

COUNCIL CHAMBERS
September 13, 2023

**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 07:02 pm 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 said, if anyone would like to address Mayor and Council to please sign in on the sign in sheet on the podium.

William Morgan
Portia West
Stefan Roots
Mayor Thaddeus Kirkland

Mayor Kirkland asked if anyone in the audience had any public comments on Agenda items only that you would go to the podium, state your name, address and your comments on action items only.

There were none.

The City Clerk proceeded with the reading of the Resolutions.

RESOLUTION

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

1. Stephanie Ballesteros, 1139 Keystone Road, Chester, PA 19013;
2. Lucinda Roten, 2918 West 11th Street, Chester, PA 19013;
3. Sharon Redwood, 804 West 6th Street, Chester, PA 19013;
4. Veronica L. Moore, 605 Jeffrey Street, Chester, PA 19013;
5. Juan Castillo, 916 Upland Street, Chester, PA 19013;
6. Karen Bennett, 924 Edwards Street, Chester, PA 19013;
7. Lucy Pollock, 1323 Parker Street, Chester, PA 19013;
8. Robert Harmon, 910 Lloyd Street, Chester, PA 19013; and

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 1100 Block of Keystone Road, in the 2900 Block of West 11th Street, in the 800 Block of West 6th Street, in the 600 Block of

Jeffrey Street, in the 900 Block of Upland Street, in the 900 Block of Edwards Street, in the 1300 Block of Parker Street, and in the 900 Block of Lloyd 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: Morgan, West, Roots, Mayor Kirkland. Nays: 0

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE;

That it does hereby appoint Howard Johnson to the position of Temporary Laborer/Per Diem, for the Public Works Department, beginning September 25, 2023, at the rate of \$13.62 per hour, with no benefits not to exceed 29 hours per week.

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

RESOLUTION

WHEREAS, the City of Chester is a third-class city organized and existing under the laws of the Commonwealth of Pennsylvania; and

WHEREAS, the Chester Upland School District is a second-class school district organized and existing under the laws of the Commonwealth of Pennsylvania; and

WHEREAS, pursuant to Pennsylvania law (53 P.S. § 37010), upon the request of the board of school directors of a school district, the city council of a city may appoint school crossing guards who shall have the duty of controlling and directing traffic at or near schools and who shall be in suitable and distinctive uniform; and

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

That it does hereby ratify the employment of the following individuals listed on the attached sheet as Crossing Guards, to control and direct traffic at or near schools and other route locations to school identified by the City and the School District for the 2023-2024 school year, at the stated hourly rates beginning September 5, 2023, with no benefits, not to exceed 20 hours per week.

On motion of Councilor West, seconded by Councilor Morgan, the above Resolution was adopted. The following vote was taken: Yeas: 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 Da'Vida Wright as an Intern for the Public Works Department, beginning September 5, 2023, and ending October 13, 2023, not to exceed 25 hours per week.

FURTHER, compensation for this Intern will be made by the Chester Education Foundation.

On motion of Councilor West, seconded by Councilor Morgan, the above Resolution was adopted. The following vote was taken: Yeas: Morgan, West, 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 Request for Proposal to solicit sealed proposals to provide temporary employment services on an as needed basis to the City of Chester.

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

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

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That is does hereby ratify the execution of an intermunicipal Cooperation Agreement between the City of Chester, County of Delaware, Borough of Darby, Borough of Yeadon and the Township of Upper Darby to receive allocated funds in the amount of Fifty-Six Thousand One Hundred Ten Dollars (\$56,110.00), from the United States Department of Justice from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award for fiscal year 2023.

FURTHER, that it does authorize the Mayor and the City Clerk to execute said agreement for and on behalf of the City of Chester.

On motion of Councilor West seconded by Councilor Morgan, the above Resolution was adopted. The following vote was taken: Yeas: 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 April 26, 2023, and reviewed by the Delaware County Panning Commission on April 20, 2023, it does hereby grant final approval for Alliance HP Management to further develop a distribution center with a 61-stall tractor trailer parking lot and 81 additional accessory parking spaces at 4th and Booth Streets, as shown on a plan prepared by Linn Architects 1140 N. Providence Rd., Media PA, 19063 dated June 22, 2023.

