



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

City Council

Wednesday, June 1, 2022

6:30 PM

Council Chambers

Invocation:

Mr. Ed Zucal stated that Officer Stanko passed away from a long illness. A couple of weeks ago there was a Softball Tournament in his benefit. His wife was there. He stated that he stopped over a little later in the day and the place was packed. It was an all day event. Council wanted to recognize Officer Thomas Cunningham who actually by himself put all this together. He read the Proclamation for Officer Thomas Cunningham. He stated that Council has a couple other Proclamations for Officer Kayla Balatgek, Officer Andrew Gehringer, and Lieutenant Vince Kidd - Allentown Fire Department.

Mr. Daryl Hendricks stated that he also had an opportunity to be over there that weekend and it was a great event. He thanked the Fire Department in addition to the many Police were there.

Mr. Ed Zucal stated during Police Week every year the Police Department gives out Commendations for various things resulting in heroic acts and acts of merit throughout the prior year. Sometimes you have occasions to celebrate other than Police Week and the Proclamations that he is going to read for two Police Officers and a Fire Officer. There is nothing more heroic to yourself than saving a life. What happened a few weeks ago on May 19th, an incident occurred which he is going to read about and two of our Police Officers and a Firefighter were able to save an individual's life. He read the Proclamations for Officer Kayla Balatgek, Officer Andrew Gehringer, and Lieutenant Vince Kidd - Allentown Fire Department.

Fire Chief Efrain Agosto stated that Lieutenant Vince Kidd was not able to be here since he has young children. Thank you.

Ms. Kelly Pasda (sp) stated that Bob is her bestfriend and they live on Adams Island. He had a seizure as he was standing at the edge of his porch. He fell in and breathed in the water right away and went to the bottom of the river. She stated that she is telling them this because this is a really happy ending and a miracle. Because you guys saved him so quick, she heard that he was not breathing when the officers and firefighter brought him out of the river and gave him CPR and got his heart going and

a pulse. After three days being there and praying for him around the clock with our church, our glory and honor goes to not only you, but to God. They took another MRI and he has all brain activity. His lungs are fine except for a little pneumonia. It is going to take him a little while to recover.

Mr. Ed Zucal stated that when Bob is able, up and ready to go, if you give the Police Chief and Fire Chief a call you can arrange to have a picture taken with his heroes.

Ms. Cynthia Mota stated that she loves great stories and great endings.

Mr. Ed Zucal stated that Council has one more and this involves a business has been around longer than most of us, The Brass Rail who unfortunately is going to be leaving the city of Allentown. He read The Brass Rail's Proclamation.

Ms. Cynthia Mota asked for a Moment of Silence for the victims of Uvalde Texas.

Pledge to the Flag

Roll Call

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

Courtesy of the Floor

Courtesy and Privilege of the Floor Rules

Contract Approvals

[15-5091](#)

R85

Authorization for a Contract with Environmental Waste Minimization, Inc., aka Rapid Response, as needed, for emergency chemical clean-up and hauling; and to assist the City in collecting and removing chemicals from City-owned properties, streets, sewers and waterways, City facilities, and private property; competitively bid, one response.

Sponsors: Administration

Attachments: [R85 - Rapid Response](#)

[Resolution #30444](#)

Ms. Sarrah McNeil stated that this is done as RFP-2022 - 17. It was advertised on Public Purchase and accessed by 22 vendors. One proposal was received. An evaluation committee made of six people evaluated the proposal and it was scored based off of the RFP requirement. After all the evaluations were computed, the committee is recommending an award to Environmental Waste Minimization. The sum

of the contract will be based on the unit prices set forth in the vendor's Cost Proposal which is on as needed emergency basis. This is the city's current vendor and has successfully do business with them.

Ms. Cynthia Mota thanked Ms. McNeil and asked if there were any questions 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: 7 - Natalie Santos, Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30444

[15-5092](#)

R86

Authorizes a two year contract with King George Fleet Services in the amount of \$2,693,221.90 for year 1 and \$2,730.546.15 in year two for fleet maintenance services.

Amendment to be proposed: Authorizes an emergency contract with King George, for one year only, with the option of one year renewal upon council's approval in the amount of \$2,693,221.90 for year 1 and \$2,730.546.15 in year two for fleet maintenance services, unless the 60 day termination that is routinely part of all contracts is enacted

Sponsors: Administration

Attachments: [R86 Fleet Maintenance](#)
[Resolution #30450](#)

Ms. Cynthia Mota thanked Mr. Hanlon and stated that she has a note here. She stated that they spoke to Mr. Lightner and the Solicitor on this issue. The upshot is that they don't understand that this is an emergency contract under our Code given the current situation in regards to the Fleet Maintenance. The Solicitor is comfortable with the procedure of the Mayor in entering an emergency contract and coming to Council for approval to ensure transparency. The following amendment has been prepared regarding a concern. Some of the Councilmembers have raised that needs a mover or a second.

Mr. Ed Zucal stated before we get to that, most of you know that we have been dealing with this for a while and it has gotten to an atrocious position. Unless we do this, we are not going to have any vehicles that are going to be repaired. We have voted on a company back in December under the prior administration. At that time, it was voted down. However, we do not have an emergency situation at this time. The mayor approached him and a couple of members of Council and explained something that is going on and it just makes perfect sense that we need to do this in order to keep the fleet going. If you remember correctly when we voted on that contract, back

then it was a two year contract. We also have a study going on as we spoke about possibly bringing it in-house or again keeping it outside based on the financial situation that the survey and the study comes up with. In the meantime, you wants to make an amendment that authorizes the emergency contract with King George for one year only with an option of a one year renewal upon Council's approval in the amount of \$2,693,221.90 for year one and if need be in year 2 upon agreement with Council, there will be a second year agreement for the amount of \$2,730,546.15. Unless the 60 day termination is routinely part of all contracts is inactive.

