



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Meeting Agenda - Final

City Council

Wednesday, July 19, 2023

6:30 PM

Council Chambers

Invocation:

Pledge to the Flag

Roll Call

Courtesy of the Floor

Courtesy and Privilege of the Floor Rules

Please observe the Rules of Council when addressing the body. A full copy of Council Rules can be found on the city website or by email if you contact Council office.

There are multiple opportunities to address Council. Individuals can speak during Courtesy of the Floor (addressing items not on the agenda) and during Bills and Resolutions on Final Passage and Introduction. When given the Floor, please go to the podium and state your name and address. All remarks must be directed towards the presiding officer or council as a body; not a particular Council member or elected official, the audience or city staff. Unless otherwise determined, individuals shall have three minutes to address council and individuals representing a bona-fide group shall have five minutes. Privilege of the Floor will not be extended for personal insults or personal attacks on any individual, name calling or other behavior that is inconsistent with the purpose and intent of conducting official business. Please address council as a body. Refrain from using offensive language, cursing and making noises while other people are speaking. Act with decorum. Remove your hat and turn cell phones off.

(Council Speaking Rules: Members and others given the privilege of the floor will address the Presiding Officer. The Presiding Officer will extend the courtesy to the Councilperson(s) responsible for introducing legislation the opportunity to speak first. Each member will have the right to speak twice on any subject. No Member will be allowed to speak more than twice on any subject without permission of the Presiding Officer. No Member will speak more than three (3) times on the question without the unanimous consent of all the Members present.

Contract Approvals

R109

Authorization for Contract with McMahon Associates in the amount of \$279,850 to perform services for the proposed improvements for the American Parkway Traffic Signals Improvement Project. This project is part of a Green Light-Go grant fund. There were four proposals, contract is for two years with the potential of a six months extension.

Sponsors: Administration

Attachments: [R109 - McMahon Assoc.](#)

R110

Authorization for Contract with TD Equipment Finance for \$2,223,332.54 to finance Ten (10) Mobile Radios Model XG-25M, Fifty (50) Mobile Radios Model XL-18M, Ten (10)

Portable Radios Model XL-95P, Fifty (50) Portable Radios Model XL-200P (Yellow), Three Hundred and Fifty Five (355) Portable Radios Model XL-200P(Black), Radio Accessories Metal Belt Clips, "D" Clips and Antennas, Radio Batteries and Radio Battery Chargers, there were four proposals, the lease is for five years.

Sponsors: Administration

Attachments: [R110 - TD Equipment Finance](#)

R111

Authorization for Contract with BankFunding, LLC in the amount of \$612,884.24 to finance one (1) Caterpillar Model: 962-BR Wheel Loader and one (1) Galbreth Roll Off Vehicle.

Sponsors: Administration

Attachments: [R111 - BankFunding LLC](#)

Minutes of Previous Meeting

June 15, 2023 Special Committee Meeting - Bill 47 Minutes

Attachments: [June 15, 2023 Special Committee Meeting - Bill 47 Minutes](#)

June 21, 2023 City Council Bill 23 Public Hearing Minutes

Attachments: [June 21, 2023 City Council Bill 23 Public Hearing Minutes](#)

June 21, 2023 City Council Meeting Minutes

Attachments: [June 21, 2023 City Council Meeting Minutes](#)

June 28, 2023 City Council Special Meeting on City Solicitor and HR Director Appointments Minutes

Attachments: [June 28, 2023 City Council Special Meeting on City Solicitor and HR Director Appointments Minutes](#)

Communications

Disclosures pursuant to the Ethics Code:

Mayor Tuerk and Councilperson Napoli noted for disclosure purposes, they had an email exchange with Sherri Binder of RCI on a potential ARPA request.

Ethics Provision:

(3) Mandatory disclosure. Officials and employees who have had communications of any kind with individuals or entities seeking to do work for the City, or seeking to receive government funds, must disclose those communications to the City Clerk prior to the government taking action in designating who will conduct the service, receive the contract or receive the funds. Such disclosure will take place on an electronic or paper form or process to be prepared jointly by the Administration and Council.

President Council Note: As required by the Commonwealth, the annual IDA report has

been filed and is available to the public as an attachment to this agenda..

Attachments: [2022 Financial Statements - ALLENTOWN COMMERCIAL AND INDUSTRIAL I](#)
 [ACIDA 2022 IDA Report](#)

Old Business

REPORTS

Public Hearing for Liquor License Transfer – August 2, 6:15 PM

Budget and Finance: Chair Napoli, Hendricks, Gerlach

The Committee has not met since the last council meeting; the next meeting is scheduled for July 27th at 5:30 PM – the agenda will deal with budgetary priorities.

