City of Chester

One 4th Street
Chester, PA 19013

Meeting Agenda City Council

Wednesday, June 12, 2024 **7:00 PM** **Council Chambers**

INVOCATION: Chaplain Madeline Clausell

PLEDGE TO THE FLAG

ROLL CALL

MINUTES OF PREVIOUS MEETING: May 8, 2024 and May 29, 2024

COURTESY OF THE FLOOR (AGENDA ITEMS ONLY)

COURTESY AND PRIVILEGE OF THE FLOOR RULES

Please observe the Rules of Council when addressing the body. The city website also includes all the meetings and material for the agenda, videos of previous meetings, and a link to current meetings that are in progress.

Courtesy of the Floor and Public Comment Rules:

If you would like to speak, we are asking that you fill out the Sign-in Sheet located on the podium.

Please address the Council President (The Mayor). You are given privilege of the floor to provide public comment. This is a time to present comments, it is not a question-and-answer session. If you are speaking on behalf of yourself, you have three minutes and if you are speaking on behalf of a group that has several members present, you will be given five minutes - the idea being the entire group does not come up and make the same type of statement. Please be sure to state your name and address for the record and fill out the sign-in sheet.

Courtesy of the Floor is meant to provide public comment on items that are not on the agenda; Council will take all comments under advisement and have the appropriate officials get back to you if necessary. If you have materials for Council, please distribute it to the City Clerk.

Public comment during consideration of ordinances, resolutions and motions is limited by topic – your comments must be relevant. Public comments are taken before the council votes on items.

Council will not entertain personal insults or attacks, name calling or other behavior that is inconsistent with the purpose of conducting official business. Please address the Council President (The Mayor). Refrain from using offensive language, cursing, and making noises while other people are speaking. Act with decorum. Remove your hat and turn cell phones off.

Please be aware that comments and/or behavior in violation of these rules will result in a forfeiture of all remaining time and you will be asked to return to your seat.

COMMUNICATIONS: None

OLD BUSINESS: None

ORDINANCE (To be voted on):

B – 4: Code of Ethics

The purpose of this Ordinance is to establish ethical standards of conduct for all such officials and employees of the City, its agencies and authorities, whether elected or appointed, by setting forth those acts or actions which are incompatible with the best interests of the City and by directing disclosure by officials and employees of private, financial or other interests in matters affecting the City.

CONTRACT APPROVALS:

R – 51

Authorize Addendum to Collier's Engineer Agreement for the approval of an increase in ARPA funded project to $700,000 and include the City's GIS program and other engineering projects to be funded by the City's General Fund, Liquid Fuels and Grants for a total contract amount of $1,000,000.

Submitted By: Leonard Lightner, COS
Sponsors: N/A
Attachments: Resolution

R – 52

Authorize award of contract to Penn Home Café to be the vendor for the 2024 Summer Food Service Program.

Submitted By: Leonard Lightner, COS
Sponsors: N/A
Attachments: Resolution

R – 53

Authorize agreement with First Tee Greater Philadelphia and Boys and Girls Club of Chester for the Summer Youth Golf Clinics for the use of a designated area in Chester Park.

Submitted By: Justin Feliciano, Recreation Program Coordinator
Sponsors: N/A
Attachments: Resolution

RESOLUTIONS FOR FINAL PASSAGE (To be Voted On): The City Clerk reads the resolution. Comments are taken from the administration, the dais, and the public before a vote is taken.

R – 54

Authorize installation of handicap parking zones in various locations within the City of Chester.

Submitted By: Anntrene Wilson, Public Works Office Manager
Sponsors: N/A
Attachments: Resolution

R – 55
Authorize appointment of W. Paul Fritz as the Director of Planning and Zoning.

Submitted By: Leonard Lightner, COS
Sponsors: N/A
Attachments: Resolution

ORDINANCES FOR INTRODUCTION: (Can be voted on or Referred to Committee) The City Clerk reads the proposed Ordinance. Comments are taken from the administration, the dais, the public before a referral is made to a council committee where more detailed discussion will take place.

RESOLUTIONS FOR INTRODUCTION: (Can be voted on or Referred to Committee) None

REPORTS:

Budget and Finance Committee:
Chair Davis, Roots, West
The Committee meeting scheduled for June 10, 2024, at 1:00 PM was canceled; there are no future meetings scheduled at this time.

Community and Economic Development Committee:
Chair Gibson-Williams, Green, Davis
The Committee has not met since the last Council Meeting; there are no future meetings scheduled at this time.

Human Resources, Administration, and Appointments Committee:
Chair Roots, Davis, Gibson-Williams
The Committee has not met since the last Council Meeting; there are no future meetings scheduled at this time.

Parks and Recreation Committee:
Chair Green, West, Davis
The Committee has not met since the last Council Meeting; there are no future meetings scheduled at this time.

