

**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 7:01pm with Mayor 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
Stefan Roots
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, Roots, Mayor Kirkland. Nays: 0.

Mayor Kirkland asked if anyone in the audience had any comments on Agenda items only.

The City Clerk proceeded with the reading of the Resolutions.

RESOLUTION

WHEREAS, the following individuals have requested a handicapped parking zone:

1. Paul Brandon, 105 Thurlow Street, Chester, PA 19013
2. Daniel Driggins, 1007 McDowell Avenue, Chester, PA 19013
3. Angela Wallace, 66 E. 24th Street, Chester, PA 19013

WHEREAS, after a thorough investigation by the Department of Public Works, it has been determined the aforementioned individuals have met all of the required criteria and have a need for said handicapped parking zone.

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

That it does hereby authorize the proper City officials to install a handicapped parking zone in the 100 Block of Thurlow Street; in the 1000 Block of McDowell Avenue; and in the Unit Block of East 24th Street in the City of Chester.

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

RESOLUTION

WHEREAS, the City of Chester hired Thelma Evans for the full-time Residential Housing Inspector position, L & I Department, effective September 12, 2022, for 37.5 hours per week, with no benefits and a sixty (60) day probationary period; and

WHEREAS, said employment was contingent upon said individual obtaining the required certification for the position within ninety (90) days from date of hire; and

WHEREAS, the City is required by law to offer said employee medical benefits after sixty (60) consecutive days of employment, which was completed on November 10, 2022; and

WHEREAS, there has been a request to extend said individual's certification period for an additional sixty (60) day period.

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

That it does hereby ratify the extension of the probationary period for Thelma Evans, for an additional sixty (60) day period, to allow said employee to obtain the required certification for the position.

FURTHER, if said employee fails to obtain the required certification after the sixty (60) day extension period, said employee will no longer be eligible for the position and will be subject to termination from said position.

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

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby ratify the employment of G'Quan Wesley, to the position of temporary Heavy Equipment Operator, Department of Public Works, effective December 5, 2022, with benefits, for no more than 40 hours per week, or until such time as the position is permanently filled.

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

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby reappoint Eartha Banks, as a member of the Chester City Planning Commission, term to expire December 31, 2026.

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

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby reappoint Patricia Lewis-West, as a member of the City of Chester Zoning Hearing Board, term to expire December 31, 2026.

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

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby reappoint Shy'Quan Davis, as a member of the City of Chester Zoning Hearing Board, term to expire December 31, 2027.

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

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That in accordance with recommendations of the Chester City Planning Commission, dated November 9, 2022 and reviewed by the Delaware County Planning Commission on November 17, 2022, it does hereby grant final approval to Jorge A. Garcia to reverse subdivide two (2) lots into one (1) at 2712-2714 Swarts Street, as shown on a plan prepared by Catania Engineering Associates, Inc., 520 W. MacDade Blvd, Milmont Park, PA 19033, dated September 12, 2022.

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

RESOLUTION

WHEREAS, the project for City of Chester Municipal Building Roof Replacement Option 2, Resolution 147-2022, was awarded to S.J. Thomas, 140 Bartram Ave., Lansdowne, PA 19050, in the amount of \$382,422.85, by Chester City Council on August 24, 2022; and

WHEREAS, responses for the project were received through Keystone Purchasing Network (KPN) and the City Complied with all KPN bidding requirements; and

WHEREAS, the project is funded through American Rescue Plan Act (ARPA) funds.

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

That it does hereby approve Change Order No. 1, to the Subrecipient Agreement for the Use of American Rescue Plan Act between the City of Chester and S.J. Thomas Company, Inc., for additional caulking and resetting of metal panel on building façade for the City of Chester Municipal Building Roof Replacement Option 2 Project, thereby increasing the agreement price by Two Thousand Nineteen Dollars and Seventy-nine Cents (\$2,019.79).

FURTHER, that all work performed pursuant to Change Order No 1 shall be completed in accordance with the specifications and to the satisfaction of City and its Engineer.

EVEN FURTHER, all the work listed on Change Order No. 1 will be funded through ARPA Project 11.

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

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That the contract for Memorial Park Pool Upgrades – Phase 2, be and is hereby awarded to S.J. Thomas, 140 Bartam Ave., Lansdowne, PA 19050, for which responses were received though Keystone Purchasing Network (KPN), in the amount of \$299,745.57, to be paid from American Rescue Plan Act (ARPA) funds.

