

MINUTES
CITY COUNCIL MEETING
Regular Meeting
February 23, 2015

00. Public Hearing Fair Housing Acts Amendments

Vice President Lawson made a motion to open the public hearing on Fair Housing Acts Amendments at 7:55 pm; Mrs. Hunt seconded the motion. Motion passed 5-0.

Mr. Carnes explained the public hearing for the fair housing act issues regarding group home setting ordinance was re-advertised for consideration and passage by City Council after the public hearing. The reason for revising the zoning policies is to align the City's policy with the State policy. For the state law, group homes are not to be treated differently from family homes. Many group homes are housing people with disabilities which are protect to class under the Pennsylvania law.

Mr. Carnes explained that a group home is permitted anywhere in the city. A group home is considered more than two nonrelated persons in a home.

Mr. Evans asked if there is a permit application required for group home. Mr. Carnes explained that Chester County group homes are regulated by the county. The state has certain regulations. Mr. O'Rourke explained the federal law protects the group home and the disabled members.

Mrs. Green asked what the difference with the Madanat lawsuit is from a few years ago. Mr. Carnes explained there were concerns about certain provisions in the current ordinance. The City lost the case with Madanat. The cleanups are being done to the ordinance to make them consistent with state laws.

Mr. Cazille asked how many group homes are currently in the city. Mr. Carnes explained that he does not have the number of homes at this time. Mr. Cazille asked if the homes are required to be ADA approved.

Mrs. Hunt asked if the apartments would qualify for a group home. Mr. Carnes explained the requirements for an apartment to be considered a group home.

Mr. Cazille asked what type of disabilities are usually in group homes. Mr. O'Rourke explained the disability could be mental or physical. Mr. Carnes explained a group home can be built right next to any home with no discrimination.

Mr. Suber announced there enough group homes in the city. We don't need anymore.

Mrs. Al-Amin explained there are currently people renting properties and then taking patients in. Is there a program that disallows this? Are there stipulations to address them? If you rent a property can be made out to be a group home, who has to meet the criteria? Is it the liability of the landlord or who is renting the property? Mr. O'Rourke explained there are standards that need to be met. A group home cannot be treated as a business. Mrs. Al-Amin asked what the public classes are for group homes. Mr. O'Rourke stated he would provide them at the next meeting.

Mr. Cazille asked how a person buying a home will know if it's next to a group home. Mr. Carnes explained that a group home may not be here today but one could be there tomorrow. There is no discrimination on where a group home can be.

Council agreed that there are issues regarding group homes other than updating the current ordinance to be consistent with state laws that need to be revisited. They asked for group homes to be placed on the next agenda under discussion items.

Vice President Lawson asked for the number of group homes in each municipality to be provided to City Council at the next meeting.

Mrs. Hunt made a motion to close the public hearing on Fair Housing Acts Amendments at 8:24 pm; Mrs. Hunt seconded the motion. Motion passed 5-0.

01. Public Hearing City Sponsorship of Chester County Revitalization Program Application

Mrs. Hunt made a motion to open a public hearing for City Sponsorship of Chester County Revitalization Program Application at 8:25 pm; Vice President Lawson seconded the motion. Motion passed 5-0.

Mr. DePetris, DEPG Development, announced plans for 30,000 ft.² retail space, 50 market rate apartments, and two restaurants at the intersection of Lincoln Highway and First Avenue. They have acquired or have agreements for the properties from 1st and Lincoln to the Cultural Society. Mr. DePetris asked for the City's sponsorship in pursuing a CRP Grant (Chester County Community Revitalization Program). DEPG Coatesville Associates, LLC is requesting the city sponsorship of a \$1 million grant request to the Chester County community revitalization program grant application is to February 27, 2015. Grant funding may be useful public infrastructure including parking structures. If awarded, the grant will be used to support construction of an approximately \$1.3 million parking structure and downtown Coatesville, add to sit the Gateway redevelopment site (First Avenue and E. Lincoln Hwy) to support the Gateway redevelopment project. As part of the application, DEPG will submit written commitment to identify and secure required matching funds necessary for completion of the parking garage.

