

**COUNCIL CHAMBERS
MARCH 24, 2021**

**MEETING OF THE
COUNCIL OF THE CITY OF CHESTER**

A regular meeting of the Council of the City of Chester was held on the above date at 10:06am with Mayor Thaddeus Kirkland presiding. A prayer was said followed by the Pledge of Allegiance. The roll was called and the following were present:

Elizabeth Williams
William Morgan
Portia West
William "Al" Jacobs
Mayor Thaddeus Kirkland

On motion of Councilor West, seconded by Councilor Morgan, the minutes of the previous meeting were approved as submitted. The following vote was taken: Yeas: Williams, Morgan, West, Jacobs, Mayor Kirkland. Nays: 0.

Mayor Kirkland asked if anyone had emailed or called in any comments on Agenda items only.

Ken Schuster, City Solicitor says from this point forward we are not using the call in line. We have given specific advertising instructions on the Chester City Website as well as the Delaware County Daily Times to email the Press Secretary, Aigner Cleveland. As of today, we have not received any public emails or telephone calls.

The City Clerk proceeded with the reading of the Resolutions.

RESOLUTION

WHEREAS, bids for the Memorial Park Football Field Lighting Project, were received on September 9, 2020; and

WHEREAS, the contract was awarded to KC Electric on October 14, 2020; and

WHEREAS, a contract for the above project was never entered; and

WHEREAS, the sixty (60) day requirement to execute a contract for the project has expired.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby reject all bids and does authorize the City Clerk to re-advertise the Memorial Park Football Field Lighting Project.

On motion of Councilor West, seconded by Councilor Morgan, the above Resolution was adopted. The following vote was taken: Yeas: Williams, Morgan, West, Jacobs, Mayor Kirkland. Nays: 0.

RESOLUTION

WHEREAS, under Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of the U.S. Department of Housing and Urban Development is authorized to extend financial assistance to communities in the prevention and elimination of slums or urban blight, carry out activities which will benefit low and moderate income persons or address other urgent community development needs; and

WHEREAS, under the HOME Program created by the National Affordable Housing Act of 1990, as amended, the Secretary of HUD is authorized to extend financial assistance to participating jurisdictions to expand the supply of decent, safe, sanitary and affordable housing; and

WHEREAS, HUD has notified the City of Chester that its F.Y. 2021 Community Development Block Grant (CDBG) Program allocation will be \$1,271,842.00, and its HOME Investment Partnerships Program (HOME) allocation will be \$364,226.00; and

WHEREAS, the City of Chester wishes to reprogram the prior year's CDBG funds in the amount of \$10,000.00 from the Sun Village Clean-Up Project to Contingencies and Reprogram prior year HOME funds in the amount of \$515,000.00 from nonspecific Single Family Affordable Housing Initiatives to the CCIP Acquisition/Rehab/Resale Project - \$115,000.00 and the Arbor Estates II Affordable Homeownership Project - \$400,000.00; and

WHEREAS, the City of Chester, in collaboration with the Chester Economic Development Authority, has prepared a draft Annual Action Plan for Fiscal Year 2021, which proposes how the entitlement grant funds will be expended to address the housing and community development needs identified in the City's Five Year Consolidated Plan; and

WHEREAS, a draft of the Fiscal Year 2021 Annual Action Plan was on public display from February 1, 2021 through March 5, 2021, and the City held a series of public meetings and hearings on the said Plan, and the comments of various agencies, groups, and residents were taken into consideration in the preparation of the final document; and

WHEREAS, additional recommendations from the Mayor and City Council were also taken into consideration in the preparation of the final document.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

Section 1. That the Annual Action Plan for the Fiscal Year 2021 CDBG and HOME Programs is hereby in all respects approved, and the City Clerk is hereby directed to file a copy of said Annual Action Plan for Fiscal Year 2021 with the Official Minutes of this Meeting of this Council.

