



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

City Council

Wednesday, April 21, 2021

7:00 PM

Council Chambers

Public Comment Provisions during COVID-19: The meeting will be live streamed. The link to the meeting can be found on the city website with the agenda and legislation at <https://www.allentownpa.gov>. Council will receive comments on the legislation prior to the meeting and will consider all comments from city residents. All comments must include your name and address, including your city, and be emailed to Michael.Hanlon@AllentownPa.gov by 2 PM on the date of the meeting. Comments can also be registered using the ecomment provision on each agenda item found on the city website. Comments received from city residents by that deadline will be forwarded to the Mayor and Council members prior to the meeting and will also be noted at Courtesy of the Floor or Public Comment periods of the meeting. These timely received comments will also be posted on the City's webpage as a supporting document to the meeting. Any comments received on the meeting day, after the 2:00 pm deadline, will be forwarded to the Mayor and Council as soon as practicable. In addition, if you would like to speak during the meeting, please send your name, address, including municipality, and telephone number to the email address above indicating what issue you would like to speak on or call the office at 610.437.7555 and do the same, and you will be called during the meeting.

Invocation:

Pledge to the Flag

Roll Call

Present: 6 - Cynthia Mota, Daryl Hendricks, Julio Gurdy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Excused: 1 - Candida Affa

Courtesy of the Floor

Courtesy and Privilege of the Floor Rules

Mr. James T. Spang, Jr., 435 Ridge Ave, over the past few years since the city communications center was moved to the county many questions have been asked by the community about non 911 issues and how their addressed. These issues are include parking complaints, trash, water leaks, animal complaints, homeless and social service issues and other neighborhood issues that occur after city hall is closed. We have approximately 130,000 thousand people living in the city with issues that

occur 24 hours a day 7 days a week. These issues become police problems due to the reason they are the only ones answering the phone. Then we all sit around and complain how the issues are resolved. The city of Bethlehem has a 24/7 311 center handling non-emergency city service issues. I believe they have approximately 80,000 citizens. What wrong with this picture. Allentown has a robust camera system costing millions of dollars of grant money and city tax money, who is watching the cameras. When a citizen calls the county com center to report an incident at a camera area and tells the dispatcher to look at the camera they are told only the police can request them to view the camera, so much for a citizen attempting to assist by providing info to the police. Just to be clear this is not the police dept. fault, it is the fault of all of us for not demanding that the city provide a fully operational 24/7 311 center and demanding the this has the most up to date technology so the police can view a camera feed to the area they are responding to while in rout. At the same time directing parking complaints to on duty parking authority officers. With regards to other issues directing the complaints to the department responsibility for handling the issue. I am President of the Riverfront Civic Assoc. and Chair of the 1 and 6 ward Planning Advisory Committee and both groups strongly suggest the city investigate the possibility of a 24/7 311 to better address issues that occur after normal business hours.

Mr. Michael Hanlon started reading the Courtesy of the Floor comment from Mr. Durante.

Ms. Ce Ce Gerlach asked for a Point of Order and stated that she is not sure if they should be reading this. She stated that she looked at the Rules and Rules 7, Letter C says Privilege of the Floor. Privilege of the Floor will not be extended for personal insults or personal attacks on an individual. Name calling and other behavior that is inconsistent with the purpose and intent of conducting official business. She stated that she does not know if the Solicitor or someone else can rule in.

Mr. Matthew Kloiber stated that on this particular quote as read before would defer having the Council President handle this. It lays out what are ethical violations which could be things that could be presented to the Ethics Board. That could be a forum to do that. Whether this constitutes insults or not, he would in a sense defer to the Council President and even Council as a whole, if they wanted to weigh in on that. It is phased in terms of ethical concerns and is something that could be raised. The Council Rules are designed to protect against personal attacks and slander and things along that line as well. It is a valid point for consideration that Councilperson Gerlach raises.

Mr. Julio Guridy stated that he does not know if it is unethical. He has not

read the letter. He does not know if it is ethical or unethical or slander or not. He stated that he likes to hear it because he does know what it is.

Ms. Ce Ce Gerlach stated that she read the letter and based on the last year that we all had where we all heard our name in one way or another about attacks against us. Based on reading the letter she does not believe it is an inherece with the Rules that we have set forth. She believes especially with the political climate that we are in and eventually we are going to open back up. The people being here she thinks only sets a precedence that these types of comments will be allowed towards any of us and according to the Rules, it is not allowed.

Mr. Julio Guridy thanked Ms. Gerlach and asked Council if they feel like this is something that should not be read. He stated that he would adhere to the majority.

Mr. Ed Zucal stated that he has not read the letter himself so he does not know what is in it. He cannot make a decision.

Mr. Michael Hanlon stated that it is on the website as an attachment. It was forwarded to Council a while ago.

Mr. Julio Guridy stated that it is on the website.

Mr. Michael Hanlon stated yes.

Mr. Julio Guridy asked Mr. Kloiber if he read the letter.

Mr. Matthew Kloiber stated that he has read the letter. Mr. Julio Guridy asked what does he consider.

