

**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 10:10 AM with Mayor Kirkland presiding. A prayer was said followed by the Pledge of Allegiance. The roll was called and the following were present:

Mayor Kirkland
William Morgan
Stefan Roots

On motion of Councilor Roots, seconded by Councilor Morgan, the minutes of the previous meeting were approved with correction and submitted. The following vote was taken: Yeas: Morgan, Roots, Mayor Kirkland Nays: 0.

Mayor Kirkland asked for public comment on agenda items only.

Livia Smith asked that Resolution #3 U.S. Legal Support be explained.

Ken Shuster, Solicitor said, the resolution was for the zoning hearing board court reporting service.

Presentations were made regarding Lead Poisoning.

**Rosemarie Halt, Children First PA Attachment #1
Adrian Wood, University of PA
Steve Fischer, CHA and Delaware County Lead Prevention Program
Nasin Hill, OHCD**

Mayor Kirkland announced that if anyone would like to address council, to please sign the sign in sheet on the podium with your name and address.

The Acting City Clerk proceeded with the reading of the Resolutions.

RESOLUTION

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

1. Wilbur H. Carson, 1904 West 4th Street, Chester, PA 19013;
2. Angela Bannister, 4654 Jeffrey Street, Chester, PA 19013;
3. Joyce Payne-Jones, 947 East 14th Street, Chester, PA 19013;
4. Joyce McLaughlin, 1334 Renshaw Road, Chester, PA 19013; and
5. Margaret Wilburn, 1023 Butler Street, Chester, PA 19013;

WHEREAS, after a thorough investigation by the Department of Streets and Public Improvements, it has been determined the aforementioned individual has met all of the required criteria and has 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 1900 Block of West 4th Street, in the 400 Block of Jeffrey Street, in the 900 Block of East 14th Street, in the 1300 Block of Renshaw Road, and in the 1000 Block of Butler Street, in the City of Chester.

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

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby ratify the appointment of the following individuals to the position of Fire Cadet, Chester Bureau of Fire, Department of Public Safety, effective April 6, 2023, at an hourly rate of \$15.00 per hour, on a per diem basis, not to exceed 40 hours a week, with no benefits.

Thomas Sessa
Ryan Ranieri
Jeremy McCans
Matthew Hatton

FURTHER, that the employment of said individuals as Fire Cadets for the City is contingent upon satisfactory completion of all training, evaluations and testing required to graduate the fire academy courses that apply to skills required by the Chester Fire Department.

FURTHER, upon graduation said employment with the City as an Apprentice Firefighter shall be based upon availability.

FURTHER, if employed as a Firefighter for the City of Chester said individuals are required to reside in the City of Chester for the first 5 years of employment. Any Firefighter not residing in the City of Chester must do so within ninety (90) days of their date of hire as a permanent employee, and must submit proof of residency to the Human Resource Department.

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

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby engage the services of U.S. Legal Support, to provide court reporting services to the Chester Zoning Hearing Board, on an as needed basis, in accordance with the terms and conditions as detailed in the proposal dated February 28, 2023.

FURTHER, it does hereby authorize the proper City official to execute the necessary documents to finalize the engagement.

FURTHER, all agreement documents are contingent upon final approval of the City Solicitor.

On motion of Councilor Roots, seconded by Councilor Morgan, the above Resolution was adopted. The following vote was taken: Yeas: Morgan, Roots, 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 specifications for the advertisement of bids for the following:

1. 2023 Summer Food Service Program

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

On motion of Councilor Roots, seconded by Councilor Morgan, the above Resolution was adopted. The following vote was taken: Yeas: Morgan, Roots, 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 a Notice for advertisement of the City of Chester's 2023 Summer Food Service Program.

FURTHER, it does hereby authorize the proper City official to advertise said notice in the Delaware County Daily Times and any other social media outlet used for official City business.

On motion of Councilor Roots, seconded by Councilor Morgan, the above Resolution was adopted. The following vote was taken: Yeas: Morgan, Roots, 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 an advertisement for positions for the following:

1. 2023 memorial Park Pool Monitors and Lifeguards

FURTHER, it does hereby authorize the proper City officials to advertise said positions in the Delaware County Daily times and the City's website.

