

A G E N D A
June 21, 2021
Deliberative Meeting

Resolutions

1. Authorize approval to appoint a Violence Prevention Mentoring Case Manager;
2. Authorize approval to re-appoint a police officer;
3. Authorize approval to accept Police Officer applications;
4. Authorize approval to amendment to the F.Y. 2020 Action Plan;
5. Authorize approval to enter into an agreement with Armour & Sons;
6. Authorize approval of Expenditure Lists;

Ordinances

1. First Reading – Bill No. 4 – CEDA adding to term, purpose, powers and scope of projects;
2. First Reading – Bill No. 5 – Amending Article 303, entitled “Earned Income Tax”;

R E S O L U T I O N

NO. 81-2021

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby ratify the appointment of Harrison Johnson, as a Violence Prevention Mentoring Case Manager, Mayor's Office, Department of Public Affairs, at the rate of \$20.52 per hour, for no more than 18.75 hours a week, effective May 24, 2021.

FURTHER, said individual is an independent Contractor and is not an employee of the City of Chester and shall not be entitled to any of the benefits normally provided to a City employee. As an independent Contractor, the City will not deduct federal income tax or earned income tax from any payments made to the Contractor.

WE HEREBY CERTIFY that this Resolution passed Council this 23rd day of June, A.D. 2021.

MAYOR

Attest: _____
CITY CLERK

R E S O L U T I O N

NO. 82-2021

WHEREAS, Daniel Mullarkey became a Chester Police Officer, effective June 18, 2018; and

WHEREAS, Daniel Mullarkey submitted his resignation effective April 2, 2021; and

WHEREAS, Daniel Mullarkey has expressed a desire to return to the Chester Police Department; and

WHEREAS, Daniel Mullarkey was not issued a refund from the Police Aggregated Pension Fund.

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

That it does hereby re-appoint Daniel Mullarkey to the position of Patrol Officer to the Chester Police Department, Department of Public Affairs, effective July 5, 2021, on a full-time basis, with all benefits applicable thereto, at the salary range as provided in the Annual Appropriation Ordinance.

FURTHER, said Patrol Officer has met the residency requirement.

WE HEREBY CERTIFY that this Resolution passed Council this 23rd day of June, A.D. 2021.

MAYOR

Attest: _____
CITY CLERK

RESOLUTION

NO. 83-2021

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby authorize testing to be given by the Civil Service Board to all eligible candidates for the position of Patrol Officer in the Police Department, Department of Public Affairs.

FURTHER, that it does hereby authorize the City Clerk to advertise for testing to establish a civil service list for the position.

WE HEREBY CERTIFY that this Resolution passed Council this 23rd day of June, A.D. 2021.

MAYOR

Attest: _____
CITY CLERK

RESOLUTION

NO. 84-2001

WHEREAS, on November 25, 2020, the City of Chester approved an Amendment to the F.Y. 2020 Action Plan to include projects to be funded with Community Development Block Grant Coronavirus (CDBG-CV) funds; and

WHEREAS, one of the projects to which the City allocated funding is a Short-Term Mortgage and Utility Assistance Program for low/moderate income Chester homeowners directly affected by the coronavirus pandemic; and

WHEREAS, such Program was designed to provide a maximum of three (3) months of mortgage assistance, with total assistance not to exceed \$4,000.00, and three (3) months of utility assistance not to exceed \$1,000.00; and

WHEREAS, because of the extended time during which the coronavirus pandemic continues to affect low/moderate income families in Chester, City Council desires to increase the number of months of assistance to six (6) months for any combination of mortgage and utility payments, with total assistance not to exceed \$7,000.00:

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

1. That the CDBG-CV Short-Term Mortgage and Utility Assistance Program Guidelines are hereby amended to provide for a maximum of six (6) months of assistance in an amount not to exceed \$7,000.00. Such amount may be used for either mortgage or utility assistance.
2. That information on such changes to the Program Guidelines will be provided to the residents of Chester through the City's social media outlets, distribution of flyers, and postings on the websites of the City and the Chester Economic Development Authority.

WE HEREBY CERTIFY that this Resolution passed Council this 23rd day of June, A.D. 2021.