Mr. Matthew Kloiber stated by and large part of the opportunity and the Council Rules are designed in part to try to maintain the decorum of the proceedings so people aren't tossing names back and forth. The letter identifies what the persons thinks are ethical concerns and lays them out. He stated that he does not recall. He has to look at it again to see if there are person insults that are phrased in that, but it lays out allegations of what this person is considering to be misconduct. Whether they are or not, but what this person is identifying is misconduct. He does not recall seeing language that are insulting in terms of using particular pejorative language or words against each other. Other than the fact of having an allegation of misconduct brought against the person is not something that someone wants to have to deal with. The part of the opportunity of Courtesy of the Floor is for people to have that opportunity to speak their truth to power if you will. It is not quite the legal language for that idea that they can express

their concerns and raise those concerns and those concerns particularly for items that are not on the Council's Agenda that this gives them an opportunity that says things that than could be put on the Council's Agenda and can be addressed or forwarded and if this is appropriate to the Code of Ethics to the Ethics Board. He stated that he does not recall that there were personal insults identifying other than they were saying it was misconduct. He does not know if it would fall within the idea of breaking up the decorum of Council. It is one person expressing their sense of their truth to power and questioning the conduct of individuals with an office. It is some measure of allowing the public the opportunity to do that as long as it is done in a way that isn't defamatory or that is using extremely negative sort of language, pejorative language against that person. That the decorum is maintained. It is a lengthy answer, but it is his sense of what he recalls having read it.

Mr. Julio Guridy stated in that case, it sounds like it could be read as long as it is not slandering anybody's name or person on Council.

Mr. Anthony Durante, 416 N. 8th Street, I am writing to the members of Allentown City Council to request appropriate disciplinary action against Councilperson Joshua Siegel for a pattern of inappropriate and egregious behavior. Siegel's irresponsible actions include handing out the Mayor's personal phone number to a group of angry protestors; yelling "F--- the police!" during a protest (for which he was nearly censured); and most recently, participating in a video that mocks the pandemic's devastating effects on local small businesses. The video was produced and posted to Facebook by Patrick Palmer, candidate for City Council, and featured Councilperson Siegel. The video denigrated local businesses, and made light of the severe economic toll that small business owners have experienced during the pandemic. On April 14, candidate Palmer posted the video to his "Patrick Palmer for City Council; Facebook page: https://fb.watch/4Vx74qwlsO/. The video features candidate Palmer and Councilperson Siegel "satirically" addressing many of the local and national issues making headlines today: entrepreneurship, economic development, the arts, affordable housing, homelessness, gentrification, police brutality, and so on. Candidate Palmer states in the video that, "It was fun... making light of the problems that we have here." Please note that even if this video met the standards for true satire (which it does not), that it is unacceptable for a sitting Councilperson to make fun of such serious issues, especially when so many of his constituents are suffering from the impacts of the very issues Siegel jokes about in the video. Councilperson Siegel and candidate Palmer mock breweries throughout Palmer's video. Nationally, breweries contributed almost \$83 billion and nearly

600,000 jobs in 2019. Pennsylvania breweries generated \$6.3 billion in revenue, and employed more than 72,000 people. They also contributed \$1.3 billion in business and personal taxes, and \$448 million in consumption taxes, that year. Here in the Lehigh Valley, there are approximately 28 breweries operating, including Allentown's own Fegley's Allentown BrewWorks, HiJinx Brewing Company, Brü Daddy's Brewing Company, and McCall Collective Brewing. The COVID-19 pandemic has devastated this industry. Breweries fall into the same category as restaurants when it comes to measuring the impact of the pandemic.According to the National Restaurant Association, the industry ended 2020 with total sales down \$240 billion, with 110,000 establishments closing either temporarily or for good, and up to 8 million employees laid off or furloughed. To put that number in perspective, 8 million people is nearly the population of New York City, and more than twice the population of Los Angeles. In another scene of the video, Councilperson Siegel and candidate Palmer joke about how many small businesses fail. To quote Councilperson Siegel in the video (:20), “Sometimes you have to fail once or twice before you fail that third time. It's like they always say, 'The seventh time is the charm.'” While it's true that entrepreneurship is hard work, and that many new businesses fail, City Council members should be encouraging entrepreneurs, not making fun of the many challenges they face. Perhaps unknown to Councilperson Siegel, entrepreneurs are almost always overworked, understaffed, and underfunded. So why encourage entrepreneurship? Because its impact on the economy is tangible.According toresearch out of the University of Maryland, “Business startups account for about 20 percent of job creation while high-growth companies (which are disproportionately young) account for almost 50 percent of job creation.” ore than half of the new businesses started in the U.S. over the past 10 years are minority owned. This is a significant statistic, considering that Allentown is a minority majority city. I have spent the last 10 years of my career working with startup and early-stage companies in the Lehigh Valley. I have managed two business incubators during that time – the Bridgeworks Enterprise Center in Allentown and the Ben Franklin TechVentures incubator in Bethlehem. I have worked with dozens, if not hundreds, of entrepreneurs who created companies from nothing more than an idea in their head. They have leveraged much of their personal wealth to launch and grow their companies, to bring new technologies into the world, and to create jobs. I have seen many of them succeed, but I have seen several fail. These entrepreneurs have launched

breweries, machine shops, engineering firms, medical device companies, pharmaceutical companies, diagnostic companies, software and hardware companies, among others. More significantly, these entrepreneurs are our neighbors in the Lehigh Valley. I celebrate with them when they are elated to have landed a big client or raise a round of funding. I calm them when they are angry because the bureaucracy of government at every level makes the path to success incredibly difficult. Sadly, I console them when all options have failed and it has come time to close their doors for good. Councilperson Siegel, who has been living off his taxpayer-funded salaries since he graduated college in 2016, mocks our hard working local business owners as a political stunt. As an elected official, Councilperson Siegel should use his position, power, and influence to make the path to entrepreneurship easier and to increase the likelihood for success. Poking fun at serious issues like racial injustice, police violence, homelessness, and the bevy of other problems that we face shows a complete lack of responsibility and maturity for the role of City Councilperson. Good leaders listen more than they speak. They check their egos at the door and approach their job with a sense of humility and responsibility. They remain faithful to the organization they serve even while working diligently to make improvements. When they lack the knowledge or expertise in a certain area, they put their heads down and work to get themselves up to speed on the subject, and take guidance from those around them who do have the knowledge and expertise. As an Allentown citizen and champion of local economic development, I find Councilperson Siegel's participation in this video to be unacceptable. He is a liability to the city and an embarrassment to the City Council. I respectfully call on the members of City Council to take disciplinary measures against Councilperson Siegel for his actions.

