



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

City Council

Monday, December 19, 2022

5:30 PM

Council Chambers

Special Meeting

Roll Call

Present: 6 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, and Natalie Santos

RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):

[15-5543](#) R194 Cancels December 21, 2022 Council Meeting

Attachments: [R194 Cancels Meeting](#)

[Resolution #30552](#)

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

A motion was made by Cynthia Mota that this Resolution be approved. The motion carried by the following vote:

Yes: 6 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, and Natalie Santos

Enactment No: 30552

Process:

The applicants for the vacancy in council are listed below. Each candidate will be given five minutes to address the questions below. We will generate a random order for the interview; that random order will be used at the meeting. The Council President will call each applicant based on that order. After the interviews are complete, Council will provide for public comment – we will allow one minute for an individual.

After the public comment, Council will vote on the candidates to fill the vacancy. Each councilperson will fill out and sign an appropriately numbered ballot indicating their choice to fill the position. The ballots shall be given to the City Clerk who shall read aloud the name of the candidate selected by each councilperson. The candidate needs four affirmative votes. The process continues until a candidate earns a majority of votes. If a candidate has not been chosen by the 7th ballot, Council will either adjourn and reconvene on January 4th or shortly thereafter or consider a motion to petition the court by three (3) Members of Council to fill the vacancy (or allow other action where ten (10) qualified voters of the City could petition the court to fill the vacancy).

Questions to Address:

1. What experience do you have that makes you qualified for this position?
2. What do you see as the city's most formidable issue; how would you go about solving it?

Ms. Cynthia Mota stated that Mr. Babayan is not able to attend this meeting.

List of Candidates:

**Luis Acevedo
Tino Babayan
Nicholas Bialis
Rodney Bushe II
Timothy Wesley Hahn
Louis Wyker Holzman
Roger Maclean
Marquise Lee Moore
Santo Napoli
Andrene Browne Nowell
Patrick Palmer
Sandra K. Simon
Michael P. Skros**

COUNCIL RULE XX - FILLING OF VACANCIES - COUNCIL, CONTROLLER AND MAYOR

Vacancies shall be filled according to the requirements of the charter – sections 207, 304 and 405. When a vacancy occurs in the office of Council, Controller or the Mayor, City Council shall immediately advertise the vacancy in a local newspaper, on the City’s website and notify the political party of the person who left office that Council will be accepting applications to fill the vacant position. Applications shall consist of a resume and a statement stating the reasons the applicant will bring value to the City as a Councilperson, Mayor, or City Controller. Applications shall be received no later than fourteen days after the effective date of the vacancy.

The applications shall be reviewed by the President or Acting President of Council to make sure the applicant is qualified pursuant to the charter and applicable state law. The replacement must be a qualified voter of the same party as the person vacating the seat at least 30 days prior to the vacancy. After review, Council shall have a public meeting to review the resumes and statements of the applicants and interview each of the candidates. The candidates shall be chosen in a random fashion for interviews.

After the interviews, Council shall vote on the candidates to fill the vacancy at a public meeting. Each councilperson will fill out and sign a ballot indicating their choice to fill the position. The ballots shall be given to the City Clerk who shall read aloud the name of the candidate selected by each councilperson. The process continues until a candidate earns a majority of votes. (26631 10/7/92; 25142 2/2/83; 26631 10/7/92; 28809 11/2/2011; 29619 3/14/2018)

Charter Requirements:

SECTION 207 FILLING OF VACANCIES

A vacancy in the Council shall be filled by a majority vote of the remaining Members of Council. If the Council fails to act within thirty (30) days following the occurrence of the vacancy, the court of Common Pleas of Lehigh County shall, upon petition of three (3) Members of Council or ten (10) qualified voters of the City, fill the vacancy in such office by the appointment of a qualified resident of the City. The replacement Council member shall be a qualified voter of the same party as the person vacating the seat, or, if the person vacating the seat had no party affiliation, a person of any political party as appointed by Council. The individual appointed will remain in office until the first Monday in January following the next municipal election. At such municipal election, a qualified person shall be elected to serve from the first Monday of January following the election for the remainder of the term of the person originally elected to such office or, if such term would otherwise expire on the first Monday following, for a new full term.

