



Meeting Minutes –
1 City Hall Place, Coatesville, PA
Council Chambers
Monday, November 14, 2022

Council Present: President Lavender-Norris; Vice President Carmen Green, Councilwomen Charrisse Allen, Councilwoman Khadijah Al Amin, Councilwoman C. Arvilla Hunt, Councilman Edward Simpson and Councilman Donald Folks
Council Absent: Councilman Edward Simpson and Councilman Donald Folks
Staff Present: James Logan, City Manager; Robert Jefferson, Solicitor; Richard Troutman, Finance Department; Chief Jack Laufer, Police Department; Ruthann Mowday, Recording Secretary

Approved Minutes

Vice President Green made a motion to approve the October 24, 2022 and October 26, 2022 Budget Workshop minutes; Ms. Allen seconded the motion. Motion passed 4-1. Ms. Al Amin was the dissenting vote.

Ms. Al Amin asked if minutes are permanent once approved. The minutes are incomplete. How can the minutes be approved when inaudible and crosstalk and not the actual full. It had call Council not pull Council. Can the recorder be moved to capture more? President Lavender Norris explained that she called to question and called to Council, she did not ask Mr. Logan to pull Council.

Approval of Accounts Payables

Ms. Al Amin made a motion to approve the accounts payables; Ms. Allen seconded the motion. Motion passed 5-0.

Presentations

1. Taxing Authority – Rich Troutman

Mr. Troutman announced he attended the Chester tax commission meeting on behalf of the City. The Commission had received enough proxy votes to pass items on the agenda. Keystone Collections collects for the county. All items passed, including the election of officers and the annual budget, of which the City's share was a little more than \$700. For this the City receives several million dollars annually in Earned Income Tax.

2. Preliminary Budget Presentation – Rich Troutman

Tonight, the action item is the next step in the 2023 budget approval process that will culminate on December 12. The initial power point slide indicates the budget path, with the green check marks indicating the steps taken so far. We started with work done at the department level, and proceeded through the budget workshop. Tonight, will be the approval to advertise, which also includes the ability to see the budget on the website and in City Hall during normal business hours. On December 5 between 6:30 and 8:30 pm the City will hold the Public Forum.

The next slide provides a few key highlights about each of the major funds. The General Fund, which captures all the day to day activity of the City is balanced for the 4th consecutive year, no tax increase for the 8th year, and uses no reserves. The Capital Reserve Fund is scheduled to invest \$4.5Million in infrastructure next year. The Liquid Fuels fund adds to the infrastructure focus with an additional \$400 Thousand of paving scheduled. The bad

news is within the Solid Waste Fund as a \$20 increase from \$295 to \$315 is needed for residential pick-up and \$5 increase for the dumpster fee. All available reserves are being used, and this fund must be self-sustaining. The Debt Service and Grand Prix Funds are very similar to the current 2022 year. The Debt Service Fund is to pay off the multi-year loan on this building's upgrades.

Unless there are any questions, that completes my report.

President Lavender Norris asked why only \$5 increase for the dumpster portion. Mr. Troutman answered we looked at the fee increases as percentages of the existing fee. President Lavender Norris and Vice President Green commented about not so bad news.

Discussion Items

1. Minutes

There was no discussion in meeting minutes at this time.

Citizens Hearings – Regular Action Items Only (3 Minutes)

There were no citizens comments on regular action items.

Regular Action Items

1. Receive and consider second reading and adoption an Ordinance amending Part II, General Legislation, Chapter 108, Fees, Part I, Subsection (5), Collection of Trash Fees, of the General Laws of the City of Coatesville, Pennsylvania, by deleting the Subsection in its entirety and replacing it with language that will approve the appointment of solicitor, interest assessment, and attorney fees and collection fees added to the amount collected as part of unpaid Municipal claims for delinquent accounts

Mrs. Hunt made a motion to approve second reading and adoption an Ordinance amending Part II, General Legislation, Chapter 108, Fees, Part I, Subsection (5), Collection of Trash Fees, of the General Laws of the City of Coatesville, Pennsylvania, by deleting the Subsection in its entirety and replacing it with language that will approve the appointment of solicitor, interest assessment, and attorney fees and collection fees added to the amount collected as part of unpaid Municipal claims for delinquent accounts; Vice President Green seconded the motion. Motion passed 4-1. Ms. Al Amin was the dissenting vote.

Mr. Jefferson announced this was first introduced at last council meeting. This is precipitated because of Portnoff, Portonoff is currently collecting the city's unpaid trash fees. So this actually already exists in a sense that Portnoff is already doing it. These fees are already established, pursuing to a contract, and it's been approved by the city, I believe, in 2016 or they're around. So with everything that's going on in the world similarly, Portnoff has increased some of its rates regarding some of the things that they are collecting for. So this was provided and largely created by Portnoff Law Firm, but it established that largely exist.