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

RESOLUTION

WHEREAS, the City of Chester entered into a Parking Lot Lease Agreement (the "Parking Agreement"), dated November 11, 2003, with Rivertown Developers, L.P. and BPG LP VIII Seaport P4 LP, for use of a parcel of land, Folio No. 49-10-00608-00, also known as LOT 4; and

WHEREAS, BPG LP VIII Seaport P4 LP desires to convey LOT 4 to its affiliate Union Sportsplex LLC, for the construction of a Sportsplex; and

WHEREAS, the Parking Lot Lease Agreement prohibits certain uses of said property without the City's prior consent; and

WHEREAS, the City is eager to increase the economic development along the Waterfront District.

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

That it does hereby approve the transfer of ownership of that certain parcel identified as Delaware County Tax Folio Number 49-10-00608-00, also known as Lot 4 from BPG LP VIII Seaport P4 LP, to its affiliate, Union Sportsplex LLC.

FURTHER, it does approve the assignment of the Parking Agreement from BPG LP VIII Seaport P4 to Union Sportsplex, LLC, for commencement of construction of the Sportsplex on Lot 4 prior to the Parking Agreement expiration date of November 10, 2023, subject to terms and conditions as outlined in the contained within this Resolution.

Councilman Morgan comment, the Resolution is to get us out of the agreement with the Sportsplex, so they can start working on their parking lot project for the Sportsplex sports field. In 2024 the field house should be completed. This will add another asset to our waterfront.

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

Councilman Morgan said Resolution #5 was skipped. Resolution was read.

RESOLUTION

WHEREAS, Veterans Memorial Park, located at 7th and Engle Streets, parcel #49100043700, (hereinafter referred to as “Memorial Park”) is owned by the City and has experienced longtime flooding problems; and

WHEREAS, the Stormwater Authority of the City of Chester, (hereinafter referred to as “Authority”), proposed the construction of a regional stormwater control basin also known as the Veterans Memorial Park Regional Stormwater Facility (VMPRSF” or “Stormwater Facility”), to target both flood control and water quality benefits, in the area downstream between the existing railroad tracks and the Delaware River, which experiences flooding that impact both structures and roadways; and

WHEREAS, the VMPRSF will result in water quality improvements and reduced regional flooding by creating a stormwater basin designed as a wet pond that will add additional nutrient removal benefits; can hold and control the flow rate discharging to the railroad culvert; and will include a forebay for sediment/debris control; and

WHEREAS, the VMPRSF will be enhanced with improvements to integrate the Stormwater Facility into the park surroundings and provide interactive and educational opportunities to the community with improvements that include a walking path, boardwalk and overlook, aeration fountains, lighting and tree plantings; and

WHEREAS, the Authority desires to obtain from the City a permanent easement and permanent access easement (collectively “Easement”) and the “Easement Area: shall run across, through upon the surface of, over, and under a part of Memorial Park.

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

That it does hereby authorize a permanent easement and permanent access easement to the Stormwater Authority of the City of Chester for the Authority and its agents and assigns to have the right to gain permanent access to Veterans Memorial Park for the sole purpose of permitting the Authority, its successors, and assigns to construct, reconstruct, install, repair and maintain the Stormwater Facility, together with the walking path, boardwalk and overlook, aeration fountains, lighting, tree plantings and any other necessary appurtenances (collectively the “Stormwater Improvements”), along and under Veterans Memorial Park, but not extending beyond the Easement Area of 6.02 acres which includes the size of the stormwater basin and related improvements that comprise the VMPRSF.

Councilman Roots said, that was a lot of words to say that the Stormwater Authority wants to build a lake in Memorial Park for the purposes of controlling flooding. He said, they want to add water to mitigate flooding; which would eliminate the soft ball fields. He said there’s good and bad with the project; the good is cleaning up flooding water before it goes out into the river; the bad is, it doesn’t have to be a lake to accomplish this. He said, it can be a dry basin; for example, next to the Access Center at 7th & Booth. He said, Delcora is putting in a pipe to mitigate flooding although it is not built for the 100-year flood. He said, he would leave it up to the residents to say if that’s what they want in Memorial Park.

Mayor Kirkland said, this is called a full catch basin, not a lake. He said, they have been working with the Stormwater Authority for the past few years. He said, when there is a serious rain you would see that it is a great possibility that our young persons could drown. The water is also flooding homes in the that area on a constant basis. The control catch basin will alleviate most if not all of the flooding and it will be a controlled setting where our children wouldn't have to worry about drowning. Delcora has not spoke with the council about their proposal of mediating flooding in that area. We have the designs that this would not impact our baseball fields. We are encouraging the Storm Water Authority to invest in beautifying the baseball fields. He has the plans and would be more than happy to share them.