DEPT has embarked upon a \$20 million redevelopment project on urban infill site that includes 111 to 143 and 112 East Lincoln Hwy. in the city of Coatesville, Pennsylvania. The site, located at the intersection of East Lincoln (US Route 30) and S. 1st Ave. (PA Route 82), provides a gateway into downtown Coatesville that is currently underutilized and largely vacant the project is significant investment as this key entrance into the city, and one that will prove to be catalyst for additional development and reinvestment in one of the Commonwealth urban cores most in need of revival. The urban infill project involves the demolition of existing buildings, construction of 30,000 ft.² retail space 50 market apartments secured residential parking for story mixed-use structure in the heart of downtown Coatesville. Ms. Colleen Terry explained the process and requirements of the grant.

Mr. Pawlowski thanked them for what they are doing.

Mr. Suber asked when they start the building and development who will get hired. Mr. Rau explained the hiring process for development.

Mr. Shaw asked the source of the CRP funds. Ms. Terry explained they are County funds. Mr. O'Rourke explained the City does not provide the match. Mr. Rau explained the match will be provided by DEPG Coatesville Associates.

Mr. Suber asked if they are responsible for the permits. Mr. Rau stated they are positively responsible for the permits for the development.

Mrs. Jones made a motion to close a public meeting for City Sponsorship of Chester County Revitalization Program Application at 8:48 pm; Mrs. Hunt seconded the motion. Motion passed 5-0.

Call to Order

President Lavender-Norris called the meeting to order at 8:50 p.m. and welcomed everyone to the meeting. Council members present were President Linda Lavender-Norris, Council Vice President Marie Lawson, Mssr, Mr. Bill Shaw, Mrs. C. Arvilla Hunt, and Mrs. Ingrid W. Jones. Staff members present included Acting City Manager Michael O'Rourke, City Solicitor John Carnes, Finance Director John Marcarelli, Public Works Director Donald Wilkinson, and Police Chief John Laufer and recording secretary Ruthann Mowday.

President Lavender-Norris announced an Executive Session was held earlier this evening February 23, 2015, to discuss personnel and legal matters.

President Lavender-Norris announced Mr. Simpson and Mr. Hamrick would not be in attendance this evening.

Approval of Minutes:

Vice President Lawson made a motion to approve the February 9, 2015 meeting minutes with corrections; Mrs. Hunt seconded the motion. Motion passed 5-0.

Approval of Accounts Payable

Mrs. Hunt made a motion to approve the accounts payables; Vice President Lawson seconded the motion. Motion passed 5-0.

Additions, Deletions or Modifications to the Agenda

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

Presentations

1. Terry Bruno, WCCOG – Inter-Municipal Trail

Ms. Bruno announced this proposal is to prepare a bicycle and pedestrian facilities plan for the Mill Trail Project. Participants in this effort include Valley Township, City of Coatesville, Borough South Coatesville, Borough of Modena, and East Fallowfield Township. The creation of an inter-municipal and inter-connected trail network will be an asset to each of the partnering municipalities and to the region as a whole. It is consistent with the municipalities comprehensive plans but with the Chester County's landscapes².

A multi-municipal feasibility study for the Mill Trail was completed in August 2012 with contributors from South Coatesville, the City of Coatesville, and the Borough of Modena. East Fallowfield Township and Valley Township are collaborating with the other municipalities to

prepare a detailed bicycle and pedestrian facilities plan that will connect the East Fallowfield Park to the Riverwalk Trail and Valley Township. The Mill Trail plan will be completed by transportation engineer/planner with the skills and knowledge required to move the project forward from conceptual design to implementation. The consultant will be responsible for completing the following planning tasks: review the concept/feasibility plan; conducted detailed physical inventory assessment of the route; confer with PennDOT Chester County representatives; facilitate public presentations and/or workshops; conduct a needs analysis; conduct a legal feasibility analysis; prepare preliminary design and engineering; outline trail management and fiscal responsibilities; complete an action/implementation plan with the next steps; and provide an executive summary of the plan.

Vice President Lawson made a motion to approve commitment to participate and contribute up to \$2,000 matching funds; Mrs. Hunt seconded the motion. Motion passed 5-0.

2. John Hall – Coatesville Community Educational Foundation

Mr. Hall explained the collaboration is key for redevelopment and Coatesville. The proposal this evening is mute due to the approval in the previous presentation. The project titles was the Coatesville Vision Grant. The Grantee would design a detailed feasibility study proposal, which would create and foster plan based on the Coatesville Master Plan and a landscape2 plan for Chester County. The business development program and Coatesville to be built in five stages. The Coatesville Vision Plan would connect businesses and educational institutions within Western Chester County. The Coatesville Vision would leverage next-generation high-speed broadband connection, fully equipped labs and workspaces, highly trained in productive researchers and scientists, experienced management, and an extensive education research network. Resident businesses and companies would inhabit spaces to deliver new services and develop, manufacture, and deliver industry-leading products. Educational institutions will modernize curriculum in design and process technologies, manufacturing and engineering analysis and digital manufacturing. The stakeholders would've been the City of Coatesville, Coatesville redevelopment authority, Brandywine health foundation, Coatesville area school district, and the Pennsylvania Department of Transportation.

