

A G E N D A
February 26, 2024
Deliberative Meeting

Resolutions		Requestor
1.	Authorize approval to appoint a Planning and Zoning Director;	Chrystal Everett – HR
2.	Authorize approval of award of Citywide Parcel Condition Survey;	Nikky Davis – Committee Member
3.	Authorize approval to withdraw Objection to Bankruptcy Filing;	Fred Green – Councilman
4.	Authorize approval to amend lease agreement with EDSI;	Steven Gretskey – Police Commissioner

Ordinance		Requestor
1.	Creation of Article 104 entitled, Code of Conduct and Ethics;	Stefan Roots - Mayor

NEXT PUBLIC MEETING OF COUNCIL: FEBRUARY 28, 2024

RESOLUTION

NO. _____ - 2024

WHEREAS, the City of Chester hired Patrick Osei for the position of Director of Planning and Zoning, Community & Economic Development, effective March 1, 2024, for 37.5 hours per week, with no benefits and a sixty (60) day probationary period; and

WHEREAS, said employment is contingent upon said individual successfully completing a sixty (60) day probation from the 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 is completed on April 30, 2024; and

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

FURTHER, if said employee fails to meet the job expectations within the sixty (60) day probation, said employee will no longer be eligible for the position and will be subject to termination from said position.

WE HEREBY CERTIFY that this Resolution passed Council this 28th day of February, A.D. 2024.

MAYOR

Attest: _____
ACTING CITY CLERK

RESOLUTION

NO. ____ - 2024

WHEREAS, the City of Chester made a Request for Proposals for the Citywide Parcel Condition Survey, ARPA Project #41 through Pennbid, with proposals due on December 22, 2023; and

WHEREAS, the City has complied with all Pennbid use requirements; and

WHEREAS, the sealed proposals have been tabulated by the RFP Review Committee with no discrepancies found and they have provided their recommendation.

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

That it does hereby award the Citywide Parcel Condition Survey, ARPA Project #41 to Cyclomedia for which proposals were received through Pennbid, in an amount not to exceed Ninety-Four Thousand Dollars (\$94,000.00), to be paid from American Rescue Plan Act (ARPA) funds under Project #41.

FURTHER, said contract is contingent upon the final review and approval of the City Solicitor.

WE HEREBY CERTIFY that this Resolution passed Council this 28th day of February, A.D. 2024.

MAYOR

Attest: _____
ACTING CITY CLERK

R E S O L U T I O N

NO. ____ - 2024

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby authorize the City Solicitor to direct counsel to withdraw the appeal of the Court's Order denying the elected Officials' objection to the Chapter 9 Bankruptcy, Case No. 22-13032 filing.

WE HEREBY CERTIFY that this Resolution passed Council this 28th day of February, A.D. 2024.

MAYOR

Attest: _____
ACTING CITY CLERK

RESOLUTION

NO. ____ - 2024

WHEREAS, Educational Data Systems, Inc. entered into a Lease Agreement with the City of Chester, dated November 7, 2002, for the lease of approximately 2,684+/- square feet of space at the premise known as 160 E. 7th Street; and

WHEREAS, Amendment No. 1 to the Lease, expanded the leased space to include an additional 4,023 square feet for a term to coincide with the existing lease and subject to the terms and conditions of the existing lease; and

WHEREAS, Amendment No. 2 to the Lease, allowed for the temporary lease of an additional 2,382 square feet of usable space in “as is” condition, beginning October 1, 2017, and ending November 30, 2017.

WHEREAS, Amendment No.3 to the Lease, allowed for the temporary lease of approximately 8,990 square feet (rentable space); and the lease of additional space on the first floor, consisting of approximately 1,320 square feet, beginning February 1, 2018, and ending January 1, 2023.

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

That it does hereby authorize the proper City official to execute an amendment to the current Lease Agreement between the City of Chester and Educational Data Systems, Inc., for the lease of space on the first floor consisting of approximately 8,990 square feet (rentable space); with the use of all common areas and all public restrooms and permitted public parking on street and/or municipal parking lot to the outlined terms and conditions.