Councilman Morgan said, he thinks that this will remediate some of the flooding problem if not all of the flooding problem. Some residents may not want this, but they are not the residents living there. He said one thing that they talked about was making sure that the size of the project did not remove softball field in Memorial Park. It will beautify Memorial Park and have an educational component to it.

On motion of Councilor Roots seconded by Councilor Mogan, the above Resolution was adopted. The following vote was taken: Yeas: Morgan, Mayor Kirkland. Nays: 1Roots

RESOLUTION

WHEREAS, State and local governments, including the City of Chester have been pursuing investigations and litigations against certain manufacturers, distributors, and retailers of opioid pharmaceuticals in an effort to hold the opioid defendants financially responsible for the significant financial impact the opioid epidemic created; and

WHEREAS, Negotiations to settle claims against several of the opioid defendants have been ongoing for several years; and

WHEREAS, there is a new national opioid settlement with five new proposed national opioid defendants; and

WHEREAS, in order to be a part of the settlement, the City of Chester has to submit a Participation Package.

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

That it does hereby authorize the submission of the Participation Package as a part of the Commonwealth of Pennsylvania's participation against the five new proposed defendants in the new national opioid settlements.

FURTHER, it does authorize the Mayor to sign any document pertaining to this settlement for and on behalf of the City of Chester.

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

AN ORDINANCE

AN ORDINANCE OF THE CITY OF CHESTER, DELAWARE COUNTY, PENNSYLVANIA, OF THE CODIFIED ORDINANCES OF THE CITY OF CHESTER, 1978, AS SUPPLEMENTED AND AMENDED TO PROVIDE FOR THE AMENDMENT OF ARTICLE 925 ENTITLED "REFUSE COLLECTION"; BY AMENDING THE INDEX TO CORRECT SECTION 925.04 TO READ AS

“COMMINGLING ASHES, GARBAGE AND RUBBISH”; BY AMENDING SECTION 925.021, ENTITLED “FEES” UPDATING THE CUBIC FEET OF REFUSE COLLECTION; BY UPDATING SUBSECTION (b) AND (c) OF SECTION 925.023, ENTITLED “DELINQUENCIES”; BY AMENDING SECTION 925.04, ENTITLED “COMMINGLING ASHES, GARBAGE AND RUBBISH” PROVIDING FOR ACCEPTABLE DISPOSAL METHOD; BY AMENDING SECTION 925.05, ENTITLED “ACCEPTABLE RECEPTACLES” PROVIDING FOR THE RESPONSIBILITY OF PROVIDING RECEPTACLES AND DESCRIPTION OF ACCEPTABLE RECEPTACLES; BY AMENDING SUBSECTION (c) AND (e) AND ADDING NEW SUBSECTIONS (f) AND (g) OF SECTION 925.07, ENTITLED “REFUSE PREPARATION FOR DEPOSIT OR COLLECTION” PROVIDING FOR ACCEPTABLE RECYCLING CONTAINERS, AND MATTRESS PLACEMENT, BY ADDING ACCEPTABLE PLASTIC BAG PLACEMENT AND FOR MULTI-FAMILY PROPERTY OWNER RECEPTACLE PLACEMENT; BY AMENDING SUBSECTION (c) OF SECTION 925.08, ENTITLED “RECEPTACLE LID, SANITATION AND CONDITION” PROVIDING FOR MINIMUM RECEPTACLE REQUIREMENTS: BY AMENDING SUBSECTION (a) AND ADDING SUBSECTIONS (c) AND (d) OF SECTION 925.10, ENTITLED “RECEPTACLE PLACEMENT FOR COLLECTION” PROVIDING FOR THE PROPER PLACE FOR RECEPTACLE PLACEMENT, IDENTIFYING RESPONSIBLE FOR WAST PRIOR TO COLLECTION AND PROHIBITING PRIVATELY CONTRACTED COLLECTORS FROM DEPOSITING MUNICIPAL WASTE AT THE POINT OF COLLECTION OR IN THE RIGHT-OF-WAY: AMENDING SUBSECTIONS (a) AND (b) OF SECTION 925.12, ENTITLED “MAXIMUM RECEPTACLES PER RESIDENTIAL UNIT, PROVIDING FOR THE USE OF TWO (2) 65 GALLON REFUSE RECEPTACLES; AMENDING SECTION 925.13, ENTITLED “NO HOLIDAY COLLECTION”, PROVIDING FOR WHERE TO LOCATE THE HOLIDAY SCHEDULE; AMENDING SUBSECTION (d) OF SECTION 925.15, ENTITLED “SEPARATE COLLECTION OF RECYCLABLE ITEMS FOR RECYCLING PURPOSES “, PROVIDING FOR THE PLACEMENT OF RECYCLABLE ITEMS; AMENDING SUBSECTION (b) OF SECTION 925.99, ENTITLED “NONCOMPLIANCE; REMEDY BY CITY; PENALTY” PROVIDING IDENTIFICATION OF THE PROPER PARTY TO AUTHORIZE THE CITY TO ABATEMENT OF A VIOLATION; AND ADDING NEW SECTIONS 925.100 THROUGH 925.106, PROVIDING FOR PRIVATE COLLECTION AND DISPOSAL RESPONSIBILITY AND COLLECTION; TRANSPORATION; THE IDENTIFICATION OF APPROVED DISPOSAL FACILITIES; THE DISPOSAL OF PERSONAL WASTE AND HAZARDOUS WASTE AS DEFINED BY THE