Community and Economic Development: Chair Mota, Napoli, Affa

The committee has not met since the last Council meeting; the next meeting is scheduled for July 27th at 6:00PM– the agenda will deal with budgetary priorities.

Human Resources, Administration and Appointments: Chair Santos, Zucal, Napoli

The Committee has not met since the last council meeting; the next meeting is scheduled for; the next meeting is scheduled for July 26th at 6:30 PM – the agenda will deal with budgetary priorities.

Parks and Recreation: Chair Gerlach, Affa, Mota

The Committee met on June 15th; those items are on the council meeting this evening. The next meeting is scheduled for July 27th at 6:30 PM. – the agenda will deal with budgetary priorities.

Public Safety: Chair Affa, Hendricks, Zucal

The Committee has not met since the last Council meeting; ; the next meeting is scheduled for July 26th at 5:30 PM – the agenda will deal with budgetary priorities.

Public Works: Chair Zucal, Santos, Hendricks

The Committee has not met since the last Council meeting; the next meeting is scheduled for Wednesday, July 26th at 6 PM – the agenda will deal with budgetary priorities.

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

The committee met this evening; a future meeting has not been established.

Controller’s Report (3 minutes)

Mayor’s Report (3 minutes)

Controller Reports

Attachments: [Accts Payable June](#)

ORDINANCES FOR FINAL PASSAGE (To be Voted On):

Bill 31 Community and Economic Development Committee, forwarded favorably Provides for the expenditure of certain monies received by the City of Allentown under Title I of the Housing and Community Development Act of 1976, as amended; The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009; and Title II of the National Affordable Housing Act of 1990, as amended; for the purpose of undertaking programs of housing and community development within the City.

Sponsors: Administration

Attachments: [Bill 31 - HUD New Account Setup](#)

Legislative History

5/10/23	Community and Economic Development Committee	forwarded without recommendation
5/17/23	City Council	withdrawn

Bill 40

Amending the 2023 General Fund budget to add revenue accounts to the Risk Management Bureau's budget and transfer funds from the unappropriated balance to fund this payment process change. The adjustment is needed to account for the change to paying all active employee elective health benefit plans upfront instead of relying on manually produced payroll deduction paper checks for payment.

Sponsors: Administration

Attachments: [Bill 40 Risk Management Employee Benefits](#)

Legislative History

6/28/23	Budget and Finance Committee	forwarded without recommendation
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Bill 49

DIRECTING THE LEHIGH COUNTY BOARD OF ELECTIONS TO PLACE A REFERENDUM QUESTION BEFORE THE CITY OF ALLENTOWN VOTERS ON THE NOVEMBER 7, 2023, BALLOT TO AMEND THE CITY OF ALLENTOWN HOME RULE CHARTER TO ESTABLISH THE SALARY OF THE CONTROLLER EQUAL TO 80% OF THE MAYOR'S SALARY WHICH IS CURRENTLY AT \$95,000.

Sponsors: Affa, Gerlach and Napoli

Attachments: [Bill 49 Charter Proposal - Controller's Salary](#)

Legislative History

6/15/23	Rules, Chambers, Intergovernmental Relations and Strategy	forwarded without recommendation
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Bill 50

DIRECTING THE LEHIGH COUNTY BOARD OF ELECTIONS TO PLACE A REFERENDUM QUESTION BEFORE THE CITY OF ALLENTOWN VOTERS ON THE NOVEMBER 7, 2023 GENERAL ELECTION BALLOT TO AMEND THE CITY OF ALLENTOWN HOME RULE CHARTER TO INCREASE THE SALARY OF THE CITY COUNCIL TO \$15,000.AND THE PRESIDENT OF COUNCIL SHALL RECEIVE ONE THOUSAND DOLLARS IN ADDITION TO THE SALARY OF A REGULAR CITY COUNCIL MEMBER.

Sponsors: Affa, Hendricks and Mota

Attachments: [Bill 50 Home Rule Charter City Council's Salary - Question](#)
[Memo on Salaries/Comparison](#)

Legislative History

6/15/23	Rules, Chambers, Intergovernmental Relations and Strategy	forwarded without recommendation
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Bill 52

Amending the 2023 General Fund Budget to provide for a supplemental appropriation of Fifteen Thousand Dollars (\$15,000.00) from the unappropriated balance to the Capital Fund Contribution of the Trexler budget. The funds were received from the Trexler Trust as part of the 2022 operating budget, the additional funds are from the 30% capital requirement from the total award.