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

Terry Bruno

Ms. Bruno stated she had no comment at this time.

Paul Evans

Mr. Evans voiced his concerns regarding the 2015 Budget and provided insight on how to lower the expenditures. He asked Mr. O'Rourke to follow through with personnel matters.

Ron Suber

Mr. Suber stated he had no comment at this time.

Mrs. Hunt made a motion to close the citizens on regular action items only; Mr. Shaw seconded the motion. Motion passed 5-0.

Discussion Item

1. Discuss Welcoming Committee

Vice President Lawson explained the committee will contact business and developers that have shown interest in working in Coatesville and welcomed them to the City of Coatesville. The committee will consist of the president, vice president and one additional Council member and the City manager. President Lavender-Norris explained the human aspect meeting and greeting the new business owners will help to encourage people to invest in the City. It will show support for redevelopment in the City of Coatesville.

Mrs. Hunt made a motion to formulate a welcoming committee for 2015 with the Council president, Council Vice President, Council member and City Manager as members; Vice President Lawson seconded the motion. Motion passed 5-0.

2. Discuss Beautification Committee

Vice President Lawson explained the City can work together with property owners and businesses to help beautify the City and improve conditions for existing businesses. The committee and volunteers could help to beautify and repair the area. Mrs. Hunt explained the downtown area was depressing during the holidays. Mr. Shaw explained the beautification committee would be a great way to show developers the City's commitment.

3. Discuss Fireworks

In the original budget line item for fireworks was to be cut, but Council asked for the fireworks to be added back into the budget. Last year the fireworks were beautiful. The City is known for their annual fireworks. Vice President Lawson asked if the City has started the RFP process for this year's fireworks. The fireworks will be held the following weekend after the Fourth of July which will be July 11, 2015. Council asked for the RFP to be set up to be approved at the next meeting. Mr. O'Rourke announced there is planning company which will go out and get sponsors for very special events at no cost to the City. Their payment for the services is acquired through sponsorships and donations.

4. Discuss 2015 Budget

Mr. O'Rourke asked to speak to each councilmember individually prior to next Monday's budget workshop. Council unanimously agreed to have a budget workshop held on Monday, March 2, 2015 at 6 PM.

Regular Action Items

1. Receive and consider a Resolution supporting the filing of a grant application with Chester County Department of Community Development for the 2015 Chester County Community Revitalization Program Grant Funds for improvements in the City of Coatesville consisting of a multi-level parking garage in the Downtown Area of East Lincoln Highway and South First Avenue

Vice President Lawson made a motion to approve a Resolution supporting the filing of a grant application with Chester County Department of Community Development for the 2015 Chester County Community Revitalization Program Grant Funds for improvements in the City of Coatesville consisting of a multi-level parking garage in the Downtown Area of East Lincoln Highway and South First Avenue; Mrs. Hunt seconded the motion. Motion passed 5-0.

2. Receive and consider Second Reading and Adoption an Ordinance amending Chapter 218 – 11 Vehicle and Traffic for the City of Coatesville, Chester County, Pennsylvania

Vice President Lawson made a motion to approve Second Reading and Adoption an Ordinance amending Chapter 218 – 11 Vehicle and Traffic for the City of Coatesville, Chester County, Pennsylvania; Mr. Shaw seconded the motion. Motion passed 5-0.

3. Receive and consider Second Reading and Adoption an Ordinance amending Chapter 218-31 – Stop Intersection designated for the City of Coatesville. Chester County, Pennsylvania

Mrs. Hunt made a motion to approve Second Reading and Adoption an Ordinance amending Chapter 218-31 – Stop Intersection designated for the City of Coatesville. Chester County, Pennsylvania; Vice President Lawson seconded the motion. Motion passed 5-0.

4. Receive and consider Second Reading and Adoption 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 modification; 2) Confirming that a group home is permissible in every residential zoning district in the City; 3) Providing for notice to the public that complies with reasonable accommodation requirements; and 4) Removing inconsistent provisions from the existing Ordinance.