**PENNSYLVANIA SOLID WASTE MANAGEMENT
ACT; ENFORCEMENT; TICKET APPEAL
REQUIREMENTS; SEVERABILITY; FINES,
VIOLATIONS AND PENALTIES; AND REPEALING
ALL ORDINANCES OR PARTS OF ORDINANCES
INCONSISTENT THEREWITH.**

Councilman Roots stated there is one correction in what was read, 2, 65- gallon cans should read 3, 65- gallon cans.

Councilman Roots said, this is one of the first major moves that mayor and council has made to address liter control in the city. It addresses how we put trash out and how trash gets picked up. He said, what was read is what has been changed from the old to the new. There has been a lot of stuff included. It is Council's responsibility to make sure is that everyone is familiar and that everyone is educated, by making it available on the website for everyone to see. He said, they are really proud of the work that was done on this ordinance by Mayor and Council.

Councilman Morgan agreed with Councilman Roots. He said it is updating the ordinance so it can be properly be enforced. He said they are trying to remove the day when neighbors put trash bags on the ground and the days of different trash cans being put out. They are trying to unify and uniform the city with providing all the owner-occupied residents with 65-gallon receptacles. He said this is what is being done with some of the funds from the American Rescue Plan funds. Also, to provide more language in the ordinance for when trash cans should be put out and when they should be brought in.

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

AN ORDINANCE

**AN ORDINANCE OF THE CODIFIED ORDINANCES
OF THE CITY OF CHESTER, DELAWARE
COUNTY, PENNSYLVANIA, 1978, AS
SUPPLEMENTED AND AMENDED, TO ENACT
ARTICLE 1714, ENTITLED "LICENSING
RESIDENTIAL RENTAL UNITS" TO PROVIDE FOR
THE ESTABLISHMENT OF RIGHTS AND
OBLIGATIONS OF OWNERS AND OCCUPANTS
RELATING TO RESIDENTIAL RENTAL UNITS, TO
PROVIDE FOR REGISTRATION, LICENSES, AND
APPEALS PROCESS, ENFORCEMENT AND
PROVIDING FOR SEVERABILITY, REPEALER,
CODIFICATION AND EFFECTIVE DATE; AND
REPEALING ALL ORDINANCES OR PARTS OF
ORDINANCES INCONSISTENT THEREWITH.**

Councilman Roots said if you're a landlord you will want to get your hands on this and understand it. If you're a tenant the same.

Councilman Morgan said, in simple terms "we coming". If landlords haven't taken ownership and responsibility of their properties, these landlords will be held more accountable and responsible for their properties. The ordinances are to strengthen the laws on the books. We want to beautify and better the quality of living here in the city of Chester.

Mayor Kirkland thanked Chief Lightner for helping them through this process and for putting mechanisms in place to help the residents have a better understanding what their responsibilities are.

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

AN ORDINANCE

AN ORDINANCE OF THE CITY OF CHESTER, DELAWARE COUNTY, PENNSYLVANIA, TO ENACT NEW ARTICLE 1715, ENTITLED “PRE-SALE INSPECTION OF RESIDENTIAL PROPERTIES AND UNITS” OF THE CODIFIED ORDINANCES OF THE CITY OF CHESTER, 1978, AS SUPPLEMENTED AND AMENDED, TO PROVIDE FOR THE PURPOSE AND INTENT OF REQUIRING AN INSPECTION OF ALL RESIDENTIAL PROPERTIES AND UNITS PRIOR TO THE TRANSFER OF TITLE AND PROVIDING FOR THE COMPLIANCE AND ABATEMENT OF VIOLATIONS; GUARANTEE, SEVERABILITY, FEES AND PENALTIES FOR REAL PROPERTY WITHIN THE CITY OF CHESTER; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT THEREWITH.