Section 2. That the City Council of the City of Chester is cognizant of the conditions that are imposed in the undertaking and carrying out of the Community Development Block Grant Program and HOME Investment Partnerships Program with Federal financial assistance under Title I, including those relating to (1) the relocation of site occupants, (2) the prohibition of discrimination because of race, color, age, religion, sex, disability, familial status, or national origin, and (3) other assurances as set forth under the certifications.

Section 3. That the Mayor of the City of Chester, on behalf of City Council, is authorized to file an Application for financial assistance with the U.S. Department of Housing and Urban Development upon HUD's notification of the funding allocation that will be made available for the F.Y. 2021 CDBG Program and HOME Program.

Section 4. That the Mayor, on behalf of the City of Chester, Pennsylvania, is authorized to provide assurances and/or certifications as required by the Housing and Community Development Act of 1974, as amended, and any other supplemental or revised data which the U.S. Department of Housing and Urban Development may request in review of the City's Application.

On motion of Councilor West, seconded by Councilor Morgan, the above Resolution was adopted. The following vote was taken: Yeas: Williams, Morgan, West, Jacobs, Mayor Kirkland. Nays: 0.

RESOLUTION

WHEREAS, the City of Chester received payments for Use and Occupancy permits from the individuals named on the attached list; and

WHEREAS, 72 PA C.S.A. §5566(b) provides for the refund of monies paid to a political subdivision that does not have a statutory right to said monies, within three (3) years of payment thereof.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby authorize for the Department of Accounts and Finance to refund the stated amounts to the individuals on the attached list.

On motion of Councilor West, seconded by Councilor Morgan, the above Resolution was adopted. The following vote was taken: Yeas: Williams, Morgan, West, Jacobs, Mayor Kirkland. Nays: 0.

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby authorize the proper City official to prepare the specifications for the advertisement for the following bid:

Delaware County Demolition Program – 2021 Chester City Demolition Contract #1

FURTHER, that it does hereby authorize the City Clerk to advertise for the aforementioned bid.

On motion of Councilor West, seconded by Councilor Morgan, the above Resolution was adopted. The following vote was taken: Yeas: Williams, Morgan, West, Jacobs, Mayor Kirkland. Nays: 0.

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it accordance with recommendation of the Chester City Planning Commission dated March 17, 2021 and reviewed by the Delaware County Planning Commission on February 18, 2021, it does hereby grant final approval for FMM QZOB, LLC to develop 348,730 sq. ft. with a 100,068 sq. ft. distribution Warehouse to be located at 4th and Booth St., Chester, PA 19013, as shown on a plan prepared by Linn Architects, 1140 N. Providence Road, Media, PA 19063; dated January 27, 2021.

On motion of Councilor West, seconded by Councilor Morgan, the above Resolution was adopted.

Mayor Kirkland says for clarity this is a presentation that we will be receiving today.

The following vote was taken: Yeas: Williams, Morgan, West, Jacobs, Mayor Kirkland. Nays: 0.

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it accordance with recommendation of the Chester City Planning Commission dated December 9, 2020 and reviewed by the Delaware County Planning Commission on December 17, 2020, it does hereby grant final approval for Agronomed Biologics, LLC, to further develop a 30,772 sq. ft. parcel with an additional parking in the Light-Industrial Commercial (LIC) District in Chester, PA, 19013, as shown on a plan prepared by Catania Engineering Associates, Inc., 520 West MacDade Boulevard, Milmont Park, PA, 19033; dated April 24, 2019.

On motion of Councilor West, seconded by Councilor Morgan, the above Resolution was adopted. The following vote was taken: Yeas: Williams, Morgan, West, Jacobs, Mayor Kirkland. Nays: 0.

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby amend the schedule of fees for permits by adopting the attached schedule of fees for permits issued or action taken pursuant to the enforcement of the PA Uniform Construction Code.

FURTHER, that all fees are to be collected at the time of application.

