



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

City Council

Wednesday, November 17, 2021

6:30 PM

Council Chambers

Invocation:

Pledge to the Flag

Roll Call

Mr. Julio Guridy read the Proclamation for American Education Week.

Ms. Jennifer Ramos, Deputy Superintendent; Mark Leibold, Allentown Education Association President; and Nancy Wilt, Allentown School Board President.

Mr. Julio Guridy stated that these are the fine people that take care of our students in the school district in Allentown. It is well deserved.

Present: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Courtesy of the Floor

Courtesy and Privilege of the Floor Rules

Ms. Janet Keshl, Mountainville, congratulated all the who won their seats. She thanked the police, and the fire department. They are working extra hard with everything that is going on. She stated that she knows some of them hate cops and that is ok. One day you are going to need them. She thanked EMS and God be with them all.

Mr. Hal Thomas, subcontractor, spoke regarding the operations of both delivery firms. The reason that he is here which is his second visit about double parking. They went to the Parking Authority Board meeting which they did do and it did not go they way they wished. He gave an example of a standard parking diagram. The projections are just for peak season starting next week to the first two weeks in January from 42,000 copies a day being delivered into the city up to 77,000 with a high of 85,000. He stated that they are asking the City Council what the delivery is for delivery service in the city. They are well aware of the double parking problems in the major portions of the city.

Mr. Julio Guridy stated that Council is aware of the situation and he knows Mr. Thomas was here before. He asked if he had a chance to go to the

Parking Authority.

Mr. Hal Thomas stated that they went to the Parking Authority and basically the Parking Authority listened to what they had to say. They said double parking in the city is illegal. He stated that they understand.

Mr. Julio Guridy stated that he does not believe it says illegal for delivery trucks. He thinks there is something in there about that. If not, they should check it out and find out if we can allow that.

Mr. Hal Thomas stated that they are looking for a clear statement from City Council that clarifies what the ordinance actually says to get a proper reading from the magistrate, if and when they do get the tickets.

Ms. Candida Affa stated that she agrees that the Parking Authority that is what they do, they ticket and when John Morgan and anybody else explains to us. If you don't like it, change the laws. The Parking Authority is going by the law. It is up to us to change that because times have changed. As long it is market. The future is everyone doesn't go shopping anymore. Everyone gets everything delivered. This body is going to have to change some of the laws because the Parking Authority can't. She asked if they have the same problem in Bethlehem or Easton.

Mr. Hal Thomas stated that they were getting no tickets. This is the only city that they are actually getting tickets.

Mr. Julio Guridy stated that Council would look at that Section of the law. He asked Mr. Hanlon if they could look at that by the next meeting or so.

Mr. Michael Hanlon stated yes, the Solicitors will modify it.

Mayor Ray O'Connell stated that Mr. Thomas was here before and welcome back. The Magistrates and their inconsistency. There is somebody who is in charge. He doesn't know if it is the president judge of all the magistrates. At least that is a start.

Mr. Julio Guridy stated that Council can change the law and make it explicit to the president judge and also to all the magistrates.

Mr. Hal Thomas stated that they are going before Lehigh County Courthouse where some of the tickets have on appeal. Would the Lehigh County Courthouse rule in one way or another set a precedent for City Council or for the ordinance.

Mr. Joshua Siegel stated when you say you are going to the courthouse,

are you going to specific magistrate judges offices or the Court of Common Pleas.

Mr. Hal Thomas stated to the county courthouse.

Mayor Ray O'Connell stated appeals the Court of Common Pleas.

Mr. Daryl Hendricks cautioned Mr. Thomas and stated that they have to rule on the law as it is now and not how Council may want to do it and amend it. Going forward Council would look to make those amendments.

Mr. Mathew Sherman (sp), Chairman of the Libertarian Party of Lehigh County, stated that he was on the ballot for a position within the county. He put out yard signs in all the polling places in his district. He had a problem at Cedar Crest College. Libertarian sign was tore up. A college student stated that she noticed security officer kicked the liberation sign and destroyed it and took the sign next to it. He went to Campus Safety and spoke to Officer Miller about the yard sign and he contacted his chief and informed him to contact the proper personnel. He has been trying to get his complaint documented by the Allentown Police Department.

Mr. Julio Guridy stated that in the beginning he thought that he said campus police, but he stated Allentown Police. He stated that he has a point and they can deal with the issue of the Allentown Police that he accused, but his time is really up.

Mr. David Keshl, business on N. 3rd Street, congratulated Daryl and Ed on their re-election. The city needs some type of clearing house for street and sidewalk repairs. The first and sixth wards in the last three weeks were a real cluster. The only north/south street that was not closed was Second Street and half the time that was shutdown for tree trimming. It took him 25 minutes from his business to Hamilton Street. They repaved part of the American Parkway. They put the base coat down and the majority of the stones are at the intersection and the bare spots need to be swept.

Mr. Julio Guridy thanked Mr. Keshl and stated that he is sure the Public Works Department will take care of it.

Mr. Don Ringer, 1801 Liberty Street, asked Mayor O'Connell if he was going to cut him off.

Mayor Ray O'Connell state no.