Councilman Roots said, this ordinance is relates to property owners. If you own a home or store and you are looking to transfer or sale, there are new processes that you will go through to improve health and safety to make sure that what you are transferring or selling is up to code.

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

AN ORDINANCE

AN ORDINANCE OF THE CITY OF CHESTER, DELAWARE COUNTY, PENNSYLVANIA, REPEALING ARTICLE 1746, ENTITLED “DEFAULTED VACANT AND MORTGAGE PROPERTY”, IN ITS ENTIRETY, AND ENACTING NEW ARTICLE 1746 OF THE CODIFIED ORDINANCES OF THE CITY OF CHESTER PENNSYLVANIA, 1978, AS SUPPLEMENTED AND AMENDED, ENTITLED “DEFAULTED VACANT AND ABANDONED REAL PROPERTY” TO PROVIDE FOR PURPOSE, INTENT AND APPLICABILITY REQUIRING THE REGISTRATION, INSPECTION, MAINTENANCE AND SECURITY OF CERTAIN REAL PROPERTY BY OWNERS OR MORTGAGEES, PROVIDING FOR FEES, PENALTIES AND ENFORCEMENT, AS WELL AS THE REGULATION AND RE-OCCUPANCY OF REHABILITATED STRUCTURES WITHIN THE CITY OF CHESTER; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT THEREWITH.

Councilman Roots said, this is the strong start to address blight and abandoned buildings head on.

Mayor Kirkland thanked Chief Lightner for enlightening them and providing them with this information and these ordinances to help them better govern and maintain the community.

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

Clerk went back and read Bill #4

AN ORDINANCE

AN ORDINANCE OF THE CITY OF CHESTER, DELAWARE COUNTY, PENNSYLVANIA, REPEALING ARTICLE 1131, ENTITLED “LEAD POISONING CONTROL”, IN ITS ENTIRETY, AND ENACTING NEW ARTICLE 1716 OF THE CODIFIED ORDINANCES OF THE CITY OF CHESTER PENNSYLVANIA, 1978, AS SUPPLEMENTED AND AMENDED, ENTITLED “LEAD POISONING PREVENTION AND LEAD HAZARD CONTROL” TO IDENTIFY AND ELIMINATE LEAD SOURCE HAZARDS; TO PROVIDE FOR INSPECTIONS, REMEDIES AND ENACT AN APPEALS PROCESS FOR REAL PROPERTY WITHIN THE CITY OF CHESTER; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT THEREWITH.

Councilman Morgan said, correction, bill #6 was read not bill #4.

Councilman Roots said, he was really appreciative of all the people who spoke on behalf of this ordinance. He said indoor lead is a big deal. We need to stay conscious of lead and need to make resources available and be sure that our children get tested on a regular basis.

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

AN ORDINANCE

AN ORDINANCE OF THE CITY OF CHESTER, DELAWARE COUNTY, PENNSYLVANIA, OF THE CODIFIED ORDINANCES OF THE CITY OF CHESTER, PENNSYLVANIA, 1978, AS SUPPLEMENTED AND AMENDED, ADOPTING THE 2018 EDITION OF THE INTERNATIONAL FIRE CODE, INCLUDING APPENDIX CHAPTER A, ENTITLED “BOARD OF APPEALS; CHAPTER B, ENTITLED “FIRE-FLOW REQUIREMENTS FOR BUILDINGS’ CHAPTER C, ENTITLED “FIRE HYDRANT LOCATIONS AND DISTRIBUTION; CHAPTER D, ENTITLED “FIRE APPARATUS ACCESS ROADS’ CHAPTER E, ENTITLED “HAZARD CATEGORIES”; AND CHAPTER F, ENTITLED “HAZARD RANKING”, REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE EXPLOSION

HAZARDS ARISING FROM THE STORAGE, HANDLING, AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES AS HEREIN PROVIDED; PROVIDING FOR ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; AND EACH AND ALL OF THE REGULATIONS, PROVISIONS, PENALTIES, CONDITIONS AND TERMS OF SAID FIRE CODE ON FILE IN THE OFFICE OF THE FIRE MARSHALL, CITY OF CHESTER BUREAU OF FIRE, ARE HEREBY REFERRED TO, ADOPTED AND MADE PART HEREOF, AS FULLY SET OUT IN FULL IN THIS ORDINANCE, WITH ADDITIONS, INSERTIONS, DELETIONS AND CHANGES; AND REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

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

Ken Shuster thanked Mayor and Council, Chief Lightner, Fire Commissioner, Police Commission and Gary Collins for their collaborate effort on this ordinance.