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

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That in accordance with recommendation of the Chester City Planning Commission and the Delaware County Planning Commission, it does hereby grant final approval for Alliance 4th and Booth LLC and/ or Alliance 436 Highland Ave LLC, to develop a parking lot as part of a 100,068 sq. ft. Distribution Warehouse to be located at 4th and Booth St., Chester, PA 19013, as shown on a 4th and Booth – Distribution Center Stage 2 plan prepared by Linn Architects, 1140 N. Providence Road, Media, PA 19063: dated March 21, 2023, last revised July 5, 2023, consisting of Sheets C-1 through C-8, subject to the condition that the developer shall make a contribution not to exceed \$50,000 to the City to be used by the City for material, installation and design of traffic signal improvements at the intersection of 4th and Booth Streets, which shall be payable upon approval by PennDOT of a traffic signal permit(s) for such intersection.

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

RESOLUTION

WHEREAS, the City of Chester has commenced a public improvement project for the Reconstruction of the Lloyd Street Bridge, (“Project”); and

WHEREAS, it has been determined in order for the Project to move forward, the City will have to enter a Temporary Easement For Construction agreement for the real property located at 532 Lloyd Street, owned by GAJ Group, LLC; and

WHEREAS, this will allow for the entry and re-entry of city employees, agents, and contractors to do any and all work necessary for the completion of the Project; and

WHEREAS, the City agrees to restore the area covered by the easement to a condition consistent with the balance of the property.

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

That it does hereby authorize the Mayor to execute the Temporary Easement For Construction Agreement to permit access to Two Hundred Eighty-Five (285) square feet of the real property located at 532 Lloyd Street, owned by GAJ Group, LLC, for the Reconstruction of the Lloyd Street Bridge project.

FURTHER, it does authorize payment of the Final Settlement for this Project by the Department of Accounts and Finance, in an amount not to exceed Three Thousand Five Hundred Dollars (\$3,500.00)

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

RESOLUTION

WHEREAS, Brian Moore wishes to purchase and redevelop the following properties, including lot clean-up and stormwater management improvements:

Northwest Corner of Front and Lewis Streets
102 Hayes Street
106 Hayes Street
120 Hayes Street

WHEREAS, the Board of the Redevelopment Authority of the City of Chester has approved the Redevelopment Authority entering into an Agreement of Sale and Redevelopment Agreement conditioned upon approval of the Agreement by the City Council of the City of Chester; and

WHEREAS, the subject properties are located in a redevelopment area in the City of Chester and as such, the sale, lease or transfer of such property is subject to approval by Chester City Council under the Urban Redevelopment Law, at 35 P.S. Section 1709(k).

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

That it approves the sale of the subject properties under Agreement of Sale and Redevelopment Agreement with Brian Moore in connection with the redevelopment of the properties listed above.

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

RESOLUTION

WHEREAS, the City of Chester presently owns the former Pulaski School building site, which consists of the following parcels:

<u>Site Location</u>	<u>Folio Number</u>
0 Harwick Street	49-11-03144-00
0 Grace Street	49-11-00884-01
0 Thurlow Street	49-11-01965-00

And the bed of a vacated portion of Harwick Street between W. Seventh Street and W. Ninth Street; and

WHEREAS, the City of Chester wishes to return the above-identified sites to productive use; and

WHEREAS, the Redevelopment Authority of the City of Chester desires to sell the above-identified sites for the development of the Grace Manor Affordable Housing Project under the Urban Redevelopment Law; and

WHEREAS, the Board of the Redevelopment Authority of the City of Chester has approved the Redevelopment Authority entering into a Redevelopment Agreement with Chester Community Improvement Project for the development of the Grace Manor Affordable Housing Project conditioned upon approval of the sale of the identified sites by the City of Chester; and

WHEREAS, the City of Chester previously approved the transfer of the former Pulaski School building site to the Redevelopment Authority of the City of Chester for the development of affordable for-sale housing; and

WHEREAS, the Board of the Redevelopment Authority of the City of Chester has requested that the City of Chester consent to the sale of the former Pulaski School building site at 0 Harwick Street, 0 Grace Street, 0 Thurlow Street and the bed of a vacated portion of Harwick Street between W. Seventh Street and W. Ninth Street to Chester Community Improvement Project and approve the Redevelopment Agreement for the development of the Grace Manor Affordable Housing Project.