Mr. Don Ringer stated that he wants to comments on what Ms. Affa said about the \$57 million. He thinks the city's taxpayers should have a real say

in it. He stated that they are paying the taxes in the city. He stated that they deserve to be heard. There are other people in the city besides poor, homeless or whatever. He does feel sorry for them, believe him. He stated to they should start with city hall when you look at the outside sidewalks here. It is an absolute disgrace. The heating and air conditioning here should be cleaned up. Maybe build a warming center for the homeless. Somewhere where the old one was on Lawrence. We could put a homeless warming center there instead of using the YMCA or the YMWCA. He thanked the Allentown Police and the Fire Department for what they do here. He thinks it is a shame that we have two Councilmembers that basically says F the police. He stated to Ms. Gerlach and Mr. Siegel that Ringers is having a homeless dinner on Thursday, if you care to help us, you are welcome.

Mr. Julio Guridy thanked Mr. Ringer. He asked where it is going to be held?

Mr. Don Ringer stated that they are making dinners at Ringers and distributing to different places.

Mr. Michael Hanlon read the following from Enid Santiago, S. Jefferson St. Allentown, please read my reply to Candida Affa message to the press, asking us to remember the millionaires when allocating funds from the American Rescue Plan. This is exhausting, fighting a system that continues to slap you in the face every chance they get. We filled the rooms, we spoke, the community was there...what else is left! When the county is showing up more than the city for the city, there is a problem! This "gift" is called the Rescue Plan, is supposed to RESCUE those that were MOST AFFECTED! Guess who that is...yes...THOSE INNER CITY PEOPLE! The million dollar homes were not missing food, their children did not stop learning, their families did not have to CONTINUE working because they had no choice or STOP because there was no school and they had no choice. Maybe one day you'll get it, maybe you never will, nonetheless we'll continue showing up to help you understand. AFFORDABLE HOUSING is missing from your list, the 83 year old lady sleeping in a car our nonprofit put in a hotel 5 days ago can tell you Housing should be at the top of this list, maybe I was going to bring her with me tonight, but she was afraid that if she left the hotel room, she wouldn't be allowed in, heartbreaking isn't it!. Maybe the 2 million allocated for Davinci can help pay for her hotel room, maybe the 1 million from the Iron Pigs will help cover the cost until January when she will have income again, let's see who wants to help human lives or let's see if again the grassroots nonprofits will figure out how to continue saving lives. Did I mention our tiny senior is white, I say this to remind everyone that crisis affect ALL of us and grass roots nonprofits are here to SAVE ALL of US!

Ms. Candida Affa stated that this has not happened once or twice, but it has happened several times. Privilege of the Floor will not be extended for personal insults or personal insults or personal attacks on any individual. Name calling or other behavior that is inconsistent with the purpose or intent of conducting business. Please address Council as a body. This has happened to her before. It has happened to Ms. Gerlach and has happened to Mr. Siegel. This is wrong. She stated to Mr. Guridy that she would hope that he will stop this.

Mr. Julio Guridy stated that sometimes they say good things and sometimes they say bad things. It is hard to find out when they are going to say good things or bad things.

Mr. Michael Hanlon stated that the Clerk's office is not advertising that we are reading them anymore. He stated that he sent an email explaining it. You guys are going to have to make a decision if you want him to read it or not.

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

Contract Approvals: None

Minutes of Previous Meeting

[15-4724](#) October 27, 2021 Special Council Meeting Revenue and Expenditure Estimates, Finance Department Minutes

Attachments: [October 27, 2021 Special Council Meeting Revenue and Expenditure Estimates, Finance Department Minutes](#)

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

[15-4721](#) November 3, 2021 City Council Meeting Minutes

Attachments: [November 3, 2021 City Council Meeting Minutes](#)

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Communications: NONE

Old Business: NONE

REPORTS**REPORTS FROM COMMITTEES:****Special Council Meeting:**

The next Special Meeting is scheduled for December 1st to review the Public Works budget - we are still dealing with some scheduling to act on proposed amendments to the budget and final adoption - perhaps doing the budget amendments on December 8 and final action on December 15th.

Budget and Finance: Chair Siegel, Hendricks, Mota

The committee has not meet since the last council meeting. There are no future meetings scheduled at this time.

CEDC: Chair, Gerlach, Guridy, Affa

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

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

The committee met on November 10 at 5:15 PM and forwarded a bill to adopts the new proposed code at the December 1 Council meeting.

Parks and Recreation: Chair Hendricks, Gerlach, Siegel

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

Public Safety: Chair Mota, Hendricks, Zucal

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

Public Works: Chair Zucal, Affa, Siegel

The committee has not met since the last council meeting; 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 stated that there is a Account 37 Review Memo. There is a copy in Granicus. Account 37 is the Risk Management where Health insurance are made. The payment of health insurance premiums is an area that continues to need improvement. At the beginning of September, Risk began reporting to Finance and

at that time the invoice payment responsibility was thought to be transferred to Risk from HR. The invoice payable function remains in HR, but in anticipation of changes Risk performed the review of the total payments made outstanding as of the 21st of October 2021. His office took a look at the review to verify the analysis on unposted invoices performed by Risk and to ensure the accuracy of those findings and formally report on outstanding findings. It is very important that Eden be accurate. There were two unposted invoices. His office did additional digging and came up with an additional \$1 million in invoices (two invoices) that when they compared the wires posted on the bank statement to Eden, there was an additional \$1 million there that was not reflected in Eden. There was another invoice \$444,000 that was not reflected in Eden in a timely manner because it had been returned because it was not processed properly. Kudos goes to Risk as well for also looking at it.

