



# Allentown

435 Hamilton Street  
Allentown, Pa. 18101

## Minutes - Final

### City Council

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Wednesday, August 17, 2022

6:30 PM

Council Chambers

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#### Invocation:

#### Pledge to the Flag

#### Roll Call

**Present:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, Joshua Siegel, and Natalie Santos

#### Courtesy of the Floor

**Members and others given the privilege of the floor will address the Presiding Officer. If you are speaking on behalf of yourself, you have three minutes and if you are speaking on behalf of a group (the idea being the entire group does not come up and make the same type of statements), you will have five minutes. Please be sure to state your name and address.**

**Courtesy of the Floor is meant to provide public comments, we will take all comments under advisement and have the appropriate agents get back to you if necessary. If you have materials for Council, please distribute them to the Clerk.**

#### Contract Approvals

[15-5256](#)

R123

Authorizes an update in the agreement between Carfax and the Allentown Police Department to enable the department to sell accident reports electronically through linking Carfax's website to the Department's website.

**Attachments:** [R123 Police and Carfax Update](#)  
[Resolution #30481](#)

Assistant Chief of Support Services James Gress, stated that the Police Department already has a contract with Carfax. They stream data to them that they investigate. This is an opportunity to have Carfax sell the accident reports to the public for them. The computer systems in the car will stream the information to them as it does now. They will retain the accident reports and sell it for the Police Department to the public. He stated that he learn this because he had a little fender bender in Bethlehem. He never had an accident, knock on wood, but he bumped somebody's mirror going around a parked car so he needed a copy of the report. They gave him a Carfax

and he said Carfax. That's how he got a copy of the report. The \$15 goes to the city.

Ms. Cynthia Mota asked if they had any questions from the dais.

Mr. Daryl Hendricks stated that he would assume that this will resolve some of the staffing issues that we are doing now.

Assistant Chief of Support Services James Gress stated that it will allow the staff in the Traffic Office to catch up. They do a lot of data entry with non-reportables and DUI information. This will allow them a little free time. Plus, they do not take credit cards in the city. Carfax does take credit cards. People come in with credit cards so it is a great thing.

Mr. Daryl Hendricks stated as of yet.

Assistant Chief of Support Services James Gress stated as of yet. We are working on it.

Mr. Daryl Hendricks stated that it seems to be something very positive for us in the department.

Ms. Cynthia Mota asked Assistant Chief James Gress what would it do if Council votes yet on R123.

Assistant Chief of Support Services James Gress stated that it would allow them to go forward with this project and begin streaming all the information to them and have them sell the reports for the city.

Ms. Cynthia Mota asked if there were any other comments from the dais or the public.

**Yes:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, Joshua Siegel, and Natalie Santos

Enactment No: 30481

## Minutes of Previous Meeting

[15-5268](#) July 13, 2022 City Council - Special Meeting on Tourism and Entertainment ARPA

**Attachments:** [July 13, 2022 City Council - Special Meeting on Tourism and Entertainment ARPA](#)

**Yes:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, Joshua Siegel, and Natalie Santos

[15-5266](#) August 3, 2022 City Council Meeting Minutes

**Attachments:** [August 3, 2022 City Council Meeting Minutes](#)

**Yes:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, Joshua Siegel, and Natalie Santos

**Communications: NONE**

**Old Business:**

Mr. Ed Zucal asked Mayor Tuerk to address this. He stated that he got a phone call yesterday. Where are they with regards to the consulting firm for the city garage.

Mayor Matthew Tuerk stated that he asked staff to provide updates on all of the city engagements on consulting. He has not had a chance to review that update. He asked Mark Shahda for a quick update. He will go into later in his report.

Mr. Mark Shahda stated to Mr. Zucal that they are in discussing with the consultants. They are expected to have the study wrapped up in the first week of November.

Mr. Ed Zucal stated that one of the issues that he has is that part of approving King George was that they were going to come in here and at least carry them until the city can get to what we have to fix. He is being told that a couple of mechanics have left recently which leaves them with no inspection mechanics which we need to send everything out that needs to be inspected. They are down three pavers and borrowing one from South Whitehall. That is insane. We have literally one supervisor, one welder, a supervisor that is making about \$96,000 who is supervising one welder and one body shop worker. What is our answer?