Mr. Ed Zucal asked if there was any discussions on the motion. Any discussions from the public? He asked Mayor Tuerk if he has any comments.

Mayor Matt Tuerk stated that he appreciates as Mr. Zucal pointed out that we are midway as of the last Council meeting. We approved a contract with Mercury Associates to complete a consultant agreement that would give us the information that we need to move forward with a decision to either insource the work or continue with a contract. We need to get to that point. We expect the results of that Consulting Agreement in late September, early October which will allow us to prepare for whether the eventuality is. We will need to get to that point. We appreciates Council's desire to keep our fleet rolling. It is critically important to our Public Works Department, to our Police Department, to our Fire and EMS that we have serviceable vehicles. This should keep us on the road.

Mr. Joshua Siegel stated that he has a question and perhaps the administration or Mr. Shahda can answer. We go through with the one year contract, will they be honoring the Collective Bargaining Agreement that currently exists. Will that effect whatsoever the CBA that is currently in place.

Mayor Matt Tuerk stated the CBA currently with Constellis. He asked Mr. Shahda to answer that question.

Mr. Mark Shahda stated that he does not know at this time if King George will honor the current CBA contract. It is something that has to be discussed with them.

Mr. Joshua Siegel asked if they can get a definitive answer soon. If that is not going to be on it, that will be a significant problem. He stated that he would like a genuine commitment that they are going to honor the CBA because the agreement was made and we need to maintain that commitment to our workers.

Mr. Mark Shahda stated that he will look into it and report back.

Mr. Ed Zucal asked if it is fair to say when this was discussed before, their agreement was to honor back then.

Mayor Matt Tuerk stated that at that point in December, they have not received a contract. They were operating under the existing conditions. They presented a proposal that would allow them to continue to provide services. He stated that he believes at that point that the intent was to with the existing CBA. Without a contract they were unable to answer that question.

Mr. Ed Zucal stated that he agrees with Councilman Siegel, that does create a problem. The amendment has been seconded. They need to have a vote on the amendment. He stated that however, they need to add a stipulation that King George needs to abide by the union in the current union agreement.

Mr. Leonard Lightner stated that they will address it.

Mr. Ed Zucal stated that as you can see, it makes a difference on the vote.

Mr. Leonard Lightner stated absolutely. They will address it with King George and asked that question. As an emergency situation, he does not know. That was the only bid. He stated that they will ask. If that is the only bidder and we are in an emergency situation that is a tough situation to put us in.

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Mr. Ryan Hunsicker stated that when a contract ends and it runs out, it is agreed upon between two parties that you would abide by the old agreement until you come to a new one. Conceivably, you have an agreement in place. We are asking you to recognize those employees that are still there by going over to King George. The alternative is what, staying the course until we get the proposals back from the study. They never heard what the alternative is outside of voting for King George tonight. As far as the collective bargaining agreement goes, they are asking the city to recognize those employees that are still there and protect them. He recalled when they talked about King George back in December, they talked about that and it was never any indication from the administration then that they were willing to accept the CBA going forward. He stated that they never got that assurance. No one ever called him and said, let's talk about that. Those are the things that both him when they talk

about recognizing employees. When you want to go through those avenues, you have dialogue. When you don't have dialogue, you are not looking to go down that road.

Mayor Matt Tuerk stated one observation that he would make, Mr. Hunsicker would it be fair to say that the existing contractor or doesn't have a good relationship with SEIU.

Mr. Ryan Hunsicker stated that it is tough when you are bargaining with companies and they are not labor friendly. This company, Centerra is not very labor friendly. It is difficult to have negotiations with a company like that. You still have to negotiate and they still have to go to the bargaining table. We have been going back and forth with them on an extensive basis for a long time. There have been off again and on again dialogues. He doesn't think it is where they are not willing to sit down with them or anybody else.

Mayor Matt Tuerk stated that is not his suggestion. His suggestion is the reason why that the city is asking for an emergency authorization is specifically because of the challenges that the existing contractor has with finding labor. This is the core of the situation is that the existing contractor and asked Mr. Lightner what positions that the city is not able to hire at this point.

Mr. Leonard Lightner stated mechanics.

Mr. Ryan Hunsicker stated that he agrees 110 percent of what they are saying. He had the discussion with the mayor and some members on Council. His thought process is hey, listen if you are not willing to pay the people to fix the vehicles, you are not going to get people in here. He stated that he doesn't care who they bring in here. King George can tell you all they want. They can tell you they are going to fly mechanics in here and work on your vehicles. For how long? Are they going to bring in two, five, 10, or 20? They are going to have the same challenges that Centerra has right now because they don't pay the freight for the people that are qualified. That is what it is all about, getting people in here that are qualified to repair your vehicles. If you don't pay the money, you don't get the people. There are people there, but you have to draw them in. The city has an obligation for them to adhere to that agreement. he stated that he doesn't know back behind closed doors what they are doing legally to enforce Centerra to abide by their agreement. They have been in violations of that agreement for a long time with not having the proper staffing. What do you do, he says he does not know. Do you hold monetary from that company to make them see what is going on?

Ms. Cynthia Mota thanked Mr. Hunsicker for his feedback.

Mr. Ed Zucal stated that as far as the outcome of Centerra, it has to be an administrative decision. Mr. Leonard Lightner stated that they are looking at it. Do we know if the current employees are going to stay with King George.