SECTION 304 VACANCY

A. If the office of the Mayor becomes vacant for any reason, Council shall appoint an interim Mayor of the same political party who shall serve until the next Municipal election.

B. If the Council fails to act within thirty days following the occurrence of the vacancy, the Court of Common Pleas of Lehigh County shall, upon petition of three members of Council or ten qualified electors of the City, fill the vacancy in such office by the appointment of a qualified resident of the City. A vacancy in the office of Mayor shall be filled at the next Municipal Election, in the manner provided by law. The person elected shall hold the qualifications for the office of the Mayor and shall serve the remaining portion of the vacated term.

C. If the vacancy occurs more than ninety (90) days before the next general municipal election, the appointee as selected in the preceding paragraph shall serve until the first Monday of January next following said election. If a portion of the term remains beyond said date, an individual shall be elected at said general municipal election to serve from the first Monday of January following said election to the end of the term as provided in Section 302.

D. Until the vacancy is filled, the President of Council shall act as Mayor. If the President of Council should resign or be unable to act, the Acting Mayor shall be chosen by a majority vote of the remaining members of Council to serve as Acting Mayor until the vacancy is filled by election.

SECTION 405 VACANCY

A. If the office of the City Controller becomes vacant for any reason, Council shall appoint an interim City Controller, of the same political party, who shall serve until the next Municipal Election.

B. A vacancy in the office of the City Controller shall be filled at the next Municipal Election, in the manner provided by law. The person elected shall hold the qualifications for the office of the City Controller and shall serve the remaining portion of the vacated term.

Mr. Louis Holzman talked about his experience, thanked Council, and the public. He talked about the two organizations that he is involved with: the Arts Commission and the Human Relations Commission. He has a business and on the nonprofit side in the community. He spoke on the city's most formidable issue stating that the city is in a great spot. The city needs affordable housing.

Mr. Michael P. Skros stated he is applying for the vacancy to be a voice for the future of Allentown. He has numerous experiences working with outreach and understands the chronic stressors. He stated that he agrees that affordable housing is Allentown's most formidable issue stating Council, county, and state have done an excellent job at revitalizing Allentown downtown and on the riverfront and a strong parks and recreation department and continuing to invest in the cultural sites. Suggested taking a hard look at our zoning laws and talked about homelessness in the city.

Mr. Santo Napoli stated he is excited for the opportunity. He stated that many know him as a small business owner in Allentown since 1999. Small businesses take a lot of work and requires a lot of problem solving, fiscal management, responsibility, adaptability, and great communication and leadership. He and his partner managed and grown over 40 residential and commercial units that gives him experience in housing. He talked about blighted property, homelessness and neighborhoods. There are two concerns: budget and making sure the city is fiscally responsible going forward, keeping the property taxes, and housing. Need to continue to be more aggressive in identifying, acquiring, and redeveloping these blighted properties and selling them back to Allentown families. He talked about landlord engagement.

Mr. Rodney Bushe II thanked Council for the opportunity and stated that he is honor and privileged to be amongst Council and great leaders. He stated that his grandfather was a college professor who later taught at the University of Illinois in Chicago. His uncle grew to be a serial entrepreneur and his other had his own Ford car dealership. His mother has and owns her own Academy which is a Star 4 Academy. He stated that he is a

graduate of Muhlenberg with a Business Administration degree, has done tons of community service, advocacy work, on the Redevelopment Authority board, Inside Allentown, and being onboarded as one of the members of Black Caucus of the Lehigh Valley. He suggested to put a focus on low-income housing units, homelessness and economic growth, more good paying jobs, public safety and community policing.

Mr. Nicholas Bialis stated that he was born and raised in Allentown with a poverty-stricken family. What the city offered he and his mother helped molded and build him into the man he is today. He stated that his driven will to help the city flourish. He has composure, mindset and character. He wants to pass it on. He talked about homelessness, current mental health crisis, opioid addiction and poverty. The power to pay it forward.

Mr. Timothy Wesley Hahn thanked Council for taking the opportunity to hear him out this evening. He is an Assistant Director of Admission for Kutztown University. He worked in higher education locally in the better half of 10 years. He is looking for something new to be fulfilling. The local governance is similar to a university. He is savvy of the political environment of a university and on the frontline working with families. He was the recipient of the 2012 Community Service Award with the Pennsylvania Diversity Network now known as the Bradbury Sullivan Center and host of the Pride Festival. According to the LV Planning the Lehigh Valley is expected to see an increase in 100,000 people. It is important to be prepared for the influx. Work to act to attract high wage employers: PPL and APD, work with community partners for affordable housing options, establish better relationships between our landlords and our tenants, infrastructure needs to be updated.