Mr. Julio Guridy stated misreporting or not reporting. He is glad Mr. Glazier had a conversation with the Finance Department about them.

Mr. Jeffrey Glazier stated that before it came out, he and Mr. Lightner had a conversation and once again, he is hopeful that the administration is able to work this out in a manner that the city has accurate financial reporting.

Administration Report

Mayor Ray O'Connell stated that the good news \$21 million Riverfront Drive Federal Grant was received from the US Department of Transportation. It is a great day for Allentown. We got \$57 million in March for the American Rescue money. Now, \$21 million for Allentown, Lehigh Valley, the Region. It is a transformational project for Allentown. He congratulated Mr. Lightner, Community and Economic Development Director. He has been working with the Lehigh Valley Planning Commission, Becky Bradley and the whole group for six years. He stated that he went to Harrisburg one year and they lost two years and the third time is the charm. This is big and huge for Lehigh Valley. It will really be a market boom.

Mr. Leonard Lightner stated that it has been a collaborative effort between Bethlehem, Whitehall, Allentown, and LVPC along with the mayor of other cities and the entire Lehigh Valley Planning Commission. Many of the organizations came together. There were trips to Harrisburg; Washington, DC, and the State Representatives and Senators. This was not one person. It was everybody. He thanked Council and hoped that it would do great things for the Lehigh Valley.

Mayor Ray O'Connell stated that it is going to be a press conference at 2:00 PM on Friday down by the Riverfront area.

Mr. Julio Guridy stated that sometimes we get bypassed, but this is Allentown's time and the Lehigh Valley time actually. He stated that when he was on the board of the

Lehigh Valley Planning Commission, they were able to get some money to work on the southside corridor. Whatever happened to that project?

Mr. Leonard Lightner stated that it is still underway.

Mayor Ray O'Connell stated that Senator Casey was huge in this endeavor.

Mr. Daryl Hendricks asked is the \$21 million strictly for Allentown.

Mayor Ray O'Connell stated no. You have Whitehall, Bethlehem, and it connects the D&L trail.

Mr. Julio Guridy talked about the infrastructure money. That is a lot of money. He was at a conference in Atlantic City at 2:00 PM today and he had to rush over here and that is why he was a little late. They were talking about the infrastructure money in New Jersey. In New Jersey, they are expecting to get \$90 million. Pennsylvania is going to get some money with that infrastructure money. The other thing they were talking about with the infrastructure money, was the broadband and the digital divide.

[15-4740](#) Controller Reports

Attachments: [Bank Rec to 7.31](#)
[Acct 37 Review - Nov 11](#)

ORDINANCES FOR FINAL PASSAGE (To be Voted On):

[15-4700](#) Bill 114 CEDC, Forwarded Favorably
An Ordinance providing for the expenditure of Three Hundred Thousand, Eight Hundred and Seventy-five (\$300,875.00) dollars in DCED Emergency Solutions Grants Program (ESG) funds for the Lehigh Valley Regional Homeless Advisory Board, as appropriate by Federal Law and United States Department of Housing and Urban Development (HUD) regulations; these are 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.

Attachments: [Bill 114 CDBG NEW ACCOUNT SETUP - LV HOMELESS ADVISORY BD](#)

Ms. Ce Ce Gerlach stated that it was forwarded favorably and as Mr. Hanlon said, it is a pass through.

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

the public.

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 15765

[15-4278](#)

Bill 44 Budget and Finance, forwarded favorably (2 - Siegel, Mota; 1 - Hendricks)

Supplementing Part One, Administrative Code, Title Eleven, Authorities, Boards and Commissions of the Codified Ordinances of Allentown, Pennsylvania, by adding a new Article 171B entitled "Campaign Finance Regulations". The legislation is based on Campaign Finance legislation used in Pittsburgh. It fixes the contribution limit to the federal limits, currently there are no limits – this would limit individuals to \$2,900 to campaign, eliminate stacking, limit PAC Contributions to \$5000 a candidate. Contributions could not exceed the limitations that are in effect and published by the Federal Election Commission as of the first day of that same calendar year. Political contribution limits for donations made by a political committee to a candidate committee shall be the same as the federal contribution limit for "PAC-Multicandidate" that makes contributions to "candidate committees."

Sponsors: Gerlach and Mr. Siegel

Attachments: [Bill 44 Campaign Finance](#)
[Ethics Code - fv](#)
[CF Court Decision](#)

Mr. Joshua Siegel stated that it was forwarded favorably to Council by a 2 - 1 vote.