Mayor Matthew Tuerk stated that answer to what question.

Mr. Ed Zucal stated the question is how we are fixing this. Obviously, King George is not holding up to their end.

Mayor Matthew Tuerk stated that King George is performing to contract. Our expectations are high. We expect better than the performance.

Mr. Ed Zucal asked what is the city doing to fix this problem to them. We should not be paying them if they are not performing to what our standards are.

Mayor Matthew Tuerk stated that he believes they are performing to contract. Mark's team including Dale Tretter, our Street Superintendent are actively engaged in managing the garage. He will go into it later in his

report on the personal challenges that the entire city faces and the entire business and municipal government faces across the country with hiring people. Mechanics are tough to come by.

Mr. Ed Zucal stated that he was under the assumption when Council approved them, they would be able to come in here and bring people with them. Maybe he misunderstood that part of the contract, but he doesn't think he did.

**REPORTS**

**Special Committee Meeting (Mota, Hendricks, Siegel):** Chairperson Mota Council will hold a Special Meeting on August 24 at 6 PM on the bills that were introduced relating to the Roe decision. Mr. Siegel and Mr. Hendricks are on the committee, all Council is invited to attend.

**Budget and Finance: Chair Siegel, Hendricks, Santos**

The Committee has not met since the last council meeting. The next meeting is scheduled for August 24 at 5:30 PM.

**Community and Economic Development: Chair Gerlach, Siegel, Mota**

The Committee met on August 10 and forwarded two items on this evening's agenda. The next meeting is not yet scheduled.

**Human Resources, Administration and Appointments: Chair Santos, Hendricks, Siegel**

The Committee has not met since the last council meeting; there are no future meetings scheduled at this time.

**Parks and Recreation: Chair Affa, Gerlach, Santos**

The Committee has not met since the last council meeting; there are no future meetings scheduled at this time.

**Public Safety: Chair Hendricks, Zucal, Affa**

The Committee met this evening; there are no future meetings scheduled at this time.

**Public Works: Chair Zucal, Affa, Hendricks**

The Committee met this evening; there are no future meetings scheduled at this time.

**Rules, Chambers, Intergovernmental Relations and Strategy: Chair Mota, Zucal, Gerlach**

The Committee has not met since the last council meeting; there are no future meetings scheduled.

**Controller's Report (3 minutes)**

Mr. Jeffrey Glazier stated that he is not reporting on any audits this evening. He would like to advise Council that the Controller's interns are very busily wrapping up their projects. Next Wednesday at the Finance Committee meeting, the interns will review their process flows and that is always a great meeting to attend to see these young people very proudly present their work. Within a week or two after that he will be reporting on the audits that accompanied each of the process flows. There

are certainly meat on those bones for Council and the administration to consider.

Ms. Cynthia Mota stated nice, Council will be looking forward to that.