Mr. Leonard Lightner stated that they have six employees right now that are union. He stated that the city reached out to King George, but does not want to overextend by reaching out to them asking too many questions until tonight. He stated that the city asked them if they would honor that dollar amount for an emergency contract and they said they would. The city asked about a noncompete. He stated that the city had to find out from the current employees if it was a noncompete. From what they hear, it is not. Talking with King George, the brief amount that they can, is willing to look at whoever is there and if they are willing to stay on to keep them on. That is the extent of the conversation we had until we know what is going to happen tonight. Once we enter into an emergency contract, these issues that we are talking about, the city can address it in the contract. One of the things that they talked about as Mr. Hunsicker brought up is that we are losing mechanics for higher pay elsewhere. We are all competing. One of the things that we looked at when we talked to King George is that we have to bring the mechanics in at a higher rate. That is already a discussion as well. The city can add that to the contract as we move forward. He stated that the administration does not want to get too far ahead until they know what Council is going to do tonight. As Ryan said we have been in an emergency for a long time. We are in it now. We have vehicles that are down. We have vehicles that need to be repaired. We have lost an EVT mechanic and on the verge of losing another one.

Mr. Ed Zucal stated that he does not think there is a question among anybody that we are in bad shape here.

Mr. Leonard Lightner stated that we are asking those questions, but don't want to get too far ahead until we know how we are going to move forward tonight.

As Ryan said, we have been in an emergency for a long time. We are in it now. We have vehicles that are down. We have vehicles that need to be repaired. We have lost an EVT mechanic and on the verge of losing another one.

Mr. Ed Zucal stated that there is no question among anybody that we are in bad here.

Mr. Leonard Lightner stated that they are asking those questions until we know how we are going to move forward tonight.

Mr. Ed Zucal stated from Council's standpoint part of their obligation is to protect the employees.

Mr. Daryl Hendricks asked if Council can move forward with this and vote in favor providing that they do respect the collective bargaining agreement that is in place now and make that a stipulation.

Mayor Matt Tuerk stated that there is not one in place now. That is part of the point. It has expired.

Mr. Daryl Hendricks stated going by that which has expired.

Mr. Leonard Lightner stated that they can ask.

Mr. Ed Zucal stated as far as the expired contract, Mr. Hunsicker is correct. You still have to honor the old contract until the new one is settled.

Mr. Leonard Lightner stated that he would need to talk to legal because if we are severing ties with Centerra, legally he does not know if he can answer that question. You bringing in a whole new contractor. You are bringing in a whole new emergency contract. How do we hold them accountable to a company terminating their agreement. He stated that he does not have the legal answer to that, but they can look into it and find out.

Mr. Ed Zucal stated that their union is not part of Centerra. Their union is part of SEIU.

Mr. Leonard Lightner stated that it is a different SEIU.

Mr. Ryan Hunsicker stated 32BJ. They represent all of Centerra and their staff.

Mr. Ed Zucal stated that it is not a Centerra issue, it is an SEIU issue.

Mr. Ryan Hunsicker stated that it would be no different than when you did the Water and Sewer Lease. When we asked the vendor to acknowledge and accept the bargaining terms of our current labor agreement with the city of Allentown. LCA did that.

Mr. Leonard Lightner stated that it is labor law. It is a lot of different can't answer that because there were a lot of concepts with that. What Ryan is talking about those employees were city employees. These employees

right now are not city employees.

Mr. Ryan Hunsicker stated that the point is that they have to accept the agreement. They had to accept the thoughts of the CBA at the time. It followed them over. In essence what they did was accept the agreement. They did not have to, but you put it in the RFP at the time to do it.

Mr. Ed Zucal stated that the motion has been seconded.

Ms. Ce Ce Gerlach stated for a point of clarification, his statement about honoring the labor contract is not part of the motion that we are going to be voting on.

Mr. Ed Zucal stated that is correct.

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

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

Enactment No: 30450

Mayor Matt Tuerk stated that one of the concerns with the expired agreement is what led us into this situation. We really want King George to be successful which would probably require them to negotiate a better agreement with those employees. If they are subject to the amendment that they suggested during the one to one. If they are going to be successful they are going to have to negotiate a better deal with those employees. The reason that they are in this place now is because of the previous contractors failure to attract employees which is probably a condition of an expired agreement or a substandard previous agreement. He stated that he is not sure if it makes sense to compel the new contractor to honor the existing agreement insofar of the quality of that existing agreement. If King George is strictly a nonunion company which he really thinks they are. He stated that he doesn't think they are willing to do that.

Mr. Ryan Hunsicker stated that you want the new contractor to accept the terms of the current agreement that they are under. Even though it is an expired agreement, its an agreed upon agreement going into negotiations. What you asking them to do is maintain a unionized shop at the city garage.

Mayor Matt Tuerk suggested to Council rather than asking King George to honor the existing agreement, just ask King George to come up with an agreement. Maintain a union shop.

Mr. Ryan Hunsicker stated maintain a unionized shop.

Ms. Cynthia Mota asked can it be worded like that.

Mr. Ed Zucal stated that is the goal they are trying to get to anyway.

Ms. Ce Ce Gerlach asked if it has to be an official amendment over the motion.

Mr. Ed Zucal stated no, we already voted on that amendment.

Mr. Charles Smith stated ask is the operative term.

Ms. Ce Ce Gerlach stated versus require. She stated that she prefers require.

Mr. Joshua Siegel stated that they are not going to kick out union employees. We are going to pay them \$2.6 million.

Ms. Cynthia Mota stated that it would be better if they put ask instead of require.

Mr. Charles Smith stated that if you put require it could go down.