Ms. Alice Notis, 2720 W. Highland Street, thanked council for giving her the opportunity. Her neighbors and her have sent a Petition. Her biggest focus is the city is asking for a handicap ramp for her and she does not have a sidewalk. It is handicap ramps to nowhere. Not is not really helpful for a disabled person and a waste of money and something that they have to pay for and maintain at a time where they are financially hit from this pandemic. Instead of trying to impose more payments on us, she believes that the city should provide stimulus and not have us pay for this as well. She stated that is basically her focus right now. She is hoping that Council considers their Petition from a number of neighbors. She also feels like the American with Disabilities Act is a very valuable federal law that has been misunderstood by the city. She stated that they value the Americans with Disabilities Act and thinks it is an important federal law. However, they believe that the city should be paying for these things, not for private homeowners to have to be imposed an adjustment for this.

Mr. Michael Hanlon stated that is less than five minutes. Council has the Petition and the Petition is on the city's website under the meeting Agenda.

Mr. Ed Zucal stated that they all received her Petition today and he is the chairman of the Public Works Committee. He has been in conversation with the city's Solicitor based on some case law. The Solicitor is going to be researching that and hopefully and some grant money from the Americans with Disabilities Act hopefully, they can solve her problem.

Mr. Julio Guridy thanked Ms. Notis for calling. He stated that he did speak to her and asked her to get the information from the City Clerk so she can call and give her information to Council. He thanked her for following through and hopefully Mr. Zucal and Mr. Kloiber will find a good solution for your comments and questions.

Ms. Julie Thomases, 824 N. Broad Street, thanked Council for the opportunity. She posed two questions: As they all know a Alternative 911 Response Program has been discussed in many conversations since last August. The Mayor's interview with The Morning Call he expressed support for such a program. Where do we stand on moving this Alternative 911 Response Program? What models are being considered? What are the next steps? Where is the County on this? What is the timing? Where money be coming from the American Rescue Plan to the city to use for this initiative? Her next question is in regards to the two Social Workers to hire. One is paid by a county grant and the new one is paid by the city. She is confused to their job. Second hire has been referred to Intervention Worker and then it is Community Intervention Worker and most recently a Crime Intervention Worker. Are these two workers being considered as co-responders. The Morning Call stated that the Allentown Police Department is working on a Co-Responder Model. It is her understanding from all her understanding of a Co-Responder Model, the Crisis Intervention Team includes a Police Officer or an EMT or Mental Health Worker who goes to the scene. She works from 10:00 AM - 6:00 PM, not on nights or weekends. This is not the same as pairing Mental Health Professionals with Police during mental health related incidents. When the incident is made safe, the Police Officers can move to other incidents requiring their attention. Mental Health or Social Worker stays behind with the individual.

Mr. Aziz Wehbey, 510 N. Irving Street, thanked City Council for the Proclamation that was given to the Syrian Community who attended the Flag Raising Ceremony. Special thanks to the President of City Council, Julio Guridy and Cynthia Mota for attending the ceremony. He feels so sad for the disrespect from the Mayor of Allentown and some city officials that they showed to the Syrian community for not attending the ceremony.

Hiding behind some hatred statements while they attending the Flag Raising Day in the city of Catasauqua during their running for a position in the city as a Mayor and City Council. There are rumors of City Council along with the Mayor that people that wanted to attend the Flag Raising as supporters. If that is true, they will have everyone accountable. The Flag Raising represents the Syrian American Community and it has nothing to do with politics. Julio and Cynthia represented the city with respect and dignity. He wants to hear from the Mayor on why he did not attend the Flag Raising Ceremony when he attended other communities Flag Raising Ceremony.

Mr. Julio Guridy asked Mayor O'Connell would he like to answer.

Mayor Ray O'Connell stated no. Not at all. During Courtesy of the Floor you listen to the person that is speaking and a lot of times, there is no interaction.

Mr. Hussan Achi, 816 Hanover Avenue, thanked Council and Mr. Guridy for the Flag Raising event and making it successful. There is a rumor that Mr. Guridy allowed people in the Council Chambers. He stated that it never happened. All the people were outside raising the flag the whole time. You should have the concern to improve that. It was a wrongdoing from Council who said the lies about it.

Mr. Richard Khoury, Sunrise Diner, thanked Council. He stated that Mayor O'Connell, Mr. Guridy and Councilmembers stated that he is not a current resident of Allentown, but owns the Sunrise Diner as well as two other Allentown businesses. He is happy to be afforded this to address Council about raising of the Syrian Flag on Saturday, the 17 which is Syrian Independence Day. Allentown is a melting pot of many ethnic groups from many countries around the world. It has a long history of robbing people from countries to celebrate their heritage by raising their respective flags. The Syrian Community has been part of this tradition since its inception, except for a few years when they were banned. We can trace the Syrian Community back in Allentown for over 100 years and we are proud to be a part of Allentown community and has contributed much to it. However in recent years, we have been discriminated against and not allowed to raise their flags. He has heard various stories about why we were not able to raise their flag. However, it boils down to an exceedingly small group of Syrians who for whatever reason do not want the flag raised. Unjustifiable pressure amongst certain government officials to stop it. We are celebrating our heritage and our country and we hope to be able to continue to do so in the future and not being able to do so in discrimination. He thanked Mr. Guridy and the Councilmembers for affording them the privilege of raising their flag this year.