### Mayor's Report (3 minutes)

Mayor Matthew Tuerk thanked Council and stated that he did miss them last time around. Since the last time he reported there are a few things that he wants to update them on. There have been multiple occasions over the past few weeks where the temperatures in the city of Allentown have reached in combination with humidity and oppressive heat levels. They leaped into action getting tremendous support from the Fire department, EMS team and Public Works team to make sure there were mobile cooling stations set up across the city. They reduced the cost of admissions to the pools to zero for seniors and kids under the age of 13. They are coming up with an emergency plan. They have a draft emergency plan that was prepared by the city's Emergency Management Coordinator so that the city would be ready for next year. The city will be publishing that plan so we can get public input from Council on improvements that we can make. They think it is a collaborative process to come up with solutions to what will be an ongoing problem as climate change does definitely have an impact in the city of Allentown. On Monday, August 8th, the city held the 109th annual Romper Day Event at J Birney Crum. The city had approximately 250 kids from across the city who participated in the summer playground program during the course of the summer. Cap off the event at Romper Day and the next day they had a trip to Dorney Park. A good time was had by all. He wants to thank Assistant Chief Gress for the work that he did to bring Classic and Cruisers to Hamilton Street. There was a tremendous crowd from across eastern Pennsylvania come to check out over 200 classic automobiles. If you had an opportunity to attend, he knows he saw Councilman Hendricks out there early on. It was a great time and great to see that participation and particularly that participation across the city of Allentown. Events like that when they do them on Hamilton Street attracts the attention of anybody because they are free. Anybody can walk up and participate. It is really a great time to know the breadth of our city. He wants to make a specific that this is the last week that they will be able to enjoy as an adult or a human being a swim at Mack Pool. That will close on Friday, then on Saturday and Sunday, we will open the pool to our K9 residents of the city of Allentown to take a dip in the pool. Cedar Beech Pool does remain open until September 5th which he believes is Labor Day. The city's Movies in the Park Series is beginning this Friday. Spider Man "No Way Home" which in his inexpert opinion is the best of the Marvel Movies. If you are interested, you are able to enjoy that. It is great. It is fantastic. Enjoy that in the park this Friday. August 26th, we will be showing Clifford, the Big Red Dog at Midway Manor on the eastside. We will move over to the southside in September 16th to show Sing II at Roosevelt Park and will finish the series at the Arts Park on October 9th with Coco. He wants to bring to their attention prior to the next Council Meeting, the administration will be hosting with the Department of

Community and Economic Development a Pop Up Block Party on Ridge Avenue on August 27th which is an extension of our neighborhood planning effort in the first and sixth wards. The city is doing that in collaboration with the Cohesion Network Group and with Jimmy Spang's Group. The next two weeks ahead of us, August 22nd, the 25th and August 29th to September 1st, will be encouraging Allentown employees and Allentown residents to give blood at the Miller Keystone Blood Center at 740 Hamilton. He will be there on Tuesday, the 23rd if they want to see him pump out as much blood as he can in four minutes. He stated that he wants to jump over to the commentary on personnel. He thanked and congratulated David Synnamon who was approved by the Allentown Board of Health to become the new Director of our Allentown Health Bureau. Dave has tremendous amount of experience as our Injury Prevention Manager and was an unanimous decision by the Board of Health to be our next Director of the Health Bureau. We are very excited about what Dave brings to the job. A non-city of Allentown hire, but one that is important to you to know of is that he was fortunate enough to meet Ms. Clark who is the new principal at Allen High School. Probably one of the most important job in the city of Allentown. Ms. Clark is coming from a district in New Jersey. It seems incredibly capable and qualified. She is the first female and the first African American Woman Principal of Allen High School. He stated that they are excited to support her in any way that they can to support the kids at Allen High School. He mentioned the four individuals that were promoted in the month of July here at the city of Allentown: Ruby Kale was promoted from Purchasing Coordinator to Buyer in the Procurement Department; Justin Mertz went from Maintenance Worker II to Tradesman in Streets; Jennifer Palenchar went from Clerk III to become our Pension and Financial Analyst in the Financial Department and Karen Ocasio was promoted from HR Coordinator to Benefits Manager. He stated that we are grateful for all the work that they have done and congratulated them on their promotions. He quickly updated them on some vacancies that continue to exist in the city of Allentown. Since Mr. Lightner's departure from the city of Allentown as the Chief Operating Officer position continues to remain vacant. We do not have an active search while we work through the Budget process. The city will entertain applications for that position. The city is actively searching for an HR Director to take that role. They have about 20 applicants at the moment. Those applications do remain open. It is a position that they have seen tremendous interest in. The city also have vacancies with our Facilities Manager position which is head of the Building Maintenance Department in our department of Public Works. He is hoping that they will make a hire by mid next week for that critical position. He stated that he will comment briefly on the garage and the challenging that they find with hiring mechanics. Mark Shahda involved him that he does have a meeting scheduled with King George for Monday to discuss bringing in mechanics from other operations that they have around the country. He prefaced that by saying that they are not unique in the city of Allentown in our challenges in finding talent. Whether we try to bring mechanics in from Syracuse or Topeka or Tampa, they have the same challenges. It is going to

