



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

City Council

Wednesday, August 1, 2018

7:00 PM

Council Chambers

Invocation: Council President MacLean

Pledge to the Flag

Roll Call

Present: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Courtesy of the Floor

Courtesy and Privilege of the Floor Rules

Ms. Janet Keshl, Wabash Street - Mountainville 30 Crime Watch, stated that her husband is president and she is the secretary of the crime watch and events coordinator for fundraising events. We are not giving up on the city. We are tired because we have been doing it a long time. Four weeks of the summer we lose a week a month due to fundraising. I will help, but will do one day a week. We will help the new administration. We will still be the eyes and ears of the police department. We are stepping down after 10 years.

Mr. Roger MacLean stated Janet and David Keshl for their leadership. It bodes well that the neighborhood learn from you and follow in your footsteps. He thanked them.

Mr. Jamie Holmes, 808 St. John Street, stated that he address city Ordinance #301.3 Secondhand Merchandise Dealers. Nothing has come to fruition and he was contacted by the Police Department saying that he is not compliant yet. He is concerned of the fingerprinting and photographing of customers that want to sell him stuff. They refuse and I have discussed it with Captain Lake from the Police Department and he said he heard the same sad story. They feel it is an invasion of privacy. You get fingerprinted if you are arrested for a crime or get a background check. A simple driver's license scan would be more than adequate.

Mr. Roger MacLean stated that there is still work going on with that Ordinance.

Mr. Jamie Holmes stated that he doesn't want it to turn into a situation

where he gets fined. He stated that he is not looking to be 100 percent noncompliant. He stated that he had many customers that said they will not be fingerprinted.

Mr. Roger MacLean stated that the county and the city are still trying to coordinate it.

Mr. Courtney Robinson stated that the only concern he has. His understanding is that there is an agreement between any of the businesses that might be questionable if they are to continue to be a part of the ordinance after everything would be worked out. They were not going to be forced to purchase any equipment until all of the work the county and the city were doing was complete.

Mr. Roger MacLean stated that was his understanding. You still have a little of a grace period. It will be conveyed to you when and if that grace period ends.

Mr. Lou Hershman, 405 Gilmore Street, asked about the agenda and the \$500,000 will be needed to help pay for legal fees to pay LCA's arbitration. He asked if the Mayor can give an update on the arbitration. Will we get quarterly billing or monthly billing.

Mayor Ray O'Connell stated Mr. Hershman is speculating. The \$500,000 for LCA says to pay for legal fees and settlements that were not budgeted at the time of the 2018 budget.

Mr. Roger MacLean stated to Mr. Hershman that we will deal with it when we get to that portion of the agenda. This is Courtesy of the Floor.

Mayor Ray O'Connell said that \$500,000 is going from Account 44 to pay legal fees or a settlement that were not budgeted. When we get to that we will tell you about Bill 54. It is being introduced tonight, but the amount of money that the previous administration put in for Legal Fees and Risk Management was severely underestimated.

Mr. Jo McMahon stated that the original budget that you passed was \$300,000 for legal fees. As of the end of June there was already expended or owed \$435,000. We need you to approve at least \$135,000. Mr. Traud in the solicitor's office gave an estimate of \$500,000. That is being hopeful. They are recommending at this point \$500,000.

Mr. Ray O'Connell stated that when we get to the introduction of Bill 54, a lot of it has been explained. LCA is part of it, but not the whole \$500,000.

Mr. Kenneth Heffentrager, 214 N. St. Cloud Street - Allentown Tenant Association and Tenth Ward North Neighborhood Association, thanked the Keshl's for helping them start neighborhood watch. He stated that he is impressed by 159 Susquehanna Street. He saw it today being worked on. Can we do something about 726 N. Penn Street? That building has been broken into two dozen times. You can see daylight from the third floor. It is a massive eyesore. Can we take this property from this owner? The Clean Team has been hired several times to clean it up.

Mr. Roger MacLean stated that Council confirmed a Director earlier this evening. I know he is sitting there and he took notes.

Mayor Ray O'Connell stated that Mr. Lightner is on it.

Mr. Don Ringer, 1801 Liberty Street, asked what is going on with the State Hospital property.

Mr. Roger MacLean stated that we did not get a go ahead from the state yet.

Mayor Ray O'Connell stated that the city had a preliminary meeting, but there is no go ahead from the state. There is a developer that is interested in the property. He stated that Mr. Robinson is chair of Community and Economic Development.

Mr. Courtney Robinson stated that the property is still in negotiation with the state. They have not reached the final agreement with the developer. They have not reached the stage where they will start holding community meetings to determine if residents on the eastside will be ok with what the developer proposes. He has not finished his preliminary proposal as to what he was going to give to the state and present to the public. It is still not in any stage of conveyance.

Mr. Don Ringer stated that the developer is not qualified to develop that. There has been questions about that before.