Public Safety Committee:
Chair Roots, Gibson-Williams, Green
The Committee meeting scheduled for June 10, 2024, at 12:00 PM was canceled; there are no future meetings scheduled at this time.

Public Works Committee:
Chair West, Green, Gibson-Williams
The Committee has not met since the last Council meeting; there are no future meetings scheduled at this time.

Rules, Chambers, Intergovernmental Relations, and Strategy Committee:
Chair Roots, West, Green
The Committee has not met since the last Council meeting; there are no future meetings scheduled at this time.

CONTROLLER'S REPORT: None

CHIEF OF STAFF REPORT: None

GOOD AND WELFARE

ADJOURN

Council meetings are held on the second and fourth Wednesday of each month beginning at 10:00 AM in Council Chambers, with the exception of every other month when the Council meets on the second Wednesday at 7:00 PM. For copies of the agenda or meeting announcements, please visit our website at www.Chestecity.com or contact the City Clerk at CNewsome@chestercity.com to receive an email notice of the meetings.

BILL NO. 2

1ST READING 6/12/2024

PASSED

NO. ____ 2024

A N O R D I N A N C E

AN ORDINANCE OF THE CITY OF CHESTER, DELAWARE COUNTY, PENNSYLVANIA, ENACTING NEW ARTICLE 104, ENTITLED "ETHICS CODE" TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF CHESTER, PENNSYLVANIA, 1978, AS SUPPLEMENTED AND AMENDED, TO ESTABLISH ETHICAL STANDARDS OF CONDUCT FOR ALL SUCH OFFICIALS AND EMPLOYEES OF THE CITY, ITS AGENCIES AND AUTHORITIES, WHETHER ELECTED OR APPOINTED, BY SETTING FORTH THOSE ACTS OR ACTIONS WHICH ARE INCOMPATIBLE WITH THE BEST INTERESTS OF THE CITY AND BY DIRECTING DISCLOSURE BY OFFICIALS AND EMPLOYEES OF PRIVATE, FINANCIAL OR OTHER INTERESTS IN MATTERS AFFECTING THE CITY OF CHESTER, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT THEREWITH.

THE COUNCIL OF THE CITY OF CHESTER DOES ORDAIN:

SECTION 1. DECLARATION OF POLICY.

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

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 Ethics.

B. The City of Chester has enacted an ethics policy to ensure that all City officials and employees are independent, impartial, and responsible to the people. It also ensures that government decisions are properly transparent and made through the proper channels.

C. The Code of Ethics prohibits officials or employees from engaging in any business or transaction or having any financial or other private interest that would impair their independence of judgment or action. It also prohibits the use of an official position in a manner that would result in their personal or financial benefit.

D. An official receiving more than $200 in aggregate election campaign contributions from a person or entity in an election cycle may not participate in decisions which effect that contributing person or entity unless the decision similarly effects the broader community. Officials and employees are likewise prohibited from using, acting, or influencing a person or entity that employed them less than two years previously. They are also prohibited from engaging in or accepting private employment or rendering services for private interests that would interfere with or influence their official duties.

E. Public office demands the highest respect of the public and consequently there is an incumbent duty upon all public officials and employees to fulfill that trust.

F. The operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a Code of Ethics for all officials and employees, whether elected or appointed, paid or unpaid, and a Board of Ethics to administer the code and further its objectives. The purpose of this code is to establish ethical standards of conduct for all such officials and employees of the City, its agencies and authorities, whether elected or appointed, by setting forth those acts or actions which are incompatible with the best interests of the City and by directing disclosure by officials and employees of private, financial or other interests in matters affecting the City. The provisions and purpose of this code and such rules, regulations and opinions as may be promulgated by the Board pursuant hereto are hereby declared to be in the best interest of the City. All City employees and City officials shall receive and sign a copy of the code upon employment, and all employees must participate in an orientation to the code.

G. The City shall require every Chester municipal authority to adopt this Code of Ethics.

SECTION 2. DEFINITIONS.

For purposes of this Code of Ethics, the following definitions shall apply:

AGENCY — Any department, bureau, authority, commission, board or other governmental unit of or established by the City.

ASSOCIATE — Where used to indicate a relationship with any person, means any relative or spouse of such person, or any relative of such spouse, who has the same home as such person.

CITY — For purposes of provisions relating to the entering of contracts and agreement, the City of CHESTER as a corporate entity, as well as any agency, as defined above.

EMPLOYEE — Any other personnel in the City government.

OFFICIAL — Any elected or appointed member of the City government, its authorities, boards or commissions.

BOARD MEMBER – Any appointed Board member of a Chester Municipal authority.

Words in the singular number shall include the plural number, and words in the plural number shall include the singular number. The masculine gender shall include the feminine, and the feminine gender shall include the masculine. Wherever the word “he” appears, read “he or she”.

SECTION 3. CONFLICT OF INTEREST.