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

1. That the City of Chester approves the transfer of the bed of a vacated portion of Harwick Street between W. Seventh Street and W. Ninth Street to the Redevelopment Authority of the City of Chester for inclusion in the Grace Manor Affordable Housing Project.
2. That the City of Chester approves the sale of the former Pulaski School building site and the vacated portion of Harwick Street by the Redevelopment Authority of the City of Chester to the Chester Community Improvement Project subject to the City's land development process.
3. That the City of Chester approves the Redevelopment Agreement between the Redevelopment Authority of the City of Chester and Chester Community Improvement Project.

FURTHER, that the appropriate designated officers are hereby authorized to execute and deliver such agreements, deeds, transfer tax affidavits or other documents as may be necessary or appropriate to consummate the transfer and sale of the properties identified above on the terms and conditions as set by Chester City Council.

On motion of Councilor West, seconded by Councilor Morgan, the above Resolution was adopted. The following vote was taken: Yeas: Morgan, West, 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 enter into an agreement with Enterprise Exterminating and Supply Company, to provide wildlife removal services to the City of Chester, not to exceed \$22,000 annually.

FURTHER, said Agreement is contingent upon final approval of the City Solicitor

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

RESOLUTION

That is does hereby approve an agreement with General Code, to convert the City of Chester Codified Ordinances from paper to electronic and to be accessed through the eCode360 online portal.

FURTHER, it does authorize the proper City official to execute the agreement for and on behalf of the City of Chester.

FURTHER, said agreement is contingent upon final approval of the City Solicitor.

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

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does authorize the proper City official to prepare an amendment to Article 361, entitled Residential for the Improvement of Deteriorating Real property or Areas Tax Exemption Act "(IDRPA), of the codified Ordinances of the City of Chester.

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

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

RESOLUTION

WHEREAS, The Stormwater Authority of the City of Chester is constructing 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 impacts both structures and roadways; and

WHEREAS, Chester City Council by a majority vote, approved Resolution No. 151-2023, on August 23, 2023, waiving all City fees for the completion of this Project; and

WHEREAS, Receiver Michael Doweary has filed a Petition for Writ of Mandamus against Chester City Council for the above-referenced action.

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

That it does hereby rescind Resolution NO. 151-2023, approved August 23, 2023, to waive all City fees for the Veterans Memorial Park Regional Stormwater Facility Project until such time as the Commonwealth court has an opportunity to review the matter and issues a ruling.

Councilwoman West made a pronouncement correction (Writ pronounced incorrectly)

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

RESOLUTION

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby amend the conditions for the sale of properties on the Delaware County Tax Claim Bureau's repository list and the City's Assessor shall remain the appointed person who shall grant final approval for any sale for properties which are in accordance with the attached list.

FURTHER RESOLVED, the City Assessor shall provide a certified copy of this Resolution together with the attached list of sale conditions to the Delaware County Tax Claim Bureau.

On motion of Councilor West, seconded by Councilor Morgan, the above Resolution was adopted. The following vote was taken: Yeas: 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 dated July 17, 2023, through August 11, 2023, and August 25, 2023, 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: Morgan, West, Mayor Kirkland. Nays: Roots

Mayor Kirkland said Councilman Morgan brought to his attention that Resolution #157 was read but not on the Agenda list. Should have been #5 on the agenda.

Mayor Kirkland was advised by Solicitor Shuster, to make a motion to amend the agenda to include Resolution #157.

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

Mayor Kirkland said, under the director of the Solicitor said, A motion is needed to be made to amend the agenda to remove #15 which was not on the agenda.

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

Controller Edith Blackwell MMO 2024 Pension Report Attachment #1

Non uniform workers \$1,299,589.00

Fire \$2,307,691.00

Police \$10,741,082

Councilman Morgan acknowledge Ms. Beatrice Henderson who has worked in Human Resources for 2 decades was retiring. Her last day is this Friday. He said, she handled health care benefits, life insurance benefits and on-boarding employees and whatever was needed. He said, he appreciated all the work that she has done. He thanked her all her work and support of the employees and residents. She was gifted a dozen of roses.

Ms. Bea thanked Mayor and Council for being so good to her. She said it has been a pleasure to be working at city hall. She said, has tried all her best to give all she could to all the employees here and to the constituents. She said, although she looks forward to some rest, she will miss everyone. She said, she wants the Mayor to retire her number; he's knows what I'm talking about. (laughed)

Mayor Kirkland says, he's going to retire her number. (laughed) He thanked her for her friendship and expertise and for her love of the city.