Mayor Matt Tuerk reiterated the administrations position. We want to protect workers at the same time we keep our vehicles rolling. There are SEIU employees that are operating equipment that is at risk of not operating. There are IAFF employees that are rolling in trucks that are not where we want them to be. There are FOP employees that are challenged by the condition of the shop. We need to protect of the employees that are operating in the city of Allentown. We want to also make sure that we are serving the needs of our community with emergency vehicles and with standard maintenance vehicles. They are very interested in King George or whatever contractor being successful. We will ask them to work with SEIU 32BJ because we believe in the strength of a union and serving its needs.

Mr. Ed Zucal stated you remember that there was a strike over there before. We do not want to go through that again.

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

Mr. Joshua Siegel stated that he would impress upon King George that if they do not bargain in good faith and they are not a fair negotiator and they do not recognize the urgency of providing fair wages to attract qualified talent, we have the right to break this contract within 60 days. He would not hesitate to break a contract with a firm that does not respect the rights of

our employees and bargain a decent living wage. Insourcing is the best course of action.

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

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

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

Enactment No: 30450

Minutes of Previous Meeting

[15-5090](#) May 18, 2022 City Council Meeting Minutes

Attachments: [May 18, 2022 City Council Meeting Minutes](#)

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

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

[15-5106](#) May 18, 2022 Public Hearing - Bill 13 S. 6th and West Cumberland Rezoning to R-MH

Attachments: [May 18, 2022 Public Hearing - Bill 13 S. 6th and West Cumberland Rezoning to R-MH](#)

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

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

Communications

Proclamation - The Brass Rail (unfortunately the owners of The Brass Rail could not be present)

Old Business

Ms. Ce Ce Gerlach stated that she wants to follow up about the unpaid parking tickets and the incarceration of people that don't pay. She stated that she knows that there was a scheduling issue at the last Public Safety meeting. She was wondering if anybody heard anything.

Mr. Daryl Hendricks stated that he is planning to select a date in the near future to have someone from the Parking Authority address that.

Ms. Ce Ce Gerlach thanked Mr. Hendricks and stated that it goes along with the administration's efforts to get rid of some ordinances that we are

not enforcing anymore.

REPORTS

Special Council Meetings: Council held a special meeting on May 25 at 6 PM to discuss and present categories they find important for ARPA funding; and took public testimony on these and any additional areas. Council will continue their meetings on June 8th to consider a proposal from council persons and the public that would like to extend the categories to entertainment and tourism venues; and to take testimony on from experts regarding housing and homelessness.

Budget and Finance: Chair Siegel, Hendricks, Santos

The Committee met May 25 and reviewed the monthly financials. The next meeting is tentatively scheduled for June 22.

Community and Economic Development: Chair Gerlach, Siegel, Mota

The Committee has not met since the last council meeting; the next meeting is scheduled for June 8th at 5:30 PM.

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

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

Parks and Recreation: Chair Affa, Gerlach, Santos

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

Public Safety: Chair Hendricks, Zucal, Affa

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

Public Works: Chair Zucal, Affa, Hendricks

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

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

The Committee has not met since the last council meeting; we are going to schedule a meeting to review the changes to council's rules.

Controller's Report (3 minutes)

Mr. Jeffrey Glazier discussed the P-Card Review for the month of March 2022. It was just issued on the 31st of May. The number of documents reviewed in this statement was 403 with a total dollar amount of \$189,570. There were eight instances of an

incorrect expense account was used.

Mayor's Report (3 minutes)

Mayor Matt Tuerk gave a Note of Appreciation to Council for joining the administration for a couple of events. June 1st is Global Running Day and also a kick off to Pride Month. The city had the opening of Cedar Beech Pool. Mack South will open on June 18. Tomorrow at 2:00 PM the city contracted a firm to assist with Way Finding Consulting The first steering committee ids tomorrow at 2:00 PM. They would appreciate a member of Council is interested in attending. He encouraged Council to attend apartments at the parkway ribbon cutting on June 9th at 5:30 PM. There are a few hundred units at the terrain apartments. ADP swearing ceremony at 2:00 PM at June 10. June 12th, the city will be raising the flag for Juneteenth in preparation for our Juneteenth Celebration on June 19 at Cedar Beach. On flag day on June 14 at noon there will be a ceremony in front of city hall. He thanked Ms. Affa for helping with some promotional videos for summer activities in the city of Allentown. He and Ms. Affa did a shoot at the pool to talk about senior lap swim. In the past couple of weeks, the city eclipsed 21,000 followers on Facebook for the city of Allentown due to the dedicated work of Chelsea and Genesis. He sent a Note of Appreciation to the Parks Maintenance Team who kept our parks beautiful on a very busy Memorial Day weekend.

[15-5120](#) Controller Reports

Attachments: [PCard Review](#)

[1st QUARTER 2022 SUMMARY OF PENSION CASH FLOWS](#)

[Accts Payable](#)

ORDINANCES FOR FINAL PASSAGE (To be Voted On):

[15-5054](#)

Bill 32

Amending the 2022 General Fund Budget to provide for a supplemental appropriation of Fifteen Thousand (\$15,000.00) Dollars from the Commonwealth of Pennsylvania Office of The State Fire Commissioner Grant, to the Allentown Fire Department for the purchase of high-quality Thermal Imaging Cameras and Accessories.

Sponsors: Administration

Attachments: [Bill 32 OFSC GRANT](#)

Mr. Daryl Hendricks stated that it was in his committee and it moved favorably with a 3 - 0 recommendation to approve.

