

MINUTES
CITY COUNCIL MEETING
January 28, 2015

Call to Order

President Lavender-Norris called the meeting to order at 7:55 p.m. and welcomed everyone to the meeting. Council members present were President Linda Lavender-Norris, Council Vice President Marie Lawson, Mssr, Joseph Hamrick, Edward Simpson, 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.

President Lavender-Norris announced an Executive Session was held earlier this evening January 28, 2015, to discuss personnel and legal matters.

Approval of Minutes:

Mr. Hamrick made a motion to approve the January 12, 2015 meeting minutes; Mr. Simpson seconded the motion. Motion passed 6-0.

Approval of Accounts Payable

Mrs. Hunt made a motion to approve the accounts payables; Vice President Lawson seconded the motion. Motion passed 6-0.

Additions, Deletions or Modifications to the Agenda

Mrs. Hunt made a motion to add discussion item 5) repairing the roof; Vice President Lawson seconded the motion. Motion passed 6-0.

Mrs. Jones made a motion to delete Regular Action Item 7.2; no second was made. Motion failed.

Presentations

1. Coatesville Bible Fellowship – Lot Line Change

Coatesville Bible Fellowship (applicant) owns two parcels on the northwest corner of 4th Avenue and Lincoln Highway in the City. The applicant proposes to move the property line between Parcel 1 and Parcel 2. The new line change will be 5.60 west of the church building addition, putting the addition on the same parcel and 3 feet East of the residence. The single family dwelling will remain on Parcel 2. There is no land development or other changes proposed for the site.

There are several non-conformities for the church building and existing dwelling. The proposal will bring the side yard setback for the church conformity. The proposed lot line change does not create any additional non-conformities. There is an existing sidewalk between the Church building and the dwelling which provide access to both buildings. The proposed lot line bisects the existing walk. An access easement is proposed to provide for the continued and perpetual use by both Parcels after the proposed lot line change.

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

Paul Evans

Mr. Evans questioned the status of forming the committee members to assist with the City Manager replacement. President Lavender-Norris announced Council is working on it.

Paul Dodson

Mr. Dodson voiced his concerns regarding the payment of his overdue taxes and solid waste payments. No one will accept the payment. Mr. Marcarelli said the City will accept his payment. He is paying for two totes and only one has been delivered.

Mr. Hamrick made a motion to close citizens' hearings on regular action items only; Mr. Simpson seconded the motion. Motion passed 6-0.

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

Aphonso Williams

Mr. Williams announced a street light is out between the 300 & 400 Block of Chestnut Street. He inquired about the issues he brought before Council at the last meeting.

Dr. Nero – Coatesville Library

Dr. Nero thanked the City of Coatesville for their contribution to the Coatesville Library. The contribution is used to maintain improvements, implement many programs and beautify the building. The library staff has reached out to Dr. Taschner (CASD) to have regular meetings to inform, educate and inspire the community.

Khadijah AlAmin

Ms. Al-Amin voiced her concerns regarding the Forensic Audit. She read various parts of the City's audit done by Barbacane Thornton and Reinsel, Kuntz Leshner relating to the lack of policies and procedures, parking tickets and the solid waste accounting. The City was susceptible to misappropriations, and misconduct.

Carmen Campbell

Ms. Campbell voiced her concerns on racism and the Police Departments. She does not want to see what happened in Ferguson happen in Coatesville.

John Pawlowski

Mr. Pawlowski updated Council on the Gazebo/Riverwalk project. He asked the City for a Resolution to be approved for the PECO grant.

Paul Evans

Mr. Evans voiced his concerns on the crime in the City. He asked for cameras to be placed in the West End to help reduce crime. There are funds through the State to help cover the fees incurred for purchasing and installing the cameras.

Paul Trizonis

Mr. Trizonis voiced his concern on the crime in the West End. He concurred with Mr. Evans on placing cameras throughout West End to help reduce crime.

Paul Dodson

Mr. Dodson voiced his concerns on the penalty fees for no license/inspection on rental properties. Mr. Dodson stated he was not aware that not paying taxes and trash would affect the budget.

Joe Leofsky

Mr. Leofsky voiced his concerns regarding the Solid Waste tote delivery and billing. The number of cans delivered are not the same as billing. Mr. Leofsky suggested a Welcoming Committee for the new businesses interested in coming to the City of Coatesville.

Tony Cazille

Mr. Cazille had no comment.

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

Regular Action Items

1. 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.

Mr. Carnes announced due to the weather conditions and the rescheduling of the meeting, the Public Hearing for the Ordinance was rescheduled for February 9, 2015. The item cannot be voted on this evening. There was not enough notice for the public hearing.

Mrs. Hunt made a motion to table 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 until the February meeting; Mr. Hamrick seconded the motion to table. Motion tabled 6-0.

2. Receive and consider liaison position for Codes Department

Vice President Lawson proposed a Council member to be a liaison to be a bridge between the Codes Department and Council. Mr. Simpson suggested using it for all departments. It will help from Council getting a lot of surprises from the departments at the Council meetings. Mrs. Hunt suggested the Council members provide the President with their name and the department in which they would like to be a liaison. Council agreed the liaison will work with the departments to help improve the communication between City Council and the City staff and understand the issues the various departments are handling in the City.

Mr. Hamrick made a motion to table consideration of the liaison position for the Codes Department; Mr. Simpson seconded the motion to table. Motion tabled 5-0-1. Mrs. Jones abstained from the vote.