Ms. Ce Ce Gerlach stated that her follow up to the members of the public who called in. Ms. Thomases as well as herself and other folks that are interested in the work that the police are doing with the Community Interventionist. Is it possible in the future and maybe at that meeting where they are talking about CAHOOTS where they can have a conversation about that to really dig into it.

Mr. Julio Guridy stated that it is a good idea. As you know, we had that meeting almost a month ago. We should bring that up and listen to what the Police Department is saying and what they are doing and how is it working with Pine Brook and also the Project with Cedar Crest College as well as recount for those who were not in attendance the presentation of the CAHOOTS Model and the Bensalem Model with Bucks County. It is appropriate to do that at the same time.

Ms. Ce Ce Gerlach stated that it would make sense with CAHOOTS and Bucks County and what APD is doing.

Ms. Cynthia Mota stated that is a good idea, but a little bit premature. As you know, they just hired a Specialist today. We have to make sure to see the whole picture. She just got hired today. She doesn't have a problem with that and Ms. Gerlach had really good questions. You wanted to know how long they have been working. If this is something that they came up with? She stated really good questions.

Mr. Daryl Hendricks stated that he will also ask as a member of the public safety committee that any future meetings he will be invited too since he was not invited to the last one, but he was at the previous one.

Ms. Cynthia Mota stated that she doesn't understand. Can he explain that to he.

Mr. Daryl Hendricks stated that he would like to be invited to any future meetings regarding these decisions.

Ms. Cynthia Mota stated that CAHOOTS and the presentation. Yes, you did speak about that. She asked how did that happen. She had no idea.

Ms. Ce Ce Gerlach stated that issue of concern was the quorum with too many people at the presentation and that they would be in violation of the Sunshine. It was decided that the president and vice president would attend and then present to the rest of them. She stated that she is sure there will be future meetings.

Mayor Ray O'Connell suggested that they are doing it as a Committee of the Whole.

Ms. Cynthia Mota stated that would be good so that we all will be present and there will not be an issue with the Sunshine Law. She stated that Mr. Hendricks was right. He did mention that and was a little bit upset about that because you really wanted to be there.

Mr. Julio Guridy stated that he did not know the rest of the members were not invited.

Ms. Cynthia Mota stated that they talked about it ahead of time and having issues with the Sunshine Law.

Mr. Julio Guridy asked wasn't it a Zoom Meeting. He asked if there were any other further comments from the public.

[15-4223](#) Public Comments

Attachments: [Public Comment fv](#)
[Public Comments - April 21](#)

Approval of Minutes:

[15-4220](#) March 3, 2021 City Council Contract Approval Meeting Minutes

Attachments: [March 3, 2021 City Council Contract Approval Meeting Minutes](#)

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Old Business

Communications

Mr. Ed Zucal stated that he is not sure if it is Communication or New Business. It could be Old Business as well. He asked if there was any idea when they were going to open Council Chambers.

Mr. Julio Guridy stated that he had that too. He wanted to talk to Council about that. This is our Chambers and our meetings. We have to make a decision. He wants to abide by the mandates of the state government. He is not sure how that is. He thinks he would like to get some kind of directions from the Health Bureau or the administration on how many people would be allowed and how we determine who will be allowed. Is it a first come, first served basis or sign up somewhere. He has received the

same request.

Mr. Michael Hanlon stated that the last time we spoke to Ms. Kistler was the distancing requirements. The distancing requirements is the issue here.

Mr. Daryl Hendricks stated that is a good idea. He suggested that they contact Ms. Kistler and make sure that we are going to follow CDC guidelines and what she feels will be appropriate. There are still some communities that are getting high incidences of the COVID. He stated that we are 50 percent right now nationwide, but he does not know how that pertains to the state of Pennsylvania or immediate area. We should go forward cautiously so we don't endanger our own people or anyone in the public.

Mr. Julio Guridy stated to Mr. Zucal let's get some information from Ms. Kistler and move from there.

Ms. Cynthia Mota stated hopefully she will give us some information on how many people we can have. The reality is that more people are getting the vaccine. Let's see how we are doing as a city when it comes to people getting COVID.

Mr. Julio Guridy stated that he wants to say this because it was a large and huge misunderstanding about the Flag Raising Ceremony. He assured everybody here, the Mayor and his fellow Councilmembers. He stated that there was a call to Sanction him. It was spirited and at some point political that he had from 30 to 130 people in this Chambers and they were shoulder to shoulder in here. He consulted with the Solicitor to see if he should follow any legal lawsuit to clear up his name. He stated that he heard it from many people that they were saying that he had all these people here. You heard from three members that were there from the Syrian Community. We were all wearing masks. It was outside and there was nobody here. He stated that he heard that they had pictures of him being here with people shoulder to shoulder. There were two Councilperson that were going to be Sanctioned if he would have voted for it, but he did not because he wanted unity. We have to be above all these things and it is deteriorating. Everything people are saying is politics, but he and his colleague Ms. Mota attended the ceremony we obviously never called anybody by name. He did not know who was there. There were about 60 - 75 people. he could not see anybody. When it was his time to speak, he did ask was anybody here from Council or the Mayor because he could not see anybody. He did not mention anybody by name and second of all he was not here. He stated that although they say they have proof that he was here, the proof was not true. They were defaming his

name and Councilwoman Mota's name. He does not know why they are doing this. Once again, he is calling for unity. He calls for respect for each other. Please be careful of what you say. He stated that he gives it to Ms. Affa because she had the courtesy of calling him.

Ms. Cynthia Mota stated that this is the last time this will happen. Everyone knows each other's phone numbers. This weekend was horrible when she found out her fellow members wanted her to be kicked out of City Council because of unethical practices. This is getting ugly and not a reflection of who they are. As a public servant, we should do better than this.