FURTHER, the City has complied with all KPN bidding requirements.

FURTHER, that the Solicitor's Office shall review and approve the contract and the successful bidders shall furnish a Performance Bond in the full amount of the respective contract, to the satisfaction of City Council.

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

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That the Public Hearing for the 2023 Budget shall be held on December 28, 2022, at 9:45 A.M., in City Council Chambers, 2nd Floor, 1 Fourth Street, Chester, Pennsylvania 19013.

FURTHER, that the Final Action on the 2023 Budget Ordinance will be taken at a regular meeting of Council to be held on December 28, 2022, at 10:00 A.M. in Council Chambers, 2nd Floor, 1 Fourth Street, Chester, PA 19013.

FURTHER, that the City Clerk is hereby authorized to publish a notice of the date, time, and place of the aforesaid hearing.

FURTHER, that a copy of said proposed budget may be obtained from the City Clerk's Office at a fee of Ten Dollars (\$10.00).

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

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

The following is the list of the Legal Holidays for the City of Chester for the year 2023:

New Year's Day	Monday, January 2, (observed)
Dr. Martin Luther King, Jr.	Monday, January 16
President's Day	Monday, February 20
Good Friday	Friday, April 7
Primary Election Day	Tuesday, May 16
Memorial Day	Monday, May 29
Flag Day	Wednesday, June 14
Juneteenth	Monday, June 19
Independence Day	Tuesday, July 4
Labor Day	Monday, September 4
Indigenous People's Day	Monday, October 9
General Election Day	Tuesday, November 7
Veteran's Day	Friday, November 10
Thanksgiving Day	Thursday, November 23 Friday, November 24
Christmas Day	Monday, December 25

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

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That the City Council of the City of Chester will be holding Deliberative Only Meetings in City Council Chambers, One Fourth Street, 2nd Floor, Chester, Pennsylvania 19013 at 2:00pm, prevailing local time, on the following dates for the year 2023, said dates and times are subject to change due to COVID-19 restrictions and/or state mandates.

January	09 23	July	10 24
February	06 21	August	07 21
March	06 20	September	11 25
April	10 24	October	10 23
May	08 22	November	06 20
June	12 26	December	11 18 26

FURTHER, that the City Clerk is hereby directed to advertise the foregoing as required by law.

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

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That the regular meetings of the Chester City Council will be held in City Council Chambers, Municipal Building, One Fourth Street, 2nd Floor, Chester, PA, 19013, at 10:00a.m., prevailing time, on the following dates for the year 2023, except where designated by an asterisk (*) which meetings will be held at 7:00p.m., prevailing time, said dates and times are subject to change due to COVID-19 restrictions and/or state mandates.

January	11 25	July	12 26
February	08 22	August	09 23
March	08* 22	September	13* 27
April	12 26	October	11 25
May	10 24	November	08 22

June 15*
28

December 13*
20
27

FURTHER, the City Clerk is hereby directed to advertise the foregoing as required by law.

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

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That the regular meetings of the Chester Aggregated Pension Board will be held in City Council Chambers, One Fourth Street, Chester, PA 19013, 2:30p.m., prevailing local time, on the following dates for the year 2023, said dates and times are subject to change due to COVID-19 restrictions and/or state mandates.

January 23

April 24

July 24

October 23

FURTHER, the City Clerk is hereby directed to advertise the foregoing as required by law.

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

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That the organization of the Chester City Council will be held on Tuesday, January 3, 2023 at 10:00 A.M., City Council Chambers, One Fourth Street, Chester, Pennsylvania 19013, for the purposes of reorganization and appointments to various positions.

FURTHER, that it does hereby authorize the City Clerk to advertise said organization meeting.

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

RESOLUTION

WHEREAS, by Resolution dated July 14, 2010, the City Council of the City of Chester authorized the dissolution of the inactive Chester Resource Recovery Authority; and

WHEREAS, upon the dissolution of the Chester Resource Recovery Authority, control of all real property passed to the City of Chester; and

WHEREAS, the City of Chester is the owner of several properties on the 1600 Block of W. 2nd Street; and

WHEREAS, the additional lands are approved for transfer to the Redevelopment Authority of the City of Chester for redevelopment purposes in connection with the stadium parking redevelopment agreement as amended with Yarnall Land LLC.

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

That it does hereby authorize the transfer of the nine (9) parcels identified on the attached Exhibit A to the Redevelopment Authority of the City of Chester for redevelopment purposes.