remain a struggle and it is a struggle which is one of the most significant challenges that we face here with this administration in the city of Allentown, but is committed to ensuring that the operators have functioning equipment. He did mention the budget. They are through the first round of budgeting with the department. They are embarking on a zero based budgeting approach which should provide us with much more transparent budgeting for Council to see exactly what they are proposing to spend in 2023. The administration is looking forward to the opportunity to present it to Council and hoping that it is a much more open process for you. For the public, we did present Council at its last Special Meeting with an assessment of the Capital Improvements that are needed at facilities in the city of Allentown. They are continuing the work of collecting cost estimates for buildings like the Police Academy, Central Fire Station, and our multiple pools that need repairs. That work is ongoing and you can look to see it in the upcoming budget. He stated a quick word in favor of you attending anything with the interns that the Controller has assembled. We were able to sit in on a presentation of an audit of our business licensing process which is absolutely fantastic. The intern who prepared that analysis is excellent and stated that he is hoping that he is available to us as an employee in a couple of years. Later next year, he will be meeting with the chairs of all our Authorities, Boards and Commissions to discuss their approach to managing those vacancies on those boards. He asked Council and the public for all those authorities, boards and commissions, the administration is eager to field suggestions from you. If you have people who you think would be good fits for the Ethics Board for instance and they will be discussing Ethics later on or our Zoning Hearing Board or for our Arts Commission. There are vacancies across the board and anybody that you can recommend, the administration will happily entertain their candidacy for those positions. He stated that he will answer any questions Council may have.

Ms. Cynthia Mota asked Council if any of them had any questions.

Ms. Natalie Santos asked if Mayor Tuerk can repeat the dates for the Miller Keystone donations.

Mayor Matthew Tuerk stated that they are open Monday through Friday. The specific blood drive August 22 - 25 and August 29 - September 1. That is at 740 Hamilton Street between Seventh and Eighth Streets on Hamilton.

Ms. Cynthia Mota commended Mayor Tuerk, his administration, staff and whoever was involved regarding the Employee Appreciation Event was beautiful. Seeing the smiles of the employees here. It was priceless. They felt appreciated and she believes that they have not had an event like that in quite some time.

Mayor Matthew Tuerk stated that it has been some time and you all appreciate the tremendous work that our city employees from the Firefighters, to Police, to Streets

workers, to Tax Examiners, to the many different Clerks and Office Managers put in in support of our city and us. We want to make sure there was some recognition and continue to get some recognition there. He stated to Council and the public, we you get an opportunity to see a Streets worker or a Police Officer, or EMS Paramedic just say thanks. Those little words of appreciation are significantly felt. They don't get to hear it very often and they absolutely deserves it. They put in tremendous work and tremendous efforts. They keep our city afloat and make Allentown a really great place to live and work.

Ms. Cynthia Mota stated that she was really impressed. They were really happy. A lot of them felt appreciated. She stated that she hopes that it continues every year.

Mayor Matthew Tuerk stated that he hopes to do that as well.

[15-5276](#) Controller Reports

**Attachments:** [Accts Payable - Aug 3 Report](#)  
[Bank Rec - Aug 3 Report](#)  
[PCard - August 5 Report](#)

#### ORDINANCES FOR FINAL PASSAGE (To be Voted On):

[15-5213](#) Bill 56 Public Works, this evening  
Providing for the vacation of Utica Street from the centerline of North Brick Street to its Eastern Terminus in the Sixth Ward of the City of Allentown:

**Sponsors:** Administration

**Attachments:** [Bill 56 Utica Street from the centerline of North Brick Street](#)  
[Letter from Mike Hanlon regarding Utica Street from the western property line of 16 W. Tilghman Street \(Parcel E\) to 1 West Allen Street](#)  
[Report to the City Clerk and Allentown City Planning Commission - Utica Street from N. Brick Street to its East Terminus](#)  
[Staff Report - Utica Street from N. Brick Street to its East Terminus](#)  
[Letter from Vicky Kistler regarding Allentown Planning Commission decision on Utica Street from N. Brick Street to its East Terminus](#)  
[Letter from Lehigh Valley Planning Commission - Utica Street from N. Brick Street to its East Terminus](#)  
[Utica Street Labels](#)  
[Ordinance #15829](#)

Mr. Ed Zucal stated that it was sent favorably 3 - 0 to Council.