REPORTS FROM COMMITTEES:**Special Meetings:**

April 28, 5 PM - to review the American Rescue Plan regarding federal procedures related to funding; and criterion and processes the City might use in ascertaining expenditure priorities.

May 12, 5:30 PM - to review and discuss the CAHOOTS presentation.

Budget and Finance: Chair Siegel, Hendricks, Mota

The committee has not met since the last council meeting; the next meeting is scheduled for April 28 at 5:45 PM.

CEDC: Chair, Gerlach, Guridy, Affa

The committee met on April 14 and forwarded some items on tonight's agenda; the next meeting is not yet scheduled.

Human Resources, Administration and Appointments: Chair Affa, Mota, Zucal

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

Parks and Recreation: Chair Hendricks, Gerlach, Siegel

The committee met this evening; the next meeting is not yet scheduled.

Public Safety: Chair Mota, Hendricks, Zucal

The committee met this evening; the next meeting is not yet scheduled.

Public Works: Chair Zucal, Affa, Siegel

The committee met this evening; the next meeting is not yet scheduled.

Rules, Chambers, Intergovernmental Relations and Strategy: Chair Guridy, Mota, Hendricks

The committee has not met since the last council meeting; the next meeting is not yet scheduled.

Controllers Report

Mr. Jeffrey Glazier discussed the Payable Reports from 2/27 - 4/2 that came out on April 8th. He went over the highlights of duplicate payment credits. One contract for the Humans Relations Dinner. Reviewed the Parking Passes for the Government Parking Deck. One discount that was missed. One late fee that was paid. One invoice entered for more than the invoice amount.

Mr. Julio Guridy asked Mr. Glazier if he was planning to do a P-Card Report.

Mr. Jeffrey Glazier stated that they are doing the February P-Card Report now and will have it for the next meeting.

Administration Report

Mayor Ray O'Connell stated that the city is having a pretty good month, \$57 million over the next two years from the American Rescue Plan. He stated \$3.5 million to help create affordable housing. The city received a Multi-Module Transportation Grant \$830,000 for 15th and Highland. The city was award \$650,000 today for Street Lighting Improvements for Mack Boulevard. He stated \$63 million over the last month. Not bad.

[15-4224](#) Controller Report

Attachments: [Accts Payable to 4-2](#)

APPOINTMENTS:

[15-4205](#) Bryan Geist, Building Code Board of Appeals, 11/4/21 (replacing DeWitt Farrington)

Attachments: [Bryan Geist, Building Code Board of Appeals](#)
[Resolution #30184](#)

Mr. Ed Zucal asked if there were any questions from the Councilmembers or the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Gurdy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 30184

ORDINANCES FOR FINAL PASSAGE (To be Voted On):

[15-4181](#) Bill 20 Parks and Rec, this evening
Amending the Environmental Advisory Council by adding to the Purpose of the Council, changing the appointment process to reflect authority under the Home Rule Charter giving the Mayor the appointment authority, allowing the Environmental Advisory Council to elect their Chair, establishing a city councilperson as a liaison to the Council, adding to the Powers and Duties, and requiring minutes to be posted on the City website.

Sponsors: Mr. Siegel, Gerlach and Hendricks

Attachments: [Bill 20 EAC Amendment](#)
[Ordinance #15692](#)

Mr. Daryl Hendricks stated that it was in his committee and the committee voted unanimously to move it forward with a favorable recommendation to

full Council.

Mr. Julio Guridy asked if there were any further comments from the dais or the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 15692

[15-4164](#)

Bill 21 Parks and Rec, this evening
Amending the 2021 Capital Projects Fund and the 2021 Trexler Fund to provide for a transfer of Sixty Thousand (\$60,000) Dollars to continue repairs on various WPA structures in the park system.

Sponsors: Administration

Attachments: [Bill 21 Trexler WPA Transfer](#)
[Ordinance #15693](#)

Mr. Daryl Hendricks stated that this was likewise recommended favorably by the full committee to the full Council.

Mr. Julio Guridy asked if there were any further questions from the dais or the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 15693

[15-4177](#)

Bill 22 CEDC, Forwarded Favorably
An ordinance of the City of Allentown authorizing the designation of the Redevelopment Authority of the City of Allentown as land bank for the City of Allentown.

Attachments: [Bill 22 Land Bank](#)
[Ordinance #15694](#)

Ms. Ce Ce Gerlach stated that it was forwarded favorably from her committee to the regular Council meeting.

Mr. Julio Guridy stated that although it was forwarded favorably, he has a little bit concern. His concern is what they discussed at length. He is still not 100 percent sure that he just wants to take property from people to put it in a Land Banks. He likes to get a little bit more explanation.

Mayor Ray O'Connell stated that it would be with Mr. Lightner.

Mr. Leonard Lightner asked Mr. Guridy what exactly is he concerned about. The city is not taking property from people. This is going to be done through the tax portion. He stated that maybe he did not explain it well enough, but he has Kelly on the line.

Ms. Kelly McEllroy stated that the city is not taking properties from people. They are taking properties that are tax delinquent and going up for judicial sale. These properties are vacant, blighted, nuisance properties that they are looking to take. The Land Bank has the ability to take occupied properties, but the city's main focus will be blighted properties. It is through the judicial sale and if the property is occupied as she tried to explain the last time, a new owner can purchase that property and they could evict a person that is in that property. They are not going to do that. The mission of the Land Bank is for homeownership just like the Redevelopment Authority.

Mr. Julio Guridy stated that he is glad she said that because that was the part that he was most concerned about when a property is occupied. Let's say he is living in a property and he can't pay for it. What process does he follow before you can take it from him.

Mr. Leonard Lightner stated that you are going into what if scenarios and they can't do that. There are too many factors involved with that. If you are the owner of the property and there is a mortgage on the property and you are not paying, it is going to go through foreclosure. It could go through a short sale. He stated that he can't answer questions on what if scenarios. As Ms. McEllroy explained.

