorough and professional plan he has seen in 33 years. He stated in 30 years the applicants have torn down the buildings on the corners. The current plans keep the building cohesive with the surrounding buildings on Lincoln Highway. Mr. Gill asked for an approval conditioned upon a clean letter from Cedarville Engineering and Thomas Comitta Associates for the Final Land Development. Mr. Carnes explained he is currently drafting the documents for a Resolution to be placed on the agenda for the October 27, 2014 Council Meeting.

Citizens' Hearings – Regular Action Items Only (3 Minutes)

Alan Smith

Mr. Smith, Coatesville Community Development Corporation and ATS Consulting, stated there are many opportunities for the City to receive tax credits. He explained the City should put a Request for Qualifications (RFQ) out for an Community Development Financial Institution Fund (CDFI). The CDFI fund was created for the purpose of promoting economic revitalization and community development financial institutions (CDFIs). Council asked Mr. Smith to provide a presentation at the next meeting.

David DeSimone

Mr. DeSimone inquired about the Ordinances to be passed for first reading. He asked if the money to be withdrawn from the trust is part of the Façade improvement. He stated Business owners should be responsible for their properties and the Facades.

Paul Evans

Mr. Evans inquired if administration has offered any budget cuts. Mr. Hamrick stated not at this time. Mr. Evans asked Council to be careful on the increase of fines for bank owned vacant properties.

Mrs. Lavender-Norris made a motion to close citizens' hearings on regular action items only; Mr. Simpson seconded the motion. Motion passed 7-0.

Citizens' Hearings – Non-Agenda Items Only (3 Minutes)

Shirley Ford-Bay

Ms. Ford-Bay voiced her concerns about a nuisance garage in her neighborhood. They are fixing and painting cars in the garage. There are times when cars are blocking Rosemont so people cannot get through. This is an ongoing problem. Mrs. Lawson explained she has spoken to Mr. Hudson regarding the matter. Mr. Hudson stated he has spoken to the Codes Department and they are addressing the matter.

Charles Shaw

Mr. Shaw announced he is new to the procedures here. He would like to be active in the Community by joining Boards and Commissions. .

Mike Zemacke

Mr. Zemacke voiced his concerns about rats, dumpster, bed bugs and slumlords. The tenants are afraid to complain because they will get kicked out. Mr. Zemacke explained that there are some people asking for tax breaks and are not doing anything for the City.

Anthony Frazier

Mr. Frazier asked for consideration from Council for the Boards and Commission he has applied for. He is hopeful to have this opportunity in the City of Coatesville.

Paul Evans

Mr. Evans questioned when the Ordinance will be presented regarding the fees addressed by the Coatesville Housing Association. Mr. Carnes explained he is working on the Ordinance. Mr. Evans suggested a meeting with Mr. Molina.

David DeSimone

Mr. DeSimone stated the Coatesville Housing Association and the City need to start to work together again. He asked for the full Ordinances to be posted prior to the meetings.

Mrs. Lavender-Norris excused herself from the meeting at 9:15 PM.

Mrs. Hunt made a motion to close citizens' hearings on non-agenda items; Mrs. Lawson seconded the motion. Motion passed 6-0.

Regular Action Items

1. Receive and consider appointment of Anthony Frazier Jr., to the Board of Housing Appeals for the term 2013 – 2015 and the Board of Registration Appeals Board for the term 2014-2016; and Charles Shaw to the Vacant Property Committee for the term 2014- 2017

Mrs. Hunt made a motion to approve the appointment of Anthony Frazier to the Board of Housing Appeals for the term 2013 to 2015; Mrs. Lawson seconded the motion. Motion passed 6-0.

Mrs. Hunt made a motion to approve the appointment of Anthony Frazier to the Board of Registration Appeals for the term 2014 to 2016; Mrs. Lawson seconded the motion. Motion passed 6-0.

Mrs. Hunt made a motion to approve the appointment of Charles Shaw to the Vacant Property Committee for the term 2014 to 2017; Vice President Collins seconded the motion. Motion passed 6-0.