3. Receive and consider Resolution expressing opposition to a constitutional amendment empowering the General Assembly to designate entities that are exempt from Real Estate Taxation

Mr. O'Rourke explained the General Assembly of the Commonwealth is considering Senate Bill The Senate Bill 4, if approved in referendum, would empower the General Assembly to establish criteria by which an entity would be determined to be a purely public charity.

Granting the granting the General Assembly the power to establish criteria to determine a purely public charity would allow those seeking purely public charity status undue influence in the establishment of the criterial.

The constitutional amendment proposed would negate the long standing judicially established test for determining if an entity is a purely public charity, the five prong HUP Test, thereby injecting uncertainty into the local government tax base and potentially eroding the local government tax base by loosening the rigor of the current judicial standard

Mr. Simpson made a motion to approve the Resolution expressing opposition to a constitutional amendment empowering the General Assembly to designate entities that are exempt from Real Estate Taxation; Mrs. Hunt seconded the motion. Motion passed 6-0.

Solicitors Report

Mr. Carnes announced he has assisted the City in the budget process and the process for identifying a replacement for the vacancy in the 4th ward. The Zoning Ordinance amendments have been revised to address comments of the Chester County Planning Commission. City Solicitor has worked on various matters involving litigation and assisted the City in its interpretation of codes, rules and regulations.

City Manager's Report

Mr. O'Rourke announced he is working on a format for the managers' report. It will have all the departments in the report. The reports will better unify the Council and administration.

A snow emergency was declared on Monday January 26, 2015, the emergency was lifted earlier than expected and all notifications were submitted.

Mr. O'Rourke reviewed the items addressed by citizens at the last meeting. Public Works is working up a list of items that should not be replaced in the medicine cabinet by Cintas. The food during a snow/ice storm can show a small bit of appreciation for those who have worked continuously, but should not be done for no good reason. He is looking into why we do not pay the bills earlier to receive the discounts. President Lavender-Norris asked for the City Manager to give an update on the citizens comments.

Discussion Item

1. Discuss City Manager goals and objectives

Vice President Lawson provide a list of goals and objectives in the packet. Mr. O'Rourke announced that he has provided a draft of the ad to be placed for the City Manager position. The goals and objectives list can be part of the first process in the interviews and made into questions.

2. Discuss LERTA Tax incentives for small businesses

Vice President Lawson inquired about the LERTA (Local Economic Revitalization Tax Assistance Act). LERTA provides for real estate tax incentives for new construction or property improvements for business properties. LERTA does not apply to residential properties. The program extends over 10 years. Taxes will increase 10% per year. Mr. O'Rourke explained each taxing entity must decide the County structure.

Mr. O'Rourke explained several different taxing programs. The City Revitalization and Improvement Zone (CRIZ). The focus of the program is to spur new growth, helping to revive

downtowns and create jobs for the residents in the regions. Vacant, desolate, underutilized or abandoned space will be developed, thereby creating jobs, increasing personal incomes, growing state and local tax revenues, reviving local economies and improving the lives of city residents and visitors. A CRIZ may not include a Keystone Opportunity Zone. CRIZ is based on a population of 30,000 and more.

Another taxing program, The Residential Tax Abatement Program (ReTAP), for residential property owners would not pay municipal and county taxes on the increased valuation of their properties for the first ten years after which improvements have been made. The program can also be treated the same as LERTA and phase in an increase each year until year ten at 100%.

3. Discuss Tax and Solid Waste Late Fee Amnesty Day

Vice President Lawson suggested a day in which property owners can pay their tax and solid waste fee without the penalty. The City will waive the late fee to anyone who notifies they have not received a bill and provide the address.

4. Discuss review of 2015 Budget

President Lavender-Norris announced a budget workshop will be scheduled. No Date has been set at this time.

5. Discuss roof for City Hall

President Lavender-Norris announced the City is in need of a new roof. Mrs. Hunt thanked the Chief for notifying Council on the severity. Mr. Carnes stated he is not sure if the City is still within the 90 day time frame to award the bid for the roof. He will review the bids and get back to Council. Council asked for Mr. Carnes and Mr. O'Rourke to review the bids and place the item on the next agenda.

Special Events

There were no special events at this time.

Council Comments

Mrs. Jones thanked everyone for attending the meeting. She apologized for the derelict in duty regarding Monday's meeting. She suggested the possibility of an Appropriations Committee. Mrs. Jones announced a Keystone Meeting with Senator Dinniman being held at Olivet Methodist Church, 5:00 pm on January 30, 2015. She quoted "Many receive advice, only wise profit from it."

Mr. Simpson thanked everyone for attending the meeting. He is trying to figure ways to generate income for the City. A meeting is scheduled for Monday February 2, 2015 to interview candidates for the 4th Ward City Council Vacancy. After the interviews a person will be appointed to the seat.

Mrs. Hunt thanked everyone for attending the meeting. She thanked everyone for the interest in the City and is looking forward to Monday.

Mr. Hamrick thanked everyone for attending the meeting.

Vice President Lawson thanked everyone for attending the meeting. It has been a very successful meeting. She thanked Mr. O'Rourke, Mr. Wilkinson, Mr. Saite, Mr. Lentz and Chief Laufer for keeping Council apprised of the steps taken during the snow storm on Monday. The Martin Luther Day King

service was a success. The benches at Ash Park were painted, City Gate and the Library were cleaned up and painted.

President Lavender-Norris thanked everyone for attending the meeting. She asked that everyone realize that it is not about personality but it is about policy. The City Council and administration are doing what we can, when we can. She thanked everyone for their interest in the City.

Adjournment

Mrs. Hunt made a motion to adjourn the meeting at 10:10 pm; Mr. Hamrick seconded the motion. Motion passed 6-0.