Mr. Julio Guridy stated that he is talking about a older person who is having problems, and they live in the property and the property is paid off. She has problems paying for that property because she lives there and that is the only place she has. When you are older, you don't make enough money.

Mr. Leonard Lightner stated that it goes to the tax sale. Regardless if they have a mortgage or not and if it is free and clear, you still have to pay taxes. If they are not paying their taxes and they are delinquent on their taxes it is going to go up for a tax sale. That is the part where the city steps in. As a homeowner and you are delinquent on your taxes, we step in and stop it at that point at the judicial sale. As Ms. McEllroy explained, the city is not in the business to take properties and own the properties. We are in the business of trying to stop the property from being vacant, being blighted and being and being non-owner occupied. If the city can step in as a Land Bank, acquire that property, keep the affordability down and keep that

elderly person, the widower or whoever it is. If we can keep them in there and keep the payment affordable, the city has done its job.

Mr. Julio Guridy asked if there were any further comments.

Ms. Ce Ce Gerlach stated that she fully supports this. With Land Banks, we always talk about affordability, the need to increase homeownership and here we with an actual method of doing it. She stated that she looks forward in supporting this.

Mr. Joshua Siegel stated that he wants to make sure with the comments of Mr. Lightner and Kelly. Let us not entertain what ifs, but what we know what happens for sure. That is if we don't intervene in the process, and somebody is not able to pay their taxes or they are not capable of keeping their property, we know what the end result is. It becomes blighted and eventually becomes an eye-sore. We know that property goes into delinquency and we know we have the problem of blight and the problem of everything a blighted property causes. The city is not interested in evicting people. In instances where people are struggling to upkeep their house, the great thing about a Land Bank is that we can acquire it and transfer it to a nonprofit that can work with that homeowner so they are not in danger of foreclosure or they are not in danger of eviction. As a city our priority is making sure people stay in their homes and make the necessary improvements and refinements. Having a Land Bank is making sure it is a reality. We should unanimously support this because it is a crucial tool to tackle blight.

Mr. Julio Guridy asked if there were any other comments. He thanked Mr. Lightner and Kelly for the explanation. It makes it a lot clear for him and other people. He stated that he knows that the city is not in the business of taking properties from people, but making sure we do not have blighted properties. He did not say that he was not going to support it, but make it more clear to explain it to the listeners. He asked if there were any other comments from the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 15694

[15-4175](#)

Bill 23 Public Safety, this evening
Amending the 2021 General Fund Budget to provide for a supplemental appropriation of Twenty-Four Thousand Six Hundred Fifty-Seven (\$24,657.00) Dollars from the Commonwealth of Pennsylvania Office of The State Fire Commissioner Grant, to the Allentown Fire Department for COVID-19 related expenses/purchases.

Sponsors: Administration

Attachments: [Bill 23 OFSC COVID19 Fire Grant](#)
[Ordinance #15695](#)

Ms. Cynthia Mota stated that it was recommended favorably 3 - 0.

Mr. Julio Guridy asked if there were any further comments from the administration, the dais, or the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 15695

[15-4174](#) Bill 24 Public Safety, this evening
Amending the 2021 General Fund Budget to provide for a supplemental appropriation of Forty-Five Thousand Seven Hundred Fifty-Three (\$45,753.00) Dollars from the United States Department of Justice Edward Byrne Memorial JAG Grant to the City of Allentown for updating technology in seven police interview rooms.

Sponsors: Administration

Attachments: [Bill 24 JAG Grant](#)
[Ordinance #15696](#)

Ms. Cynthia Mota stated that this was recommended favorably 3 - 0.

Mr. Julio Guridy asked if there were any further comments from the dais or the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 15696

[15-4165](#) Bill 26 CEDC, Forwarded favorably
Amending the 2021 General Fund Budget to provide for a supplemental appropriation of One Thousand (\$1,000) Dollars from GBU Financial Life to provide uniforms to support emergency preparedness and deployment initiatives for the Allentown Volunteer Medical Reserve Corps.

Sponsors: Administration

Attachments: [Bill 26 GBU Financial Life Donation](#)
[Ordinance #15697](#)

Ms. Ce Ce Gerlach stated that it was forwarded favorably. It is to buy the

Polos for the volunteers.

Mr. Julio Guridy asked if there were any further comments from the dais or the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 15697

[15-4166](#)

Bill 27 Public Works, this evening
Amending the 2021 Capital Fund Budget to provide for a supplemental appropriation of One Hundred Ninety-Five Thousand Five Hundred Forty-Two (\$195,542) Dollars from Lehigh County Authority (LCA) to make road improvements throughout the LCA restoration work area.

Sponsors: Administration

Attachments: [Bill 27 LCA Cost Sharing Program](#)
[Ordinance #15698](#)

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

Mr. Julio Guridy asked if there were any comments from the dais or the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 15698

[15-4188](#)

Bill 28 CEDC, forwarded favorably
Amending the 2021 Federal Grants Fund budget by creating the position of Homeless Services Coordinator within the Department of Community Development to provide coordination and support for the initiatives of the Allentown Commission on Homelessness. This position is funded through COVID ESG funds.

Sponsors: Administration

Attachments: [Bill 28 Homeless Coordinator](#)
[Homeless Services Coordinator Job Description](#)
[Ordinance #15699](#)

Ms. Ce Ce Gerlach stated that it was forwarded favorably to this meeting tonight.

Mr. Julio Guridy asked if there were any further comments from the dais or

the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 15699

[15-4189](#)

Bill 29 Parks and Rec, this evening
Amending the 2021 General Fund Budget to provide for a supplemental appropriation of Seven Thousand (\$7,000) Dollars from City Center Allentown to provide background checks and American Red Cross Lifeguard Certification Course fees for City of Allentown resident hires in the Department of Parks and Recreation.