2. Receive and consider an Emergency Ordinance authorizing the withdrawal (borrowing) and use of principal of a City Reserve Trust Fund in an amount up to Two Million Fifty Thousand dollars for emergency needs

Vice President Collins explained the amount requested will not include the additional full \$250,000 amount in February for Downtown Improvements to equal the \$2,050,000. Council only used \$50,000. The projects did not come to fruition in 2014 and the money will not be expended this year. The withdrawal will be reduced to \$1,850,000.

Mr. Simpson stated the City has been borrowing from the trust for years without providing a long term solution to prevent from borrowing again. President Hamrick explained the withdrawal was approved in the 2014 budget.

Mrs. Hunt made a motion to approve an Emergency Ordinance authorizing the withdrawal (borrowing) and use of principal of the City Reserve Trust Fund in an amount up to \$1,850,000 for emergency needs; Vice President Collins seconded the motion. Motion passed 4-2. Mr. Simpson and Mrs. Lawson were the dissenting votes.

3. Receive and award the AFSCME collective bargaining agreement for the period of January 1, 2014 thru December 31, 2017.

Mrs. Hunt made a motion to award the AFSCME collective bargaining agreement for the period of January 1, 2014 through December 31, 2017; Mrs. Lawson seconded the motion. Motion passed 6-0.

4. Receive and consider First Reading an Ordinance amending Article II (Non-Uniformed Pension Plan, F/K/A Retirement Income Plan) of Chapter 38 of the City of Coatesville's code entitled "Pensions" to adopt certain amendments thereto relating to the participation of the City of Coatesville employees who are members of the bargaining unit represented by the City of Coatesville Local 1821 of the American Federation of State, County and Municipal Employees, District Council 88 (the "Union") hired on, or after, January 1, 2001.

Mrs. Hunt made a motion to approve First Reading an Ordinance amending Article II (Non-Uniformed Pension Plan, F/K/A Retirement Income Plan) of Chapter 38 of the City of Coatesville's: entitled "Pension" to adopt certain amendments thereto relating to the participation of the City of Coatesville employees for members of the bargaining unit represented by the City of Coatesville Local 1821 of the American Federation of State, County and Municipal Employees, District Council 88 (the "Union") hired on, or after, January 1, 2001; Vice President Collins seconded the motion. Motion passed 6-0.

5. Receive and consider First Reading an Ordinance amending Chapter 190 to address permit fees and inspections privately owned dumpsters throughout the City by adding a preamble to set forth the purpose of said fees (and related inspections) at Section 190-24 and re-identifying the prior section 190-24 to be Section 190-24.1; amending § 190-25 to identify the inspection process by adding a new section 190-25.D and revising Section 190-25D (to correct typographical errors) as a new section 190-25E.

Mr. Simpson made a motion to approve for First Reading an Ordinance amending Chapter 192 to address permit fees and inspections privately owned dumpsters throughout the City by adding a pre-ample to set forth the purpose of said fees (and related inspections) at Section 190-24 and re-identifying the prior Section 190 – 24 to be section 190 – 24.1; amending § 190 – 25 to identify the inspection process by adding a new Section 190 – 25.D and revising Section 190 – 25D (to correct typographical errors) as a new Section 190-25E; Mrs. Lawson seconded the motion. Motion passed 5-1. Mrs. Jones was the dissenting vote.

6. Receive and consider First Reading an Ordinance amending Chapter 108-1 (L)(3) fees in the City of Coatesville to address use dumpsters.

Vice President Collins made a motion to approve First Reading an Ordinance amending Chapter 108-1 (1)(3) fees and the City of Coatesville to address use dumpsters; Mrs. Hunt seconded the motion. Motion passed 5-1. Mrs. Jones was the dissenting vote

7. Receive and consider Resolution authorizing the allocation of \$336,923,16 grant from the Commonwealth of Pennsylvania for the General Municipal Pension System State Aid Program

Mrs. Hunt made a motion to approve a Resolution authorizing the allocation of \$336,923.16 grant from the Commonwealth of Pennsylvania for the General Municipal Pension State Aid Program; Mrs. Lawson seconded the motion. Motion passed 6-0.