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

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby authorize the Department of Accounts and Finance to refund the sum of \$6,666.00 to Mark Elliott & Michael Carbonetti, which represents the fire escrow refund for the repair of damages sustained to the property located at 2122 Madison Street, Chester, PA 19013.

On motion of Councilor West, seconded by Councilor Morgan, the above Resolution was adopted. The following vote was taken: Yeas: Williams, Morgan, West, Roots, 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 for the period of November 29, 2022 through December 6, 2022, 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, Mayor Kirkland. Nays: Roots.

The City Clerk proceeded with the reading of the Ordinances.

**BILL NO. 6
ORD. __, 2022**

**AN ORDINANCE
FIRST READING**

**AN ORDINANCE OF THE CITY OF CHESTER,
DELAWARE COUNTY, COMMONWEALTH OF
PENNSYLVANIA, APPROPRIATING SPECIFIC SUMS
ESTIMATED TO BE REQUIRED FOR THE SPECIFIC
PURPOSES OF THE MUNICIPAL GOVERNMENT,
HEREINAFTER SET FORTH, DURING THE 2023
CALENDAR YEAR.**

THE COUNCIL OF THE CITY OF CHESTER DOES ORDAIN:

SECTION 1. That for the expenditures and expenses of the 2023 calendar year, the following amounts are hereby appropriated from the fund equities, revenues, and other financing sources available for the 2023 calendar year for the specific purposes herein set forth.

SECTION 2. The General Fund Budget for the 2023 calendar year is hereby set at **\$65,682,008** and appropriated from the following revenues, as more fully detailed in the attached Exhibit A:

Real Estate Taxes	\$ 9,774,000
Taxes - Act 511	\$ 22,457,000
Fines	\$ 100,000
Licenses and Permits	\$ 2,068,000
Interest, Rents and Royalties	\$ 3,792,000
Intergovernmental Revenues	\$ 13,262,008
Charges For Services	\$ 6,964,000
Reimbursements	\$ 1,417,000
Other Revenue	\$ 5,848,000
TOTAL	<u>\$ 65,682,008</u>

SECTION 3. The General Fund Budget for the 2023 calendar year is hereby set at **\$66,881,020** and appropriated to the following departments, as more fully detailed in the attached Exhibit A:

Department of Public Affairs	\$21,589,647
Department of Accounts and Finance	\$25,419,371
Department of Public Safety	\$ 8,786,394
Department of Public Works, Parks & Property	\$ 5,754,608
Operating Transfers	\$ 5,331,000
TOTAL	<u>\$66,881,020</u>

SECTION 4. The State Liquid Fuels Tax Fund for the 2023 calendar year is hereby set at **\$1,210,686** with detailed appropriation described in greater detail in Exhibit A, "City of Chester, Delaware County, Pennsylvania, 2023 Budget".

SECTION 5. The Special Revenue Fund for the 2023 calendar year is hereby set at **\$50,000** with detailed appropriation described in greater detail in Exhibit A, "City of Chester, Delaware County, Pennsylvania, 2023 Budget".

SECTION 6. The Debt Service Fund for the 2023 calendar year is hereby set at **\$9,164,265** with detailed appropriation described in greater detail in Exhibit A, "City of Chester, Delaware County, Pennsylvania, 2023 Budget".

SECTION 7. The DCCC Fund for the 2023 calendar year is hereby set at **\$408,000** with detailed appropriation described in greater detail in Exhibit A, "City of Chester, Delaware County, Pennsylvania, 2023 Budget".

SECTION 8. The Capital Improvement Fund for the 2023 calendar year is hereby set at **\$0** with detailed appropriation described in greater detail in Exhibit A, "City of Chester, Delaware County, Pennsylvania, 2023 Budget".

SECTION 9. That any Ordinances conflicting with this Ordinance be and the same is hereby repealed insofar as the same affects this Ordinance.

On motion of Councilor West, seconded by Councilor Morgan, Bill No. 6, 2022 was passed on its First Reading.

Councilman Morgan says in regards to the Capital Improvement Fund, the City of Chester does have Capital Improvement needs but within looking at the Budget and at all of our other funding sources we are looking to pull from those other funding sources to complete Capital Improvement Projects here in the City of Chester in 2023.

Councilman Roots says we are making a motion to pass this on the First Reading.

Mayor Kirkland and Councilman Morgan says yes.