Sponsors: Administration

Attachments: [Bill 29 City Center Donation - Summer Hires](#)

[Ordinance #15700](#)

Mr. Daryl Hendricks stated that it was recommended favorably to be voted on from the entire Council.

Mr. Julio Guridy asked if there were any further comments from the dais or the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 15700

[15-4190](#)

Bill 30 Rules, Chambers, Intergovernmental Relations and Strategy, forwarded favorably
Amending the Ethics Code by adding language on conflict of interests clarifying a prohibition of using your 'position' in any way to result in a personal or financial benefit to yourself or associated person or entity as defined.

Sponsors: Gerlach and Mr. Siegel

Attachments: [Bill 30 Ethics Amendment](#)

[Ordinance #15701](#)

Mr. Julio Guridy stated that they had a long discussion, but not that long. It was actually pretty good. He asked if there were any further questions from the dais or the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 15701

[15-4192](#)

Bill 32 Public Safety, this evening
Amending Part Seven, General Offenses Code, of the Codified Ordinances of Allentown, Pennsylvania creating Article 717 – B.Y.O.B. Establishment, by creating a new Article entitled “B.Y.O.B. Establishment”.

Sponsors: Affa, Guridy, Hendricks and Mr. Zucal

Attachments: [Bill 32 BYOB Ordinance](#)
[Ordinance #15702](#)

Ms. Cynthia Mota stated that it was recommended favorably 3 - 0.

Mr. Julio Guridy stated before they go into this, he wanted to talk to the Chief. He asked if Chief Granitz on the line or anybody that represents him.

Mr. Joshua Siegel asked if the legislation drafted in consultation with the Chief.

Mayor Ray O'Connell that the Chief is at another event tonight.

Mr. Joshua Siegel stated that the legislation in question he believes was drafted in consultation with the Police Chief.

Mayor Ray O'Connell stated and the Legal Department. He stated that he thought the questions were asked during the committee meeting.

Mr. Julio Guridy stated yes, but he thinks that a reference was made the Chief supported it. He stated that he did not hear the Chief say anything.

Ms. Cynthia Mota stated that he has representation because he could not be here.

Mayor Ray O'Connell stated that he believes that the Chief is at a Crime Victims Council Ceremony tonight.

Mr. Mayor O'Connell stated that the questions were asked. Jim Gress weighed in and then Legal weighed in.

Mr. Matthew Kloiber stated that with this legislation, Council had expressed an interest in it and he forwarded Bethlehem's version to the Chief and he indicated that he was in support of the Bethlehem version of that and they drafted the Allentown one based on that. Before it was forwarded to Council, there was a consultation he had with the Chief. What his particular thoughts, if asked. He stated that he doesn't know what it will be, but he knows it was granted by him before they moved forward in presenting it on

behalf of Council.

Mr. Julio Guridy stated obviously he is one of the sponsors and support it. He just wanted to give an opportunity to the Chief. He stated that he was here, but was not listening to that part.

Mr. Ed Zucal stated that only thing he remembers after reading the emails is that the Chief has an issue or question on who was going to enforce it and that was resolved.

Ms. Cynthia Mota stated that and the department that is going to enforce it is the Police Department.

Mr. Ed Zucal stated that is correct.

Mr. Julio Guridy asked if there were any comments from the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 15702

[15-4170](#)

Bill 33 Public Safety, this evening
Amending the 2021 General Fund Budget to provide for a supplemental appropriation of Forty Thousand Seven Hundred One Dollar and Forty-Five Cents (\$40,701.45) from FEMA US Department of Homeland Security Assistance to Firefighters Grant, to the Allentown Fire Department for COVID-19 related expenses to purchase PPE and related supplies.

Sponsors: Administration

Attachments: [Bill 33 FEMA COVID19 Fire Grant](#)

[Ordinance #15703](#)

Ms. Cynthia Mota stated that it was recommended favorably 3 - 0 to full Council.

Mr. Julio Guridy asked if there were any comments from the dais or the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 15703

[15-4197](#) Bill 35 CEDC, forwarded favorably
Amending the 2021 General Fund Budget to provide for a supplemental appropriation of Two Thousand Five Hundred (\$2,500) Dollars from Patient First to provide supplies for those volunteering to work the COVID vaccination clinic.

Sponsors: Administration

Attachments: [Bill 35 Patient First COVID Clinic Donations](#)
[Ordinance #15704](#)

Ms. Ce Ce Gerlach stated that it was forwarded favorably for tonight's meeting.

Mr. Julio Guridy asked if there were any further comments from the dais or the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 15704

RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):

[15-4214](#) R50
A RESOLUTION OF CITY OF ALLENTOWN, COUNTY OF LEHIGH, COMMONWEALTH OF PENNSYLVANIA, APPROVING THE INTERMUNICIPAL TRANSFER OF LIQUOR LICENSE NUMBER R-4501 FROM 1328 CHESTNUT STREET, UNIT #3-B-107B (EMMAUS) TO 813 SAINT JOHN STREET LICENSE NO. R-4501 INTO CITY OF ALLENTOWN FROM EMMAUS.

Attachments: [R50 Liquor License Transfer Zandy's Holding LLC](#)
[Zandys Liquor License Labels](#)
[Letter from Mike Hanlon regarding Zandy's Holding LLC Intermunicipal Liquor Transfer Request Petition 6929162-proof](#)
[Resolution #30185](#)

Mr. Julio Guridy stated that it was discussed earlier and asked any further comments from the dais.

Mr. Daryl Hendricks stated as mentioned earlier, he has known the owners of this establishment for his entire life and they are the utmost good character and are very reputable and worthy of this transfer.