8. Receive and consider issuing a Request for Proposal (RFP) for Pension Funds Investment Management Advisory Services

Mrs. Hunt made a motion to approve issuing a Request for Proposal (RFP) for Pension Funds Investment Advisory Services; Vice President Collins seconded the motion. Motion passed 6-0.

9. Receive and consider issuing a Request for Proposal (RFP) for Early Intervention Program – Five Year Financial Management Plan

Mrs. Hunt made a motion to approve issuing a Request for Proposal (RFP) for Early Intervention Program – Five Year Financial Management Plan; Mrs. Lawson seconded the motion. Motion passed 6-0.

10. Receive and consider Building permit fee waiver request for County of Chester Department of Emergencies Voice Radio Project

Mrs. Jones made a motion to approve the Building permit fee waiver request for County of Chester Department of Emergencies Voice Radio Project; Mr. Simpson seconded the motion. Motion passed 6-0.

11. Receive and consider Trick or Treat to be held on October 31, 2014 from 6:00 to 8:00 pm

Mrs. Lawson made a motion to approve trick-or-treat to be held on October 31, 2014 from 6:00 to 8:00 pm; Mrs. Hunt seconded the motion. Motion passed 6-0.

Solicitors Report

Mr. Carnes announced he has placed an advertisement for bids for storm sewer and pavement restoration to inlets various size located throughout the City of Coatesville; storm sewer pavement restoration to inlets various size located along the street in the City of Coatesville; replacement of existing salt shed; replacing the roof at City Hall.

Mr. Carnes announced the plans are moving forward for the Family Dollar store. After the AFSCME contract approval the City will be amending its City Pension Plan and finalizing the Third Class City Pension Plan. Mr. Carnes explained he has reviewed the Evesham Township Ordinance regarding vacant properties.

City Manager's Report

Mr. Hudson announced on Thursday, October 23, 2014 to public meeting will be held on learning from Ferguson: policies for supporting our diverse middle-class suburbs. The meeting will be held the second Baptist Church of Media.

Mr. Hudson announced projects on the engineers report from Cedarville engineering group, LLC. The projects are Family Dollar land development; 30 and 82 CRP grant; City Hall reroof bid package; growing greener grant; salt shed; and water restoration and protection program.

Discussion Item

1. Discuss reorganization meeting time

Mrs. Lawson asked if the reorganization meeting time could be changed from 3:00 pm on the first Monday of the New Year. The current time is during the day, and people have to take time off from their jobs to attend. She asked for the time to be at 6:00 pm or later. She asked if you have to be in the building or can you call in to vote. Mr. Carnes stated that voting could not be done in the past over the phone. He will need time to review the laws of the Charter. He is not sure that the change can be made to the Charter.

Mr. Simpson asked if the Charter cannot be changed for the time of the meeting, then how can it be changed for the Fire Chief position. We need to follow the Home Rule Charter for all not just one. Not just one area at a time. The Charter does not have a Fire Administrator position. The position is Fire Chief, with certain requirements. The Deputy Fire Chief should be in charge until a Fire Chief is hired. Mr. Hudson explained the Fire Administrator is currently working on the backlog. He stated that when the Fire Administrator completes the backlog, he would then look for a Fire Chief. Council asked Mr. Hudson to move forward with looking for a Fire Chief.

Mr. Carnes stated that he would look into the issue regarding the reorganization meeting time change and get back to City Council.

2. Bank owned Vacant Properties Ordinance

Mr. Carnes stated at the last meeting he was asked to review whether the City of Coatesville had the ability to pursue an Ordinance to make banks responsible for abandoned properties similar to the New Jersey Ordinance passed on the Township of Evesham. Due to the issues with the vacant

properties in the City, Mrs. Lawson had inquired about the Ordinance in Township of Evesham with the Bank owned properties. He explained the Township Evesham Ordinance was based upon recent legislation in New Jersey. There is no authority for such an ordinance in Pennsylvania. There's legislation pending which could be used for similar purpose. He referenced House Bill No. 853. The City needs to rely upon its current ordinances to address the delinquent maintenance of properties. It can also "tweak" its ordinances and amend its vacant properties ordinance to supply enforcement mechanisms.