Mayor Kirkland said if you would like to address Council, please sign your name and address on the sign in sheet on the podium

Proclamation/Presentation

Building Safety Month Attachment #2

Mayor Kirkland thanked the young people for their patience while sitting quietly during the lengthy council meeting.

Lady Clippers Achievement Winning the 4x200 Attachment #3.

\$5,000.00 Donation to Purpose Performers Dance Team

American Red Cross – Duane Lee introduced Dana James, Area Account Manager for Blood Drives June 12, 2023 City Hall

Ms. King Covid Update/Vaccine, Booster and Flu Shot Clinic/Medical Assistance Information – Attachment #4

Rosetta Carter, Community Health Director said, we're able to do the vaccines because of the Black Equity Coalition who serves underserved community such as Chester. City of Chester received a \$10,000 grant from them for doing a great job in Chester. They are looking to give a \$10,000 grant to the Juneteenth Celebration.

Rosetta Carter - Medicaid Changes Attachment #5

Public Comment

Hailey Gerena thanked Receiver Dowery for his work on the MFRAC meeting. She said, it takes putting pride and egos aside and work collaboratively to work with the Receivers team. She said everyone should work together for the greater good of the community. She said the city need to get its act together collaborate and do what's right for the residents. She said, come out and vote May 16th because it may be the last chance to do so.

Leola Williams said, **all** roads led to Chester, the only city in Delaware County and should always remain a full city in the county. We should not allow anyone to take the city apart. She said we should recognize what's **good** in Chester. we should be concerned about **schools** as well as homes. We should be about school funding from the state. **No** take aways, she said don't bring things that we don't need to Chester; if you want to bring something to Chester, bring money. She said she want all roads to still lead to Chester.

Livia Smith asked Councilman Roots about stating that the Stormwater project was a lake. She asked, Councilman Roots will Delcora pipes control the overflow.in Memorial Park?

Councilman Roots said, he was told by Delcora that it doesn't take a large body of water to take care of the flooding in Memorial Park. He said, you could go to the access center on 7th & Booth to look at the dry basin that would adequately control the flow, clean the water and enter into the pipe that Delcora said would help. He said, we are not looking at alternatives to resolve the flooding.

Livia Smith said, in reference to disincorporation, Chester could be divided into many different parcels. She said it is sad that you would treat your mother, the mother of cities; the oldest city in PA and people coming to want to help the mother, this is a poor showing of how you help your mother.

Adelaide Evans asked why there was no expenditure list this time.

Councilman Morgan said, the person who provides this info was not available. He said, at the next council meeting they will have a range that they will approve. She asked if there were any progress on the truck stop on 7th and Flower Street? She was told at the last Council meeting by the Mayor, that trucks were not parked down there everyday.

Commissioner Gretskey said, he and Mr. Lightner are working out details in regards to dealing with everything related to trucking. They are working on putting a plan in place. (Audible)

Adelaide Evans asked why are we using unnecessary money to fight the bankruptcy.

Ken Shuster said, there has not been one dollar spent by the city of Chester to fight the bankruptcy.

Adelaide Evans asked where she could get that information.

Ken Shuster said, she could file a right to know request.

Adelaide Evans asked about resolution #7. A lease agreement. Is it a lease agreement or ownership? And how much is the lease agreement?

Ken Shuster said, it is a lease agreement.

Resolution #8 the project in Memorial Park. She said she lives down the street and never saw flooding in Memorial Park. Can you explain how this will benefit the residents? She said lighting is needed.

Mayor Kirkland said, there has been flooding in the Memorial Park area on numerous occasions. The goal is to alleviate the flooding in that area as well as the homes and businesses in that area. He said, he along with other council members visited Philadelphia and saw a catch basin; how it's designed. We are still in conversation with the Stormwater Authority in regards to liability as well as the fencing.

Amin Abdul Saleem said, there are those climbing over the walls into leadership and not come through the proper gates. He said, mayor said promise made promise kept. He wanted to tie it into God's word.

Sylvia Richbow commented about the parking at the soccer stadium. When there are events there's nowhere to go.

Councilman Morgan said, this was brought to his attention last week. He will address the issue with the soccer stadium.

Sylvia Richbow asked if they would be able to still park at the stadium during games.

Mayor Kirkland said, he would say no, because it becomes a liability to them.

Sylvia Richbow asked about the Memorial Park project. She asked is there somewhere for the kids to be relocated? Once work starts, where will the kids go. They have nothing to do.