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

Mr. Joshua Siegel stated that he is going to make one last impassioned plea. There has been skepticism on this piece of legislation. He thinks that the way he worked on this bill is the way he has grown on Council. He has taken compromises, criticism (constructive) about how to refine and improve this ordinance. He knows that there are many who believe that campaigns or candidates should be driven by character or quality or ideas. He stated that wishes that was the case. It is an idealistic and an almost utilitarian or utopian interpretation of the way things work. He likened Campaign Finance Reform to the kind of legislation we pass to protect our environment. This is protecting against the pollutants of our political system. That is big dollars and big money. He believes this is by no means a solution, but an electoral guardrail. It is a step in the right direction to making sure we level the playing field and we make the political system a little bit fairer. That we reckon with this city's history of corruption and

self-interest that we worked so hard to pull ourselves out of and take a step forward in making sure we save the community, for the country, and to the state. That we are taking steps to make our system more ethical, more fair and more representative to people that live in this city. He stated that at the end of the day he does not believe that campaigns should be for sale or go to the highest bidder or the highest donor. This is one of the ways we can stop that. He urged, asked and plead with his colleagues to look at the legislation on its merits and recognize that municipalities and states throughout the country has adopted this. There is a universal recognition that this is meaningful and valuable reform. He asked his colleagues to take this step with him and be a leader and proving the reputation of the city and making a statement of what we are about. He asked them to join him and hold hands and take that leap of faith with him and reform this system. He promised them that it is the right thing to do.

Mr. Julio Guridy asked if there were any other comments from Council. In this bill it's \$2,900 for individuals and \$5,000 for a PAC.

Mr. Joshua Siegel stated that it is the same limitation if you ran for Congress. It is a federal limitation. It is actually indexed to inflation.

Mr. Julio Guridy stated that for someone who tried to raise a lot of money himself and most of his donations were small. He has a concern about regulating Campaign Finance. He asked if there are any other cities in Pennsylvania besides for Pittsburgh and Philadelphia.

Mr. Joshua Siegel stated Pittsburgh and Philly have done it. With respect, we will be the first Third Class city. It is starting to be a precedent. throughout the Unites States there are a lot of municipalities that do this. In Pennsylvania, we would be the third. It is a meaningful step. It is historical and a big thing to do.

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

Mr. Michael Hanlon stated that he is looking at it and may have missed this. He will asked Mr. Smith on the penalties of investigations. He stated that they were looking at the Code of Ethics. To bone up the Board of Ethics. Under penalties and investigations, should that be the Board of Ethics or levies or fines. It recommends to the Finance Department.

Mr. Julio Guridy asked if this is on Bill 93.

Mayor Ray O'Connell stated Bill 44.

Mr. Michael Hanlon stated that he is looking at Bill 44 right now. If you look at Bill 44 and look under 171(B) 99.

Mayor Ray O'Connell asked Mr. Hanlon if he is talking about Bill 93. The proposed amendment.

Mr. Michael Hanlon stated that he is looking at Bill 44 in 171 B 99 that is attached.

Mr. Joshua Siegel asked should we change the language.

Mr. Patrick Palmer stated that he does support the on the finances because we have a city that is one of the poorest cities n the nation and you want people to run for office. You are being alienated. It is the top one percent that is continuing to win seats in office all around the country. Not just Allentown included, we want to make sure it is cross spectrum with people that can start to win different seats in office and not alienate those who want to make a change, but doesn't have the backing to be able to do so. It is harder to run for office when you don't have the funds to back yourself up to do that.

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

Motion to amend the bill proposing that the second Paragraph note the Board of Ethics shall recommend not levy a fine. It would read as follows:

If the Board of Ethics recommends to the Finance Department that a fine be levied on a candidate for violations of the provisions, the fine shall be the greater of either one thousand dollars (\$1,000.00) per instance of a violation of this law, in which an instance shall be a single donation above the campaign finance limit, or one thousand dollars (\$1,000.00) for every two thousand dollars (\$2,000.00) accepted by the candidate committee above the campaign finance limits set forth in this Chapter. Candidates shall also be required to fully refund all donations received above the campaign finance limits set forth in this Chapter.

Yes: 3 - Julio Guridy, Ce-Ce Gerlach, and Joshua Siegel

No: 4 - Candida Affa, Cynthia Mota, Daryl Hendricks, and Ed Zucal

[15-4591](#)

Bill 93 Budget and Finance, forwarded favorably for the full Council to consider (2 - Siegel, Mota; 1 - Hendricks)
Amending Article 171 Code of Ethics adding ARTICLE 171.15 CAMPAIGN FINANCE LIMITATIONS ENFORCEMENT, empowering the Ethics Board to enforce Campaign Finance Limitations.

Motion to amend the bill proposing that the second Paragraph note the Board of Ethics shall recommend not levy a fine. It would read as follows:

If the Board of Ethics recommends to the Finance Department that a fine be levied on a candidate for violations of the provisions, the fine shall be the greater of either one thousand dollars (\$1,000.00) per instance of a violation of this law, in which an instance shall be a single donation above the campaign finance limit, or one thousand dollars (\$1,000.00) for every two thousand dollars (\$2,000.00) accepted by the candidate committee above the campaign finance limits set forth in this Chapter. Candidates shall also be required to fully refund all donations received above the campaign finance limits set forth in this Chapter.

Sponsors: Gerlach and Mr. Siegel

Attachments: [Bill 93 Ethics Board and Campaign Finance](#)

This Ordinance was withdrawn.

CONSENT AGENDA

[15-4717](#)

R192

Alex Encelewski (fulfilling the unexpired term of Patricia Jackson – Old Fairgrounds Historic District), 01/07/2022

Attachments: [R192 Alex Encelewski - HARB](#)

[Alex Encelewski Request for Appointment HARB](#)

[Alex Encelewski Resume HARB](#)

[Resolution #30335](#)

Mr. Julio Guridy stated that it is on the Consent Agenda and asked if everybody is in agreement with it. He asked if anybody opposed to it or have a need to withdraw it from the Agenda.