Ms. Cynthia Mota thanked Mr. Zucal and asked if there were any questions from the dais or the public.

**Yes:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, Joshua Siegel, and Natalie Santos

Enactment No: 15829

[15-5224](#)

Bill 58 Community and Economic Development, forwarded favorably An Ordinance providing for the expenditure of certain monies received by the City of Allentown under Title I of the Housing and Community Development Act of 1976, as amended; The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009; and Title II of the National Affordable Housing Act of 1990, as amended; for the purpose of undertaking programs of housing and community development within the City.

**Sponsors:** Administration

**Attachments:** [Bill 58 Expenditure of certain monies received by the City of Allentown under Title I of the Housing and Community Development Act Ordinance #15830](#)

Ms. Ce Ce Gerlach stated that this was forwarded favorably. There were a number of new organizations on the list this year.

Ms. Cynthia Mota asked if there were any questions from the dais or the public.

**Yes:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, Joshua Siegel, and Natalie Santos

Enactment No: 15830

[15-5225](#)

Bill 59 Public Safety  
Amending the 2022 General Fund Budget to provide for a supplemental appropriation of Thirty Seven Thousand Two Hundred and Thirty Seven Dollars (\$37,237) as a result from a grant from the PEMA, Office of the State Fire Commissioner, EMS COVID-19 Recovery Grant Program, to the Allentown Emergency Medical Services to purchase equipment.

**Sponsors:** Administration

**Attachments:** [Bill 59 EMS PEMA Grant 8-3-22 Ordinance #15831](#)

Mr. Daryl Hendricks stated that it was forwarded favorably 3 - 0 to the full Council.

Ms. Cynthia Mota thanked Mr. Zucal and asked if there were any questions from the dais or the public.

**Yes:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, Joshua Siegel, and Natalie Santos

Enactment No: 15831

[15-5195](#)

Bill 51 Rules and Chambers, forwarded favorably Adhering to Part One Administrative Legislation, Chapter 80 Personnel Policies, Section 80-7, Part E (1) by forwarding the recommendations of the Reclassification Committee to City Council.

**Attachments:** [Bill 51 First Reclassification Request 7-20-22](#)

Ms. Cynthia Mota stated that she is the chairperson and it was sent favorably 2 - 0. This Bill will amend the remaining fund for the remaining pay period.

Ms. Ce Ce Gerlach asked if there a way because they are not allowed to talk once a Motion to Table has been made.

Mr. Ed Zucal stated Council can discuss.

Ms. Ce Ce Gerlach stated, no, not on a Motion to Table.

Mr. Ed Zucal stated to Ms. Gerlach she is right.

Ms. Cynthia Mota stated let's vote on the Motion to Table.

**A motion was made by Ed Zucal, seconded by Daryl Hendricks, that this Bill be tabled. The motion carried by the following vote:**

**Yes:** 6 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Joshua Siegel, and Natalie Santos

**No:** 1 - Ce-Ce Gerlach

**Request to suspend the rules to introduce and vote on Bill 53 this evening.**

Mr. Michael Hanlon stated that this comes from the Community Development Director, Ms. Vicky Kistler.

Ms. Vicky Kistler thanked Mr. Hanlon and Ms. Boyer for bringing it to you and thanked Council for hearing it.

**A motion was made by Joshua Siegel, seconded by Cynthia Mota, to Suspend the Rules to introduce and vote on this Bill 65.**

**Yes:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, Joshua Siegel, and Natalie Santos

[15-5187](#)

Bill 53 Rules and Chambers, forwarded favorably Amends the Ethics code by adding provisions on nepotism, patronage, gifting and general procedures.

**Sponsors:** Zucal, Gerlach, Affa, Hendricks, Mota and Siegel

**Attachments:** [Bill 53 Ethics Bill](#)  
[Ordinance #15833](#)

Ms. Cynthia Mota stated that there are two amendments that were suggested by the Solicitor. She asked for a Motion to introduce the amendments.

Mayor Matthew Tuerk asked what is the mechanism by which Council would offer that waiver.