Mr. Troutman explained at the last council meeting, I went through just a few and noticed that some went up \$5 or \$10, or \$20. Now some remained the same, but they're all specifically enlisted. This ordinance also appoints Portnoff Law Firm as the solicitor for the collections of these trash keys, also establishing an interest rate of 10% and then other miscellaneous items related to the collection of traction. Portnoff is currently already collecting these fees. Some of the fees have just gone up. Vice President Green asked once or twice? Mr. Troutman replied we would intend to do it twice. These are after residents or

owners. I say owners. Owners get their bills February. Same comes a link with December 31. And at that point in time, we send them notices, frankly as a courtesy, as the last minute reminder. And then it's turned over. If it's not paid, it's turned over. And after two notices per month, we give an initial notice and then a second final notice. And roughly three dozen owners tend to pay in that window that were involved and the land does notify then that if they're not in response within the time period, it will be turned over to court.

2. Receive and consider second reading and adoption an Ordinance amending Part II, General Legislation, Chapter 182, Municipal Liens, § 182-1, applicability, of the General Laws of the City of Coatesville, Pennsylvania, by deleting it in its entirety and replacing it with language that excludes the collection of unpaid, delinquent trash fees

Mrs. Hunt made a motion to approve second reading and adoption an Ordinance amending Part II, General Legislation, Chapter 182, Municipal Liens, § 182-1, applicability, of the General Laws of the City of Coatesville, Pennsylvania, by deleting it in its entirety and replacing it with language that excludes the collection of unpaid, delinquent trash fees; Vice President Green seconded the motion. Motion passed 5-0.

Mr. Jefferson provided a brief update. This is again introduced at the last council meeting. One of the things that we're trying to do right now as a municipality and team, it's just making so that we cross-reference things and make sure that if we impact one part of the Code, we look at the other parts and see how that's going to play. So the City had chapter 182 municipal means and obviously, section one was the applicability section. It was written in a way that was broad enough that it could have included the collection of delinquent trash fees, even though it says, "Delete it in its entirety and replace it." We only added really one sentence to the end of the paragraph and essentially said that this chapter should not apply to the collection of unpaid delinquent trash fees. So what you're doing in this amendment is just making sure that when somebody looks for delinquent trash fees, they're not going to be looking to this section of the Code, they're going to be looking to the other section of the Code that we've already amended. So this is just an overall goal of trying to make sure that we cross-reference as much as we can to make sure that if we change one part, we see how it impacts another part. So that's all this is doing. Ms. Al Amin asked if this actually stays the same, except for removing the delinquent trash? Mr. Jefferson replied yes. So literally all I added was the very last sentence that says, "The provisions of this chapter shall not apply to the collection of unpaid delinquent trash fees." The other sentence above it is a copy and paste. So literally, it's the same exact thing and nothing else changed other than look somewhere else for trash fees.

3. Receive and consider first reading and advertisement an Ordinance amending the Code of the City of Coatesville, Chester County, Chapter 203, Taxation, by deleting § 203-73.F (Exemptions) of the Coatesville Business Privilege Tax Ordinance, as amended.

Vice President Green made a motion to approve first reading and advertisement an Ordinance amending the Code of the City of Coatesville, Chester County, Chapter 203, Taxation, by deleting § 203-73.F (Exemptions) of the Coatesville Business Privilege Tax Ordinance, as amended; Mrs. Hunt seconded the motion. Motion passed 5-0.

Mr. Jefferson explained just by way of background, this whole chapter is created by the Local Tax Enabling Act. Sorry. And in short, in coordination with Mr. Troutman, who brought this to my attention and asked that I draft an ordinance making this change. Currently

subsection athletes, persons otherwise subject to the business privilege tax imposed by this article, having grocery seats of less than \$10,000 in any taxable year are exempt from the provisions of this article. That's how it currently reads. What this ordinance would do is it would remove that exemption altogether, so those who are currently exempt would be back into the taxable bracket whenever is appropriate. There are certain requirements that have to be done with the noticing and other provisions. I provided those to Mr. Troutman. And what we need to do in terms of noticing, it's a bit more complicated or it's just more because of its enabling statute and the amendments that are required. So, we're going to have to notice it multiple times. That means, essentially, this will not be on the agenda at the end of November because we just have to notice it too many times before that even can happen. So this is the first introduction. I would remove that sentence that I just read. I would defer to having you fax specific questions to Mr. Troutman about why, but this ordinance would start the process of making that correct.

4. Receive and consider first reading and advertisement an Ordinance amending the Code of the City of Coatesville, Chester County, Chapter 84, Contractor Licensing and Insurance Registration Certificate, by repealing and replacing, §84-3, License Fee; Expiration, of the General Laws of the City of Coatesville, Pennsylvania

Ms. Al Amin made a motion to approve first reading and advertisement an Ordinance amending the Code of the City of Coatesville, Chester County, Chapter 84, Contractor Licensing and Insurance Registration Certificate, by repealing and replacing, §84-3, License Fee; Expiration, of the General Laws of the City of Coatesville, Pennsylvania; Vice President Green seconded the motion. Motion passed 5-0.

Mr. Jefferson explained there is a inconsistency Yes. There's an inconsistency between the [inaudible] manages this, doing it on pay, 365-366 a year. As opposed to the statue status in a calendar year of requirement. So where many of these that you're going to be hearing, like [inaudible] practical considerations versus [inaudible] decades ago.