A. No official or employee, whether paid or unpaid, shall engage in any business or transaction or shall have any financial or other private interest, direct or indirect, which is incompatible with the proper discharge of his official duties in the public interest or

which would impair his independence of judgment or action in the performance of his official duties unless full disclosure is made, in writing, to the Board of Ethics. Such disclosure shall be a public record.

B. Officials and employees must disclose any business relationship they have with applicants for City Employment and any familial relationship they have with any City employees or elected officials. Familial relationships shall include but are not limited to parents, children, spouses, domestic partners, uncles, aunts, nieces, nephews, cousins, stepsiblings, and former family members.

C. The following conflicts of interest are expressly prohibited, whether or not disclosed:

(1) Prohibited use of official position:

(a) An official or employee may not use his or her official position or office, or take or fail to take any action, or influence others to take or fail to take any action, in a manner which he or she knows, or has reason to believe, may result in a personal or financial benefit, not shared with a substantial segment of the City's population, for any of the following persons or entities (no group of government employees may be considered "a substantial segment" for the purposes of this subsection):

[1] Himself or herself;

[2] A member of his or her household, including a domestic partner and his or her dependents, or the employer or business of any of these people;

[3] A sibling or stepsibling, stepchild or foster child, parent or stepparent, niece or nephew, uncle or aunt, or grandparent or grandchild of either himself or herself, or of his or her spouse or domestic partner, or the employer or business of any of these people;

[4] A person with which he or she has a financial or business relationship, including but not limited to:

[a] An outside employer or business of his or hers, or of his or her spouse or domestic partner, or someone who works for such outside employer or business;

[b] A client or substantial customer;

[c] A substantial debtor or creditor of his or hers, or of his or her spouse or domestic partner.

[5] A person or entity from whom the official or employee has received an election campaign contribution of more than $200 in the aggregate during the past election cycle (this amount includes contributions from a person's immediate family or business as well as contributions from an entity's owners, directors, or officers, as well as contributions to the official or employee's party city committee or non-candidate political committee); or

[6] A nongovernmental civic group, union, social, charitable, or religious organization of which he or she (or his or her spouse or domestic partner) is an officer or director.

(b) The prohibition above applies equally to attempts to use, act, or influence.

(c) It is a violation of this code for an official or employee to, within two years of entering City employment or service, award a contract or participate in a matter benefiting a person or entity that formerly employed him or her.

(2) Business or professional conflict.

(a) 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 dependence of judgement 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.

(b) Officials and employees must disclose secondary employment including but not limited to employment as a W-2 employee or independent contractor.

(c) 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.

(d) No official or employee shall participate in any decision making process affecting himself or any entity in which such official or employee or associate of either of them is a director, official, or partner or in which such official or employee has a financial interest in excess of 5%, but such official or employee shall not be precluded from participating in any decision making process where the matter involved affects the general populace or a large segment of the community.

(e) No City official or employee shall discuss, vote on, decide or take part in, formally or informally, any matter proposed or pending before any agency or other City official or employee in which he has a pecuniary interest. This subsection shall not apply to any City official or employee whose interest in the proposed or pending matter is minimal, provided that these procedures are followed strictly:

[1] The City official or employee shall identify his interest, that is, the benefit or advantage that would be gained or lost if the City acts on the matter in various ways, and the underlying basis of it, such as ownership, an investment, a contract or claim, employment, or a relationship, if any.

[2] The City official or employee shall completely and specifically describe and disclose his interest and its underlying basis, if any, in writing to his

immediate superior and the chairperson of the Board of Ethics, in advance of his participation in the matter.

[3] If either the City official or employee, or his immediate superior, or the Chairperson of the Board of Ethics thinks that the disclosure reasonably raises a question whether the interest is minimal, the question shall be submitted to the Board of Ethics for an opinion, prior to which the official or employee shall not participate in the matter.

(f) Failure to disclose properly or abide by the opinion of the Board of Ethics shall make any participation of the official or employee in the matter null and void and may also subject the official or employee to appropriate disciplinary action.

(g) No City official or employee shall own in person or through an agent or broker, or be a principal in any corporation, partnership or other business entity which owns, any real property within the City of CHESTER that is in violation of City or state laws or regulations. Property shall be deemed to be in violation when a reasonable and proper notice and order to correct violations duly issued has not been obeyed in a timely manner.

(h) No City official or employee privy to nonpublic information regarding the allocation of City funds, or having direct influence or control over the allocation of City funds, shall be a director, official or trustee of any organization, except where appointment to such position is required by law and except where that interest is construed as being in the best interest of the City.

(i) No City official or employee shall have or enter into any contract with the City which would result in personal gain unless:

[1] The contract between the person and the City is one with respect to which the City official or employee a) has no interest, b) has no duties or responsibilities, or, if the contract with the person is one which the City official or employee entered into prior to becoming a City official or employee, he abstains from any performance of duties or responsibilities, and c) exercises or attempts to exercise no influence.