Mrs. Hunt made a motion to approve a Second Reading and Adoption 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 modification; 2) Confirming that a group home is permissible in every residential zoning district in the City; 3) Providing for notice to the public that complies with reasonable accommodation requirements; and 4) Removing inconsistent provisions from the existing Ordinance; Vice President Lawson seconded the motion. Motion passed 5-0.

5. Receive and consider Cedarville Engineering to prepare a parking study for the downtown area of Coatesville.

Mr. Shaw asked where the money would come from for the study. Mr. O'Rourke explained the money would be provided by grant funds. President Lavender-Norris believes the grant money would be provided from DCED.

Vice President Lawson made a motion to approve Cedarville Engineering to prepare a parking study for the downtown area contingent upon use of grant funds and no cost to the City; Mrs. Hunt seconded the motion. Motion passed 5-0.

6. Receive and consider liaison position for Various City Department

Mrs. Jones said that she believes in order to properly serve as liaisons, Council members would have to possess education or experience qualifying them for committee positions. Vice President Lawson explained that the liaisons are the means to obtain education in the various departments. Council is not to micromanage the departments, but we must educate ourselves. Vice President Lawson read Section 2 – 405 relationship to Council. Council members publicly or privately seek individually to interfere with the official action City officers and employees. However, nothing herein contained shall prevent the Council from establishing committees of its members to review operations legislative needs of the City departments or from assigning individual members to liaison relationships boards, commissions and authorities. It is the intent of this charter that the Council act as a party in relation to all administrative matters.

Vice President Lawson made a motion to approve Vice President Lawson and Mrs. Hunt for Liaison in the Codes Department; Mr. Simpson for liaison in the Police Department; Mr. Shaw as liaison in the Finance Department; Mrs. Hunt seconded the motion. Motion passed 5-0.

Council agreed to add the item onto the next agenda for additional appointments for those who were not in attendance.

Solicitors Report

Mr. Carnes announced the Family Dollar Store has been noticed the Highway Occupancy Permit is anticipated shortly. The zoning ordinance amendments for the Fair Housing Act issues regarding group homes has been re-advertised and was approved this evening for passage by the City Council. The City solicitor has reviewed, prepared and documented a letter of support for the \$1 million RCP grant application of DPEG Coatesville Associates, LLC to be used for the parking garage. The Riverwalk gazebo project has been discussed with John Pawlowski and relevant parties to pursue the City's objective for obtaining a PECO grant.

City Manager's Report

Mr. O'Rourke explained he is working with the Department heads and constructing a monthly report. The Police Department and Fire Department reports are done on a monthly basis and will not be provided at each Council meeting. He sent a memo out to City Council and is setting up meetings to discuss their budget concerns individually. Each member of Council has their own concerns and solutions. He stated "This is the most difficult budget I have ever worked on."

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

Khadijah Al-Amin

Ms. Al-Amin questioned the format change of the agenda and when it was approved. She voiced her concerns regarding the minutes and their content.

Paul Evans

Mr. Evans questioned the actions in the Codes Department. There are too many excuses.

Vice President Lawson made a motion to close citizens' hearings non agenda items only; Mrs. Hunt seconded the motion. Motion passed 5-0.

Special Events

There were no special events at this time.

Ms. Hunt excused herself from the meeting at 9:58 pm.

Council Comments

Mr. Shaw thanked everyone for attending the meeting. He appreciates the feedback and input from the members of the community. He thanked the Chief for his great report and the positive press. It is a very difficult situation with the budget and there are difficult decisions to make. He will not vote to take money from the Trust Fund or raise taxes. Have a very challenging situation in front of them.

Mrs. Jones thanked everyone for attending the meeting and bearing with us until 11:00 pm. She stated she is not a obstinant old lady. She is a firm believer of the law, what it states and what it stands for. She quoted "If we don't model what we teach, then we must be teaching something else."

Vice President Lawson thanked everyone for attending the meeting. She thanked Public Works for keeping our roads safe. Research is done before adding them to the agenda for discussion items.

President Lavender-Norris thanked everyone for attending the meeting. She thanked the City Manager, Police Department and Public Works Department for a job well done during the snow storm. Be Safe!

Adjournment

Vice President Lawson made a motion to adjourn the meeting at 11:03 pm; Mr. Shaw seconded the motion. Motion passed 4-0.