Mr. Roger MacLean stated good evening President Mota, Vice President Zucal, and City Council. When it comes to the qualifications to fill the seat for former Councilman Siegel, he thinks having been on Council is a very unique attribute, livelong member of the city, resident of the city, 40-year member of the Allentown Police Department rising up through the ranks. The Budget encompasses the most important thing and the programs that were discussed tonight. With homelessness and housing stock, there are different ways to work with them. He tried to think things through on both sides of the issue, look at it from all angles, and make the right decision. He stated that he would work hard with some of the incentives and come up with a budget that they can live with in a future to attract people to the city.

Mr. Luis Acevedo stated good evening and as a manager for over two decades he has experience and requirement needed to be on Council. He stated leadership, caring and genuine. He will come up with solutions. he is bilingual and speaks English and Spanish. He stated that he is a doer

and not a talker. In Allentown there is not an I but a W and an E for We, a T for together. He stated that the city has different problems that has need and attention. Our youth, our children our babies. He will be an advocate for our youth, our children and our babies. He spoke on a recreational center to reduce crime and give them a chance to society.

Ms. Andrene Browne Nowell stated good evening Council for the opportunity. She stated that her lifelong career has been in the field of service through business management, media or her current role as an Executive Director. They do healing through the arts. Her entire career has been service with over 20 years of experience in business management. She discussed financial management, personnel management, customer and community relations, and operations management. She stated that she is solutions oriented stating collaboration is one of her strengths. She stands here to be a bridge for the community and the city government. She stated that there is not one formidable issue in the city. The issues the plague the city is a domino effect. She talked about the school and homelessness. The one issue that is being overlooked and it is tackling the opioid epidemic. It is destroying families and our youth.

Mr. Marquise Lee Moore stated good evening madame President, distinguished members of Council and city residents. As long as he could remember, he had an intense desire to serve his community. He applied for a role in Camden, NJ as a youth advocate to provide care, guidance and mentorship. he stated that we know there is a correlation between poverty and a lack of opportunity and crime. When poverty declines in an area so does crime. He talked about investing in the city, stabilizing property taxes, affordable housing and care for our elderly are all critical topics. He talked about measures for additional funding programs such as the youth advocate programs within the Lehigh Valley, access to financial and mental for wellness resources on city sponsored websites or through city partners, partnerships with local business owners, community service centers working in conjunction with ASD, funding for life skills, career and interview training, providing funding for partnerships with businesses, and grants for EMS training or skilled trade training for residents.

Sandra K. Simon stated that her moth always taught her that if an opportunity represents itself, you should try for it. She knows the city's history. She stated that she has no political agenda. She has always been devoted for youth and citizens. She feels she will be a valuable asset. She stated that there are many concerning issues in the city: crime with incidents in the school system and in the city on the southside. She would like to feel a little more safer.

Mr. Patrick Palmer stated good evening President Mota, Vice President

Zucal and Council. He stated that he is currently a school board director and lived through the Council life by learning the city government. He stated that he has been reading and going through the budget since Brent was here so many years ago and it is something that never stopped. Teaching our youth about what it takes to be a Councilmember and what it is like to make and create laws in Allentown is something he never stopped doing. He is going to continue to work in this city to make it a better place. He talked to the Superintendent because the quality of life is changing. We have to start thinking what our mental health is doing to our students, our children, and our residents. He is making sure our youth are running for office. Our youth are learning and we need to continue to grow their minds. He stated that Council knows that he can work with all of them and has worked with them.

Ms. Cynthia Mota stated now, they will have public comment. You will have one minute. This is your opportunity.

Mr. Angel Diaz, Navy Veteran - Logistic Specialist, stated that he is speaking on behalf of Rodney Bushe stating that he knows him for over 10 years. He has the ability to adapt. In order to be a good mentor, you have to be a good mentee. He stated that Rodney is capable of filling any shoe he's told to fill.