The City has the authority for Municipal Property Maintenance Ordinance from the Third Class City code. The statute gives the City the authority, subject to the primacy of the UCC, to enact the maintenance ordinance. The statute empowers Municipalities, via an ordinance to impose fines or imprisonment for violations of up to \$1000 and up to 90 days in prison or both.

In addition to the statute the City also has authority to regulate vacant property pursuant to the act of November 26, 2008 (P.L. 1672, No. 135) known as the Abandoned and Blighted Property Conservatorship Act. This act empowers Municipalities to take these properties via a procedure similar to condemnation. The City of Coatesville has enacted the International Property Maintenance Code under Chapter 180 of the City code. The City also has adopted procedures for filing a Municipal lien pursuant to Chapter 182 of the City code. Further, the City also regulates vacant premises under Chapter 82 of the City code.

Under these authorities, the City can pursue code violations with a maximum daily fine of \$1,000 per day. However, the City also has the ability to pursue action to abate a nuisance and charge the property owner and then lien the property. Thus, the Codes Department does have at its disposal tools to enforce property maintenance.

Mr. Molina explained the current process for the Codes Department regarding Vacant Properties. He asked for changes some changes to the Code. Council asked Mr. Molina to provide them with an update on the vacant properties and how the issues are being addressed at 124 South 4th Avenue.

Special Events

1. A banner permit application has been received from Life Transforming Ministries for "Free IRS-Certified Income Tax Preparation" to be placed at Gateway Park.

Mrs. Jones made a motion to approve a banner permit application from life transforming ministries for "Free IRS – Certified Income Tax Preparation" to be placed at Gateway Park; Mrs. Hunt seconded the motion. Motion passed 6-0.

Council Comments

Mrs. Jones thanked everyone for attending the meeting. She quoted "As nightfall does not come at once, neither does oppression. In both instances, there is a twilight when everything remains seemingly unchanged. And it is in such twilight that we all must be aware of change in the air-however slight-lest we become unwitting victims of darkness." By Justice William O. Douglas

Mr. Simpson thanked everyone for attending the meeting and wished them a goodnight.

Mrs. Lawson announced Mayor Maxwell, Downingtown Mayor, was in the crowd this evening. She stated he approached us and made a friendly wager that if Downingtown East beat Coatesville, she had to wear a Downingtown East shirt and have her picture taken in it. If Coatesville won, he has to wear a

Coatesville shirt and have his picture taken in it. Coatesville won!! Mayor Maxwell will be putting on Coatesville Colors. She thanked everyone for attending the meeting.

Mrs. Hunt thanked everyone one for attending the meeting. She announced Council members will be holding ward meetings. The first meeting will be held in her ward called “The 3rd Ward Growing Together Summit” on Thursday, October 30, 2014 from 7:00 pm to 9:00 pm at the Holy Trinity Church, Fellowship Hall, 5th Avenue and Chestnut Street. This is designed to: Provide information concerning our City; Listen to your concerns and comments; Give suggestions; Meet and greet your City officials. Let’s better our community by coming together and making a change.

Vice President Collins thanked everyone for attending the meeting. He announced the Coatesville ACTION (A Change Through Ideas, Opportunity, and Networking), Career and Job Expo. The event will be held October 22, 2014 from 12:00 pm to 4:00 pm at the Lincoln University Coatesville Campus: 351 Kersey Street. There is free admission and free parking. The Coatesville ACTION is looking to have 4 events a year which will provide the citizens tool necessary to better their lives through jobs, entrepreneurship and connections.

President Hamrick thanked everyone for attending the meeting. He thanked Mr. Frazier and Mr. Shaw for their interest in the City and volunteering for the Boards and Commissions. He stated he was astonished at the “Class of 1964” Coatesville class reunion. There were over 200 classmates in attendance.

Adjournment

Mrs. Jones made a motion to adjourn the meeting at 10:25 pm; Mrs. Lawson seconded the motion. Motion passed 6-0.

Kirby Hudson
City Manager