(3) Confidential information. No official or employee shall without proper authorization disclose confidential information concerning the property, government or affairs of the City, including confidential information gained in the discharge of his official duties relating to any private person, firm, corporation or association. Nor shall he use such information to advance the financial or other private interest of himself or others. This includes any confidential information shared in Executive Session.

(4) Gifts and favors.

(a) An official or employee, his or her spouse or domestic partner, child or stepchild, parent, or member of his or her household may not solicit nor accept anything of value, directly or indirectly, from any person or entity

that the official or employee knows, or has reason to believe, has received or sought a financial benefit, directly or through a relationship with another person or entity, from the City within the previous three years, or intends to seek a financial benefit in the future ("restricted source"). If in doubt, the official or employee should refrain from soliciting or refuse a gift and should first inquire into the person or entity's relationship with the City or with a restricted source. [Or, if the official or employee does not know whether a person or entity fits this description, he or she should inquire, and, if it is discovered that the person or entity does fit this description, the gift should be returned (or its monetary value if it cannot be returned) and no further gifts accepted during the relevant period.]

(b) A person or entity that has, in the last three years, received or sought, or is seeking, a financial benefit, directly or indirectly, from the City, may not give or seek to give anything of value to any official or employee.

(c) Gifts of property, money, or services given nominally to the City must be accepted by a resolution of the legislative body.

(d) Officials and employees must file with the City Clerk, on or before January 31, a list of all gifts received during the preceding calendar year by them or by their spouse or domestic partner, child or stepchild, parent, or member of their household, to the extent that the aggregate amount of gifts received from an individual or entity (including gifts from all employees, partners, or investors) during the year is $50 or greater. Information to be disclosed is as follows:

[1] The date the gift was received and who received it;

[2] A description of the gift;

[3] The fair market value of the gift;

[4] The name address and employer of the person who provided the gift;

[5] The name of any organization or individual represented by the person or on whose behalf the person was act in a in providing the gift.

(5) Use of public property. No official or employee shall request or permit the use of City-owned vehicles, equipment, materials, services or property for the convenience or profit of himself or any associate except when such are available to the public generally or are provided as municipal policy for the use of such official or employee in the conduct of official business.

(6) Representing private interests.

(a) No official or employee whose salary is paid in full or in part by the City shall appear on behalf of private interests before any agency of the City. He shall not represent private interests in any action or proceeding against the interests of the City in any litigation to which the City is a party. An elected

official or employee may appear before agencies on behalf of constituents in the course of his duties as a representative of the electorate or in performance of public or civic obligations. However, no compensation, remuneration or gift of any kind whatsoever shall be accepted for such activity.

(b) No City official or employee who serves the City without compensation shall represent any person before the agency he serves, or before any other City official or employee who regularly serves the agency he serves, or before any other agency on matters directly involving the agency he serves.

(c) No former City official or employee shall at any time after he leaves the agency he served represent a person before any agency on a specific matter with which he was directly involved or of which he has special knowledge, if the representation would be adverse to the position of the City on the matter.

(7) Favoritism. No City official or employee, acting in the performance of his official duties, shall treat, whether by action or omission to act, any person more favorably than it is the custom and practice to treat any member of the general public.

(8) Board Members: Employees and elected officials shall not be appointed as a Board Member if such Appointment is in violation of the Home Rule Charter, the Administrative Code, or the Third-Class City Code.

D. Inappropriate direction of City funds.

(1) Charter. Consistent with the city's Home Rule Charter, Administrative Code, City employees, City officials and City agencies shall not: 1) act in a private capacity, or on behalf of a private party, on matters dealt with the City of CHESTER; 2) disclose or use any confidential, privileged or proprietary information, gained by reason of the person's or agency's official position, for personal gain or for the gain of particular individuals, entities or groups. However, information may be disclosed if: 1) it is a matter of public knowledge; 2) is available to the public upon request.

(2) No unfair advantages. No City employee or elected official shall engage in conduct that gives a potential provider of services to the City an advantage in the procurement or selection process. No City employee or elected official shall engage in conduct that gives the potential recipient of government funds an advantage over another recipient.

(3) Mandatory disclosure. Officials and employees who have had communications of any kind with individuals or entities seeking to do work for the City, or seeking to receive government funds, must disclose those communications to the City Clerk prior to the government taking action in designating who will conduct the service, receive the contract or receive the funds. Such disclosure will take place on an electronic or paper form or process to be prepared jointly by the Administration and Council.

(4) Conformance with existing laws. City policies relating to procurement, service selection, and fund awarding must be followed in all cases as required by law.

(5) Duty to not assist in inappropriate conduct. City employees and elected officials shall also be prohibited from acting as a conduit that facilitates unfair advantages or avoids mandatory disclosures. Each City official or employee shall immediately disclose violations of the above requirements to the City Clerk who shall forward the disclosure to the City's Ethics Board for appropriate consideration.