Mr. (name not given) stated that he had the pleasure of collaborating with Rodney for the past two years. He comes to know a man with a strong moral compass and critical thinking.

Mr. Donald Simon, husband of Sandra Simon, who is also a cheerleader of Allentown. He stated that she purposed the opportunity without his knowledge. She is of her own mind.

Mr. Kevin Green, resident of Allentown, entrepreneur, business owner, and property owner, stated that he is here in support of Rodney Bushe. They were on different ends when they first met and the ability for Rodney to come to the table and figure out a way to have both ends thinking. They talked through problems and had critical dialogue and came up with solutions on how they can be better and work together.

Mr. Divine Nowell stated that he is here to advocate for Andrene Nowell. She started a good foundation to help with childrens' mental. The children are our future. With her on Council she will be help tackle things in the community. She is a critical thinker.

Ms. Angelina Royal (sp), wife of Rodney Bushe, stated that she has been with him for 12 years. It has been a journey. He is an entrepreneur. He is

a man of Allentown and of his word. He would be a great fit for Allentown.

Ms. Cynthia Mota stated to Mr. Hanlon, let's do the vote.

[15-5542](#) Council Applicants

- Attachments:** [Procedures](#)
[L. Acevedo](#)
[T. Babayan](#)
[N. Bialis](#)
[R. Bushe III](#)
[T. Hahn](#)
[T. Hahn SOFI](#)
[L. Holzman](#)
[R. Maclean](#)
[M. Moore](#)
[M Moore SOFI](#)
[S. Napoli](#)
[A. Nowell](#)
[P. Palmer v2](#)
[S. Simon](#)
[M. Skros](#)

Voting Ballot Number 1:

- Ms. Candida Affa - Mr. Napoli
Ms. Ce Ce Gerlach - Mr. Palmer
Ms. Natalie Santos - Mr. Bushe
Mr. Ed Zucal - Mr. MacLean
Mr. Daryl Hendricks - Mr. Napoli
Ms. Cynthia Mota - Mr. Napoli

Voting Ballot Number 2:

- Ms. Ce Ce Gerlach - Mr. Palmer

Mr. Daryl Hendricks - Mr. Napoli

Ms. Natalie Santos - Mr. Bushe

Mr. Ed Zucal - Mr. MacLean

Ms. Cynthia Mota - Mr. Napoli

Ms. Candida Affa - Mr. Napoli

Voting Ballot Number 3:

Mr. Daryl Hendricks - Mr. Napoli

Ms. Natalie Santos - Mr. Bushe

Mr. Ed Zucal - Mr. MacLean

Ms. Cynthia Mota - Mr. Napoli

Ms. Candida Affa - Mr. Napoli

Ms. Ce Ce Gerlach

Voting Ballot Number 4:

Ms. Natalie Santos - Mr. Bushe

Mr. Ed Zucal - Mr. MacLean

Ms. Cynthia Mota - Mr. Napoli

Ms. Candida Affa - Mr. Napoli

Ms. Ce Ce Gerlach - Mr. Palmer

Mr. Daryl Hendricks - Mr. Napoli

Voting Ballot Number 5:

Mr. Ed Zucal - Mr. MacLean

Ms. Cynthia Mota - Mr. Napoli

Ms. Candida Affa - Mr. Napoli

Ms. Ce Ce Gerlach - Mr. Palmer

Mr. Daryl Hendricks - Mr. Napoli

Ms. Natalie Santos - Mr. Bushe

Voting Ballot Number 6:

Ms. Cynthia Mota - Mr. Napoli

Ms. Candida Affa - Mr. Napoli

Ms. Ce Ce Gerlach - Mr. Bushe

Ms. Natalie Santos - Mr. Bushe

Mr. Daryl Hendricks - Mr. Napoli

Mr. Ed Zucal - Mr. MacLean

Voting Ballot Number 7:

Ms. Candida Affa - Mr. Napoli

Ms. Ce Ce Gerlach - Mr. Bushe

Mr. Daryl Hendricks - Mr. Napoli

Ms. Natalie Santos - Mr. Bushe

Mr. Ed Zucal - Mr. MacLean

Ms. Cynthia Mota - Mr. Napoli

Motion made by Ed Zucal, seconded by Cynthia Mota that stated that since it appears not change in order of voting, that Council sends it to the Court of Lehigh County Common Pleas and let them make a choice.