Sponsors: Administration

Attachments: [Bill 52 - 2022 Trexler Additional Capital Appropriation](#)

Bill 53

Amending the 2023 Capital Fund Budget to provide for a transfer of Two Hundred Sixty-Five Thousand Three Hundred and Forty-Six Dollars and Ninety-One Cents (\$265,346.91) from the Automatic Meter Reading and Bill capital account to the Administrative Order capital account. This will allow the Administrative Order (AO) fund to have the additional funds needed to complete the City's requirements under the Concession Lease Agreement.

Sponsors: Administration

Attachments: [Bill 53 Administrative Order Capital Account Transfer](#)

Legislative History

6/21/23	Public Works Committee	forwarded without recommendation
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Bill 54

Amending the 2023 General Fund budget to accommodate the reorganization of positions to allow the Department of Finance to operate at a level more in line with the job responsibilities currently assigned to the staff and be in compliance with the home rule charter.

Sponsors: Administration

Attachments: [Bill 54 Finance Clerk Reorg](#)

Legislative History

6/28/23 Budget and Finance forwarded without recommendation
 Committee

Bill 55

Amending the 2023 General Fund Budget to provide for a supplemental appropriation of One Hundred Four Thousand and Ninety-Six Dollars and Thirty-Eight Cents (\$104,098.38) to the Opioid Settlement revenue account (000-5216) to fund a third Hospital Opioid Support Team (HOST) position through Lehigh County Drug & Alcohol. This will allow for 24-hour coverage in City of Allentown hospitals to connect substance use overdose victims with appropriate care.

Sponsors: Administration

Attachments: [Bill 55 Health HOST](#)

Legislative History

6/28/23 Community and Economic forwarded without recommendation
 Development Committee

Bill 56

Amending the 2023 Capital Fund Budget to provide for a supplemental additional appropriation of Sixty-Two Thousand Five Hundred (\$62,500) Dollars from the Pennsylvania Department of Conservation and Natural Resources (DCNR) to support construction of Irving Pool.

Sponsors: Administration

Attachments: [Bill 56 Irving Pool DCNR](#)

Bill 57

Amending the 2023 General Fund Budget to provide for a supplemental appropriation of One Hundred Thirty-Five Thousand Dollars (\$135,000.00) from the unappropriated balance to the Parks and Recreation Grounds Maintenance Equipment expense account. The funds will be used for new holiday decorations and lights that are compatible with the newly installed light poles on Hamilton Street from 5th to 12th.

Sponsors: Administration

Attachments: [Bill 57 Parks and Rec Equipment](#)

Bill 58

Amending the 2023 General Fund Budget to provide for a supplemental appropriation of Six Hundred Thousand Nine Hundred and Fifty Dollars (\$600,950.00) from the Pennsylvania Commission on Crime and Delinquency (PCCD) Gun Violence Investigation and Prosecution Grant for the purpose of purchasing equipment.

Sponsors: Administration

Attachments: [Bill 58 - PCCD Grant](#)

Legislative History

6/21/23 Public Safety Committee forwarded without recommendation

Bill 59

Amending the 2023 General Fund budget to allow for the Maintenance Mechanic Specialist position currently budgeted in the Trexler Fund to move to the General Fund

Parks and Recreation Department. This will help to balance the Trexler Fund budget for the year 2023.

Sponsors: Administration

Attachments: [Bill 59 Trexler Position to Parks](#)

Bill 60

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 60 Traffic Control Maps](#)

[Traffic Control Sign Ordinance 05 31 2023](#)

Legislative History

6/21/23 Public Works Committee forwarded without recommendation

Bill 61

DIRECTING THE LEHIGH COUNTY BOARD OF ELECTIONS TO PLACE A REFERENDUM QUESTION BEFORE THE CITY OF ALLENTOWN VOTERS ON THE NOVEMBER 7, 2023 GENERAL ELECTION BALLOT TO AMEND THE CITY OF ALLENTOWN HOME RULE CHARTER TO LIMIT THE TERM OF THE OFFICE OF CITY CONTROLLER TO TWO (2) TERMS

Sponsors: Gerlach and Mr. Zucal

Attachments: [Bill 61 City Controller Term Limits](#)

Bill 62

DIRECTING THE LEHIGH COUNTY BOARD OF ELECTIONS TO PLACE A REFERENDUM QUESTION BEFORE THE CITY OF ALLENTOWN VOTERS ON THE NOVEMBER 7, 2023 GENERAL ELECTION BALLOT TO AMEND THE CITY OF ALLENTOWN HOME RULE CHARTER TO LIMIT THE TERM OF THE OFFICE OF CITY COUNCIL TO THREE (3) TERMS

Sponsors: Gerlach and Mr. Zucal

Attachments: [Bill 62 City Council Term Limits](#)

Bill 63 CED, Recommended Favorably, with amendment

Amending the 2023 General Fund & HUD Grants Fund budget to accommodate a reorganization of positions to allow the Department of Community and Economic Development to enhance current operations for both HUD and non-HUD grant funding and administer grants more efficiently cross-departmentally while remaining in compliance with the home rule charter.