SECTION 4. USE OF PUBLIC EMPLOYEES FOR PERSONAL BENEFIT.

No official or employer shall use public employees on government time for private benefit. Public employees should refuse to perform improper personal tasks on government time.

SECTION 5. USE OF POSITION OR PRESTIGE FOR PERSONAL BENEFIT.

No official or employee shall use, nor allow others to use, the authority, title or prestige of public office for the attainment of private financial, social or political benefits in any manner that is inconsistent with public interests.

A. Use for commercial purposes. No official or employee shall permit their names or official titles to be used by a nonpublic enterprise in any manner which would lead reasonable observers to believe that those who deal with the enterprise may receive special treatment or advantages as a result of a formal association with the official or employee.

B. Use for public advantage. No official or employee shall use official letterhead or refer to their public position as a means of inducing or intimidating persons to resolve disputes more favorably, provide preferential treatment, or give free tickets, discounts, favors or other advantages.

SECTION 6. NEPOTISM.

No official or employee may appoint or hire, or participate in influencing the appointment or hiring of, his or her spouse or domestic partner, child or stepchild, sibling or stepsibling, parent, or member of his or her household for any type of employment, including by contract, with the City. No official or employee may supervise or be in a direct line of supervision over his or her spouse or domestic partner, child or stepchild, sibling or stepsibling, parent, or member of his or her household. If an official or employee comes into a direct line of supervision over one of these persons, he or she will have six months to come into compliance or to obtain a waiver by the Mayor or the Mayor's designee and such waiver shall be forwarded to City Council and the City Clerk and be available to the public. The Department of Human Resources shall provide to Council and the City Clerk, which shall be posted at a public meeting, a list of relationships under the employ of the City, inclusive of spouse or domestic partner, child or stepchild, sibling or stepsibling, parent, or member of his or her household and be on file in the City Clerk's office.

SECTION 7. PATRONAGE.

No official or employee may promise an appointment, employment, or the use of his or her influence to obtain an appointment to any position as a reward for any political activity or contribution. Appointments or hiring of anyone that has been engaged in political activity related to the election of City officials shall be fully disclosed and the disclosure shall be on file in the City Clerk's office prior to any hiring.

SECTION 8. POST-POSITION.

A. Representation. For a period of two years after the termination of his or her City service or employment, an official or employee may not, on behalf of any other person, for compensation, directly or indirectly, formally or informally, act as agent, attorney, lobbyist, or other sort of representative, to or before his or her former agency, department, authority, board, or commission. For the purposes of this subsection, a Mayor, managing director, Council member or Council aide is deemed to have worked for every City department, agency, authority, board, and commission. Acting indirectly includes action by a partner, associate, and other professional employee of an entity in which the former official or employee is a partner, associate, or professional employee, as well as acting by a member of the former official or employee's immediate family.

B. Particular matters. With respect to particular matters on which the official or employee personally and substantially worked while in City service or employment, the foregoing prohibition is permanent.

C. Area of responsibility. With respect to matters for which the official or employee had official responsibility, but were not personally and substantially involved, the foregoing prohibition is for a period of two years after termination of City service or employment.

D. Employment. An official or employee, or a member of his or her immediate family, may not accept employment with, or with the help of: a) a party to a contract with the City, within two years after the contract was signed, when he or she participated personally and substantially in the preparation, negotiation, or award of the contract, and the contract obliged the City to pay an aggregate of at least $25,000; or b) an individual or entity who has, within the previous two years, benefited directly from any decision made by, or based on advice or information supplied by, the official or employee or by a subordinate. An elected or appointed official, or a member of his or her immediate family, may not accept employment if the body of which he or she is a member or was a member within the previous two years had any role in filling the job, including an advisory role. A Mayor, chief of staff or Vice Mayor, or Council member, or a member of his or her immediate family, may not, for two years after termination of City service or employment, accept any full-time compensated position with the City. For the purposes of this section, “employment” includes full-time and part-time jobs, and professional and other work for hire, given directly or indirectly.

E. Exceptions. Former officials and employees are not prohibited from acting if:

(1) They are working for the City on a volunteer basis.

(2) They are acting on behalf of another federal, state, or local government.

(3) They are giving testimony under oath and is not being compensated for it.

(4) They are providing scientific or technological information at the government's request.

(5) They performed only ministerial acts.

F. Waivers. The Ethics Commission may waive the prohibitions of this provision if it determines that the situation does not create a potential for undue influence, unfair advantage, or a serious appearance of impropriety.

SECTION 9. INTERVENING ON BEHALF OF CONSTITUENTS AND FRIENDS.