On motion of Councilor West, seconded by Councilor Morgan, the above Resolution was adopted. The following vote was taken: Yeas: Williams, Morgan, West, Jacobs, Mayor Kirkland. Nays: 0.

RESOLUTION

WHEREAS, on September 25, 2014, the Chester-Upland School District transferred ownership of the former Pulaski School field site, Folio Nos. 49-11-00724-00 and 49-11-00725-00, to the City of Chester; and

WHEREAS, the City of Chester does not intend to use the site for municipal purposes; and

WHEREAS, the City of Chester desires to return the site to productive use.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby authorize the transfer of the following identified site locations to the Redevelopment Authority of the City of Chester for redevelopment purposes:

<u>Site Location</u>	<u>Folio Number</u>
0 7 th Street	49-11-00724-00
0 Booth Street	49-11-00725-00

FURTHER, that it does hereby authorize the proper City officials to execute all documents necessary to complete this transfer.

On motion of Councilor West, seconded by Councilor Morgan, the above Resolution was adopted. The following vote was taken: Yeas: Williams, Morgan, West, Jacobs, Mayor Kirkland. Nays: 0.

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby ratify the appointment of Wardell Nance to the position of Full-time Laborer, Department of Public Works, Parks & Property, with the probationary period waived for time worked, effective March 22, 2021, with all benefits applicable thereto, effective April 1, 2021, at the salary range as provided in the Annual Appropriation Ordinance.

On motion of Councilor West, seconded by Councilor Morgan, the above Resolution was adopted. The following vote was taken: Yeas: Williams, Morgan, West, Jacobs, Mayor Kirkland. Nays: 0.

RESOLUTION

WHEREAS, City of Chester desires to undertake the project, "Norris Street East Coast Greenway Connector"; and

WHEREAS, the City of Chester desires to receive from the Department of Conservation and Natural Resources ("Department") a grant for the purpose of carrying out this project; and

WHEREAS, the application package includes a document entitled "Terms and Conditions of Grant" and

WHEREAS, the City of Chester understands that the contents of the document entitled "Terms and Conditions of Grant", including appendices referred to therein, will become the terms and conditions of a Grant Agreement between the City of Chester and the Department if the City of Chester is awarded a grant; and

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

1. The grant application may be electronically signed on behalf of the City of Chester by “Thaddeus Kirkland” who, at the time of the signing, has a title of “Mayor” and the email address of kirkland@chestercity.com.
2. If this Official signed the Grant Application Electronic Authorization prior to the passage of this Resolution, this grant of authority applies retroactively to the date of signing.
3. If the City of Chester is awarded a grant, the Grant Application Electronic Authorization, signed by the above Official, will become the City of Chester/Department’s executed signature page for the Grant Agreement, and the City of Chester/Department will be bound by the Grant Agreement.
4. Any amendment to the Grant Agreement may be signed on behalf of the Department by the Official who, at the time of signing of the amendment, has the “TITLE” specified in paragraph 1 and the Department will be bound by the amendment.

On motion of Councilor West, seconded by Councilor Morgan, the above Resolution was adopted. The following vote was taken: Yeas: Williams, Morgan, West, Jacobs, Mayor Kirkland. Nays: 0.

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby authorize the proper City official to submit an application to the Delaware County Demolition Program, Blighted Property Demolition Fund to obtain funds for the demolition of the following properties:

<u>Property Address</u>	<u>Folio Number</u>
601 Highland Avenue – Rear Garages	49-11-01517-00
725 Caldwell Street	49-05-00473-00
727 Caldwell Street	49-05-00474-00
729 Caldwell Street	49-05-00475-00
731 Caldwell Street	49-05-00476-00
815 E. 8 th Street	49-05-00225-00

FURTHER, it does hereby authorize the proper City officials to execute all necessary documents on behalf of the City of Chester.

On motion of Councilor West, seconded by Councilor Morgan, the above Resolution was adopted.

Councilwoman West says I would like to know what happens to the property after it’s demolished. Does the property owner retain that or what happens to that?