WE HEREBY CERTIFY that this Resolution passed Council this 28th day of February, A.D. 2024.

MAYOR

Attest: _____
ACTING CITY CLERK

BILL NO. 1

1ST READING 2/28/2024

PASSED _____

NO. 2024

AN ORDINANCE

AN ORDINANCE OF THE CITY OF CHESTER, DELAWARE COUNTY, PENNSYLVANIA, ENACTING NEW ARTICLE 104, ENTITLED “CODE OF CONDUCT AND ETHICS” TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF CHESTER, PENNSYLVANIA, 1978, AS SUPPLEMENTED AND AMENDED, FOR ALL ELECTED, APPOINTED OFFICIALS AND EMPLOYEES OF THE CITY OF CHESTER, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT THEREWITH.

THE COUNCIL OF THE CITY OF CHESTER DOES ORDAIN:

SECTION 1. Legislative Intent.

The background of this article and its legislative intent are as follows:

A. Pursuant to the Pennsylvania Ethics Law, the City Home Rule Charter, Administrative Code and Ordinances, and the Third Class City Code, the Council desires to establish an Administrative Code which shall include, inter alia, a code of Accountability, Conduct, and Ethics.

SECTION 2. Definitions.

The following words and phrases, as used in this article, shall have those meanings as prescribed in this section:

BOARD AND AUTHORITY MEMBER

Any person appointed to any commission, committee, authority, or board of the City of Chester.

ELECTED AND APPOINTED OFFICIALS

This article shall apply to and shall guide the actions of all elected and appointed officials of the City of Chester.

EMPLOYEE

Any person employed as an employee of the City of Chester whether a full-time or part-time employee.

SECTION 3. Purpose.

The proper operation of the City of Chester requires that public officials and employees be independent, impartial, and responsible to the people; that governmental decisions and policy be made in the proper channels of the governmental structure; that public office and employment not be used for personal gain; and that the public have confidence in the integrity of its government and its employees. In recognition of these goals, there is hereby established a Code of Ethics for all officials and employees, and board or authority members whether elected or appointed; or paid or unpaid. The purpose of this code is to establish ethical standards of conduct for all such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the City and by directing full disclosure by such officials and employees of all private financial, political, personal or other interests in matters affecting the City. The provisions and purpose of this code and such rules and regulations as are hereby established are declared to be in the best interests of the City of Chester.

SECTION 4. Responsibilities of public officers and employees.

Public officials and employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of this Commonwealth and to carry out impartially the laws of the nation, states, and City and thus to foster respect for all government. They are bound to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their primary concern. Their conduct in both their official and private affairs should be above reproach.

SECTION 5. Dedicated service.

A. Officials and employees should adhere to the rules of work and performance established as the standard for their positions by the appropriate authority.

B. Officials and employees shall under no circumstances exceed their authority or breach the law or ask others to do so, and they shall work in full cooperation with other public officials and employees where so directed by the appropriate City authority unless prohibited from so doing by law or by officially recognized confidentiality of their work.

SECTION 6. Fair and equal treatment.

A. Interest in appointments. Canvassing members of the City Council directly or indirectly, in order to obtain preferential consideration in connection with any appointment to the municipal service, except with reference to positions filled by appointment by the Council, shall be reported to the full Council, with a full explanation of the details related to such contact.

B. Use of public property. No official or employee shall request or permit the use of City-owned vehicles, equipment, materials, or property for personal convenience or profit, except when such services are available to the public generally.

C. Obligations to citizens. No official or employee shall grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen.

SECTION 7. Conflicts of interest.

A. No official or employee, whether, paid or unpaid, shall engage in any business transaction or shall have a financial or other interest, direct or indirect, which in any way involves the proper discharge of their official duties in the public interest or would tend to impair their independence of judgment or action in the performance of their official duties.