5. Receive and consider first reading and advertisement an Ordinance amending the Code of the City of Coatesville, Chester County, Chapter 82, Building Construction, by repealing and replacing; §82-21. A, Vacant Premises Registration; Registration Fee Schedule; §82-21.C Vacant Premises Registration; Registration fee schedule; and §82-22, Time Restrictions for Vacant Buildings, of the General Laws of the City of Coatesville, Pennsylvania, as amended.

Vice President Green made a motion to approve first reading and advertisement an Ordinance amending the Code of the City of Coatesville, Chester County, Chapter 82, Building Construction, by repealing and replacing; §82-21. A, Vacant Premises Registration; Registration Fee Schedule; §82-21.C Vacant Premises Registration; Registration fee schedule; and §82-22, Time Restrictions for Vacant Buildings, of the General Laws of the City of Coatesville, Pennsylvania, as amended; Mrs. Hunt seconded the motion. Motion passed 4-1. Ms. Al Amin was the dissenting vote.

Mr. Jefferson explained again, this was in coordination with Mr. Troutman, who identified certain areas where there could be some improvement within the code. One of them is-- [inaudible] the other one, in large part, is the timing. Like how long these properties can be vacant and boarded up. If there's any feedback on the time durations, that would require a substantive change to the extent that that's necessary but the idea is to address the vacant properties and I'll defer to risk for what you're seeing on the ground.

Mr. Troutman explained well, virtually all these are coming from Codes. Again, the practical application, what Mr. Jefferson is just referring to is the current ordinance important in such state you can board the property out for two years no questions asked. So, the recommended language was change it to a year and then a six-month subsequent approval of codes as needed. So, it's making it more realistic to what I'm hearing is what the city wants for the greater good. The other part referred to is some of these have the fees codified inside the language. As you remember from last year, there's an effort to take them all out of the codified areas of windows fee schedule. So there's some of that practical housekeeping that's still being done. And initially with the registration, the current language states that it's income upon the city to notify a landlord that they haven't had an inspection in two years. And then it's incumbent upon the city to put it in writing and then to mail it with 30 days' notice to the landlord. And those are all about practical in today's efforts. So how does that change? And so that's why it's a [inaudible]. Ms. Al Amin asked how do the landlords know now it's time for biannual inspection? The city normally sends out notification for that and the city is behind. Honestly, how would they know? Mr. Troutman explained the city was not sending out notices that it was a two-year timeframe. That was an effort that was done to try to help get everything reconciled and move forward. But the city while the city will have records that know when the two years is, the intent of this is put the burn on the business owner, the landlord, to keep track of when their inspections are done. Ms. Al Amin stated but we're so behind on that. Some of them already haven't had biannual inspections and not part of their own, our responsibility when they come in for their annual renter's license are they notified then that they're due a biannual inspection? Mr. Troutman stated I would respectfully disagree that it's not for the city to keep track of an owner's responsibility to comply with an inspection. And frankly, some have gone 6 to 10 years without inspection, and so it's everybody's responsibilities, how I would say, to try to have the instructions done as city council. Some prior city council has been submitted every two years at a minimum. And so most landlords get it. Most landlords keep track of that. But there are some who just ignore it. And that's what we've been enforcing to get caught up and to figure out who is in that situation because we have not had great records on who hasn't had it done. And it's just [inaudible] surface that is 6 to 10 years without inspections. Ms. Al Amin stated actually got a letter every two years. Automatically, I got a letter saying I had to come to city hall and schedule my high annual inspection for my rental. Mr. Troutman explained that's not what I was informed or told. So then I must have gotten wrong information or I must have misinterpreted or misheard. But I would suggest in the days when everybody's best interest, that landlords do it through their records, and we have a safety net that reminds them. So, I think it's in everybody's best interest, but this puts the burn back on the landlord to actually keep track of what their businesses. The main part of this risk is to focus on and put a time frame on some of these blighted properties and some of these-- That's part of the effort is trying to address the number of places in the code that it's outdated and not in the best interest of the city.

6. Receive and consider a Resolution approving the sale of property owned by the Redevelopment Authority of the City of Coatesville to 600 Manor Road, LLC Pursuant to 35 P.S. §1709(K)

Ms. Al Amin made a motion to approve a Resolution approving the sale of property owned by the Redevelopment Authority of the City of Coatesville to 600 Manor Road, LLC pursuant to 35 P.S. §1709(K); Mrs. Hunt seconded the motion. Motion passed 5-0.

Mr. Jefferson explained this is the Marriott Hotel right down the road by Route 30. It's subject to the Urban Redevelopment Law, which is that section that you just read. It's owned by the-- the land is owned by the RDA. The air rights are owned by the developer of the hotel or the entity that purchased the hotel at this point. What this resolution does-- because of that Urban Redevelopment Law, the RDA has to come back to the city to seek approval for the sale of the property. The chairman of the Redevelopment Authority has provided some of the details of this. But it is for a nominal figure. Essentially, the hotel is already on the property. There's landscaping. There's curbing, street improvements, and other things. So this would get the land all within one ownership and the air rights. So there's another parcel in the back part that's largely undevelopable. It's next to the Brandywine or whatever that body of water is. And there's lots of hills, steep slopes. So it's largely undevelopable. So the goal is to transfer everything to the entity that now owns the Marriott Hotel.