Mr. Courtney Robinson stated that is a valid concern from any developer the state will choose on this. When the state holds the meetings in the community and I have committed to both Midway Manor and to the East Allentown Rittersville Neighborhood Association we will hold a community meeting on any zoning changes.

Mr. Don Ringer asked if the state will bring in more than one developer or is it just this one guy that's not capable.

Mr. Courtney Robinson stated that there are ways that the state can convey the property, one is by bids and they are obligated by state law to accept the highest bid regardless of usage. Someone can buy it and if they can get the zoning approval for it put up 5,000 apartments. The other way is to pick a single developer, but make the transfer of property conditional on usage. The is what the state did with this particular developer. Nothing has been conveyed yet.

Ms. Virginia Garcia and Robert Robins, 126 N. 15th Street - Apartment 1, stated that they have a son that is wheelchair bound for the last four years due to a craniopharyngioma which was removed in 2014. He has a cranial craniopharyngioma and when it was removed he suffered bilateral thalamic strokes and he is confined to a wheelchair 24/7. She stated that she and Robert work and they had to pull him out of school. We tried to get a ramp built from 15th Street to our house. There is not enough frontage for it to be built to code. We do not have side access. We are up against West Park. We went to one of the meetings a few months back. We went to the meeting of West Park Historical Association and they had bounced ideas. We went back to the contractors and was asked to present who we need to speak to, to gain access to that back gate up to West Park. She stated that this will allow her son to go out without being carried on her back and can attend William Allen High School and go with a nurse to his appointments.

Mr. Leonard Lightner stated that that the backside is towards West Park. We will be in touch. We have to talk to the contractor and see what the actual drawings are and how much he is encroaching on the park and find out ownership. If it is something with the city, we can work something out. If there is another owner that has that parcel piece that is affecting yours, we would have to have a conversation with the owner. He stated before you leave, I will give you my card and we have to talk to your contractor.

Mr. Roger MacLean stated that Mr. Lightner will take care of you. He asked if there were any other comments.

Mr. Louis Holzman, 1001 S. 8th Street, stated that at that corner there is a three-way stop sign next to Jefferson Elementary School on the southeast corner. There is a bus stop. There is a plethora of trash all over the place.

Mr. Roger MacLean stated that are we talking about moving one trash can to one corner to another.

Mayor Ray O'Connell stated that we can do that. That is easy. We can take care of it.

Mr. James Whitney, 1122 Hamilton Street, stated that the Allentown Hospital is a character in a moving called Glass that my wife and I are looking forward to. The trailer for that movie is out right now. Because it features the most beautiful shot of the hospital. It is really exciting. He acknowledged the men and women in uniform in Allentown who put their lives on the line to protect us day in and day out. He stated that he feels horrible for Joseph Santos who lost his life during an event that maybe he was suffering mental illness or maybe drug abuse. We don't know what was going on in the my of the officer who was forced to shoot him. There are all these signs in these protests today saying Say His Name. I am totally willing to say his name Joseph Santos should not have died. He should not have been out there that day, but Carolina Monsanto was 16 years old and she was in her home and gunned down and shot to death and the Police Officers in Allentown are going to find that guy and when they find out where he is they are going to confront him and put their bodies in front of that man who shoots 16 years old girls and they are going to bring him to justice. I think it is so important to take a moment in realize how precious life is and how brave our men and women in uniform are for the way that they serve our community. I think that the APD does such an amazing job doing that.

Approval of Minutes:

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

[15-2421](#) May 2, 2018 City Council Contract Approval Meeting Minutes

Attachments: [May 2, 2018 City Council Contract Approval Meeting Minutes](#)

[15-2424](#) May 2, 2018 Confirmation Hearing Attorney Thomas Traud Meeting Minutes

Attachments: [May 2, 2018 Confirmation Hearing Attorney Thomas Traud Meeting Minutes](#)

[15-2446](#) June 20, 2018 City Council Meeting Minutes

Attachments: [June 20, 2018 City Council Meeting Minutes](#)

[15-2447](#) June 20, 2018 City Council Contract Approval Meeting Minutes

Attachments: [June 20, 2018 City Council Contract Approval Meeting Minutes](#)

[15-2463](#) July 18, 2018 City Council Meeting Minutes

Attachments: [July 18, 2018 City Council Meeting Minutes](#)

Old Business:

Council has approved a number of transfers that are part of the agenda. A copy of the transfers are on the back table.

Mr. Courtney Robinson stated to Mayor O'Connell that previously at a committee meeting with Mr. Guridy's Budget and Finance Committee one of the things that was discussed at the meeting was the possibility of having the budget introduced early than the Charter stipulated dates of November 1st. Now, understanding that we have a number of factors going on including the Pay Study, also this being the first budget that your administration is preparing, the question I have for you is would it be possible or feasible to attempt to introduce the budget a few days earlier than the November 1st deadline in an attempt to move forward. Your predecessor had a tendency to keep the budget to himself. In an attempt to be open and transparent we would like to try and give the citizens and us enough time to look at the document and assemble our question.