Mr. Michael Hanlon stated that they need to be clear that this is a motion and Attorney Smith can explain that if it is a 3 - 3, it fails. If it is a 3 that people want to Petition it is up to them to get their own Solicitor to fill the vacancy.

Attorney Charles Smith stated that they need a second for the Motion and then there has to be a discussion about it. Mr. Zucal is trying to say that you are at an impasse. The voting is not going to be resolved and your moving to submit it to the court.

Ms. Ce Ce Gerlach asked what does that look like. Is it the head Judge. How does he or she determine who to choose.

Attorney Charles Smith stated that his first observation is these Rules are in the Home Rule Charter, Section 207 - Filling of Vacancy. A vacancy in the Council shall be filled by a majority vote of the remaining Members of Council. If the Council fails to act within 30 days following the occurrence of the vacancy, the court of Common Pleas of Lehigh County shall, upon petition of three Members of Council or 10 qualified voters of the City, fill the vacancy in such office by the appointment of a qualified resident of the City. It does not say it will be submitted to the President Judge. It says it will be submitted to the court. That will be up to the court to determine who will hear the case. It doesn't for an example that it will go to the President Judge. The Rules say that following the occurrence of the vacancy, the court of Common Pleas of Lehigh County shall...fill the vacancy in such office. You can't be sure who it is going to go to.

Ms. Ce Ce Gerlach asked if it is a list of how they make the determination. It is just whoever they decide.

Attorney Charles Smith stated that it will be up to the Lehigh County Court of Common Pleas's administration to assign it to a Judge. It could be a Docket Number. Something that gets assigned. That is the risk of not filling the vacancy.

Ms. Cynthia Mota stated that she was thinking that if they do not come to an agreement of who they wanted the candidate to be with four votes, she was planning to have a Special Meeting on January 4th or shortly thereafter to decide who is going to be the next Councilperson.

Attorney Charles Smith stated that they have to discuss it.

Ms. Candida Affa asked if the Judge takes every applicant under consideration or just the ones they voted on.

Attorney Charles Smith stated that the Rules say that if goes to the court of Common Pleas of Lehigh County shall, upon petition of three Members of Council or 10 qualified voters of the City, the Court of Common Pleas fills the vacancy in such office by an appointment a qualified voter of the city.

Ms. Cynthia Mota stated that they are legislators and if they all can agree on coming in January 4 or shortly after and making sure that they decide who is going to be the next Councilperson. She stated that they can do it as a body.

Ms. Ce Ce Gerlach stated that her hesitancy with the court system is that it seems like they have no idea what that would look like. She stated that she would be in favor of Dr. Mota's January 4 meeting. She would like some insight on the three candidates that received votes.

Mr. Daryl Hendricks stated that he will not be in favor of pushing this to the courts. He stated that they as a body has a responsibility. They are all adults, and they hope they have the wherewithal to come to an agreement.

Ms. Candida Affa agreed with Mr. Hendricks. She stated that it is scary to her that a judge can pick anyone.

Ms. Cynthia Mota stated that everyone did a wonderful job and they have a lot of candidates that are qualified. She felt the energy.

Motion made by Ed Zucal to withdraw his Motion for Council to send the Council Vacancy to the Court of Lehigh County Common Pleas and let them make a choice.

Ms. Candida Affa asked if Council has a 30 day.

Mr. Daryl Hendricks stated that Council is already at the 30 days.

Attorney Charles Smith stated that there is 30 days from the occurrence of

the vacancy. Mr. Siegel gave his notice of resignation effective November 30, 2022. It would be optimal if Council filled that vacancy.

Follow the edict of Ms. Mota and reconvene early in the new year and resolve this issue.

Mr. Michael Hanlon stated that the thought was Ms. Mota can set that meeting up herself as Council President. There is no need for a Motion.

Ms. Cynthia Mota stated that she will call a Special Meeting of Council on January 4th or shortly thereafter.

Ms. Ce Ce Gerlach asked if everybody good on the 4th.

Ms. Cynthia stated the 4th at 5:30 PM.

Mr. Michael Hanlon stated that you can do the 4th at 5:30 PM if you want.

ADJOURNED: 7:00 PM