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

A motion was made by Cynthia Mota that this Ordinance be approved. The

motion carried by the following vote:

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

Enactment No: 15814

[15-5055](#)

Bill 33

Amending the Codified Ordinances, Part Two, General Legislation/Fees; Article Seven, Billing for Emergency Medical Services; Section 270-52 Policy by clarifying some confusing language and applying more consistent application of EMS billing practices.

Attachments: [Bill 33 EMS PAYMENT POLICY](#)

Mr. Daryl Hendricks stated that this too was in his committee and likewise it was favorably moved 3 - 0 to the full Council.

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

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

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

Enactment No: 15815

[15-5062](#)

Bill 34

Amending the 2022 Capital Fund Budget to provide for a transfer of Fifty Thousand (\$50,000) from Capital Project 1912 – Traffic Signal Modernization to Capital Project 20000 – Traffic Signal Adaptive System to provide the additional funds needed to complete the Downtown Traffic Signal Adaptive System project installation and the construction inspection.

Attachments: [Bill 34 CAPITAL PROJECT 2000 TRANSFER](#)

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

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

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

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

Enactment No: 15816

[15-5068](#)

Bill 36

Amending the Part Two General Legislation, Chapter 388 Moving Permits by repealing it in its entirety.

Attachments: [Bill 36 MOVING PERMIT REPEAL](#)

Mr. Daryl Hendricks stated that this was moved forward 3 - 0 favorably by his committee.

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

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

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

Enactment No: 15817

CONSENT AGENDA: No items.

RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):

[15-5093](#)

R87

Approves Hiring of three police officers:

O'Neill, David - Eagleville, PA

George Millison, Jr. – Havertown, PA

Brian Mlttura – Whitehall, PA

Sponsors: Administration

Attachments: [R87 Hiring Patrolmen -6-1-22](#)

[Resolution #30445](#)

Assistant Chief James Gress stated it is nice to see everyone tonight. There are three applicant before Council tonight. The first is Mr. David O'Neil from Eagleville, PA. He has since relocated to the Allentown area. He is from Bill 66 - Noncompetitive list. He is age 29 and is a graduate Montgomery County Criminal Justice Program and an ACT 120 Academy from Montgomery County Police Academy. He was a long-time Lieutenant with the Montgomery County Correctional Facility. The second one is George Millison, Jr. from Havertown, PA. He is also from the Bill 66 list. He is 24 years of age. He is from Delaware County Community College. He graduated from there and the Delaware County Police Academy in 2016 for the 120 Police Academy certification. He has worked full-time for the Delaware County Parks Police and part-time with the Milltown Bureau Police Department. Brian Mlttura is from Whitehall. He was from the competitive list. The civil service list. He is 26 year of age. He is a graduate of LCCC and currently a Deputy Sheriff in Carbon County and has since taken our police test and has done well and passed the background.

Ms. Cynthia Mota asked if there were any questions 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: 5 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, and Joshua Siegel

No: 2 - Natalie Santos, and Ce-Ce Gerlach

Enactment No: 30445

[15-5095](#)

R88

Authorizes the Administration to Transfer and Convey the City-Owned Real Property located within the Scrapyard and Recycling Facility Operated by E. Schneider & Sons, Inc. at 6th Street and Sumner Avenue

Sponsors: Administration

Attachments: [R88 2 City Parcels within Scrapyard](#)
[Resolution #30446](#)

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

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

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

Enactment No: 30446

[15-5097](#)

R89

Approves the Submission of an amendment to the 2021 Action Plan to the United States Department of Housing and Urban Development, to allocate unspent funds to a housing development for Habitat for Humanity - Cumberland Street.

Sponsors: Administration

Attachments: [R89 Reallocation Funds - HABITAT at Cumberland](#)
[Resolution #30447](#)

Ms. Cynthia Mota asked if there were any questions 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: 7 - Natalie Santos, Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30447

[15-5096](#)

R90

Authorizes an application for a Pennsylvania DCED Emergency Solutions Grant in the amount of approximately \$300,000; the grant will benefit the Lehigh Valley Regional Homeless Advisory Board Emergency Shelter and allow subrecipients to provide homeless services and resources to the regions homeless population.

Sponsors: Administration

Attachments: [R90 Application for a Pennsylvania DCED Emergency Solutions Grant Resolution #30448](#)

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

Ms. Ce Ce Gerlach stated that she wants to clarify, the RHAB operates a shelter. She stated that she did not think they operated a shelter.

Mr. Leonard Lightner stated no, they don't.

Ms. Ce Ce Gerlach stated that it says the RHAB Emergency Shelter.

Mr. Leonard Lightner stated that it is misworded incorrectly.

Ms. Ce Ce Gerlach stated that in terms of shelter, they had allocated \$3 million plus for a shelter here in Allentown. She asked what is up with that. Have we bought the building?

Mr. Leonard Lightner stated that this is right here is serving the city as a pass through. This normally goes through the county. We are just functioning in that capacity.

Ms. Cynthia Mota asked if there were any other questions 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: 7 - Natalie Santos, Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30448

[15-5104](#)

R91

Authorizes lease agreement with Community Bike Works for the Keck Park Recreation Building.

Attachments: [R91 Community Bike Works](#)
[Resolution #30449](#)

Ms. Cynthia Mota asked if there were any questions 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: 7 - Natalie Santos, Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30449

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

[15-5098](#) Bill 37 Public Works
Amending the 2022 Capital Fund Budget to provide for a transfer of One Hundred Nineteen Thousand Five Hundred and Two (\$119,502) Dollars from Capital Project 2005 – Jefferson Street Road Diet and Flasher to capital project 1225 Traffic Signals – Upgrade Various.