Councilman Roots says the adjustments that we had talked about that we reviewed this month are included in here.

Councilman Morgan says no. There will be minor adjustments prior to the Final Reading and the Final Reading will be at the Budget Hearing on the December 28.

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

BILL NO. 7
ORD. __, 2022

AN ORDINANCE
FIRST READING

AN ORDINANCE OF THE CITY OF CHESTER, DELAWARE COUNTY, COMMONWEALTH OF PENNSYLVANIA, PRESCRIBING THE NUMBER, DUTIES AND COMPENSATION OF THE EMPLOYEES OF THE CITY OF CHESTER FOR THE YEAR 2023, DIRECTING PAYMENT ON AN ANNUAL BASIS; PRESCRIBING THE METHOD AND TIMES OF PAYMENT; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT THEREWITH.

On motion of Councilor West, seconded by Councilor Morgan, Bill No. 7, 2022 was passed on its First Reading. The following vote was taken: Yeas: Williams, Morgan, West, Roots, Mayor Kirkland. Nays: 0

BILL NO. 8
ORD. __, 2022

AN ORDINANCE
FIRST READING

AN ORDINANCE OF THE CITY OF CHESTER, DELAWARE COUNTY, PENNSYLVANIA, PURSUANT TO THE AUTHORITY GRANTED BY THE HOME RULE CHARTER, REENACTING WITHOUT SUBSTANTIAL CHANGE THE BUSINESS PRIVILEGE TAX FOR THE YEAR 2023, AS SET FORTH IN ARTICLE 307 OF THE CODIFIED ORDINANCES OF THE CITY OF CHESTER, 1978, AS SUPPLEMENTED AND AMENDED, IN ITS ENTIRETY, WHICH IMPOSES A TAX FOR GENERAL REVENUE PURPOSES UPON PERSONS, FIRMS, COMPANIES, AND CORPORATIONS ENGAGING IN CERTAIN BUSINESS WITHIN THE CITY OF CHESTER EXCEPT FOR THE AMENDMENT TO SUBSECTION 307.02(a) ENTITLED "RATE AND BASIS OF TAX" OF SECTION 307.02 ENTITLED TAX FOR GENERAL REVENUE PURPOSES OF SAID BUSINESS PRIVILEGE TAX, TO SET THE SAID RATE OF TAX TO 2.0 MILLS FOR RETAIL AND 3.0 MILLS FOR WHOLESALE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HERewith.

On motion of Councilor West, seconded by Councilor Morgan, Bill No. 8, 2022 was passed on its First Reading. The following vote was taken: Yeas: Williams, Morgan, West, Roots, Mayor Kirkland. Nays: 0

**BILL NO. 9
ORD. __, 2022**

**AN ORDINANCE
FIRST READING**

**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 2023, 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 2023 FOR
GENERAL REVENUE PURPOSES ON SALARIES,
WAGES, COMMISSIONS, NET PROFITS AND
OTHER COMPENSATION EARNED BY
NONRESIDENTS, 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 2023 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.**

On motion of Councilor West, seconded by Councilor Morgan, Bill No. 9, 2022 was passed on its First Reading. The following vote was taken: Yeas: Williams, Morgan, West, Roots, Mayor Kirkland. Nays: 0.

**BILL NO. 10
ORD. __, 2022**

**AN ORDINANCE
FIRST READING**

**AN ORDINANCE OF THE CITY OF CHESTER,
DELAWARE COUNTY, PENNSYLVANIA
PURSUANT TO THE AUTHORITY GRANTED BY
THE HOME RULE CHARTER, REENACTING
WITHOUT SUBSTANTIAL CHANGE FOR THE
YEAR 2023 THE "LOCAL SERVICES TAX", AS SET
FORTH IN ARTICLE 305 OF THE CODIFIED
ORDINANCES OF THE CITY OF CHESTER,
PENNSYLVANIA, 1978, AS SUPPLEMENTED AND
AMENDED, IN ITS ENTIRETY, WHICH IMPOSES**

**A TAX, FOR GENERAL REVENUE PURPOSES,
UPON THE PRIVILEGE OF ENGAGING IN AN
OCCUPATION WITHIN THE CORPORATE LIMITS
OF THE CITY OF CHESTER AT THE RATE OF
FIFTY-TWO DOLLARS (\$52.00) PER YEAR.**