MAYOR

Attest: _____
CITY CLERK

RESOLUTION

NO. 85-2021

WHEREAS, the City of Chester is located in Delaware County, Pennsylvania; and

WHEREAS, the Delaware Valley Regional Planning Commission (“DVRPC”) qualifies as a “public procurement unit” under the Code, and has established a Regional Streetlight Procurement Program (the “Program”) for the purpose of entering into “cooperative purchasing” agreements with regional municipalities; and

WHEREAS, the City of Chester in its capacity as a local public procurement unit, as defined under Chapter 19 of the commonwealth Procurement Code, 62 PA C.2t seq. (the “Code”), has agreed to participate in the Program, as reflected by the adoption of a letter of intent in connection with the Program’s Phase 1, and by the adoption of a resolution authorizing the participation in the Program’s Phase 2; and

WHEREAS, the City of Chester received a Keystone Communities Grant in the amount of \$175,000.00 for LED Lighting Upgrades; and

WHEREAS, the City of Chester wishes to utilize a portion of the LED Lighting Grant to upgrade municipal street lighting which will include the upgrades to 362 fixtures along PA State Route 291, Kerlin Street, Highland Avenue, Flower Street, 3rd Street, Engle Street, and 9th Street, for a total cost of \$92,045.95; and

WHEREAS, DVRPC has entered into a contract with Armour & Sons Electric, Inc. (“Armour”) to provide construction installation services and assigned to Armour DVRPC’s contracts for manufacture and distribution of equipment; and

WHEREAS, participating municipalities, including the City of Chester, are able to “piggyback off of” the contract entered into by DVRPC for installation, in accordance with the Code; and

WHEREAS, continued participation in the Program will allow the City of Chester, to implement its project and improve the performance of municipal street lighting, and specifically to manage and administer the procurement, installation, and financing of the transition to light-emitting-diode (LED) street lighting and other street light improvements, and the maintenance of those improvements; and

WHEREAS, the City of Chester has determined that its interests warrant piggybacking off of DVRPC’s contract with Armour, thereby forming a separate and new contract between the City of Chester and Armour.

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

That it does hereby authorize the proper City official to enter into an Agreement with Armour and Sons for Phase 1 of the Regional Street Light Procurement Program.

WE HEREBY CERTIFY that this Resolution passed Council this 23rd day of June, A.D. 2021.

MAYOR

Attest: _____
CITY CLERK

RESOLUTION

NO. 86 - 2021

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 June ____, 2021 attached hereto and made a part hereof, subject to approval from the Department of Accounts and Finance.

WE HEREBY CERTIFY that this Resolution passed Council this 23rd day of June, A.D. 2021.

MAYOR

Attest: _____
CITY CLERK

NO. _____ 2021

ORDINANCE

AN ORDINANCE OF THE CITY OF CHESTER INCREASING THE TERM OF EXISTENCE OF THE CHESTER ECONOMIC DEVELOPMENT AUTHORITY, ADDING TO THE AUTHORITY'S PURPOSES, POWERS AND SCOPE OF PROJECTS PERMITTED, AUTHORIZING ADVERTISEMENTS AND THE FILING OF SAID AMENDED ARTICLES OF INCORPORATION, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH.

WHEREAS, the Chester Economic Development Authority (the “Authority”) is a municipal authority organized and established under the provisions of the Municipality Authorities Act of 1945, Act No. 45 of the General Assembly of the Commonwealth of Pennsylvania approved May 2, 1945 (P.L 382), as amended (the “Act”) and as originally authorized by the City Council of the City of Chester (the “City”) pursuant to Ordinance No. 5 enacted on February 9, 1995; and

WHEREAS, an authority created under the Act may amend its articles from time to time to change, add to or diminish its powers or purposes, or to set forth different or additional powers or purposes; and

WHEREAS, the Authority desires to authorize amendments to its Articles of Incorporation to increase its term of existence for a period of fifty (50) years from the date of approval of the Amended Articles of Incorporation by the Secretary of the Commonwealth of Pennsylvania and to add to the Authority's powers, purposes and scope of projects permitted; and

WHEREAS, the current version of the Act (53 Pa.CSA. §5605) provides a procedure for amending the Articles of Incorporation through adoption by the Board of the Authority of a resolution setting forth the proposed amendments and directing that the amendments be submitted to the governing authorities of the City for adoption; and

WHEREAS, the Board of the Authority adopted a Resolution dated May 25, 2021 setting forth proposed amendments to the Articles of Incorporation of the Authority and directing that such amendments be submitted to the governing authorities of the City for consideration and adoption.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Chester as follows:

SECTION 1. In accordance with the Act (53 Pa.CSA. §5605 (a)(2) and (a)(3), the City hereby adopts the following amendments to the Articles of Incorporation of the Chester Economic Development Authority, (the “Authority”) as permitted by the Act:

- (a) The Authority shall continue to transact business and shall exist for a term of fifty (50) years from the date of approval of the Articles of Amendment of the Authority by the Secretary of the Commonwealth of Pennsylvania; and
- (b) The Authority’s current purposes and powers as set forth in the Authority’s Articles of Incorporation are amended to increase the scope of projects permitted to add those projects permitted under 53 Pa.CSA. §5607 (a)(2); namely, Buildings to be devoted wholly or partially for public uses, including public school buildings, and facilities for the conduct of judicial proceedings and for revenue-producing purposes.

SECTION 2. The proper officers of the City are hereby authorized and instructed to execute any and all documents and certificates, and to take any and all other actions, necessary and proper to carry out the intent of this Ordinance pursuant to the Act.