Mike Galante, City Engineer says the City as far as the Delaware County Grant Program is required to, (County Demolition fund) to lien the property. So we’re responsible for all those costs.

The following vote was taken: Yeas: Williams, Morgan, West, Jacobs, Mayor Kirkland. Nays: 0.

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby accept the bid received on March 22, 2021 for the purchase of a 1990 Ford F-450 stake-body truck, being sold as-is, for which bids were being accepted from March 12, 2021 until March 22, 2021, be and it is hereby awarded to Richard Alston, as the sole bidder, at the responsible bid price of Nine Hundred Dollars (\$900.00).

FURTHER, it does hereby authorize the proper City official to take all the necessary actions for the proper sale of the aforementioned truck.

Mayor Kirkland says Mr. Solicitor this one is not on our list. So is it proper to move this or move it back to our next meeting.

Ken Schuster, City Solicitor says we can move forward with it. Resolution #47-2021 regarding the acceptance of a Bid received on March 22, 2021 for the purchase of a 1990 Ford F-450 stake-body truck being sold as-is, is awarded to Richard Alston, as the sole bidder, at the price of \$900.00. That Resolution inadvertently is not listed on our Deliberative Agenda but in fact is now added to our Regular Meeting Agenda. As such the City Clerk has read the Resolution in full. I believe Mayor and Council have entertained questions on that Resolution and I believe that it is fair game to proceed with that.

On motion of Councilor West, seconded by Councilor Morgan, the above Resolution was adopted. The following vote was taken: Yeas: Williams, Morgan, West, Jacobs, Mayor Kirkland. Nays: 0.

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does approve and order payment of a series of bills and refunds as prepared by the Department of Accounts and Finance and as shown on Expenditure Approval List dated March 19, 2021 attached hereto and made a part hereof, subject to approval from the Department of Accounts and Finance.

On motion of Councilor West, seconded by Councilor Morgan, the above Resolution was adopted. The following vote was taken: Yeas: Williams, Morgan, West, Jacobs, Mayor Kirkland. Nays: 0.

The City Clerk proceeded with the reading of the Ordinances.

**BILL NO. 2
ORD. __, 2021**

AN ORDINANCE FIRST READING

AN ORDINANCE OF THE CITY OF CHESTER, DELAWARE COUNTY, PENNSYLVANIA, APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF CHESTER, PENNSYLVANIA

On motion of Councilor West, seconded by Councilor Morgan, Bill No. 2, 2021 was passed on its First Reading. The following vote was taken: Yeas: Williams, Morgan, West, Jacobs, Mayor Kirkland. Nays: 0.

City Clerk reads a Thank You from the United States Census 2020 (see attachment #1)

Mayor Kirkland says Thank You to Councilwoman Williams and Councilwoman West for their efforts in making sure that the Citizens of Chester were counted. We appreciate all their hard work in the Census process that helps us with our Federal dollars here in the City.

PUBLIC COMMENTS VIA EMAIL

NONE

Mayor Kirkland says I want to thank the Residents. We had some residential parking issues here in the City and I'm talking to the Residents today just to say thank you for your patience. We believe that we finally worked those issues out. This will be on the Agenda for our next City Council Meeting so that we can have some relief for those persons in our Community who live in certain residential areas and employees or persons from out of town are parking in their residency. So by our next Council Meeting we will have something on the Agenda to make sure that has been corrected. Secondly, I want to thank all those Departments that came out and helped us with our Clean-up. As we continue to do our clean-up throughout the City of Chester we are asking Residents to come out as well and support this effort. THIS IS OUR COMMUNITY!! It's not City Council's community but it is OUR COMMUNITY! So were asking everyone when we come into your neighborhood if you would just lend a hand by way of a broom, shovel, rake or trash bag. This is our Community and we want to have a sense of pride in everything that we do here in the City of Chester. We have our own saying called "C-PRIDE". So we want the Residents to be part of that "C-PRIDE" in particularly our younger persons because if you teach them how to take care of what is theirs then we they are older they will teach others how to do the same and have a greater respect for their Community. So every Tuesday and Thursday until the end of the month...if not beyond.