Public officials shall not directly or indirectly intervene with normal decision making, investigatory or adjudicative processes of governmental bodies on behalf of constituents or friends because such intervention can threaten the ability of government administrators to exercise independent objective judgment on the merits.

A. General rule. Intervention on behalf of constituents or friends is proper only if it is strictly limited to assuring fairness and equity of treatment of the procedures and the intervener consciously avoids seeking to unduly influence the decision making process. Those who intervene should firmly, explicitly and unambiguously convey their limited purposes to reduce the possibility of direct or indirect pressure on administrators which could reasonably appear to influence the substantive decision.

B. Sharing of compensation.

(1) No person rendering professional services to the City shall, in any form or guise, share or agree to share the compensation received by him for such services with any City employee. Nor shall any City employee share or agree to share in the compensation received from the City by any other person for rendering professional services to the City.

(2) A “person” for purposes of this section shall be a natural person, partnership, or a corporation.

(3) Notwithstanding anything contained herein to the contrary, this section shall not prohibit a general partner in a professional partnership from sharing or agreeing to share his compensation with other general partners in the partnership; nor shall the other general partners in the partnership be prohibited from sharing in any such compensation.

SECTION 10. DISCLOSURE OF CITY INTERESTS.

A. The Department of Finance shall annually publish a list of all persons, firms, corporations, associations or other business entities doing in excess of $500 in business with the City during the past year. All officials, department directors, bureau heads and such other employees of the City as the Board of Ethics, Mayor or City Clerk may

enumerate shall indicate any offices or employment in such businesses or any financial interest in such businesses which he or any associate of his may have and the amount of such interest.

B. Such enumerations shall be returned to the Board of Ethics and become public record.

SECTION 11. POLITICAL ACTIVITY.

A. No appointed official or employee of the City shall use the prestige, power or influence of his position on behalf of any political party.

B. No appointed official or employee, other than temporary summer employees, shall orally, by letter or otherwise solicit or be in any manner concerned in soliciting any assessment, subscription or contribution to any political party. Such appointed officials and employees, or those seeking office on their own behalf, excluding temporary summer employees and elected officials, shall not take an active part in political campaigns for candidates for City office. No official or employee, whether elected or appointed, shall promise an appointment to any municipal position as a reward for any political activity nor remove or threaten the removal of another official or employee for failure to participate in political activity.

C. No elected official, appointed official, or employee shall use City resources in any manner for purposes of any political activity. This prohibition includes, but is not limited to, use of interior locations in City buildings; use of any City equipment; use of time; and use of any City resources; and conducting public or private meetings inside City buildings. Political activity includes, but is not limited to: 1) any campaigns for elected political office, whether contested or not; 2) any support or opposition for or against any political party; and 3) any support or opposition for or against any political based action group.

SECTION 12. CRIMINAL CONVICTIONS.

A conviction for a felony, and/or misdemeanor, which constitutes a knowing and deliberate breach of the law shall be considered a breach of the public trust and a knowing and deliberate violation of this Code of Ethics.

SECTION 13. BOARD OF ETHICS AND ISSUANCE OF ADVISORY OPINIONS.

A. The Board of Ethics is established under the Home Rule Charter. Each member shall serve until his successor has been appointed and qualified. The Board shall annually select a chairperson.

B. No more than three of the members shall be members of the same political party. At least one of the members shall be an attorney. The initial members of the Board shall have staggered terms and any member of the Board shall be eligible to succeed himself. The members of the Board shall serve without compensation but shall be entitled to reimbursement of expenses incurred by them in the performance of their duties. The Office of the City Clerk shall provide administrative support services to the Board.

C. The Board shall adopt the necessary rules which will enable it to carry out its powers, duties, and functions. Meetings of the Board shall be held at the call of the Chairman, and the affirmative vote of a majority of the entire membership shall be necessary to take any action. The Board shall have the power to administer oaths. The meetings of the Board shall be appropriately advertised by the City Clerk's Office.

D. The Board shall render written advisory opinions at any time at the request of any official or an employee of the City involving possible conflicts of interest on the part of such official or employee. Requests shall be filed with the City Clerk who shall forward a copy to each Board member by the following working day.

E. The Board shall also render written advisory opinions in circumstances where there is alleged to be a conflict of interest or unethical conduct on the part of any official or employee of the City within the scope of the Code of Ethics. Requests shall be filed with the City Clerk who shall forward a copy to each Board member by the following working day. Such request for an advisory opinion shall specially state the provision or provisions of the Code of Ethics which the complainant alleges have been violated.

F. The Board may, for good cause, refuse to entertain a request for an advisory opinion. Without limiting the generality of the foregoing, the Board may refuse to entertain a request where the request is speculative or purely hypothetical and does not involve an actual situation or where the request is frivolous. In no case shall the Board entertain a request that is not in writing and not signed by the person making the request. Such request may be filed by fax or email with the signed request attached. Such request shall contain a telephone number and street address of the person making the request.