On motion of Councilor West, seconded by Councilor Morgan, Bill No. 10, 2022 was passed on its First Reading. The following vote was taken: Yeas: Williams, Morgan, West, Roots, Mayor Kirkland. Nays: 0

**BILL NO. 11
ORD. __, 2022**

**AN ORDINANCE
FIRST READING**

**AN ORDINANCE OF THE CITY OF CHESTER,
DELAWARE COUNTY, PENNSYLVANIA,
ENACTING THE TAX RATE FOR THE YEAR 2023,
ON ALL REAL PROPERTY AT 9.4041 MILLS AND
FIXING THE LIBRARY TAX AT .4017 MILLS.**

On motion of Councilor West, seconded by Councilor Morgan, Bill No. 11, 2022 was passed on its First Reading.

Councilman Morgan says we are not looking to impose any tax increase on Real Property for 2023. The numbers that were just read are the same millage rate from 2022.

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

**BILL NO. 12
ORD. __, 2022**

**AN ORDINANCE
FIRST READING**

**AN ORDINANCE OF THE CITY OF CHESTER,
DELAWARE COUNTY, PENNSYLVANIA,
AMENDING SUBSECTION 925.021, ENTITLED
"FEES", OF ARTICLE 925 ENTITLED "REFUSE
COLLECTION" OF THE CODIFIED ORDINANCES
OF THE CITY OF CHESTER, 1978, AS
SUPPLEMENTED AND AMENDED BY
INCREASING THE FEE TO \$250 OF SUBPARTS
(a)(1) AND (a)(2); AND TO AMEND SUBSECTION
925.06, ENTITLED "RECEPTACLE CAPACITY AND
WEIGHT", TO INCREASE CAPACITY TO SIXTY-FIVE
GALLONS OR ONE HUNDRED POUNDS WHICHEVER
IS THE LESSER AMOUNT; AND REPEALING ALL
ORDINANCES OR PARTS OF ORDINANCES
INCONSISTENT THEREWITH.**

On motion of Councilor West, seconded by Councilor Morgan, Bill No. 12, 2022 was passed on its First Reading.

Councilman Morgan says many of you may have seen a difference in of change in your weekly pickups from our Trash Vendor, JP Mascaro. We negotiated or amended our current Contract that we have with JP for them to pick up Bulk Trash now in the City of Chester from the households once a week. The City has been taken on that cost along with other costs as well that has been increasing over the years for trash pick-ups and bulk trash dumping as well that our Public Works team does. We are looking to increase the rubbish fee from \$225 to \$250. Which is a \$25 difference that is being considered for 2023. Quite frankly it's not really what the increase should be. The City is still in a red...at a

loss when paid for its trash hauler and for the bulk trash of dumping at Delaware County Solid Waste. But we have to unfortunately increase this fee to save some of the blow from the City of Chester. So, we are looking to increase it from \$225 to \$250.

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

Mayor Kirkland says on last Monday at 3:15p, we held an Executive Session to discuss our Budget.

Public Comment

Livia Smith says for clarity of the \$250 Rubbish Fee increase. How does bulk waste fit in? Bulk waste will be picked up when? You don't have to go through the procedures of: call here, come and get my trash at a particular time...

Councilwoman West says it is on your regular trash day. So, if your trash day is on Friday, then what you can do is put out one piece of bulk per week.

Livia Smith says so no need to call anymore for bulk?

Councilwoman West says right.

Livia Smith says as she was coming over here tonight, she noticed on Flower Street, that it seems to be a parking lot for RVs and tracker trailers and when coming out of 6th Street it's hard to see around those corners and Flower Street gets a lot of traffic. Is that a designated parking spot for big hauler trucks, RVs and campers on that particular street?

Mayor Kirkland says no it's not. We have had our police officers go down and address that from time to time. Some of the residents have posed a question on why those vehicles are there. They just started back appearing again, so we will have to address it again.

Livia Smith says so if you want to send an officer there tonight... because on my way here, I noticed all those trucks and RVs. She also wished everyone a Merry Christmas.

Dr. Nolan L. Fontaine says he wanted to acknowledge that it says City of Chester out front but this is the land of the Okehocking and Lenni Lenape.

Mayor Kirkland clarified Florence Drive?

Dr. Fontaine says Lamokin Village Projects.