7. Receive and Consider Preliminary Budget Approval

Vice President Green made a motion to approval the preliminary budget; Ms. Allen seconded the motion. Motion passed 5-0.

8. Receive and consider motion to approve Minor Subdivision division plan letter from the County of Chester Planning Commission dated November 10, 2022

Ms. Al Amin made a motion to table the approval of Minor Subdivision division plan letter from the County of Chester Planning Commission dated November 10, 2022; Ms. Allen seconded the motion. Motion tabled 5-0.

Mr. Jefferson explained this matter is in regards to a subdivision. Or it's actually more of a lot line adjustment. It's consolidating lots that are already developed. In the very last few minutes, other matters have risen to our attention. Based on those matters not being fully resolved, it's my recommendation that we just table this. So I would ask that this matter be tabled if somebody would be willing to make that motion. At next council meeting, my expectation is that we would be able to work out these issues. I know that, in speaking with Kyle Turner, the city's engineer, we kind of resolved one already. There was a distinction, whether it was major or minor. We came up with a path forward on that. But then it's just making sure that we address all the waivers that need to be requested and hopefully we will have a fairly organized, straightforward, agreed-upon motion at that time. So it would be my recommendation to table this at this time.

9. Receive and consider Resolution of the Council of the City of Coatesville, Chester County, Pennsylvania, granting Conditional Approval of the request to modify the Conditional Approval previously granted pursuant to Resolution No. 2020-09, Resolution No. 2019-15, and Resolution No. 2018-11 for the amended Final Land Development Plan of DEPG Coatesville Associate, LP and setting forth conditions of such approval, such approval being conditioned upon acceptance of said conditions by DEPG Coatesville Associates, LP.

Ms. Allen made a motion to approve Resolution of the Council of the City of Coatesville, Chester County, Pennsylvania, granting Conditional Approval of the request to modify the Conditional Approval previously granted pursuant to Resolution No. 2020-09, Resolution No. 2019-15, and Resolution No. 2018-11 for the amended Final Land Development Plan of DEPG Coatesville Associate, LP and setting forth conditions of such approval, such approval being conditioned upon acceptance of said conditions by DEPG Coatesville Associates, LP.

With amendment from City Solicitor; President Lavender Norris seconded the motion. Motion passed 5-0.

Mr. Jefferson stated by way of background-- we're all familiar with the DEPG project. There were originally multiple requests. There was a gathering where certain stakeholders sat down in a room and tried to address certain concerns. One of the original requests was recognition of the square footages of the proposed buildings. That has been removed from this. One of the other ones was that the city engineer would write a letter stating that the square footages, again, were approved. That eliminates this as well. There was also a condition in there that their plan would not be recorded until August of 2025. That has been removed from this proposed resolution. There are certain items that the city would be recognizing. One of them is the professional services escrow account. Essentially, the north side would be taking a break, so there's no development or anything that would be requiring professional service review. So, there's a request that that be not replenished, and that's what this resolution reflects. That was one of the bigger items. Obviously, they have to comply with the Cedarville Engineering Review letter dated October 10, 2022. At settlement they will make sure that the off-street parking spaces that have been addressed. Let's see. One of the other items was the trees {inaudible] on the project. They won't stay outside go the entire way. Basically, now in here, revision regarding the S-rowing of \$1000 per tree for a total of \$5000. There are outstanding items related to streetscape that, due to the lack of-- due to the non-building being there, it doesn't make sense to install some of these items. So, DEPG will S-row \$22 000 for the future streetscape. Let's recognize that that may not be the total, that it may cost [inaudible] items, but that's in there. One of the other items that came up during the gathering was taxes. So, from the purpose leads of the sale of the south side parcel, that's more commonly called the Bank Building, all taxes [inaudible] from the properties shall be paid. Let's see. One of the other things that came up during this gathering was an expiration date or a sunshine provision. So, essentially, DEPG and 112 East Lincoln Highway Holdings LLC have until the end of this calendar year to consummate the sale of this transaction. Where the bank building is sold to 112 East Lincoln Highway Holdings. If that does not occur, this resolution becomes void. Let's see. And as it was mentioned in the original motion, DEPG has to sign off on these conditions. All of the other terms and conditions of the prior resolutions of approval are still in effect, they just are in sort of a holding pattern right now. So, that is a summary of what this is supposed to do. I think the ultimate goal is to excise the bank building from the overall project that it was included in. Given the time constraints, and all the heads that got together, this is where we are. And unless there are specific questions, then I may defer to Mr. Gill, if he's here. If there's any specific questions, so. The Resolution does not address when the north side would have to be developed. Mr. Logan stated what you're hearing is a lot of technical legal terminology basically we've been working on this project for a few years Mr. DePetris had a number of conditions. Recently, we had this meeting as Mr. Jefferson is describing. He sat down for a number of about hours we hammered out things that were duration. We were able to kind of arrive at a place where this is mutual for everyone there are some things that are still on the table. There are some unknowns here. and one being not speaking on behalf of the DEPG but I do think that I've been able to accomplish several weeks you've actually made strides tremendously. You have been able to move the Bank building which included the North Development. When it started there are some thing that the City had to settle. I think at the meeting where several of our other council members attended. We were able to really put a dent in it and move forward. Ms. Al Amin asked Mr. Logan why would we enter a deal or an agreement where there's no

start or finish date for the north side and that's been a project that's been in process since 2014? Why would we, like there's gaps in this? Why would we have a grade to set your resolution with so many unanswered questions in it? Mr. Logan stated it's a good question I think that you know that's one condition and we were able to eliminate five or six. It's about the restaurant moving forward.