Mayor Kirkland said, progress is never a pretty situation. There were persons who were upset about the progress on 9th Street. They are trying their best to get out of the way. He said, I would encourage them to do what they have to do, so they can get out of the way.

Sylvia Richbow asked about Bill #4. She asked, who does the appeal process apply to in Ordinance #4?

Ken Shuster said, anyone who is cited under the ordinance.

Sylvia Richbow said, she was told that the appeal process was not for the tenant but only for the landlord.

Ken Shuster said the landlord would have been cited.

Councilman Morgan asked that she sit down with Gary Collins and Mr. Lightner after the meeting.

Geo Stockman said, the meetings are taking too long. He's having a problem speaking with Steve Fischer with the Chester Housing Authority. He is concerned about getting basketball courts back up in the William Penn Housing Development.

Mayor Kirkland said he spoke with Mr. Fischer last year about this same issue. (interrupted) He said, we'll work with you.

Zulene Mayfield said, there are entities that want to come to Chester to do good work. She said they have a problem with incorporating the residents in these systems. She said, she hopes their intentions are to come in to do good work. In regards to the project at Memorial Park, she recalls one time that there was major flooding there. She said the library never flooded. She thinks that the Stormwater Authority found the ability to raise a lot of money. She said, the public is not allowed to use a public lot, down by the soccer stadium. She spoke about the disincorporation that was spoke of from the MFRAC meeting. She said, you have to work with people that you don't like.

Dr. Nolan Fontaine spoke about the vaccine and that there are alternatives to the vaccine. He will be speaking with Ms. Carter and the Department of Health to have those discussions. In regards to disincorporation, he asked, what tangible hard copy alternative plans other than the sale of Chester Water Authority can the council provide today to prevent the bankruptcy or disincorporation that's pending and what supplemental plan is being made by the administration for day-to-day operations as discussed in Mr. Kapoor and Mr. Dowery's report yesterday to address each department at City Hall?

Mayor Kirkland said, it's a bad when folks continuously provide false and misleading information. He said, I worked with Mr. Frank Catania for almost 3 years; in trying to work out a plan with the CWA., whereby the city over the next 20 years would receive a certain amount of money and the CWA would stay intact. Selling the Chester Water Authority was secondary. It was an option on the table. The Receiver said that the selling of the CWA had to be in the plan. He said, he didn't like the way the Receiver went about filing for bankruptcy. The retirees were told that bankruptcy was not on the table; we just want you to know what the options would be; less than 24 hours they were on the TV calling for bankruptcy. That was my objection. I can't accept persons not being honest; especially with their addresses. You (Ms. Mayfield) told Judge Barclay that you lived at 802 Barclay St. You lied to a federal judge.

Councilman Roots said, he watched the Philadelphia mayoral debate and he didn't like Jeff Brown's comments. He thanked the lady from the Red Cross for their services. He said, the council meetings are about city business, however long it takes. He recognized Gary Collins from L&I for the event that he does every couple of months; people come and meet their inspector. He welcomed Judy Richards, Deputy Director of Inspections. He said, addressing Zulene Mayfield's comment regarding the flooding on Townsend Street. He said, the real target for flooding is the Marketplace on 4th St. It should not have been built. Stadium parking, he experienced a situation in regard to stadium parking a few weeks ago. He had been blocked on Flower St.; they had the parking blocked off at 9am for a 7:30pm game. He said, Mayor and Council needs to go down and get that straightened out. The pergola in Barry Bridge Park has been installed. The light poles and bollards have been painted black.

Councilman Morgan said, he will be addressing the event parking issue down at the stadium. The entryway to the waterfront is being more beautified. Continue to look at the Chester city website and social media platforms for job opportunities. There's an autism walk at 10am on April 29th on the waterfront. He said, he Receiver and his team are using a fear tactic with the disincorporation. There's not any city of our size that has been incorporated and then disincorporated. We provide fire and police services to our community. He said, an un-incorporated community is typically, smaller communities such as Parkside or Crum Lynn; they can be unincorporated because they have a governing body around them like the City of Chester, that can provide resources to them without taking away resources from our own community. He said, that was a farfetched statement that was made. I didn't believe that the State would want to come in and provide resources to serve our community; not that they wouldn't. Councilman Morgan said, the city has been in Act 47 since 1995 and there were two recovery plans prior to 2012. He said, those administrators did not update or do anything with the recovery plan. He said he was part of the team that negotiated in 2016; the police contract, IAFF contract for fire and the Teamsters contract. He was able to find ways to reduce the over time and move retirees to a more financially savvy healthcare plan; which is a Medicare supplement plan: once the retirees were moved from a fully insured to a self-insured medical plan. He said this plan saved the city 2.3 million dollars a year. He said, you have elected us to serve you; we are not here to be puppets. We live here; we have to make sure that we are moving the city forward. In doing so, we have to voice our opinion, concerns and suggestions knowing it is for the betterment of you all. No matter what administration is here, this financial situation is an inheritance. Retirees they are trying to remove their healthcare and or reduce the pensions. He said he is not in 100% of agreement however, he agrees that we need to come to a settlement or agreement so that's the retirees healthcare is not so costly, but he's not in agreement with how the Receiver is doing it. He said, he supports the police and fire retirees who worked tireless for the city of Chester.