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30335

RESOLUTIONS FOR FINAL PASSAGE (To be Voted On): Every resolution except for R167 is on the agenda for the first time this evening, scheduled to be voted on.

[15-4726](#)

R193

Authorizes Submission of a Formal Application to the Pennsylvania Department of Transportation for a Grant of Nine Hundred Ninety-Two Thousand Nine Hundred Sixty Dollars (\$992,960.00) to support the Downtown Signals Project at Lehigh and Union Streets.

Attachments: [R193 LEHIGH AND UNION PENNDOT GRANT](#)

[Resolution #30336](#)

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

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30336

[15-4728](#)

R194

Approves City's Application to the United State Department of Justice Edward Bryne Memorial Justice Assistance Grant (JAG) Program for a Grant of Forty-Five Thousand Seven Hundred Twenty-Three Dollars (\$45,723) that will be used for technological upgrades to the Police interrogation rooms.

Attachments: [R194 2020 DOJ JAG GRANT](#)

[Resolution #30337](#)

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

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30337

[15-4722](#)

R195

Approves two transfers placing funds in the proper accounts: (1) \$63,000 in CED to purchase a Fire/Compact Rescue Skid which will assist in rescue attempts in hard to reach areas of the City; (2) \$12,000 in CED to purchase Lights in the Parkway Commemorative Ornaments for Retail Sales.

Attachments: [R195 Transfer Funds](#)

[CED to Purchase a Fire Compact Rescue Skid Which Will Assist In Rescue Attempts](#)
[CED to Purchase Lights in the Parkway Commemorative Ornaments for Retail Sale](#)
[Resolution #30338](#)

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

Mr. Daryl Hendricks stated that he spoke in detail with this with one of the fire personnel. This will be very helpful as he explained. Many times our EMS personnel are dispatched down to tent city were many of our homeless are and they have some great difficulties getting down there into the area and being able to retrieve someone that needs to be ambulatory from that location. This is a great expenditure of money for a great cause. He encouraged his colleagues to vote in favor of it.

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

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30338

[15-4734](#)

R196

Denial of Certificate of Appropriateness: 231 N 8th

Attachments: [R196 Resolution to Deny 231 N 8th](#)
[231 N 8th Final Repot](#)
[Resolution #30339](#)

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

Ms. Ce Ce Gerlach asked why are we denying this.

Mr. Julio Guridy asked the administration if they have an explanation for it.

Mr. Leonard Lightner asked Ms. Kaitlin Piazza if she was on the call.

Ms. Kaitlin Piazza and the consultant Siri Olson from Easton Architect on the line. She stated that the applicant or property owner applied to replace existing stain glass windows with one over aluminum plaid windows. Per the city's design guidelines, they recommend repair over replacement. If it is found that it is irreplaceable damage those windows are meant to be replaced in-kind. The new stain glass windows would need to replace the existing stain glass windows to maintain an important architectural feature of the building. That is the bases of the denial.

Ms. Ce Ce Gerlach asked if the applicant put the wrong kind of windows in.

Ms. Kaitlin Piazza stated no. There are existing stain glass windows that are original to the house and he applied to replace them with inappropriate windows. He has not done anything yes, but he applied to put new windows in. She stated that the city's recommendation was to find a stain glass craftsman to say they were not damage irreplaceably, all of them. If they were found to be that, they should be remade by a stain glass professional and put back to maintain the character of the house.

Mr. Julio Guridy stated that he bought the glass but did not put them up.

Mr. Leonard Lightner stated no.

Mr. Julio Guridy stated that he did not buy the glass yet.

Ms. Candida Affa is this a stain glass that you removed.

Ms. Ce Ce Gerlach stated that he wants.

Mr. Leonard Lightner stated that he wants to remove. The stain glass is there.

Ms. Ce Ce Gerlach stated that it is just the top. It is not the whole thing.

Ms. Candida Affa stated that the stain glass was original.

Mr. Leonard Lightner stated that it is original to the home. That is the requirement of the historic district.

Mr. Julio Guridy asked can they find that stain glass.

Mr. Leonard Lightner stated that is what Ms. Piazza was saying. It is HARB's recommendation. If you can't find it, there are places where they can possibly have it made. There are alternatives that are given.

Ms. Candida Affa asked why would you want to take a stain glass window down.

Mr. Julio Guridy stated that we either have to approve the denial or not approve the denial.

Mr. Charles Smith stated that he and Mr. Hanlon were talking about this before the meeting. There is a 75 day requirement that if you do not deny it, it defaults to an approval.

Mr. Michael Hanlon stated yes. Ms. Piazza is on the line. She can address that.

Ms. Kaitlin Piazza stated yes. For the historic district ordinance City Council needs to make a decision based on HARB recommendation within 75 days within the application being submitted.

Mr. Charles Smith stated or it is deemed approved. You have to take action or it is going to default as approved.

Mr. Julio Guridy stated that it is almost always like that.

Mr. Michael Hanlon stated that you are typically not up against the 75 day requirement. That is why you need to act, unless you want to come in for a special meeting to consider the whole thing. Even if Council approves the denial, the applicant can reapply.

Ms. Candida Affa stated that if they vote yes, it is to uphold which mean they have to keep the stain glass.