Dr. Fontaine says he saw the report the other day from Mr. Kapoor and Mr. Doweary and he would like to know regarding next week, if Mr. Doweary and Mr. Kapoor could be granted subpoena power so we can get to the bottom of what is really going on regarding finances and the bankruptcy. He would like to know who he would direct that to, in terms of addressing letters. City Solicitor Schuster suggested Dr. Fontaine obtain legal counsel, that's a legal matter and it is your prerogative to do what you see fit.

Dr. Fontaine says who would that go to once legal counsel is obtained? If we want to make those notes and everything, would that go to the Office of the Receiver? Would it go to Harrisburg? Would that go to the County? What I am looking for is some direction of who we would be able to direct those inquires to.

Solicitor Schuster says it could be any one of those you suggested. I really can't give you legal advice on this.

Dr. Fontaine says I am not asking for legal advice, I am just asking for direction Mr. Schuster.

Solicitor Schuster says it could be the Commonwealth Court. It could be the Receiver. It could be City. It could be the County. It could be DCED any number of those agencies.

Darrell Jones says he has four questions. When will the 2019 audit be completed? Why can't we be more caught up on audits? Have you put safeguards in place so that you can prevent further hacks? The Widener parking agreement... what is Council's relationship with the Receiver? I listened to that meeting and it seems like they are only talking to Mr. Roots.

Councilman Morgan says the 2019 audit was due to be wrapped up about 3 weeks ago but because of the bankruptcy filing there has to be some notations in the 2019 audit about the bankruptcy, so I know the Solicitor and other counsel have an upcoming meeting this week.

Solicitor Schuster says Friday at 11 AM.

Councilman Morgan says we've had other discussions so that the notations in the 2019 audit can include the bankruptcy filing so it should be completed in the coming weeks, but it should have been done in November, but because of the filing we had to add this new information. As far as safeguards from hacks, the measures we have taken thus far we have increased our internal controls, just speaking with the banks, the bank or the main bank we use at least. To make sure we are adding additional controls from the banking side. Then from our side, internally as well, we are looking for additional approvals and other eyes that are going as far as when the wires and/or transfers are being initiated and/or approved. So, there has been some internal changes with the department and within the financial institution we use. Myself, I have taken two cyber courses and things like that, cyber trainings. Individuals in the finance department have been instructed to take the cyber courses as well. In 2023, we are looking to spend quite a bit of money on our IT system here...[it's] very outdated, very accessible to hackers that continue to come in. Almost daily, we receive emails asking for direct deposit changes and things like that and this is going to continue to happen until we strengthen our IT infrastructure here. We have quite a bit of money that we're allocating through the American Rescue Plan that will improve those measures but will hopefully reduce them entirely as well. I hope I answered your question.

Darrell Jones says is your COO and Receiver working with you to help do that?

Councilman Morgan says yes, been working with Chief Lightner with all of those things. Yes.

Mayor Kirkland says regarding the parking agreement stating, I have it right here. This was something that was signed by the Receiver and Widener University. Our legal staff had no input in dealing with this agreement. We are going over the agreement as we speak to try to find out exactly if this is enforceable or not. So, we are looking at this as we speak. As far as the Receiver and who he is communicating with, Councilman Morgan and I meet with the Receiver bi-weekly on our MFRCA meetings and we meet with him bi-weekly, here in City Hall on other matters. You may have read or saw or heard an agreement that was between both Councilman Roots and the Receiver, we're dealing with this on a legal level right now.

Darrell Jones says I know you're fighting with one hand tied behind your back, but I know everybody up there and they are trying to make you look incompetent and unprofessional so I don't know who your legal counsel is but I would like to see you fight back. Fight back. You're better than what you are being portrayed.

Mayor Kirkland says Mr. Jones you will see a lot of that, what you just witnessed by way of the Receiver, there are a lot of inconsistencies in that report. We'll address them. They will be addressed with both hands.

Solicitor Schuster says for the record the Solicitor's Office requested participation in the MFRCA meeting and was declined permission to participate by the Receiver.

Ms. Geraldine Thomas says she wants to piggyback on the rubbish increase of \$25...ok, taxpayers are paying that money so what about the illegal dumping that's happening and the stuff that does have to be cleaned up. You are going to have to do something about the dumping...illegal dumping. Over in my neighborhood, they clean it up and right this minute it's clean but I am sure by next week it will be trashed again. We need to get some cameras or something to see who is doing this dumping. Because taxpayers are paying their share but then the illegal dumping is being picked up by the City and taxpayers.