Mr. Troutman stated the status quo on their questions, is no difference whether it gets approved or not you still have an undefined date for what the project. I would suggest that that is status quo reiterating many of the objection points which I've heard were addressed and satisfied. In fact, my singular point would be the city actually obtained increased escrows. While the formal \$10,000 escrow goes away. The DEPG group has agreed to add escrows. They have added assurances for unknowns such as the trees on the south side and they're addressing the taxes that some would have to prepay and they closing, but not all of them would have to be paid to closing but they agreed to do that so the city actually has eliminated what I call object able clause. It is added protections. Ms. Al Amin stated there are some time things that are involved with the north side like the old cultural society. There isn't something done with that building doesn't have that her license expires and more there. Are there may be some undefined answers on the North side but there are also some things that are very much in place on the North side as well. Mr. Troutman said I would prospectively suggest that those will take care of themselves whether this is disapproved or not. I was speaking to the vacant land. Those decisions are open, but my opinion and I'm not the subject matter expert. My understanding is that those will take care of themselves whether this is approved or not. Vice President Green stated however, we are freeing up the restaurant to be able to move forward. Mr. Troutman replied yeah it frees up the bank. Vice President Green replied its so the restaurant will be able to move when we get the time. Mr. Logan replied we can move forward then. I'm sure the owners of the new building and this what's next on me. Mr. Jefferson asked Mr. Gill are you able to provide those answers? Mr. Gill replied I think we can and if I can't then Crosby wood and Phil Farrow who are the driving forces amongst others behind this new restaurant. I'm going to let them address the timeline for moving forward at that restaurant following closing before the end of the year. Mr. Farrow explained the main reason we're trying to get the Bank building freed up is so that we can complete this project. We plan on beginning construction in January. The sooner we can get the beautiful restaurant in the City of Coatesville. Ms. Al Amin explained I want you to understand I have absolutely no issues with the restaurant and I would love absolutely love to see to see both of you be very successful in that restaurant. The issue I have with this resolution is there's too many gaps in it on the North side that are not answered. The north side has been a project that's been in process since before I got on Council in 2014. There has been extensions given and I just think that you know I would like to see some dates and times in the in this resolution when the north side is going to move along. Originally there was an extension to asked but not by you Crosby to extend the north side to 2025. Now that's been removed but I'd like to see what the time frame is for the north side without it just being open day. I want the restaurant, so please understand that I really want you guys to have the restaurant I just think there's a lot of unopened answers on the North side you have to be near for this. Mr. Wood explained I've always approached this Gateway project there's three components the bank building, the Cultural Society building and the infrastructure, I think we all can appreciate at this point where the market is that without somebody walking at a door. We are being super aggressive on the corner it's it to be open that's a reality. The Cultural Society Building, he has dates that that he's up against that is Q1 and Q2 next year. Their

perspective is as Richard mentioned hold Gateway DEPG to the fire. Lastly, the best way to move forward on the south is finding that kind of uncomfortable middle ground that shares everybody's frustration. I look at it as being able to address ideally two birds, Bird in Hand, 200 Bush just takes the birds, do the best we can however, I know I relay messed that up. But yeah, that's what I was trying to say. I completely respect the challenge and the frustrations. If we can get some lights on the South Side hopefully that will help on the north side perhaps we've got two of the three taken care of by Spring. I know that you also asked kind of as far as the restaurant. Phil, when would you like to turn the lights on? Mr. Farrow replied as soon as possible. Mr. Wood said luckily next summer but that's we will be gung-ho and I know that Phil has been chopping up a bit for several years now bring for the bank building. Mr. Farrow stated I think with that Bank building being up in visibility and people coming from surrounding areas they'll see the potential on the corner and maybe they'll get a lease or two ready to go. I think it'll bring it's going to bring so much attention to that corner, oh look we could build a coffee shop here. Mrs. Hunt said you're probably right. I'm extremely excited about the restaurant coming but what I'm not excited about is presentation that you gentlemen presented two weeks ago. I'm still not clear as to why the city have the any setbacks from the original agreements that just to move the Bank building out of the project. You want to sell the Bank building to Mr. Crosby Woods to develop a restaurant. I believe you have the authority to do that. I'm just not clear still as to why the why things are put on the city as to not wanting to replenish the original escrow. Now you're seeing you'll put \$22,000 into streetscapes escrow. We still have no defined time notified project for the north side at all. I still do not understand maybe the gentleman can help me understand, what ladies can help me understand why the City has to make any concessions in order for the Bank building to be sold and the restaurant to take place. If I can't really get an understanding of it then I can't vote for this I'm going to be honest with you I need to have another and I too would like to know when will construction start on the North side. Mr. Gill stated I can only answer the first of those questions and that is why this is necessary and it really just comes down to as we pointed out the last time we were here. In what I consider to be a court for lack of a better word in the City Subdivision and Land Development Ordinance and that's that provision that says that if a parcel is part of a subdivision and land development plan it can't be conveyed separately until the entire plan is reported. I think that that provision relates to residential subdivisions and says that you have a residential subdivision you can't go selling homes in the subdivision until the entire plan is reported, but the language says what it says and it says yeah, it's all hot and the subdivision of land development plan until the entire plan is recorded. That is why we're here from a legal perspective and I know that that is apparent on its face and that's evident. I think everybody understands that I don't have an answer for it. I don't think anybody here has an answer for when the project on the north side of Lincoln Highway is going to proceed. I know the expectation and the hope is that that will happen once there's economic activity and development activity on the south side and these gentlemen are ready to proceed with that in January. As you just heard Mr. Farrow say but I don't know anybody who has a firm answer to that question. When will development moves forward on the remainder of the 2B build Gateway project on the North side and any answer that I would give you would be nothing more than I think that the answer is as we heard at the meeting that we had with the city Representatives and I don't know if there's any more specific answer now than there was you know from 20 days ago. It's just the expectation and the hope are that when that economic activity starts at the South Side that it will catch and we'll see more activity. That is the answer that I'm aware of and I don't think Mr. Depetris has any more specific answer.