Sponsors: Administration

Attachments: [Bill 63 Grants Staff Reorg](#)

Legislative History

6/28/23 Community and Economic forwarded without recommendation
Development Committee

Bill 64

Amending the 2023 ARPA Fund Budget to provide for a transfer of Two Million Dollars (\$2,000,000.00) to Cortex Residential. These funds will be used for an affordable housing project in the Walnut Square Apartments at 40 South 8th Street.

Sponsors: Administration

Attachments: [Bill 64 Cortex Residential ARPA](#)
[WSA - CED Presentation_v3](#)

Legislative History

6/28/23	City Council	approved
6/28/23	Community and Economic Development Committee	forwarded without recommendation

CONSENT AGENDA

R112

Candida Affa, Nuisance Abatement Board of Appeals, Term Expiration: 12/31/2024

Attachments: [R 112 Appointment Candida Affa - Nuisance Abatement Board of Appeals](#)

R114

Authorizes encroachment for a marquee sign for Archer Music Hall, which will be located at 939 Hamilton St.

Sponsors: Administration

Attachments: [R114 - Marquee Encroachment](#)
[939 Hamilton St full packet perm encroachment](#)

R115

A resolution of the Governing Board of Allentown City, Lehigh County, Pennsylvania, authorizing, empowering and directing the proper officers of the Governing Board to appoint a liaison between it and Berkheimer, the duly appointed collector of local taxes for the district, for the express purpose of sharing confidential tax information with the district for official purposes

Attachments: [R115 - Berkheimer](#)

R117

Police Officer Appointments

Sponsors: Administration

Attachments: [R117 - Police Officer Appointments](#)

R118

Authorizes submission of a formal application to the Pennsylvania Department of Transportation for a grant of One Million Two Hundred Ten Thousand Six Hundred and Fifty Dollars (\$1,210,650) to support the construction of a 1.2 mile extension of the Martin Luther King Drive (MLK) Trail.

Attachments: [R118 - DCED Grant Application MLK](#)

R119

Stephen Davies (Business Owner), Zoning Hearing Board, Term Expiration: 11/04/2026

Attachments: [R119 Stephen Davies - Zoning Hearing Board](#)[Memo from Mayor Tuerk regarding Stephen Davies - Zoning Hearing Board](#)

R120

Joseph Peterson, Zoning Hearing Board, Term Expiration: 11/04/2026

Sponsors: Administration**Attachments:** [R120 Joseph Peterson - Zoning Hearing Board](#)[Memo from Mayor Tuerk regarding Joseph Peterson - Zoning Hearing Board](#)

R121

Robert Knauer, Zoning Hearing Board, Term Expiration: 1/03/2027

Attachments: [R121 Robert Knauer - Zoning Hearing Board](#)[Memo from Mayor Tuerk regarding Robert Knauer- Zoning Hearing Board](#)

R122

Alan Salinger, Zoning Hearing Board, Term Expiration: 1/02/2027

Attachments: [R122 Alan Salinger - Zoning Hearing Board](#)[Memo from Mayor Tuerk regarding Alan Salinger - Zoning Hearing Board](#)

R123

Hamp Smith, Board of Recreation, Term Expiration: 2/20/2028

Attachments: [R123 Hamp Smith - Board of Recreation](#)[Memo from Mayor Tuerk regarding Hamp Smith - Board of Recreation](#)

R81

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

Sponsors: Administration**Attachments:** [R81- 49 Action Plan HUD](#)[49 A - RESOLUTION - NEW ACCOUNT SETUP - 2023 updated 7523](#)**Legislative History**

5/10/23	Community and Economic Development Committee	forwarded without recommendation
5/17/23	City Council	withdrawn

RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):

R113

Authorizes the Administration to sell a portion of the city-owned real property identified as tax map parcel no. 640725455330

Attachments: [R113 Sale City Owned Real Property](#)
 [Legislative Template - Land Parcel](#)
 [727 N Meadow 5-2-23](#)
 [Resolution - Land Parcel](#)

R116

Approves transfers: (1) \$100,000 in Fleet Maintenance (Garage) for Additional Funding Needed to Cover Parts and Supplies for City Vehicles, (2) \$30,000.00 in Fire to Wrong Budget Account for Expenditure/Computer Microsoft HUB Equipment & Filing and Storage Cabinets Being Ordered for Fire Academy, (3) \$11,303 in CED Additional Funds Needed for After Hours Work Due to Staffing Shortages in Zoning, Melissa Velez Worked Extra Hours to keep the Department Current with its Responsibilities.