Mayor Kirkland says we have cameras in some areas. In some areas businesses have cameras and our law enforcement personnel have asked to look at those cameras and they have refused to allow them access to those cameras. In some instances, some folks see them. Councilwoman West caught some illegal dumpers and approached them, which she should not

do, but...so we are out there trying to fight this from both ends. Hopefully, we will get some funding to get some more cameras and we are also going to need the help from the public.

Councilwoman West says I agree with the Mayor and stated she lives in the area of Howard Street and it is just horrendous. Mr. Alexander and our crew are constantly out there cleaning that area out. But then you have an apartment building right there (inaudible) and then you have houses on the other side of that street, Howard Street, in that area and I just don't understand how it's an illegal dumpsite, why the residents are not vigilant in terms of looking out, I don't know. Where I live, my street, we are always looking out, always, and we will call if something is wrong.

Ms. Thomas says on my street, it's a dead end and I really can't see. Unless, I actual go out my house, go down to the corner and look down the street.

Councilwoman West agreed stating your area is different. But there are a lot of areas where we have people living around those sites.

Ms. Thomas says her initial question was going to be about the bridge on 7th Street and stated I see that the heavy equipment is not there any longer.

Mayor Kirkland says next week.

Ms. Thomas says she was just hoping that Ridley Park didn't get their new bridge before we got ours.

Mayor Kirkland says I am glad you said something about the bridge Ms. Thomas, when you're finished, I will ask Mr. Galante to come up and give us an update on our bridges.

Someone in the audience states something but it is inaudible and the Mayor responds, "I said it three times... I said name and address...I said it three times, Mr. Galante?"

Female voice from audience is inaudible says something about putting her address down on the paper.

Mike Galante, City Engineer says he wants to focus on the bridges that are being repaired or are in need of repair. The 7th Street Bridge is a County owned bridge and it scheduled to be reopened on December 20th, there is a ribbon cutting at 2 o'clock. Unfortunately, when they closed down 7th Street Bridge, they also closed the 6th Street Bridge. 6th Street Bridge we are still looking for funding, we want to get that bridge rehabbed. We sent requests over to the State to the Bridge Bill to try to get funding, but that is still a bridge we need funding for. The other bridge of note, is Lloyd Street Bridge, we are in the final design stages. I know I've said final design multiple times, but we're at the point now that we are negotiating land easements and working on getting the super structure 100% approved by PennDOT. Once, that's done, we will enter into bidding then a construction phase. The funding is allocated so we are just working on getting ready for construction and into production for the new bridge. Finally, the Chester Park Bridge, that is also another bridge that we submitted to Harrisburg on a Bridge Bill and waiting to hear back but we are actively seeking funding, so the status of the bridges: we have one scheduled for construction, one that is going to be open, two that need funding and a majority of the bridges over 95 were repaired during the pandemic, so all those bridges are brand new and operating.

****Public Comment addresses are in the City Clerk's Office**

MAYOR AND COUNCIL REMARKS

Councilman Roots says thanks Mayor and Council for approving the resolution for allowing the pool to get finished. For those of you that don't know, it was a two-phase project. This summer's phase one was basically focused on the water quality. So that was improved this summer. But the big work is going to be done in preparation for next summer, as you can see or as you may heard \$300,000, nearly \$300,000 has been invested in Memorial Park Pool. The majority of that money is going to resurface that pool which hasn't been done since it opened in 1999. The baby pool will be opened. And most importantly to many people who don't swim and may use the facility throughout the year, the bathrooms and showers will be updated. What we will have at the end of this, is a pool and pool house that's totally up to standard, so I'm really excited about that. That's number one.

Number two, let's talk about Roots and the Receiver on Tuesday. Mr. Jones brought it up, so let me just explain what happened, because I've gotten phone calls and some questions and a lot was said, so I am just going to kind of summarize it in 3 minutes.

So, for those of you who don't know the Receiver is taking us to court, to take over the administrative duties of the City. And I'll just be really fair, all of us up here said hell no. Now, what we're not agreeing to is how we are going to go about it. He gave us an opportunity to negotiate what he filed. We sat in a room, we figured something out, we presented it to him, he said hell no. At that point, I took it upon myself because there were a few things I would have liked to have seen in our agreement that wasn't in there. I agreed to sit with him. It wasn't that he called me. I asked to sit with him, he agreed. Basically, there's only three things that we worked out in that agreement. Number one was in no particular order, I got to come up with an order huh? Roots sighs...the first one he wanted total control of ever decision that is made out of this building and none of us agreed with that. What we negotiated was that **we** would be involved in those decisions, policies, procedures and what have you, he agreed with that... tacked on that if we don't agree between this body and the Receiver that it would go in front of a judge and he or she will have 21 days to make a decision on that.