Sponsors: Administration

Attachments: [Bill 37 Capital Project Transfer](#)

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

REFERRED TO PUBLIC WORKS COMMITTEE

[15-5099](#) Bill 38 Parks and Recreation
Amending the 2022 Capital Fund Budget to provide for a supplemental appropriation of Six Hundred Ninety (\$ 690.00) Dollars from Hijinx Brewing Company toward the construction of Phase 2 of the Jordan Skatepark project.

Sponsors: Administration

Attachments: [Bill 38 HIJINX BREWING COMPANY DONATION](#)

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

REFERRED TO PARKS AND RECREATION COMMITTEE

[15-5103](#) Bill 39
Amending the 2022 ARPA Fund Budget to provide for a transfer of One Million Five Hundred Thousand (\$1,500,000) Dollars to Da Vinci Science City, LLC.

Sponsors: Administration

Attachments: [Bill 39 \\$1.5m ARPA to Da Vinci](#)

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

REFERRED TO SPECIAL COUNCIL MEETING

Ms. Candida Affa asked if this goes on the categories that Council has. She stated that she is confused with this \$1.5 million. She stated that Council is having a meeting next week getting advice on homeless and the experts. The next one is going to be public safety and the next will be tourism. Why is this here?

Ms. Ce Ce Gerlach stated maybe public safety and tourism.

Mr. Michael Hanlon stated that the mayor introduced this and he has the power to introduce a bill.

Mr. Ed Zucal stated that he introduced it which he has the power to do. What we are doing is referring it to a later date when that bucket of discussions come up.

Ms. Candida Affa stated that he introduced it and we have the power to introduce it two weeks from now.

Mr. Ed Zucal stated or whenever.

Ms. Ce Ce Gerlach stated that she shares Ms. Affa's confusion. She does not know if they send it to a committee or anything at this point because we have not really followed the process that the Council President and Vice President have put forth in terms of hearing experts and public testimony. At the last meeting, tourism wasn't even a category, but we are referring two items to the next meeting.

Mr. Ed Zucal stated that at this time we aren't discussing it because the process has not been completed. If the mayor would not have put it forward, it would not be on here.

Ms. Cynthia Mota stated when it goes to the committee. It could be done at a later date.

Mr. Ed Zucal stated it is not going to a committee.

Ms. Candida Affa stated that is not the process that Council agreed to. The thoughts were that Council would have on the 8th expert opinions for housing then the following one. This was a process that we were going to

have. We did not want to piecemeal. We were after the categories. Each week we will have a different one and they would present their expert opinion. She stated that she does not understand what this is supposed to be all about then.

Mayor Matt Tuerk stated that we are asking Council to consider and some day in the future appropriation. This appropriation for the DaVinci Project could fit into the tourism bucket, economic development bucket, the youth bucket. It will be discussed at the prior meeting on the 25th. You can call experts in to advise you on the merits of this project or any other project during that meeting. We are putting this project on the agenda with a request that this be forwarded to the committee for discussion at which point you can have the discussion and take a vote. This is a project that has been evaluated by a scoring committee with the scoring sheet associated with it. We will provide that to City Council at the time of the discussion.

Ms. Ce Ce Gerlach stated that some of the challenges she still has at the last meeting Ms. Mota stated a number of concerns that they had. She is not sure any of the concerns has been addressed yet concerning the application process. Some people on Council are concerned that they don't really see the applications and the scoring. For her she does not see how they forward two items even to a Special Council Meeting in some date in the future when we haven't even decided that this is a category that we would like to allocate money towards. Many of us have stated that a couple of times. It is challenging again to have two individual allocations on the agenda.

Mayor Matt Tuerk stated that these are projects that have been formulated, scored and presented to Council a couple of times now. While we wait for other projects to materialize, we are asking Council to consider these projects at a special meeting.

Mr. Joshua Siegel stated that procedurally we are going to have a bunch of public hearings. Is the goal then to take all that testimony, formulate into some broader package and slot in all the \$39 million in one big spend and vote on that all at once. Is the intention to piece all together until all the money is used up and basically allocated all at once. He stated that he is just curious because obviously we will have testimony. We still in a sense will be piecemeal. We might allocate money to a community center and it will take longer to formulate on how we want to spend money on anti-violence perhaps. There are some projects that are shovel ready and ready to go and there are projects that might take time to formulate. What is the end goal. There is a time constraint with certain projects verses others. There are cost constraints as inflation continues to rise.

Ms. Candida Affa stated that the goal here with Council is that the priorities are actually have a lot to do with it. We need a lot of infrastructure and the police department looking to have 10 more police officers. This is why we put this in categories. This was not even in one of the categories. She stated that she is not saying that this is not good or she is not voting for it. She is not saying she does not want it. We should go through the process the way we had planned to go through the process. We are going to have priorities that she thinks is homelessness is much more of a priority than DaVinci and the IronPigs. Hiring public safety with the police department, our infrastructure with pools this is not something that we don't want to vote on, but we felt as a whole that we liked this category idea so that we can do it little by little and understand what is going on. Now, all of a sudden we have another category which is fine.

Mr. Joshua Siegel stated that he understands, but still looking for clarification given the length of time. We should be deliberative.

Ms. Candida Affa stated that it will be more than a month. We have three meetings.

Mr. Joshua Siegel stated presumptively, Council will have hearings. We should have hearings and public testimonies are necessary. Not doing that does affect our employees, our businesses, our city. The overall growth and health of our region which in turn hurts our residents.

Ms. Candida Affa stated that this is exactly what she is not saying. The fact that Council is not against giving the IronPigs. We are just talking about the Special Meeting. No one on this dais said anything about it. We understand how important the Pigs are to the community. We understand DaVinci. We understand all of that. Not one of us has said we are not willing to listen and allocate some of this money. We have a process and we would like to stick to the process that we started.