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

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30339

[15-4735](#)

R197

Denial of Certificate of Appropriateness: 322 N 8th

Attachments: [R197 Resolution to Deny 322 N 8th](#)

[322 N 8th Final Report](#)

[Resolution #30340](#)

A motion was made by Candida Affa, seconded by Joshua Siegel, that this Resolution be amended to change the Denial into an Approval per three tab shingle submission in this instance.

The motion carried by the following vote:

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30340

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

Mr. Michael Brack stated that he is the homeowner of 322 N. 8th Street. He has owned the home for 20 years. He has done everything he can to keep the house in proper repair following HARB guidance. Late in the summer, he noticed that there was water coming in the inside of the home affecting the drywall and the original wood window seals. He went to HARB to get the guidelines and in that he discovered that the mansard roof has been compromised. This is the section of the rood between the second floor and the third floor on a steep pitch. It is slate. Many of the tiles are broken and missing. When he went to HARB on recommendations on how he could replace it, Kaitlin issued him the guidelines on preservation on historic districts. On page 9 of that package. Replacement of slate roofing with asphalt or fiberglass shingle that matches the existing slate in color. It says nothing in there about material. He had from Kaitlin one product that can be automatically approved by her without going before the board. This is the picture of that shingle. This shingle is called Carriage House Shingle. It is no longer being produce because of the issue with COVID and supply chain manufacturing. He already had contractors come to give estimates. His home is slowly being deteriorated. The window frames is original wood and their are being compromised. The drywall is something that he could repair. We may be

experiencing mold in these walls as water is coming in. He was scheduled to present these alternatives to the HARB board on November 1st. When he presented these alternatives to the HARB board, they denied them. They said he must use slate or a synthetic slate that would be of the same shape. He stated that he does not understand the denial. It seems arbitrary. Instead of preserving the neighborhood. He feels that his house is in jeopardy and he could be losing value because he cannot afford to put slate for slate. He is here to reconcile this and have his roof repaired.

Ms. Kaitlin Piazza stated that he recapped the series of events pretty well. In terms of the allowance of the design guidelines. There is no requirement to replace slate with natural slate or synthetic slate. There is an allowance for alternative roofing materials. However, they do need to match the existing historic shingle size, shape and color which is where the issue is. The certainty that he held up is not in production currently. That was eliminated off the table and unable to provide an additional option to HARB other than the three tab or the scallop shingles that did not match. HARB following the design guidelines recommended that Mr. Brack look into synthetic slate as another option. There is an availability of eco-star slate. the applicant finds it cost prohibitive and his contractor is currently unable to do it. Unfortunately, HARB does not have any latitude per the ordinance and per the design guidelines. Unfortunately, HARB does not have any latitude per the ordinance and per the design guidelines to grant an approval based on cost or availability of contractors. They just have to follow the design guidelines.

Mr. Julio Guridy stated that it makes sense. We have a choice to approve it or not approve it.

Ms. Ce Ce Gerlach stated that we have never gone through a global pandemic and never experienced what we have experienced now. Within HARB's bylaws or Charter, do they take and can they update and take into consideration that there are some supply chain shortages.

Mr. Julio Guridy stated that they can. What Mr. Brack is stating the he went to observe all the properties in the area and 90 percent of them are not in compliance with the rules and regulations of HARB.

Ms. Ce Ce Gerlach stated as someone who just got a new roof. She had slate and now because she could not afford to re-slate hers. She is so happy that she is not in the historic district. That seems quite expensive.

Mr. Julio Guridy stated that is why when you move into the historic district you have to be aware of these issues. We have never been in a situation that we are in now. Unfortunately, it is going to get worse. He asked if

there are any further comments.

Ms. Kaitlin Piazza stated that to kind of speak to the unprecedented time now. It was certainly a discussion and while HARB does not have the latitude per their ordinance that they have to follow. She would recommend that Council follows HARB's recommendation, but if there are any inclination not to follow, she would ask that any motion made without setting a precedent for other applications.

Mr. Julio Guridy stated that he understands and puzzled however that 90 percent of the properties in that area are not confining with HARB rules.

Ms. Kaitlin Piazza stated that could be any number of things. In the instance of his directly joining neighbor, those three tab shingles have been up since according to Google Street View prior to 2008. The current design guidelines are guiding HARB right now were not adopted until 2012. She does not know what they looked like before. There could have been more allowances to permit those types of alternations. The other option is that people don't get permits all the time.

Mr. Daryl Hendricks asked Mr. Brack if he said that he could not afford it based on the price that he was given by his roofer. He asked if he checked with any other roofers as to the costs and got an estimate.

Mr. Michael Brack stated that at this point his frustration level is super high. His house is being compromised and this is going over the course of three months.

Ms. Candida Affa stated after looking at the pictures, they look similar. Such minute details to have the rest of your house wondering if you are going to get mold and it is ruining things on the sides and looking at the picture it is such a minute detail. It is ridiculous.

Mr. Julio Guridy recommended that the HARB board look into the issues that people are experiencing. They may need to tweak there regulations.

Mr. Ed Zucal stated that if he wasn't trying to fix it, he would get penalized for not fixing it.

Mr. Michael Hanlon stated that typically if Council is going to deny the denial, at the committee they will forward it as an approval amending it so that the person can pull the permit. If you want you change the denial into an approval and then he would be able to pull the permit.