Mr. DePetris stated we are very excited about Crosby Wood is planning to do with his tenant. Phil, this guy knew and his wife are amazing restaurateurs. What they did on up the road is just mind-boggling how they took an old run-down bar and made it into that restaurant. We see with what they're planning to do here and it's indefinite that it will ignite other things to occur as Michael pointed out there are two other developments. We are going to put that license in effect. There's no question about it our application is in but there's a stipulation with the PLCB that when you send it in for a release you must open in 15 days. We tried to do something to get something going to turn out to be frankly a disaster without the license in there. We're prepared it's not our goal is that open a restaurant there. We are interviewing right now major restaurateur or who fund okay to open and get that license in it. It may not be a long term we're actually talking to some other people who have some great concepts to go in there. But that license will go into you because it's so valuable it's actually worth half as much of the real estate. We are prepared you know of course the PLCB has to release it but we don't see why they wouldn't at this point. We need to wait. We just can't get it and not open it it's mandated 15 days. As far as the corners, we have some ideas on it. We are going to we're pursuing them but I think the Cultural Society will be the next phase to get done. With those two things going I think you know you're going to see with what Crosby's planning there. You're going to see activity. So, you'll see activity but these are some you know challenging times and it has to make sense economically. Mrs. Hunt said I still just want to see something presenting to us that just pertains to the sale of the building to Mr. Crosby Wood about the restaurant and moved forward and the other stipulations that he has. I don't see how that should affect that. You have talked the same stuff talk for years and years and years. I'm just not seeing it and I'm just not maybe if I was at the meeting and I hear more from myself I could be more into saying yes. As of right now, presently all of that because it's just no to me. There's no problem credibility what's being presented. Go back to presentations previously arugula should be up into everything else right now. We hear no more. We were told we had them I mean we had to franchise, it would be open February five years ago. I just I just think that if we can use the real Bank building out of the agreement without having all these other stipulations put on the city then I would go for it. Mr. Gill replied but that's exactly what happened as a result credential it's exactly was proposed. Now as a result of the meeting that happened on the 28th is the Resolution to allow the Bank building to be sold separately from the remainder of the land development plan without the most of the other requests that were made as part of the original modification request with all the benefits to the city that we've heard about already this evening, including the payment of taxes not only on 112 East Lincoln which would be required as part of any real estate closing of course, but also DEPG's agreement to pay back taxes on all of the properties that make up the assemblage on the North side which wouldn't normally be the situation in a real estate transaction just for the bank property. There are other benefits that are flowing to the city as a result of this revised resolution. There's no question nobody should stand here at this podium certainly not me I don't think that Jim is doing and say that the past five years have been anything other than a an absence of what was originally contemplated I wasn't involved then but it was who's going to say otherwise this is an opportunity for that economic activity to occur at the South side. It's an opportunity to have that happen without those additional requests that were made in the original modification request it's an opportunity to see that happen with the payment of the back taxes that the status flow at the North side is going to continue at least in the short term. No matter what happens with regard to this resolution, if this resolution fails the Bank building is just going to continue to be pulled along in that

status quo of a building where nothing is happening. This is an opportunity to see something happen at the South side and maybe that will lead to activity on the North side but in the absence of the resolution I think we can all say the status quo will remain and I'll say it plainly I don't see how that is in anyone's best interest.

Mrs. Hunt asked if it was possible to take five minutes in an Executive.

Council excused themselves for 5-minute Executive session.