Councilwoman West says I would like to have this extended for the duration. If we could do it at least once a month on Tuesday and Thursday, I think it would be helpful with the illegal dumpsites and other sites where we have a lot of trash. So I think it should be continued and again like you said we would like to encourage the Residents to get involved. When I was younger, my Mother had us go out and sweep the porch, the steps down to the street and even the street in front of our home. We'd like to see that throughout the Community. We're all responsible for where we live.

Mayor Kirkland says thank you Councilwoman West for leading the charge in this effort. I'm sure there will be no problem with us continuing to do our very best to keep our COMMUNITY CLEAN! Also, I would like to thank Councilman Jacobs and his Department for leading the charge for vaccinations for our Residents. Over 600 Residents have come and many many more have come to facilities throughout the City to get vaccinations. The more persons that get vaccinated the sooner we can open back up and get back to some normalcy.

Councilman Jacobs says thank you for that recognition. I had a more detail report that I wanted to do today but I didn't get the information on time so I will do it next Council Meeting. We have had around 5,000 people in the City of Chester get vaccinated with the combination of what we done here at City Hall and Keystone and Widener are doing some vaccinations now for Chester Residents. I want to encourage everybody that wishes to take the vaccination that there are ample places for you to do that and Rosetta Carter is the one that has been working diligently along with our Health Commissioner Livia Smith.

Mayor Kirkland says I appreciate the fact that our Community needs to know that it takes a team effort in working together in making sure that we the Government works for them.

Councilwoman West says (see attachment #2)

Councilman Morgan says I want to make an announcement about some of things that have been going around in the public in regards to the money that is earmarked for the City of Chester...American Rescue Plan Act...Residents and Non-Residents have been talking about City of Chester well Mayor and Council receiving up to 30 million dollars to be

exact 31.85 million dollars and what it was going to be used for. Unfortunately, a lot of people have been saying that it was going to use whether if it was to load our pockets or to do other things in the Communities that we live in. Most certainly this money is restricted in its use. It has requirements that it has to be used for the Community most certainly. I know that's what Mayor and Council are going to do. We're going to make sure that we look at what this Community needs as far as its resources in regarding to the health, education, financial assistance and that's with the money that is the financial aid that is coming to the City of Chester is going to be used for. The City has not received one penny of that money as of yet. We are looking forward to it. We want to make sure that we can allocate the monies directly to our communities. So I wanted to make that known. That's exactly what it's used for. We've been doing that since the pandemic has started with the businesses, rental, utility and mortgage assistance and we're going to continue to do that and many other facets of we're we feel like we could be supportive to the community and it's residents. I do want to make note that the money must be spent by a certain deadline. So if there is expenses' going out for the Community by 2024 it's because the money needs to be spent by then but we know that again it will go out to the residents of need. Since the pandemic we're coming up on roughly a few more days...fully one year since the City of Chester had to lay off a good amount roughly about 70% of its workforce and I wanted to acknowledge the individuals in the Finance Department because they have been here since day one. So I won't mention their names but I'll just mention the Departments within the Finance Department that has been here and has not complained and have worked their tails off throughout the pandemic while also having to deal with their families, day cares being shut down, with other individuals within their family being laid off. So, I just want to say thank you to the City Clerk's Office, Tax Office, Accounting Department, Assessor's Office, Grants Department, Accounts Payables, Human Resources and the Controller's Office. You all are doing a phenomenal job...or has done a phenomenal job and continue to do so and I truly thank you and I know Mayor and Council does the same as well.