In reference to monetization of the water company, he said Delcora should be considered as well.

Mayor Kirkland thanked all the groups that were in council today. He welcomed Ms. Richards to the city of Chester's L & I department. He said he owns two properties in the city and it bothers him that persons come and grandstand and don't pay taxes in the city to help sustain our city. Blocking of the street on game day; there was a resident concern about her street being blocked off on game day. He said, they are hoping to work out something with the soccer stadium in regards to parking. Disincorporation – taking the authority for city officials and Chester not being a city anymore. Mayor Kirkland said, he has one vote, it is never my way or the highway. It is the majority of council that votes yae or nay. He said, we have a new COO; we worked along with the Receiver to make that happen; we have reorganized in our departments; collectively we worked with the Receiver to make that happen; we have set down to allocate our ARPA funds along with the Receiver and Vejay collectively; we have worked on a number of projects together in this city that they don't talk about. We've been very successful in those efforts. We are not going to agree on everything. We went to court; the Receiver and his team was successful in the lower court of removing our authority as council members and sitting as directors of our various departments we did the exact same thing what they would have done if the shoe was on the other foot, we appealed it. the judge in the highest court in PA looked at it and ordered a stay which put elected official back in their positions; in which they were elected

as department heads. Speaking for himself; he said, 62% decrease in violent crime in this city over the past 2 years. I'm the department head of the police department. He said, we have elected officials coming to Chester speaking to us; asking us how we reduced violent crime in your city like that? That's a department head working with a department head. He said, it's insulting to say that we do not have the expertise to be department heads. Un-incorporation; gloom and doom; he said he understands that it's an election year; don't push false narratives. He said, the Receiver used a fear factor on employees of the police department and firefighters to get them to submit. No one ask what's the Receivers budget? What's are the salaries for the Receiver and his team? They want to take, take, take from us; want our staff to work harder for less; then want us to shut up and do what they say. That's not happening! Nor is un-incorporation going to happen, why? because we have more money in the PA rainy day fund right now then we've had in the history of PA., 8 billion dollars! If you have 8 billion dollars in the rainy- day fund, the most money you've ever had in the history of PA; How do you allow the first city in the commonwealth of PA to go under? We willingly accepted the Receiver when the governor Wolf called. We willingly sat down with him and talked with him. We willingly walked him throughout the city and showed him different businesses. I willingly opened my doors and showed him different plans. He didn't tell you how he busted into my meeting and wasn't invited and refused to leave. He said, he knew then, they were going to have a problem. He said, I think it's important to know the truth so when people start spreading rhetoric and spreading lies; you can't do that all the time, especially when you don't have the facts.

Mayor Kirkland said, he called the governor's office yesterday, he said he also called the speaker of the house. He said he let her know that he wanted to meet to talk about help for his city. So, when you hear that I'm not sitting down with the Receiver because I don't think it's fruitful; I don't think he's been honest with you or me, I know he has involved himself in our politics.

Mayor Kirkland said, it is not alright to take me to court and say negative things about me and my community in court and think that I'm not suppose to say anything. He said he has paperwork that he will share.

Mayor Kirkland said, we have a MFRAC committee that deals with municipal finances. The committee consist of 4 people. Himself, Morgan, someone from the county and someone from DCED the fifth person is the Receiver. When we have the meetings, the only one speaking is Mr. Kapoor; he does all the talking and is not a member of the committee.

Mayor Kirkland said, dis-incorporated/Un-incorporated/ is not going to happen. Chester will always be a city. Chester will get the finances that it needs to move forward especially under this leadership.

There being no other business to come before Council, the meeting was adjourned at 01:17 PM.

Respectfully submitted,

Joan Neal, Acting City Clerk