Mr. Ed Zucal stated for tonight's purposes where we are right now is that there is a motion on the floor to table this until we get to that section where we are discussing that bucket.

Ms. Ce Ce Gerlach stated that until Council decides that is a buckets that we want to discuss.

Mr. Ed Zucal stated that he will second that for tonight's purposes.

Mr. Michael Hanlon stated that Ms. Mota has referred it to a special committee. You probably can take public comment on that. Ms. Gerlach

wants to table.

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

Mayor Matt Tuerk asked the question in terms of the process. He stated that he is not sure he actually has seen the process. The process is going to be a series of unscheduled public meetings in which there will be testimony given for a group of buckets. Are you going to hold a special meeting where you will take testimony on tourism.

Ms. Ce Ce Gerlach stated that she believes on the first page of the agenda. It says on the 25th under Reports, it says that Council held a special meeting on May 25th at 6:00 PM to discuss and prevent categories they find important for ARPA funding and took public testimony on these additional areas. Here is what is relevant: Council will continue their meetings on June 8th to consider a proposal from Councilpersons and the public that would like to extend the categories to entertainment and tourism venues and take testimony from experts regarding housing and homelessness.

Mayor Matt Tuerk stated that we are talking about DaVinci in this case. He asked them to take him and the public through the process. At what point will Council actually vote on funding these ready to go projects.

Ms. Ce Ce Gerlach stated that it seems like they have a number of categories that they need to have expert testimony on and have the public have an opportunity to engage with just like many other municipalities have in terms of surveys and public hearings. Some like Harrisburg actually hired companies to do all this for them in terms of public outreach. That could be potentially in July, depending on how many more meetings we have. It seems like public safety is definitely a category. Tourism could potentially be a category as well. The youth, a number of individuals came out and spoke about the youth. Mr. Ed Zucal stated that as part of the process, Council needs to review the applications, specifically to make the process in that sense is followed in regards to all the documentation that was required on the applications.

Ms. Candida Affa stated that opportunities with expert witness which will be from the DaVinci Center to address Council regarding tourism. It would be like the Chief talking to Council saying how important it is to have more police officers.

Mayor Matt Tuerk asked if at that point will City Council allocate some funding for those buckets.

Ms. Ce Ce Gerlach stated that at that point, we are just listening and taking public testimony.

Mayor Matt Tuerk asked if the testimony provided on May 25th not sufficient for Council to make decisions about funding prior.

Mr. Ed Zucal stated that he would say no. That was mostly an information gathering session on what people want.

Mayor Matt Tuerk stated is that not what testimony is, an information gathering session.

Ms. Ce Ce Gerlach stated experts. We are talking about the PA Housing Alliance. We are talking about possibly the RHAB. We are talking about our Chief of Police. People who knows the numbers or the data. They know the big picture. It is not necessary that they want money.

Mr. Ed Zucal stated everybody wants a handout. It is not about that.

Ms. Ce Ce Gerlach stated that it is not that they work for an organization and they want money. It's hey, I worked for this organization and let me tell you about the trends. Let me tell you about what types of projects are going to get federal funding this year. What types of projects are not. It is as simple as I met with someone way back when this money first came and she thought it would be awesome to put money towards fixing up blighted homes. She met with someone who works for Habitat for Humanity and he informed me because he is an expert and she is not and none of Council are and when it comes to housing and she does not know who else in here is. He informed her that is not quite the way that things are trending. That they are working with CACLV to provide financial support for people to fix up the foundational thing like the pipes, the plumbing, the electrical work. Yes, they are still building homes, but not necessarily rehabbing them. That was like a year ago. She did not know that. It was helpful to have people who know more than us and you to come in and speak about the bigger issues. The broader issues and not be so micro-focused on particular organizations. Let's talk about tourism in Allentown. Let's talk about what industries have been hardest hit when it comes to tourism. Has it been the arts, baseball stadiums? She stated that she does not know. That is a much broader conversation so we can make more informed and comprehensive decisions. It is not just base on the IronPigs are cool. They are cool. That's nice. What about tourism in general? What it is a better investment when it comes to tourism and the IronPigs.

Ms. Candida Affa stated that we all frown upon having individual conversations with people that want to. She stated that she had a

conversation with Sherri Bender way before that. Now, we have to disclose that. Mr. Finley called her up and she is sure called other people up. She stated that they are frowning upon that because they want them to come and tell Council how much the Pigs need the money, why they need the money, why it is important to have them. If someone individually talks to Ce Ce or talks to Cynthia about these things. It is not collective. It is something that we should not be doing. We are talking to an individual that has a lot to do with this and persuading us. This is why we did what we did so we can as a group listen to it and have these categories and not talk to individuals. She stated that if Mr. Finley talk to us, she has to report this that she had a conversation with him. That is the ordinance that we have passed. We frowned upon doing that. We would rather have them come. The citizens of Allentown many of them have no idea what the IronPigs do for this city. She stated that she had people snicker, you are not going to give them \$1.5 million. Them coming in and bragging about themselves and telling us exactly what and it is also good for the public. If you go out there and talk to as many people as she did, they laugh at the idea. This is important for transparency. He came in last week and she stated oh my God. She had no idea. She stated what Ce Ce said, Council just wants all this information. We will never get \$57 million again. They want to make sure what they do is right. Tourism is very important. We don't know important it is. We need facts and figures on how important is the Nineteenth Street Theatre. How important are these things that we don't even think about. If it is important for the IronPigs to come in and Mr. Finley to come in.

Ms. Cynthia Mota stated that we are talking about DaVinci. We are not talking about the IronPigs. We are on Bill 39.