Mayor Kirkland says there's approximately that we will be receiving a little more than 31 million dollars...31.8 million dollars in a matter of months. Our goal is to work along with the Receiver. We would love to be able to...in our conversations with the Receiver...to bring back our Employees. There are street repairs that we would like to use that money for. There is some aid to our Homeowner that we would like to be supportive of. We have seniors who have great needs and repairs needed for their homes...mainly external stuff. We would like to put a package together to assist them. We also want to help our downtown businesses here in the City of Chester because they have been hit pretty hard during this pandemic. We have some equipment needs here at City Hall so that we can meet the needs of our Residents. If you look, but you can't see it behind me, there's an overpass that has been in disarray for years and years. We would like to beautify our Downtown with some of that money. So we've been talking under the leadership of Councilman Morgan and his Finance Department in different ways that we can help our citizens and utilize this money. So the partnership with the Receiver we hope that we can do many of these things if not all of them to make our Community a better place to live, grow and work.

Councilwoman Williams says (see attachment #3).

Mayor Kirkland says I have received communications from a number of municipalities outside the City of Chester showing a concern for our health. Their concern is for Covanta. Covanta is the trash to steam facility located here in the City of Chester that is not only a good partner with our City Government but someone who follows the guidelines when it comes to EPA. Many of these municipalities all of a sudden...I appreciate anybody who has a concern for our community...but I would appreciate it even more if they would have a conversation with us you know less than a week where they're about to make a decision should they continue to utilize a facility in our City. I say this because Covanta has been nothing but a good neighbor/partner. Covanta has not been penalized by EPA or DEP. There are other facilities here in this area...in our community that has been penalized. But, we have heard nothing from these other municipalities and there are other industries from Philadelphia up and down this Delaware Riverfront...from Philadelphia to Delaware...that have been in place for decades, decades in other communities with smoke stacks and violations and I haven't heard one word concerning those other facilities. That troubles me deeply. If folks do not want to utilize the facility that is here...that's fine. But, please be fair. Be equal to each and every industry that lines our Waterfront and the Waterfront in Marcus Hook, Trainer and in Essington. Just be fair. Don't try to use this as a Political ploy or anything like that. If you really want to talk to us about how we feel about the industries in our Community simply talk to us. To send a letter or email and say this is what we are proposing to do and do you have any comments... is not fair. I know for a fact, that if my myself or any member of this Council was to approach another municipality and tell you how to govern or what was good for your community...you would not like it. We've been elected to do a job in the City of Chester and we're going to do just that. We're going to make sure that those industries in and around the City of Chester apply the by the rules and regulations and we're going to make sure that these

industries are not harmful to our young people or any of residents or the environment. Just be more considerate when it comes to having a conversation with us about industries in around our City by simply talking to us not talking at us but talking to us as we move forward.

Councilwoman West says I just want everyone to know that here in the City of Chester we have three host inspectors Mr. John Johnson, Mr. Richard Knox and Mr. John Shelton. They all have been trained and had classes. They've being doing this now for the past ten years were they go down to Covanta and they have a checklist that they go by that is set up by EPA and the DEP and they look for certain things. They have not had any findings because of the compliance of Covanta and I just want you to know that we are doing things ourselves in terms of putting those safe guards in place to make sure that we actually know what's going on at Covanta. We all have gone down and toured the facility. I just want you to know that we have put safeguards in place to further look at Covanta and their operation and they have met the requirements.

Mayor Kirkland says folks like FMM and their building of a warehouse distribution center that would probably provide us with over a hundred job opportunities for the residents of Chester. Folks like Agronomed who continue to build their facility here in the City of Chester would not put themselves or their employees at risk. They're here because they believe this a great place to grow an industry and we appreciate their presence.

Presentation by Adam Powell, Linn Architects and Michael Frankel, FMM QZOB, LLC in regards to Resolution #5 on the Agenda (see City of Chester News and Information FB Recording dated March 24, 2021)

There being no other business to come before Council, the meeting was adjourned at 11:11am.

Respectfully submitted,

MARCH 24, 2021

Candice Thompson, City Clerk