Attachments: [R116 Transfer Funds](#)
 [Wrong Budget Account for Expenditure - Fire](#)
 [To Cover Parts and Supplies for City Vehicles](#)
 [Due to Staffing Shortages in Zoning Funds Are Needed for After Hours Work](#)

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

Bill 66 Refer to the Community and Economic Development Committee
Amending the 2023 General Fund Budget to provide for a supplemental appropriation of Eighty Thousand Dollars (\$80,000) from the unappropriated balance to the Department of Community and Economic Development – Health Bureau equipment expense account. The funds will be used for purchasing a mobile medical response trailer and an SUV to be used in public health response.

Sponsors: Administration

Attachments: [Bill 66 Health Preparedness SUV](#)

Bill 67 Refer to Parks and Recreation Committee
Amending the 2023 Capital Fund Budget to provide for a transfer of Thirty Thousand Dollars (\$30,000.00) from the Parks Maintenance Facility capital project fund to the Mack Pool capital project fund to provide for an evaluation and recommendations for repairs to the Mack Pool facility.

Attachments: [Bill 67 Parks Facility to Mack Pool](#)

Bill 68 Refer to Budget and Finance Committee
Amending the Firemen’s Pension Fund Ordinance.

Attachments: [Bill 68 Firemen's Pension Fund Amendments](#)
 [IAFF CBA 2021-2025](#)

Bill 69 Refer to Budget and Finance Committee
Amending the Employees’ Retirement and Pension System Ordinance.

Sponsors: Administration

Attachments: [Bill 69 OE Pension Fund Amendments](#)

Bill 70 Refer to Allentown and Lehigh Valley Planning Commission, and the Community and Economic Development Committee
Amending the Zoning Map and Zoning Ordinance of the City of Allentown by (i) rezoning certain parcels to B-5 Urban Commercial District, and (ii) providing for a repealer clause, a severability clause, and an effective date.

Attachments: [Bill 70 Riverside Drive from BLI to B5](#)
[Letter from Urban Residential Properties regarding Rezonign Request Petition -](#)
[Bill Riverside Drive from BLI to B5](#)

Bill 71 Refer to Parks and Recreation Committee
Amending the 2023 General Fund budget to accommodate the reorganization of positions to allow the Parks and Recreation Department to operate more efficiently, prepare for future project work and be in compliance with the home rule charter.

Attachments: [Bill 71 - Parks Reorg](#)
[ReOrg Chart](#)

Bill 72 Refer to Community and Economic Development Committee
Amending Part II General Legislation, Chapter 298 Flood Control, Article IV Administration by updating the language in Section 13 and Article VI by updating the language in Section 26.

Sponsors: Administration

Attachments: [Bill 72 - Flood Control Amendment](#)

Bill 73 Refer to Public Safety
Amending Chapter 406, Administrative Code, Nuisance Abatement.A. Board Solicitor for Hearings by having the Appeals Board select a Solicitor for purpose of the appeal hearings. The legislation basically does some housecleaning on the measure that was previously passed.

Sponsors: Affa and Hendricks

Attachments: [Bill 73 Nuisance Abatement Appeals](#)

Bill 74 Refer to the Community and Economic Development Committee
Amending the 2023 General Fund budget to create three (3) new positions and upgrade two (2) positions in the Allentown Health Bureau. The funds for these positions were awarded as a grant from the Center for Disease Control.

Sponsors: Administration

Attachments: [Bill 74 Grant Funded Health Positions](#)

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

R124 Refer to Community and Economic Development Committee
Denial of a Certificate of Appropriateness – 1033 ½ W. Court Street

Attachments: [R124 HARB Resolution to DENY - 1033.5 W Court St](#)
[1033.5 W Court St Final Review](#)

NEW BUSINESS

GOOD AND WELFARE

ADJOURN

Council meetings are held on the first and third Wednesday of each month beginning at 6:30 pm in Council Chambers. For copies of the agenda or meeting announcements, please visit our website at www.allentownpa.gov or contact the Clerk at Michael.Hanlon@allentownpa.gov to receive an email notice of the meetings.

Council Rules
Procurement Procedures
Code of Ethics

Attachments: [Council Rules 2023](#)
[Contract/Procurement Procedures from the Code](#)
[Ethics Code](#)