B. Specific conflicts of interest are enumerated below for the guidance of officials and employees:

(1) Incompatible employment. No official or employee shall engage in or accept private employment or render services for private interests when such employment or service would, interfere with, or influence them in the proper discharge of their official duties or would tend to impair their independence of judgment or action in the performance of their official duties. This includes taking action in matters where there is a promise of future business arising from the action taken, or a reciprocal nature or otherwise.

(2) Disclosure of confidential information. No official or employee shall, without proper legal authorization, disclose confidential information concerning the property, government, or affairs of the City, nor shall they use such information to advance the financial or other private interest of themselves or others.

(3) Gifts and favors. No official or employee shall accept any gift or promise of future benefit, whether in the form of service, loan, thing, or promise, from any person, firm, or corporation which to their knowledge is interested, directly or indirectly, in any manner whatsoever, in business dealings with the City; nor shall any such official or employee accept any gift, favor, or thing of value that may tend to influence him in the discharge of their duties or grant in the discharge of their duties any improper favor, service or thing of value. Casual business luncheons, dinners, or refreshments shall not constitute a “gift” within the meaning of this subsection.

(4) Representing private interests before boards, commissions, authorities, or judicial bodies.

(a) No official or employee whose salary is paid in whole or in part by the City shall render advice, consult with, or appear on behalf of private interest before any board, commission, authority or judicial body where the City is involved directly and the interest of the party is adverse to the position of the City.

(b) A member of Council or other official may appear before City boards, commissions, and authorities on behalf of constituents in the course of their duties as a representative of the electorate or in the performance of public or civic obligations. However,

no member of Council or other official or employee shall accept compensation for such appearance or representation.

(5) Contracts with the City. Any official or employee who has any financial interest in any business entity, transaction, or contract with the City or in the sale or rental of real estate, materials, supplies, or services to the City shall make known to the Council such interest in any matter on which they may be called to act in their official capacity. They shall refrain from voting upon or otherwise participating in the transaction or the making of such contract or sale.

(6) Disclosure of interest.

(a) Any City official or any City employee who has a financial or other private interest in any legislation either pending or proposed in which the City will take any action or make any recommendation shall disclose on the records of the Council and other appropriate authority the nature and extent of such interest.

(b) Any other official or employee who has a financial or other private interest and who participates in discussion with or gives an official opinion to the Council shall disclose on the record to the Council and other appropriate authority the nature and extent of such interest.

SECTION 8. Political activities.

A. No City official or employee shall utilize City facilities, equipment, or supplies, directly or indirectly, in political campaigns or to the benefit of any political candidate, except where such City facilities are available to the general public for rent.

B. No City employee shall during working hours or when on City business take part in any political activity or solicit any contributions or subscription to any political party or candidate.

C. No official or employee, whether elected or appointed, shall promise an appointment to any municipal position as a reward for any political activity.

SECTION 9. Violations and penalties.

Violation of any provisions of this code may constitute a cause for suspension, termination of employment, or other disciplinary action to be invoked under applicable law of the State or the City of Chester.

SECTION 10. Severability.

If any section, sentence, clause or phrase of this Ordinance shall be declared invalid, unenforceable or unconstitutional by any court of competent jurisdiction, Chester City Council hereby declares its intent that the Ordinance shall have been enacted without regard to the invalid, unenforceable, or unconstitutional portion, part, or provision of this Ordinance.

SECTION 11. Repealer.

Any and all other Ordinances or parts of Ordinances in conflict with the terms, conditions and provisions of any State law, the Home Rule Charter and Administrative Code and any Ordinance are hereby repealed to the extent of such irreconcilable conflict.

SECTION 12. Effective date.

This Ordinance shall take effect and be in force after its approval as required by law.

WE HEREBY CERTIFY that this Ordinance passed Council this _____ day of _____, A.D. 2024.

MAYOR

Attest: _____
CITY CLERK