Mr. Ed Zucal stated that is something that Council has to discuss.

Mayor Matthew Tuerk stated that he points to the difficulty with hiring personnel.

Mr. Ed Zucal asked Mayor Tuerk the same question. What waivers are in place for the Mayor.

Mayor Matthew Tuerk stated the initial recommendations.

Mr. Ed Zucal stated what waiver. You don't have one either.

Mayor Matthew Tuerk stated that the original legislation suggested a creation of a waiver. When he gets a request to fill a position, what they discussed briefly was a creation of a check box waiver on that request to fill.

Mr. Ed Zucal stated that they can come up with something similar to that.

Mayor Matthew Tuerk asked if Council would have to vote on it or will the Council President be the person to offer the waiver. He stated that they are right now trying to iron out the hiring process in the city of Allentown to make it easier. He has absolutely no intention in hiring anybody with the name Tuerk for the city of Allentown. There will be no waivers granted for his relatives here in Allentown, but there are instances where the city wants to hire somebody who and he does not know if there is a clear definition of nepotism. This is previously codified legislation that was not uploaded to the Code when you made the transition.

Mr. Michael Hanlon stated what Mayor Tuerk is speaking about is the Rules for the Ethics Board. The thing on nepotism, patronage and other things are stolen from the model of the Ordinance.

Mayor Matthew Tuerk stated that it created the mayor's waiver. He asked a procedural question on how Council is going to do the waivers. Do you have to have a first read and a second read on the waiver?

Ms. Cynthia Mota stated that Council has not thought of that, but there is a motion on the floor at this time.

Mr. Michael Hanlon stated that he would think if they say by City Council, City Council would have to take an official action.

Mayor Matthew Tuerk stated that he only offers it as further commentary when met with the Streets Department one of the things that they offered to him is that they have a very difficult time with the city's existing hiring process of bringing people onboard because of tests, clearances, and a variety of things. If we find a good candidate that happens to be the child of another department or another supervisor, we add in two weeks or a month to get Council to approve. We are very likely are going to lose more candidates. He only offers that as the thought that he has as an administrator in the city of Allentown.

Ms. Cynthia Mota asked if this issue happened before. What is the procedure back then?

Mr. Michael Hanlon stated that there was no procedure. This is a new provision in the Code. It was the City Solicitor that suggested that we define waiver. Who grants the waiver? The mayor suggested the mayor or the mayor's designee.

Mayor Matthew Tuerk stated that his caution is creating legislation that is poorly defined. It is very challenging for the city administration to do anything with it. If you don't know what the process looks like.

Mr. Ed Zucal stated that the benefit of City Council doing it is 1: the suggestion of the Solicitor's office. 2: it is nothing that says that we can't provide that waiver. It is not like we are saying that it is absolutely a dead end street. It doesn't say that. It says that if the waiver shall be provided by City Council and be available to the public as part of the transparency.

Mayor Matthew Tuerk offered the recommendation that Council passes legislation with the mayor's waiver and subsequently amend the legislation once you have a process in place. He stated that he does not anticipate that they will hire someone under these circumstances in the next couple of weeks or the next month. It would give them an opportunity to come up with an appropriate amendment that details what the Council waiver process may look like.

Ms. Cynthia Mota stated that she thinks that is fair.

Mr. Ed Zucal stated that he will restate the amendment. If we leave it the way it is now and there is a violation, proceed to the Ethics Board.

Attorney Charles Smith stated that the clarification is by the mayor or the mayor's designee and such waivers should be forwarded to City Council. That is new language.

Mr. Michael Hanlon stated that is correct. That would be the amendment.

Attorney Charles Smith stated as it stands now, it stops at to obtain a waiver. What Mr. Zucal appears to be proposing is that it would be to obtain a waiver. What Mr. Zucal appears to be proposing is that it would be to obtain a waiver from City Council and it will be available to the public.

Mr. Ed Zucal stated that is the correct way he has it.

Attorney Charles Smith stated that is what Mr. Zucal is proposing the mayor would prefer it stays as amended. He would like it to say by the mayor or the mayor's designee until such time as Council was to come up with a procedure to offer a waiver.