G. The Board shall acknowledge the receipt of a request, in writing, to the person submitting the request. If the request involves an employee or official and the request is made by a person other than such employee or official, a copy of the request shall be sent to the employee or official so involved, with the name of the person making the request deleted so that his name will not be disclosed.

H. Every City employee or official shall provide such information to the Board as it may deem necessary for the Board to perform its responsibilities under this code. The employee or official involved in the request shall have the opportunity within 15 days after receipt of the request to respond, in writing, to make a written request for a hearing or to do both.

I. The Board shall, upon receipt of a request for a hearing within the period above referred to by the official or employee involved, set a time and place for the hearing for the purpose of determining the facts. The person making the allegations and the employee or official involved shall have the opportunity to appear at the hearing by himself or by counsel and to present any and all evidence, including testimony and exhibits which are relevant to the issue involved. No testimony shall be excluded except for irrelevancy.

J. The Board shall have subpoena powers to obtain information pursuant to the Home Rule Charter.

K. All hearings before the Board involving an alleged conflict of interest of an employee or official shall be held in executive session; provided, however, that a public hearing may be held where such official or employee alleged to have conflict of interest consents thereto.

L. The Board shall render its opinion, in writing, within 30 days after a request for an opinion is filed with the City Clerk or within 45 days after a hearing on any request shall have been concluded, whichever is later, unless otherwise extended to a specified date upon the written consent of the official, employee or complainant. All opinions rendered by the Board shall be in such form and with such deletions as would prevent the disclosure of the identity of the official or employee involved.

M. If the request for an opinion involves an employee or official and the request is made by a person other than such employee or official, then after an opinion has been reached, the Board shall, in the case of an appointed official or employee, notify the Mayor and the appointing authority of the official or employee involved of its decision. The appointing authority shall take whatever action is deemed necessary and shall report the action to the Board within 15 days after receiving the decision of the Board. If it is the majority decision of the Board that the action taken is not satisfactory then the Board shall so notify the Mayor and all members of Council. In the case of an elected official, the Board shall notify the Mayor and all members of Council.

N. A copy of written opinions with identifying names deleted shall be filed with the City Clerk's and Solicitor's offices.

SECTION 14. INITIATIVE OF VIOLATOR FOR REMEDIAL ACTION.

Violation of any provision of this Code of Ethics should raise conscientious questions for a Council person or other official or employee concerned as to whether voluntary resignation or other action is indicated to promote the best interests of the City.

SECTION 15. RULES AND REGULATIONS.

The Mayor may issue rules and regulations governing officials and employees subject to his jurisdiction consistent with and in furtherance of the requirements set forth in this code, and may require such disclosure, financial and otherwise, as he deems appropriate or necessary. Any rules and regulations or amendments thereto shall be filed with the City Clerk and formally communicated to the City Council, appropriate officials and City employees and the Board of Ethics.

SECTION 16. REPORTS.

When appropriate, the Ethics Board shall annually prepare a written report for Council and the Mayor, and shall present in a meeting with City Council recommendations concerning policies and procedures that ensure that City officials and employees maintain the highest degree of trust with the public using a template provided by City Council.

SECTION 17. FILING AND POSTING OF CAMPAIGN FINANCE REPORTS.

On or before the due dates for the campaign finance reporting schedule as mandated by Pennsylvania law requires such reports to be filed with the County of Delaware, candidates for the offices of Mayor, Controller and Council shall file a copy of their campaign finance report with the City Clerk's office and receive a receipt for such deposit. The Clerk's office shall have the campaign reports forwarded to the Information and Technology Office which shall post such reports on the City website. The campaign finance reports shall be posted no later than five days after the reporting deadlines mandated by state law and as required by this chapter.

SECTION 18. PERSONAL USE OF CITY FUNDS PROHIBITED.

Leaders, members, or officials belonging to nonprofit or other organizations that lobby for or are actively engaged in seeking City funds or funds distributed through the City and receive funding or receive funds through the City are prohibited from receiving remuneration from these funds. This prohibition shall also apply to the immediate and extended family members of such leaders, members and officials. City officials shall also be prohibited from acting as a conduit for such activity and shall immediately disclose such request to the City Clerk who shall forward the disclosure to the City's Ethics Board.

SECTION 19. REPEALER.

Any ordinance or part of any ordinance which conflicts with the provisions of this chapter is hereby repealed insofar as the same affects this chapter or is inconsistent with this chapter.

SECTION 20. VIOLATIONS AND PENALTIES.

The doing of any act prohibited, or the failure to do any act required, by the Code of Ethics or rules and regulations issued pursuant thereto shall constitute grounds for disciplinary action, and any City official or employee subject to the Mayor's jurisdiction who violates the Code of Ethics shall be disciplined in the manner provided by law and administrative policy. Any elected City official or employee or one subject to the City Council's jurisdiction who violates a material provision of the Code of Ethics shall be subject to disciplinary action up to and including removal from office in the manner provided by law.