Ms. Bea wished Councilman Roots and the incoming administration much success as well. She said, she lives here so she wants to see Chester succeed.

Mayor Kirkland announced, please be advised that these proceedings are not to be recorded.

Councilwoman West said, there are signs up on the wall stating that as well.

PUBLIC COMMENT

Amin Abdul Salim 240 Patterson St., says this city been dear to me for a long time. God is in charge. We want to seek the guidance of our Lord. Without leadership you do not have help. We can be with this leadership; we can rise up. The leadership has already been established. (inaudible)

Ron Williams 2627 W 6th St., says because of the drains and sewage by him; he can't breathe some nights. He said, when he sits on his porch he can't breathe. He said, he appreciated the grass being cut. He said, they did a beautiful job. He said, he heard about a pipeline coming through Chester's waterfront. He asked, is it true or not? He said, there's enough problems down there now with the trash to steam.

Mayor Kirkland says, we can have a conversation without cursing. There is no facility being built; there is a proposal. There are persons who have proposed to put an LNG facility in the City of Chester. Nothing is being built; nothing edged in stone; nothing edged in concrete; they brought the idea here, that's it.

Ron Williams asked about the fixing of the drainage in the park. Are you going to fix it this time or not? They have been trying for the past 30 years to fix it.

Mayor Kirkland says, we're waiting to see what the court allows us to do.

Mayor and Council Comments

Councilman Morgan says, as we continue to try to support our black businesses downtown; the City continues to come up with other alternatives and incentives to develop our downtown area. We are also trying to find ways to develop not just the downtown area but residential areas as well. He said, local artists Kenny Hunt and L Ward are featuring some of their latest art collection at Penn Café tonight. They will be there until 9pm.

There was a contractor's meeting about the homeowner improvement project for the American Rescue Plan. He said, there was a small crowd today. They were given the dos and don'ts and how the program works. Tomorrow there will be a meeting with homeowners at 5pm. It will be held in the community room. They will go through the application process and eligibility requirements. There will be time for questions and comments. Look on the website and social media platform for the American Rescue Plan homeowner project.

Councilwoman West says, that the city trash cans are all over the place; Delaware, Aston, and Brookhaven. The trash can are intended for our Chester residents. People are on Facebook talking about how they're representing Chester in their area that they leave in; in Delaware and outside of Chester. She said, she thinks it's terrible that people are stealing them. She said, the trash cans have serial numbers and we have a listing of the serial number that is intended for a particular residence. If we see a trash can that doesn't belong, we will take it. We have done it. We will go in your yard and take it. Please protect what you have, so people can't get to it. She thanked Councilman Morgan for his help with getting the trash cans. She encouraged everyone to clean up around their homes. She wanted to encourage everyone to get back to the old way of doing things and let's clean up around our homes. We want Chester to look good; we're better than that!

Mayor Kirkland says, He want to give a special shout out to the guys in Councilwoman Wests' department particularly Rock and Mark, who goes above and beyond the call of duty. He said, the Bible speaks of the ten leopards who came seeking assistance, when they got the assistance, they all went away and never came back; one came back and said thank you. Sometimes it can be a thankless job; folks come in, sometimes they rant and they rave; you guys go out with your crews and you go out without any wavering or any questions; and just go do your job; beyond your jobs. For the nine who didn't come back; let me personally say thank you for all the hard work that you and your teams put in helping to keep our city clean.

Councilwoman West says, I know that I have the best team of people and we're a team; we all work together. Rock and Mark do a phenomenal job as well as the men and women on staff in the Public Works Department. She thanked Mr. Leonard Lightner, Chief of Staff for always looking at the needs of the department. She said, you listen to us and you hear us and you try to do your best to get us what we need.

Mayor Kirkland says, on this Friday, September 15th, we will continue our food truck festival and pop-up shop. He invited everyone to come downtown Chester and enjoy family, friends and food. He said, we have a good time; we also have the opportunity to support our local vendors. Have a great night and be Blessed.

There being no other business to come before Council, the meeting was adjourned at 07:50pm.

Respectfully submitted,

September 13, 2023

Joan Neal, Asst. City Clerk