Mayor Matthew Tuerk stated that they don't even have to put the extra until such time language in the legislation. It gets to be sloppy legislation. Obviously, until such time. Council can act at any time to amend that legislation.

Mr. Michael Hanlon stated that you can do it at any time.

Mr. Ed Zucal stated that he will withdraw his motion.

Mr. Michael Hanlon asked if Council was back to its original motion.

Mr. Ed Zucal stated yes.

Mayor Matthew Tuerk stated that they should reiterated and mentioned in previous Council sessions that they strongly in favor of this legislation. It comes from a very good source and helps create more transparent government.

Ms. Cynthia Mota stated to Mayor Tuerk that he has been very clear when it comes to that.

**A motion was made by Ed Zucal, seconded by Ce-Ce Gerlach, that this Bill be amended.**

**Add: 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.**

**§ 36-5 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 step-child, sibling or step-sibling, parent, or member of his or her household for any type of employment, including by contract (unless competitively bid), 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 partners, child or stepchild, sibling or stepsibling, parent, or member of his or her household and be on file in the City Clerk's Office.

**The motion carried by the following vote:**

**Yes:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, Joshua Siegel, and Natalie Santos

Enactment No: 15833

**Add that has been in Section § 36-6 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.**

**Yes:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, Joshua Siegel, and Natalie Santos

Enactment No: 15833

**Yes:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, Joshua Siegel, and Natalie Santos

Enactment No: 15833

Mr. Ed Zucal stated that it is kind of like in conjunction with 36 - 5.

Mayor Matthew Tuerk asked if Council will create the disclosure form and make that available.

Mr. Ed Zucal stated that Council will get that done.

**A motion was made by Ed Zucal, seconded by Joshua Siegel, that this Ordinance be amended. The motion carried by the following vote:**

**Yes:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, Joshua Siegel, and Natalie Santos

Enactment No: 15833

[15-5277](#)

Bill 65

Amending the 2022 General Fund budget by creating the position of Building Inspector Trainee (Grade 16M, step C) and allowing the most senior Housing Inspector (Grade 14M) who is willing to assume the position, train with existing Building Inspectors (Grade 18M[b]) for a period up to but not to exceed one year. During this time frame, this inspector will pass the necessary tests and certification allowing them to assume the duties of the Building Inspector. Failure to pass these necessary qualifications in one calendar year will result in the Housing Inspector returning to their position, and the next senior staff willing to enroll will be given the opportunity.

**Attachments:** [Bill 65 Building Inspector Trainee](#)  
[Ordinance #15832](#)

**Yes:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, Joshua Siegel, and Natalie Santos

Enactment No: 15832

## CONSENT AGENDA

[15-5258](#)

R124

Sewage Planning Module at Riverview Lofts Allentown II LLC

**Attachments:** [R124 Riverview Lofts Allentown II LLC - Sewage Planning Module](#)  
[Riverview Lofts II Sewage Planning Module](#)  
[Riverview Lofts II - Signed Letter of Transmittal](#)  
[Riverview Lofts II Sewage Planning Module](#)  
[Resolution #30482](#)

Ms. Cynthia Mota asked if there were any questions or comments from the dais or the public.

**Yes:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, Joshua Siegel, and Natalie Santos

Enactment No: 30482

## RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):

[15-5223](#)

R122 Community and Economic Development Committee, Forwarded Favorably

Approves the Submission of the Action Plan to the United States Department of Housing and Urban Development.

**Sponsors:** Administration

**Attachments:** [R122 Approves the Submission of the Action Plan](#)  
[Resolution #30483](#)

Ms. Ce Ce Gerlach stated that it was forwarded favorably to tonight's agenda.

Ms. Cynthia Mota asked if there were any questions from the dais or comments the public.

**Yes:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, Joshua Siegel, and Natalie Santos

Enactment No: 30483

[15-5257](#)

R125

Authorizes the submission of the City's application for the Department of Justice's 2022 Edward Byrne Memorial JAG Grant in the amount of Fifty One Thousand Two Hundred and Thirty Six Dollars (\$51,236.00)

**Attachments:** [R125 JAG Grant Application 8-17-22](#)  
[Resolution #30484](#)

Ms. Cynthia Mota asked if there were any questions from the dais or comments from the public.