Mr. Julio Guridy stated that it sounds like yes. Mr. Lightner is shaking his

head affirmatively saying yes.

Mr. Leonard Lightner stated yes.

Mr. Michael Hanlon asked Ms. Piazza is she is ok with this as a process.

Ms. Kaitlin Piazza stated as a process. She suggested that if you are amending a denial that there be some clarification on material being used so the city knows what is actually going in as part of a Certificate of Appropriateness and some consideration on not setting a precedent for the future. She stated that they are rewriting their design guidelines right now.

Mr. Julio Guridy stated that is a fair request.

Mr. Michael Hanlon stated that is why it usually goes to committee because you look at that issue of a substitute material and then you come back.

Ms. Kaitlin Piazza stated that based on the design guidelines the proposed three tab shingles rectangular would be the most appropriate match. It is the most affordable option.

Mr. Charles Smith recommended that they make that produce part of the approval and attach the language that Kaitlin wanted that this is not precedential moving forward. Essentially, you are taking it on a case by case basis.

Enactment No: 30340

[15-4586](#)

R167 Budget and Finance, forwarded favorably 3-0
Authorizes expenditure of funds to hire a consultant to conduct a disparity study and make recommendations on the City's procurement process inclusive of ensuring access by minority and women owned business.

Sponsors: Gerlach, Mota and Mr. Siegel

Attachments: [R167 Authorizes Disparity Study RFP](#)
[Resolution #30341](#)

Mr. Michael Hanlon stated that this will authorize a City Council expenditure to do this.

Mr. Julio Guridy asked what are we talking about. What expenditure and how much?

Mr. Michael Hanlon stated that they have not figured that out yet. Mr. Lightner has some estimates.

Mr. Julio Guridy asked if they are talking about the \$250,000 estimate. He stated that they talked about that and he does not want to do that. He stated \$250,000 to try to find out something that we already know.

Mr. Michael Hanlon stated that it would authorize an expenditure and somebody would have to put that amount in your budget to pay for it or take it from the ARPA funding.

Mr. Julio Guridy stated no, he would not go into that.

Ms. Ce Ce Gerlach stated that the rationale for this coming up is when they attempted to put forth an ordinance that would increase the number of minorities, veterans. She stated that Mr. Guridy amended it to have veterans. We were told by our legal team that unless we had data, if taken to court we could possibly lose. We would need data in order to back that up. She stated that Mr. Guridy and Mr. Easterling had a conversation and he was hoping that you said that you would put that ordinance back on the Agenda at some point and it hasn't got there yet. Until then and if then, we got to have data. It is not just focusing on data. It is reviewing the process in general and see what if anything what can be done for women and minority owned businesses. She is not confident that the city had many many people of color issued contracts.

Mr. Julio Guridy stated that he had a conversation with other people. He stated that they as a city doesn't have anything. We need to develop something and develop a program that provides incentives to get more minorities and people of color, small businesses, veterans and woman owned businesses to get contracts. The issues is this, the data you are looking for is that we have purposely not given it to them and we have given it somebody that is a big business and a white business. We don't have any data on that. We should develop a program from the ground up that would allow those businesses to get participation. We can set an amount. Act 302 says that it should be three percent. We can make it 10 percent. Construction goes to the lowest bidder.

Mr. Leonard Lightner stated that Mr. Guridy talked about it and he listened. He listened to them about having experts. We are not the experts in this so when we ask to bring in outside help that are experts, we don't want to do it. When we say that we are qualified or have the experience and we want to do it, you don't want us to do it. This disparity study is not just about Black, White, women or veterans. This is about a program. If it was about Black, White, women or veterans, why we haven't we established a program that the community right now has talked about that we don't have data. We are split everywhere. Whether we meet it or don't. We don't know that right now. He stated that the \$250,000 is not just a program. It is creating a

process and getting something setup. We can dispel any rumors or any conversations that says that we are not doing it or we are doing it.

Mr. Julio Guridy stated just develop a program and if you need to hire someone for this, hire someone for this. You are going to have to hire someone to maintain this program. he stated that he would not spend \$250,000 or \$200,000 on this.

Mr. Daryl Hendricks asked where did we come up with that amount.

Mr. Leonard Lightner stated that was calling other municipalities and other states to see what they spend on theirs and what is their thoughts on it. We have not done any RFPs or RFQs. Why go through that again, when it is not budgeted?

Mr. Daryl Hendricks stated maybe we should go through an RFP to see what the cost would be to do it.

Mr. Julio Guridy stated an RFP costs money. The fact is we do not have a program. We need to develop it from the ground up.

Ms. Ce Ce Gerlach stated that is what it does. She suggested that someone gives Mr. Guridy a Resolution to read so he can see what it says.

Ms. Cynthia Mota stated that we need data.

Mr. Joshua Siegel stated that the issue at hand is that we cannot implement a program of that nature and setup those processes and procedures without some underlining empirical justification.

Ms. Ce Ce Gerlach stated that if you look at any municipality that has any type of ordinance in place that encourages the hiring of veterans and women and so on, they have done such a study. When she first brought up the ordinance, she did not like the fact that the legal team and everyone was saying that we needed to do this study. She was thinking let's just pass the ordinance. We know we have a problem and let's just get this over with, but then after she did her own research she corrected herself and was wrong. These cities have done these disparity studies. We got to do one. It is about how we can beef up our procurement process.