SECTION 21. 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

R E S O L U T I O N

NO. 51 - 2024

WHEREAS, the Chester City Council approved Resolution 18-2024, to enter into a 3-year contract with Colliers Engineering & Design, Inc., to assist with the development of safe street and roads, and provide engineering services to meet the City's capital plan needs, assist with ARPA project completion for all action plans to prioritize safety enhancements, and justify essential investments; and

WHEREAS, after further review, the City has determined there are other engineering projects that need completion that can be funded through the General Fund & Liquid Fuels, and Grants.

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

That it does approve an addendum to the original Contract with **Colliers Engineering & Design, Inc.**, 181 Washington Street, Conshohocken, PA 19428, Suite 430, to increase the original contract amount of Three Hundred Ninety-five Thousand Eight Hundred Dollars ($395,800) to Seven Hundred Thousand Dollars ($700,000), to be paid through ARPA funds, for a total contract amount of One Million Dollars ($1,000,000), to include the implementation of the City's GIS program and other engineering projects to be funded through the City's General Fund, Liquid Fuels and Grants.

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

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

WE HEREBY CERTIFY that this Resolution passed Council this 12th day of June, A.D. 2024.

_____
MAYOR

Attest: _____
CITY CLERK

R E S O L U T I O N
NO. 52 - 2024

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby award the contract for the 2024 Summer Food Service Program, for which proposals were received on June 10, 2024, be and it is hereby awarded to Penn Homes Café at the proposal price of Eighty Thousand Dollars ($80,000.00).

FURTHER, the other proposal is hereby rejected; the certified check accompanying said proposal shall be returned to the unsuccessful proposer.

FURTHER, that the Solicitor's Office shall prepare a contract and the successful proposer shall furnish a Performance Bond in the full amount of the respective contract in accordance with the specifications and to the satisfaction of City Council.

WE HEREBY CERTIFY that this Resolution passed Council this 12th day of June, A.D. 2024.

_____
MAYOR

Attest:_____
CITY CLERK

R E S O L U T I O N

NO. 53 - 2024

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby approve an agreement with First Tee Greater Philadelphia and the Boys and Girls Club Chester, for the temporary use of a designated area in Chester Park for Summer Youth Golf Clinics, beginning June 24, 2024 through August 9, 2024, which sets the terms and conditions for each party as to their respective responsibilities in working together to provide a positive impact on the lives of young people by providing educational programs that build character and instill life-enhancing values through the game of golf to the youth of the City of Chester.

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

WE HEREBY CERTIFY that this Resolution passed Council this 12th day of June A.D. 2024.

_____
MAYOR

Attest: _____
CITY CLERK

R E S O L U T I O N

NO. 54 - 2024

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

1. Anthony Parris Taggart, 817 MacDonald Street, Chester, PA 19013;
2. Stanley E. Swain, 2508 West 4th Street, Chester, PA 19013;
3. Theodore McNeil, 2015 Edgmont Avenue, Chester, PA 19013;
4. Bridget Flynn, 917 Upland Street, Chester, PA 19013;
5. Charos Shelton, 3008 West 11th Street, Chester, PA 19013;
6. Lisa Whiteside, 320 East 20th Street, Chester, PA 19013;
7. Barbara Dennis, 331 West 9th Street, Chester, PA 19013;
8. Rodney D. Banks, 2017 Madison Street, Chester, PA 19013;
9. Helen Perry, 1037 Butler Street, Chester, PA 19013;
10. Clifford Hall, 716 Parker Street, Chester, PA 19013;
11. Barbara Ballard, 236 West 22nd Street, Chester, PA 19013;
12. Maria M. Gonzalez, 319 East 20th Street, Chester, PA 19013; and
13. Charles Paul Holloway, Sr., 813 Barclay 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 800 Block of MacDonald Street, in the 2500 Block of West 4th Street, in the 2000 Block of Edgmont Avenue, in the 900 Block of Upland Street, in the 3000 Block of West 11th Street, in the 300 Block of East 20th Street, in the 300 Block of West 9th Street, in the 2000 Block of Madison Street, in the 1000 Block of Butler Street, in the 700 Block of Parker Street, in the 200 Block of West 22nd Street, in the 300 Block of East 20th Street, and in the 800 Block of Barclay Street, in the City of Chester.

WE HEREBY CERTIFY that this Resolution passed Council this 12th day of June, A.D. 2024.

_____
MAYOR

Attest:_____
CITY CLERK

R E S O L U T I O N

NO. 55 - 2024

WHEREAS, the City of Chester hired W. Paul Fritz for the full-time Director of Planning and Zoning, effective July 2, 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, effective August 1, 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 12th day of June, A.D. 2024.

_____
MAYOR

Attest:_____
CITY CLERK