Ms. Candida Affa stated that the purpose for them is that they want the information. All the information that we can possibly get. There may be three of them that don't want to give money and maybe four that want to. It is information, information, and information by experts.

Attorney Charles Smith stated what is in front of Council is Rule VII of the Council Rules. At the meeting in which any Resolution or other matter first appears upon the agenda it will be acted upon by Council at that meeting unless the Presiding Officer, or the Council, by a majority vote commits such matters to the appropriate committee. That is what is in front of you.

Ms. Cynthia Mota stated that in other words, we need to vote.

Attorney Charles Smith stated that Council can refer to a committee, unless the presiding officer commits such matters to the appropriate committee.

Mayor Matt Tuerk stated that you can have the discussion in committee. Ms. Cynthia Mota stated that when you refer something to a special committee, it does not mean that you need to meet in a week or two weeks. You just schedule the meetings later on. He stated to Ms. Mota that he believes Attorney Smith is saying that you are the president and it's your prerogative to refer this to committee.

Ms. Cynthia Mota stated that she wants to refer it to a Special Council Meeting.

Mr. Ed Zucal stated that Ms. Mota still has to take a vote. It was a motion then a second.

Attorney Charles Smith asked what is the question under consideration. Was it the resolution to table?

Ms. Ce Ce Gerlach stated yes.

Attorney Charles Smith asked if they wanted to table the Bill.

Ms. Ce Ce Gerlach stated to table Bill 39.

Mr. Michael Hanlon stated that we got a first and a second. He asked if they are ok taking a motion to table.

Attorney Charles Smith stated that Ms. Mota is referring it to committee. The motion to table is to table the referral.

Ms. Ce Ce Gerlach stated to table Bill 39 to a Special Meeting.

Mr. Michael Hanlon stated that you get four votes to table it. It is tabled until you get another four votes to bring it back.

Mr. Ed Zucal stated no. We have the vote to table it. If it passes, the presiding officer can overrule and send it to a committee. We have to vote on the table first. We have a motion and a second. Even if it passes, Ms. Mota has the authority to overrule that and send it a committee.

Attorney Charles Smith stated that he believes what happens here is that Ms. Mota has the authority to revert to the committee as the presiding officer. If you move to table that action or the consideration of Bill 39. Are you moving to table the entirety or moving it to a committee.

Ms. Ce Ce Gerlach stated moving to a committee. It is not tabling allocating money to them in one day. It is tabling allocating money to them

one day. It is just tabling them because they should not be moving ahead of everyone else to a Special Committee.

Attorney Charles Smith stated to Mr. Hanlon before they commit to something he wants to consider.

Mr. Michael Hanlon stated that his judgment would be that this is just history. Ms. Mota has the power to refer something. Ms. Gerlach is making the motion to table his assumption was if it is tabled, the four people rule. The only way it can be untabled if four people bring it back. That is sort of Robert's Rule stuff.

Attorney Charles Smith stated that the motion to table is stopping the referral to committee and to table it. That seems to be the intent.

Ms. Ce Ce Gerlach stated yes.

Attorney Charles Smith stated that they have to vote on the Motion to Table. If you look at your Rule VIII, the motion to table, the first thing it should be decided without tabling. It just has to be voted on.

A motion was made by Ce-Ce Gerlach, seconded by Ed Zucal, that this Ordinance be tabled. The motion carried by the following vote:

Yes: 4 - Natalie Santos, Candida Affa, Ed Zucal, and Ce-Ce Gerlach

No: 3 - Cynthia Mota, Daryl Hendricks, and Joshua Siegel

[15-5102](#)

Bill 40 Tabled

Amending the 2022 ARPA Fund Budget to provide for a transfer of One Million Five Hundred Thousand (\$1,500,000) Dollars to Coca Cola Park for COVID-19 Safety Improvements.

Sponsors: Administration

Attachments: [Bill 40 \\$1.5 M ARPA - COCA COLA PARK](#)

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

Ms. Cynthia Mota stated that she wants to refer it to a Special Committee Meeting.

A motion was made by Ce-Ce Gerlach, seconded by Joshua Siegel, that this Ordinance be tabled. The motion carried by the following vote:

Yes: 4 - Natalie Santos, Candida Affa, Ed Zucal, and Ce-Ce Gerlach

No: 3 - Cynthia Mota, Daryl Hendricks, and Joshua Siegel

[15-5100](#)

Bill 41

Amending the 2022 Equipment Fund Budget to provide for a supplemental

appropriation of Thirty-Nine Thousand (\$39,000) from the unappropriated balance of the 2022 Equipment Fund to the 2022 Rolling Stock expenses to complete vehicle purchases in 2022.

Sponsors: Administration

Attachments: [Bill 41 Equipment Fund Transfer](#)

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

REFERRED TO BUDGET AND FINANCE COMMITTEE

[15-5101](#)

Bill 42 Community and Economic Development
Amending the 2022 General Fund Budget to provide for a supplemental appropriation of Eighteen Thousand (\$18,000) Dollars from the PA Department of Health, Prescription Drug Monitoring/Overdose 2 Action for continued support of the part-time Opioid Prevention Administrative Coordinator position.

Sponsors: Administration

Attachments: [Bill 42 PA DOH OPIOID Grant](#)

REFERRED TO COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

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

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

NEW BUSINESS: NONE

GOOD AND WELFARE: NONE

ADJOURNED: 8:20 PM

[15-4437](#)

Council Rules
Home Rule Charter
Contract Procedures

Attachments: [HOMERULE June 2021](#)

[Council Rules March 2021 Edition](#)

[Contracts \(4\)](#)