The second thing, which is really important to all of us, is the departments that we direct. It appears that the Receiver wants to strip us of all of our responsibilities with regard to our departments, basically he wants to send us home on vacation. We'll still be City Councilmembers, but we won't be in charge of our departments. What was negotiated with the Receiver is that, in lieu of running the departments as they are set up currently, we would create committees. So, to give a very simple example, my department is Public Property and Recreation, so we can imagine having two committee. One being Public Property. One being Recreation. Both shared by a Councilperson and what really excites me about this opportunity is that this is a chance to get the community involved in these communities to help make these decisions, to help make these policies. Once, they come out of the committees, it has to come to this body to agree, to vote on and the Receiver wants a piece of that as well. In addition to that, I said there's three...I'd say two point five. Is the administration part, it's the staff, it's the people who work here in the building. One of the things that the Receiver finds to be a problem is that fact that the five of us here, we have people that we manage, and as you can imagine if you have five people managing our own groups of people, we all have our management styles. We all do things differently, as a result of that, the entire body of the employees in the City, may have different directions or directives. What the Receiver would like to do is roll everything up under one boss, if you will, and that would be the Chief of Staff. We don't have a Chief of Staff now, but the idea is to move our Chief Operating Officer to Chief of Staff. The Chief of Staff is just that the chief of the staff, so everybody would report to one person there would be no confusion. In my department, there always confusion, I just have one real employee, he does what I direct him to do but he also does what others direct him to do and sometimes I don't know what those things are. I don't know how well he's accomplishing that. So, it's virtually impossible for me to evaluate or give a performance review for somebody that's doing work throughout the enterprise. So that's the basis of what's going to go on. That agreement between the Receiver and myself was brought back to this body. We decided, as a body, that we don't want to accept that agreement. If we were to accept it, we wouldn't be going to court. But the fact that we don't accept it means that we are going to go to court and let a judge decide.

What I am excited about though is that what's going to be decided at court is not originally what he proposed which was pretty draconian. I think all of us did not want him to have full authority. So, it's going to be, as I just described versus what our hired attorney will be able to argue. The case starts on Monday, it's expected to go three days and we'll see what the judge decides.

Councilman Morgan says I advise everyone to continue to check the website and social media for open position here at the City of Chester. We have a few in the Finance Department, very important positions. Every position here is an important position, but we have positions we are looking to fill so check the website, check the social medias for the ongoing search for those few positions.

I wanted to bring this to the table as well, before the Council meetings we always have a Deliberative, where members of Council are supposed to deliberate, talk, consult, bring up their questions, issues and/or concerns. So, what I would like to say, is that if there's ever a moment that this body, this Mayor and Council, has any questions, comments or concerns about whatever is being proposed on the agenda to please bring that forward rather than letting your thoughts go unheard or go unanswered. Please do that. I think that it will be helpful to all of us, so that we can know how to direct our community, our citizens, our residents, instead of not bringing up what you have in question and leaving us all out to dry and the community as well.

Mayor Kirkland says to your point Mr. Jones, we will be doing the Mayor's progress report. No hands will be tied behind our back, we want the community to know exactly what we've done and what we're doing. I read over that report that was given to me and members of Council and I saw a lot in there that was simply not true and we will address that early next week.

Councilwoman Williams says I went over the message he had on Zoom and I was very upset because he made it look like we don't know anything. That we're not fit for what they want us to do. But we have been under their leadership all this time and we've been doing what ACT 47 has requested us to do. So, they need to look at themselves. He's only been here 2 ½ years, I've been here 50 something years. I worked all my life and I do not appreciate him going to the courts and saying that we're not qualified. When we go to the court, they need to be able to see everybody's resume and what we have done in life. He does not deserve to take over the City of Chester. No one voted for him, they voted for us and I'm taking my stand for my citizens here in the City of Chester.

Councilman Roots says the Mayor asked a question was I represented by Council and the answer is no. (Inaudible) in hind sight that was a mistake. In the future I will take that under consideration.

There being no other business to come before Council, the meeting was adjourned at 8:09pm.

Respectfully submitted,

DECEMBER 14, 2022

Candice Newsome, City Clerk