President Lavender Norris asked Mr. DePetris a question with regard to the Cultural Society, the west side of the building. What is your intention? Mr. DePetris replied we committed to repair the wall. President Lavender Norris asked Mr. DePetris to put it in writing for us. Mr. DePetris replied we recognize you know we really put a lot of attention on it. It looks a lot better but we recognize that the wall is terrible no one can come into it with the wall looking like that. When you committed that we could prepare for this okay. President Lavender Norris stated now that that's clear if we were to amend the amendment to include the fact that you will address the west side of the building we can go forward and vote yes. Mr. Gill stated if that's a part of your deal I don't represent DEPG Coatesville Associates in this matter but if Mr. DePetris says it's okay. Vice President Green asked for the Resolution to be amended to add that. Mr. Jefferson stated he would hand write it in and it will be number 10. Vice President Green asked if you can amend the resolution to include that along with him before it is that he pays the taxes and all of that. Mr. Jefferson explained the taxes are already included in this. I'm saying for Mr. DePetris to initial that so it doesn't appear as though we wrote something in so without his permission ROB so the minutes will reflect that but part of this resolution requires this through DePetris and DEPG to agree to the conditions that are enumerated and he has technically 15 days from the date today to accept all conditions one of the new conditions as an amendment will be that DEPG shall utilize the proceeds from the sale of the bank building to restore the western wall of the Cultural Society.

Ms. Allen made a motion to close action items; Vice President Green seconded the motion. Motion passed 5-0.

Reports

1. City Manager

Mr. Logan announced the report is short this evening. The first start up Business Workshop was held Saturday. The Workshop is a startup school for entrepreneur. They all have good businesses in the City of Coatesville or start a business out here in Coatesville. The first session was sponsored by and thanks to Sue Springsteen with nth Solutions. I still have room for any individuals. We still have room for any individuals that are interested in the workshops at 10 am to 1 pm. We are also preparing for the Pavilion of Trees and Tree lighting ceremonies. That's going to be December 2nd and the Coatesville parade is back. In addition to that, we've heard a little bit about a new restaurant that will be opening but one that's going to be opening this Kitchen and Bar to welcome all Coatesville and surrounding food lovers. The last item I have is the MTF Grant has been submitted.

2. Solicitor

Mr. Jefferson provided a detailed attorney-client privileged report to Council. Since last Council meeting, I have communicated and continue to communicate with outside

counsel regarding certain litigation matters; attended a gathering regarding a certain land development matter; drafted ordinances regarding taxation, licensing and insuring, and vacant premises; drafted a resolution regarding the sale of a certain RDA Property; my office and I caused notices to be advertised; my office and I provided a proposed zoning amendment to the County Planning Commission and scheduled the advertisement of the zoning amendment in the Daily Local News; reviewed and analyzed rules regarding Council meetings and provided an opinion; reviewed and analyzed certain religious matters and provided an opinion; continue to provide advice regarding land development matters and continue to work on a Commonwealth Court appeal matter.

3. Police Department

Chief Laufer announced the complete statistical packet is in your packet. Tonight, for council's review just a couple highlights. 911 calls for the month of October we're 1740. down from 1798 for the month of September consistent with prior months as the weather cools and gets you back in school our numbers tend to begin to go down. Also, total calls responded to which includes our front desk activity reflected the same decrease October was 2859 this is our November was 2802 down from 2859 for the month of October. Just a couple other key highlights. I know each month I talk about the Dark Hand Sage, the Police Department and that that is just what the officers administer not what our 911 EMS people do. We had three Narcan saves for the month of October. Just to put it in perspective one of those Narcan says required two doses of Narcan to reverse the effects and that is the sixth time that that particular individual has been resuscitated by the police department, so it just kind of puts in perspective. The Insidious nature of the opioid epidemic and what the officers and what our citizens are enduring. As a result of that thinking of when you think about that it took two doses to reverse the effects and that's the sixth time that that person has been resuscitated by the police department. So, it's something to think about. We had five car seat installations performed with the car seats provided for free and the certified technician performing the installation. We continue to participate in the YA Task Force Task Force on race and justice. We actually were going to have a zoom meeting tonight but it was canceled. There was a lot of conflict with the people that were supposed to be in attendance via Zoom. That will be rescheduled. We had our Coffee with the chief which was held at the CYWA for the month of October. It was very successful. The November's Coffee with the Chief which was hosted by Sue Springsteen on 190, once again very well attended. Thank you for the refreshments and very nice facilities. Next month, Coffee with the Chief will be held at the Little Chef on December 2nd. October was the DEA Take Back Initiative that we participate in for our prescription drug take back and collection boxes. Just a couple quick numbers here, just on that date we collected 15 pounds. It's done every April and October so for the last six months all the 19320 collection boxes which you know which are surrounding townships here surrounding us. We had 517 ½ of prescription drugs. Drugs that were that were submitted and when you think about that I know you've heard me say this before. When you think about what one pill weighs the amount of drugs that are collected the total of 517 pounds. It's a lot and that obviously goes toward fighting the opioid epidemic by removing those drugs from the medicine cabinets so that somebody doesn't remove them and use them or provide them to somebody else and also keeps it out of our groundwater. A very successful program.