Ms. Jessica Baraket stated that RFPs d take time and vendors put a lot of time into completing RFPs. There is a lot of time and effort on our staff. She certainly doesn't promote doing an RFP and not awarding an RFP. That is something that she would knowingly promote. This could explore the RFP. The RFP could go out. The cost can come back at half of the

\$250,000 or more than \$250,000. You will still have the contract in front of you that you could approve or disapprove the authorization of the RFP. This is not a common practice.

Mr. Daryl Hendricks thanked Ms. Baraket for the clarification because how he read it, it was for the RFP to go out.

Mr. Julio Guridy stated he read it and it says the RFP. Where did the \$250,000 come from? It is not in the resolution.

Ms. Jessica Baraket stated that it is an estimate. They just put price estimates on it. It is just an idea. The cost could come higher or lower. The Purchasing Department has to do some solicitation. Her recommendation would be to do the solicitation and see where it would come back at. Get educated on the disparity studies. It would help you understand more on what the program is. She encouraged someone from Council to be on that committee.

Mr. Julio Guridy stated that this is primarily to do the RFP. Not necessarily the \$250,000. Everybody kept mentioning the \$250,000.

Ms. Candida Affa stated what she is suggesting also is that we want this done. If you had to do it, it would cost more manpower and more money. It would probably be to our advantage to have outside doing this.

Ms. Jessica Baraket stated that we don't have the expertise or the knowledge or the information. We just don't have the ability to do it ourselves. We would not get you good information.

Ms. Candida Affa stated that if something comes in at \$500,00, we can say no.

Ms. Jessica Baraket stated that with bids, the bid is firm. With an RFP, we have negotiations. If the price does come up to \$250,000, we can try to scale that back a little bit. We can try to lower that. We can say it should not be this in-depth here. We can lower it. Right now, we have nothing. We have no information. It is hard to come up with that pricing model. Once we have something come in, we will be able to do those negotiations and maybe bring down the pricing.

Mr. Julio Guridy asked where did that \$250,000 come from.

Ms. Jessica Baraket stated it is an estimate from other municipalities. That is typically what we would do. We would look at other municipalities that did a disparity study and ask how much did they pay for it.

Mr. Michael Hanlon stated that Ce Ce asked us to do that and we have some around.

Ms. Jessica Baraket stated that we have them, but it is not going to give us information on our area.

Mr. Julio Guridy stated that it has to be created.

Ms. Jessica Baraket stated that we will work with other municipalities have have issued a similar RFP already.

Mr. Ed Zucal stated that the bottom-line is that we don't have to accept it down the road if we could prove that it isn't a problem or if the numbers are similar.

Mr. Julio Guridy stated that he personally think, there is a problem. We got to make sure to include more minorities and women in the contracts.

Mr. Ed Zucal stated that this is a start.

Mr. Leonard Lightner stated as Ms. Baraket says when we do the estimates we are looking at a holistic program. We do have the option if it comes in, we won't this part now. Maybe we will do it later. We try to be as honest and true to give you that true number. We have to send it out and look at a whole program.

Mr. Julio Guridy stated that he is ok with it because it does not have a real number in the Resolution. He asked if there were any further comments from the public.

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30341

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

[15-4725](#)

Bill 116 Refer to Human Resources, Appointments and Administration Amending Article 171, Code of Ethics, by prohibiting city employees, officials, and elected officials from engaging in conduct that would lead to future transactions and requiring the reporting of such activity if such person is aware of such activity.

Sponsors: Mr. Zucal and Hendricks

Attachments: [Bill 116 Ethics Amendment](#)

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

REFERRED TO HUMAN RESOURCES, ADMINISTRATION, AND APPOINTMENTS COMMITTEE

[15-4720](#)

Bill 115 Refer to Public Works
Amending Article 507 (Traffic control Maps) of the Codified Ordinances of the City of Allentown. The request is from the Administration. The Administration is authorized to establish and evaluate traffic regulations for a temporary period not to exceed 90 days. This legislation makes the temporary changes permanent.

Attachments: [Bill 115 Traffic Control Maps](#)
[Memo Traffic Control Maps](#)

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

REFERRED TO PUBLIC WORKS COMMITTEE

[15-4723](#)

Bill 117 Refer to Public Works
Amending the 2021 Capital Fund Budget to provide for a supplemental appropriation of Thirty-Two Thousand Nine Hundred Twelve Dollars and Thirty-four Cents (\$32,912.34). This was the result of payment in lieu of tree plantings from Barnes Land Development LLC., Haldeman Ford Lincoln, Inc., City Center Investment Corp., St. Luke's Health Network, North Star Construction Management, The Waterfront Corporation, and Allentown Parking Authority. Funds will be used for the purchase of new street trees.

Sponsors: Administration

Attachments: [Bill 117 SHADE TREE CONTRIBUTIONS](#)

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

REFERRED TO PUBLIC WORKS COMMITTEE

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

NEW BUSINESS: NONE

GOOD AND WELFARE: NONE

ADJOURNED: 8:29 PM

[15-4437](#)

Council Rules

Home Rule Charter
Contract Procedures

Attachments: [HOMERULE June 2021](#)
[Council Rules March 2021 Edition](#)
[Contract Procedures](#)

Note

Note