**Yes:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, Joshua Siegel, and Natalie Santos

Enactment No: 30484

[15-5255](#)

R126

Approves two transfers: (1) \$50,000 from Traffic Planning and Control to Complete the LED Street Lighting Conversion in the West End of Allentown – the funds were originally budgeted in 46 for design and construction which is now being done in house, the funds will be placed in an account to purchase materials; ; (2) \$10,057.40 from Recycling & Solid Waste due to an increase in cost for Wi Fi Costs at the Yard Waste Site and additional fuel costs for the tub grinder and other equipment.

**Attachments:** [R126 Transfer Funds](#)  
[LED Street Lighting](#)  
[Fuel and WIFI](#)  
[Resolution #30485](#)

Ms. Cynthia Mota asked if there were any questions from the dais or comments from the public.

**Yes:** 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, Joshua Siegel, and Natalie Santos

Enactment No: 30485

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**ORDINANCES FOR INTRODUCTION (To be referred to Committee with public comment prior to referral)**[15-5260](#)

Bill 64

Amending Part I: Administrative Legislation, Chapter 5 Administration of Government, Article IV Financial Procedures, Section 25 Temporary investment of funds.

**Attachments:** [Bill 64 Investment Policy Ordinance 8-17-22](#)

Ms. Cynthia Mota asked if there were any questions from the dais or comments from the public.

REFERRED TO THE BUDGET AND FINANCE COMMITTEE

**RESOLUTIONS FOR INTRODUCTION (Can be voted on or Referred to Committee):  
NONE****NEW BUSINESS**

Attorney Charles Smith stated that before they adjourn, he would like to amend his comments given during the Public Safety committee. Attorney Rosenthal from the Solicitor's office pointed him to a Section in the Fireworks Ordinance that addressing removal to the storage and destruction of consumer fireworks that are offered or exposed for sale or stored in violation. That allows the Pennsylvania State Police, Sheriff or Police Officer to take or cause to remove at the expense of the owners stocks of consumer fireworks. When he was thinking about it, admittedly he was thinking about it more in the context of someone lighting off fireworks and it was a response to that incident. There is provisions in the fireworks statute for the Pennsylvania State, Sheriff or Police Officer to take, remove or cause to be removed consumer fireworks which are offered or exposed for sale, store or held in violation of this article. He thanked Attorney Rosenthal and make Council aware of that before they adjourned.

**GOOD AND WELFARE**

Ms. Cynthia Mota stated for Good and Welfare, Council has a birthday card for Mr. Hanlon. They sang happy birthday. She stated thank you for all that you do. Have a great birthday.

Ms. Candida Affa stated happy birthday, Mike and many more.

Mr. Ed Zucal stated that this is for Ms. Kistler since she was upset the last time. Herbie and Esther would always go to the Fair and at the Fair they would have these helicopter rides and they were \$50 and every year they want to go on a helicopter ride and Esther would tell him that it cost \$50.

We could do a lot more with that \$50. Last year, they go to the Fair again and Herbie is 89 and says Esther if I don't get to go this year, I may not get to go ever again. She says Herbie, it costs \$50 and \$50 is a lot of money and \$50 is \$50. The pilot overheard them talking last year and said to them look, I make a deal with you. I will give you the ride if you don't say anything during the flight, I won't charge you. Herbie is all excited and they get on. They go flying and this guy is a master pilot and does all kinds of maneuvers from upside down to sideways. They land and the pilot says to them I can't believe you did not say anything during that flight. I tried everything to get you to talk. I did left turns, right turns. Herbie said well, when you did the left turn and Esther fell out, I almost said yes. He stated that \$50 is \$50.

Ms. Cynthia Mota stated that was horrible.

**ADJOURNED: 7:28 PM**

[15-4437](#) Council Rules  
Home Rule Charter  
Contract Procedures

**Attachments:** [HOMERULE June 2021](#)  
[Council Rules March 2021 Edition](#)  
[Contracts \(4\)](#)  
[Ethics, Code of \(7\)](#)