Citizens Hearings Non-Agenda Items Only (3 Minutes)

Melvin Dutton

Mr. Dutton thanked Council for hearing him out. I'm 100% disability service. The issue I have today of due to having my truck towed by the Coatesville Police. They said I abandoned by truck. It was running. It had front end damage. It was running. It was registered to my residence. I spoke with an officer, I spoke with a couple officers and they gave me time to remove the vehicle. Prior to that date my vehicle was taken—towed from in front of my house. It was supposed to be in the shop. The Police I talked to want me to pay for the removal of the vehicle and towing fees, which I don't agree with. They are not insurance adjuster, they told me my vehicle was totaled, this, that and the other. This has been going on since early July. I'm just here to voice my opinion and let the people know that and the Council know. This is unfair to us I'm not the only one that this has happened to. Thank you have pictures. Mr. Logan accepted the photos.

Carmen Campbell

Ms. Campbell wished everyone a good evening. I'd like to discuss but not tonight the main reason I'm here tonight. The Noise Ordinance, the Council, finding that excessive levels of sound are detrimental to the physical, mental and social well-being of the residents, as well as to their comfort, living conditions, general welfare and safety and being, therefore, a public health and welfare hazard, hereby declares it to be necessary to provide for the greater control and more effective regulation of excessive sound and the sources of excessive sound within the city. I sent a letter in June 29th to the city codes. I know you don't have that in front of you. I have a property here perhaps we can discuss it at another time because it's late but basically, I've been dealing with this issue for almost two years with 628 East Diamond Street. The back of the property is rented separately the owner of the property is Tyrone who everyone knows. No one has been unable to help me in years of dealing with this guy who rents the garage, he turns his music up is so loud every weekend especially in warm weather. I have been over there at least six times and all he does is curse me out. A lot of times he's drunk. Just recently Police Officer Ortez and Officer Earle and another officer, have been there at least five time. They turn it down, as soon as they leave he turns it right back up when they are a block away from my house. I have no peace, none. Every weekend I come home from a hard week of work and all I hear is Mexican music, not that it has anything to do with Mexican music. Can you imagine to listen to that every weekend for two years cops and not being able to do anything? Officer Ortiz told me that he was going to start citing the guy. My last conversation I wanted to know how many times he has been called about. I haven't seen any phone calls I haven't received anything in the mail. He should have been fined at least four or five times. I want some accountability. I told the officers, I can't take it anymore. I deserve to be in my house and listening to my music not somebody else's music for five, six, ten hours every weekend. This is my issue I have the letter here, surely you have it on file. I know my three minutes. They are not the only issue. I'm dealing with. new advent Center has an event every weekend. I can't relax every weekend, there's an event every weekend I'm upset I'm about ready to snap.

Ron Suber

Mr. Suber stated he is concerned about getting what happened to Derek Morgan. You kicked them off the project. He lost over 250 something thousand dollars. My concern is y'all giving everything to Cosby. Everything Crosby wants, everything he needs and that's serious we get to probably investment have a private investigative corruption that he's doing and ain't nobody on the council is staying enough against what you're doing everything and I think that needs investigating. You got people on the city council setting up an office in his building, that's conflict of interest, you got these the folks, that's a conflict of interest. You need to be investigated. Y'all need to have the FBI come investigate Mr Cosby for all the corruption that he's doing and y'all giving them green light to everything. Take time and look see what's going on because it's no way this man on Council. Now,

we have the problem that we had the gentrification. It that means the hotel is not about. We are building Coatesville well, we build Coatesville up, you can't afford to live here you're pushing everybody out of here you've got the power. This is the young people that represent the City of people of the community because y'all giving everything to Crosby. Yeah everything, everything. I'm just speaking and I'm just speaking in general and we need a private investigator coming to investigate this cause we come to give everything. You get in the hotel, you get in the bank. He's getting missed oh he's buying this. The first the guy who was up, you are you selling that on the culture side to he was building but now cause we got to him. I buy this I probably got something's going on the essence for California you can have everything you know ah that ain't right and like I said we did a private investigator. We see some corruptions going but which I did through here is wrong and it's a Priceless. I got to pay for that that's which I did there Cosby walk with them and snatched it for money Mrs. Hunt stated she just I wanted to say you got wrong information. When it comes to what happened with Mr. Morgan we did not take anything anymore. You saying we give everything to Crosby is not true. Mr. Suber said I didn't say you took money from them. I said he lost over 250 something thousand dollars and ain't nobody on the Council went for him, everybody goes with Crosby. Everything that is important to do, everything that Crosby wants you give it to him. President Lavender Norris told Mr. Suber his minutes are up.

Vice President Green made a motion to close citizens hearings on non-agenda items only; Ms. Allen seconded the motion. Motion passed 4-0. Ms. Al Amin was not present for the vote.

Special Events

There were no special events at this time.

Council Comments

Ms. Hunt thanked everyone for attending. Have a good night.

Ms. Allen thanked everyone for attending. Have a good night and drive home safe.

Ms. Al Amin thanked everyone for attending. Have a good night.

Vice President Green thanked everyone for attending. Have a good night.

President Lavender Norris thanked everyone for enduring the evening. Have a good night and be safe.

Adjournment

Ms. Al Amin made a motion to adjourn the meeting at 9:33 pm; Mrs., Hunt seconded the motion. Motion passed 5-0.