Mr. Julio Guridy stated from Zandy's. He asked if there were any further comments from the dais or the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 30185

[15-4203](#)

R51

Authorizes Submission of a Formal Application to the Pennsylvania Office of the Budget for a Grant of One Million Dollars (\$1,000,000) to support the Lehigh County Humane Society Expansion Project.

Attachments: [51 RACP GRANT - LC HUMANE SOCIETY](#)
[Resolution #30186](#)

Mr. Julio Guridy stated that it is a pass-through grant. Any comments from the dais or the public?

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 30186

[15-4211](#)

R52

Approves Transfers: \$60,000 transfer in Recycling & Solid Waste for Upgrades to the Recycling Drop Off Center That Are Being Taken from the Construction Contract Account to Account 54; \$28,200 transfer in Streets Department for Purchasing a new John Deere Excavator that was originally going to be financed, but the equipment cost came in lower than anticipated.

Attachments: [R52 To Purchase A John Deere Excavator](#)
[Purchase A John Deere Excavator Transfer](#)
[Upgrades to the Recycling Drop Off Center Taken From Construction Contract Account \(In-House\)](#)
[Resolution #30187](#)

Mr. Julio Guridy asked if there were any comments from the dais or the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 30187

[15-4202](#)

R53

Authorizes Submission of a Formal Application to the Pennsylvania Office of the Budget for a Grant of Seven Hundred Fifty Thousand Dollars

(\$750,000) to support the Bogert's Bridge Restoration Project.

Attachments: [R53 RACP GRANT - BOGERT'S BRIDGE](#)
[Resolution #30188](#)

Mr. Julio Guridy asked if there were any comments from the dais or the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 30188

[15-4216](#)

R54

Certificates of Appropriateness for work in the Historic Districts: 1012 W. Turner St. and 728 W. Gordon St.

Attachments: [R54 City Council COA Resolution April](#)
[Final Review April 1012 W Turner St](#)
[Final Review April 728 W Gordon](#)
[Resolution #30189](#)

Mr. Julio Guridy asked if there were any comments from the dais or the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 30189

[15-4215](#)

R55

Landlord accountability resolution

Sponsors: Gerlach, Hendricks, Mota, Mr. Siegel, Guridy and Mr. Zucal

Attachments: [R55 Landlord Accountability](#)
[Resolution #30190](#)

Mr. Julio Guridy stated that Resolution was brought up and he would like to add his name to it as well.

Mr. Ed Zucal stated his name as well.

Mr. Julio Guridy asked if there were any comments from the dais or the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 30190

[15-4219](#)

R56

Sewage Planning Module for 932 Hamilton Apartments

Attachments: [R56 932 Hamilton Street - Sewage Planning Module](#)

[932 Hamilton Apartments Planning Module](#)

[Resolution #30191](#)

[932 Hamilton Apartments Signed Sewer Planning Module](#)

Mr. Julio Guridy asked if there were any comments. Usually we have capacity otherwise we would not be here. He asked if there were any further comments from the dais or the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 30191

ORDINANCES FOR INTRODUCTION (To be referred to Committee with public comment prior to referral)

[15-4206](#)

Bill 36 Budget and Finance, forwarded favorably Amending the Part Three Business Regulation and Taxation Code, Title III, Taxes, by repealing Article 339 mechanical amusement devices tax in its entirety.

Sponsors: Administration

Attachments: [Bill 36 REPEALING THE MECHANICAL AMUSEMENT DEVICES TAX](#)
[Ordinance #15706](#)

Mr. Julio Guridy asked if there were any comments from the dais or the public.

REFERRED TO BUDGET AND FINANCE COMMITTEE

Enactment No: 15706

[15-4207](#)

Bill 37 Budget and Finance, forwarded favorably Amending the Part Three Business Regulation and Taxation Code, Title IX, Fee, by repealing Section 395.24 Cigarette Vending Machine Fees as well as Article 1160 Licensing and Regulation of Cigarette Vending Machines in its entirety.

Sponsors: Administration

Attachments: [Bill 37 REPEALING CIGARETTE VENDING MACHINE FEES](#)
[Ordinance #15707](#)

Mr. Julio Guridy asked if there were any comments from the dais or the public.

REFERRED TO BUDGET AND FINANCE COMMITTEE

Enactment No: 15707

[15-4221](#)

Bill 38 Rules, this evening
DIRECTING THE LEHIGH COUNTY BOARD OF ELECTIONS TO PLACE A REFERENDUM QUESTION BEFORE THE CITY OF ALLENTOWN VOTERS ON THE NOVEMBER 2, 2021 MUNICIPAL ELECTION BALLOT TO AMEND THE CITY OF ALLENTOWN HOME RULE CHARTER TO DELETE A PROVISION IN THE CITY OF ALLENTOWN HOME RULE CHARTER THAT IDENTIFIES ENGLISH AS THE OFFICIAL LANGUAGE OF THE CITY OF ALLENTOWN

Sponsors: Gerlach, Guridy, Mota and Mr. Siegel

Attachments: [Bill 38 Charter Amendment - Remove English as official language](#)
[Ordinance #15708](#)

Mr. Julio Guridy asked if there were any comments from the dais or the public.

REFERRED TO RULES, CHAMBERS, INTERGOVERNMENTAL RELATIONS AND STRATEGY COMMITTEE

Enactment No: 15708

RESOLUTIONS FOR INTRODUCTION (Can be voted on or Referred to Committee):

NEW BUSINESS: NONE

GOOD AND WELFARE

Mr. Ed Zucal stated that it is going to be very cold tonight so cover up.

Mr. Julio Guridy stated cover up.

ADJOURNED: 8:28 PM