SECTION 3. All prior ordinances or parts thereof inconsistent herewith are hereby repealed.

WE HEREBY CERTIFY that this Ordinance was enacted and approved by Council of the ___ day of _____, A.D. 2021.

MAYOR

ATTEST: _____
CITY CLERK

BILL NO. 5

1st READING 6/23/2021

PASSED _____

NO. , 2021

A N O R D I N A N C E

AN ORDINANCE OF THE CITY OF CHESTER, DELAWARE COUNTY, PENNSYLVANIA, PURSUANT TO THE AUTHORITY GRANTED BY THE HOME RULE CHARTER, REENACTING THE EARNED INCOME TAX FOR THE YEAR 2021, AS SET FORTH IN ARTICLE 303 OF THE CODIFIED ORDINANCES OF CHESTER, PENNSYLVANIA, 1978, AS SUPPLEMENTED AND AMENDED, IN ITS ENTIRETY, WITHOUT SUBSTANTIAL CHANGE EXCEPT FOR AN AMENDMENT TO SECTION 303.02 ENTITLED "IMPOSITION OF TAX" TO IMPOSE A TAX OF 2.00% FOR 2021 FOR GENERAL REVENUE PURPOSES ON SALARIES, WAGES, COMMISSIONS, NET PROFITS AND OTHER COMPENSATION EARNED BY NON-RESIDENTS OF THE CITY OF CHESTER FOR WORK DONE OR SERVICES PERFORMED OR RENDERED IN THE CITY OF CHESTER, AND TO ESTABLISH THE EARNED INCOME TAX RATE AT 3.75% FOR 2021 ON SALARIES, WAGES, COMMISSIONS, NET PROFITS AND OTHER COMPENSATION EARNED BY RESIDENTS OF THE CITY OF CHESTER; WITH ONE PERCENT (1.00%) OF THE RESIDENTS AND NON-RESIDENTS EARNED INCOME TAX COLLECTIONS BEING DESIGNATED TO DISTRESSED PENSION PAYMENTS AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE ORDINANCE; AND IMPOSING PENALTIES FOR VIOLATION THEREOF.

THE COUNCIL OF THE CITY OF CHESTER DOES ORDAIN:

SECTION 1. That it does hereby reenact the Earned Income Tax for the year 2021, as set forth in Article 303 of the Codified Ordinances of Chester, Pennsylvania, 1978, as supplemented and amended in, its entirety, which imposes a tax for general revenue purposes on salaries, wages, commissions and other compensation

earned by residents of the City of Chester, Pennsylvania and on salaries, wages, commissions and other compensation earned by non-residents of the City of Chester for work done or services performed or rendered in the City of Chester, and on the net profits earned from businesses, professions or other activities conducted by residents of the City of Chester, and the net profits earned from businesses, professions, or other activities conducted in the City of Chester by nonresidents; requiring the filing by employers and by those subject to the tax; imposing on employers the duty collecting the tax at source; with one percent (1.00%) of the residents and nonresidents collection being designated to distressed pension payments; providing for the administration and enforcement of the ordinances; and imposing penalties for violation thereof, except for the following amendments to Section 303.02 entitled "IMPOSITION OF TAX":

303.02 IMPOSITION OF TAX

A tax for general revenue purposes of three and seventy-five hundredths percent (3.75%) is hereby imposed on the following:

- (a) Salaries, wages, commissions and other compensation earned on and after January 1, 2021, by individual residents of the City of Chester.
- (b) Net profits, earned on and after January 1, 2021, by residents of the City of Chester.

A tax for general revenue purposes of two percent (2.00%) is hereby imposed on the following:

- (a) Salaries, wages, commissions and other compensation earned on and after January 1, 2021, by individual nonresidents of the City of Chester.
- (b) Net profits, earned on and after January 1, 2021, in the City of Chester by nonresidents of the City of Chester.

The tax levied under subsection (a) hereof shall relate to and be imposed upon salaries, wages, commissions and other compensation paid by an employer or on his behalf to a person who is employed by him. The tax levied under subsection (b) hereof shall relate to and be imposed on the

net profits of any business, profession or other activity carried on by any person or persons.

Every corporation which is subject to the Pennsylvania Corporate Net Income Tax or exempt from the Pennsylvania Franchise Tax, shall be on exempt from the tax imposed by this article.

The tax levied by this article shall be applicable to salaries, wages, commissions and other compensation and to net profits earned after January 1, 2021, for non-residents and after January 1, 2021, for residents.

SECTION 2. All Ordinances, amendments or parts of Ordinances inconsistent with or contrary to the provisions of this Ordinance, be and they are hereby repealed.

WE HEREBY CERTIFY that this Ordinance passed Council this _____ day of _____, A.D. 2021.

MAYOR

Attest: _____
CITY CLERK