Mayor Ray O'Connell stated that the key word is attempt, absolutely.

Mr. Roger MacLean asked if there were any other comments on Old Business.

[15-2436](#)

Signed Transfers

November 1, 2017 - July 5, 2018

Attachments: [For LED Street Lighting Contract - The ESCO Project Was Not Awarded and the Project was Changed to Buying LED Lights \\$225,000.00](#)
[Overtime went over original predicted amount - Did not have many emergencies that required buildings to be demolished \\$8,854.00](#)
[Overtime went over original predicted amount - Ongoing litigation was not as active or costly as anticipated \\$38,000.00](#)
[To Reimburse Allentown EMS, Fire and Police for collaborating with the Health Bureau to Review, Build and Support Public Health Initiatives 10,253.08](#)
[Revenue and Audit Bureau Requires the Intermittent Services of Stenographer and an Abstract Company \\$5325.00](#)
[Remove and Dispose of Existing Carpet - Furnish and Install Mannington Carpet Tile \\$7149.75](#)
[Transfer - Premium Pay and Shift Differential were not Created with 2018 Budget Process \(Legal Fees Are Lower Than Anticipated for First Quarter of 2018\) Revised \\$10,000.00](#)
[Transfer Cover Pending Requisition and Costs Associated with the Repair and Replacement of Mobile Handset \(Public Works - Communications\) \\$36,000](#)
[Correct Purchase Made for Adjusting Rings for Pipes and Fittings - Streets \\$18,195.00](#)
[Properly Allocated Funds for Parts Purchased for In-House Repairs - Building Maintenance \\$20,000](#)
[Transfer - Funds Needed to Complete Authorized Training and Safety Supplies \\$11,000](#)
[New Code Requirements Passed by Legislators for Plumbing, Electrical, Building 2015 Codes \\$6,500.00](#)

Communications

City Council met in executive session on Thursday, July 15, 2018 at 5 PM with the Mayor, Managing Director, members of the IT Bureau, including Mike Shevlin, a consultant from Gartner, to review issues related to the malware attack. Matters of cybersecurity are confidential under both the federal Homeland Security Laws and the Pennsylvania state Confidential Security Information Protection Law. This subject matter is not subject to the open meeting requirements under the Sunshine Law.

REPORTS FROM COMMITTEES:

Budget and Finance: Chair Guridy, Hendricks, Mota

The Committee met last Wednesday and reviewed finances; the next meeting is tentatively scheduled for August 22 at 6 PM.

Community and Economic Development: Chair Robinson, Guridy, Affa

The Committee met last Wednesday and forwarded an item on tonight's agenda; the next meeting is tentatively scheduled for August 15th at 6:45 PM.

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

The Committee has not met since the last Council meeting; the next meeting is scheduled for August 8th at 6 PM.

Parks and Recreation: Chair Mota, Robinson, MacLean

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

Public Safety: Chair Hendricks, Affa, Zucal

The Committee has not met since the last council meeting; the next meeting is scheduled for August 15th prior to the next council meeting. .

Public Works: Chair Zucal, Hendricks, Robinson

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

Rules, Chambers, Intergovernmental Relations and Strategy: Chair MacLean, Affa, Guridy

The Committee has not met since the last meeting; a future meeting is not scheduled.

Controllers Report

Mr. Jeff Glazier stated that he has two reports. Recently, my office completed a study and looked at the 2017 budget and looked at two things. We looked at the detail budget to see if what the departments purchased lined up with what they budgeted. We took a look at how the accounts were used with fidelity or not. The 102 accounts that we viewed, 76 accounts purchased less than 90 percent of goods and services they budgeted in the detail, 45 accounts purchased less than 50 percent of the goods and services they budgeted in the details, 36 accounts spent less than 50 percent of funds on budgeted services, 49 accounts spent less than 75 percent of their funds on the goods and services on the budgeted goods and services, 33 accounts spent more than 25 percent of their funds on goods and services that they did not even budget for or spent money out of the wrong account. The Controller's office felt that this was a significant deviation from budgeted goods and services to actual spending and determined four reasons for this. We recognize

spending priorities change from wants to needs. There are items budgeted yearly, but never purchased. There are items expensed to an improper account. The city budget is a planning tool for the coming year as the city sets its goals and determines the best way to deploy its resources to meet those goals. It shows a lack of rigor in the budget process. More emphasis is in place to keep dollar amounts available for spending then determining the goods and services departments need to fulfill their mission. This devalues the budget as a planning and evaluation tool. Expensing purchases to improper accounts is done in the fourth reason also negatively affects the budget as an evaluation tool. He stated that he has four recommendations: process should be instituted for Council approval when departmental spending priorities is listed in the budget details changed during the year. Known expenses should be budgeted and clearly listed in the budget. Consideration should be given to the limited use of contingency funds to provide department's some flexibility. Standard account definitions should be made clear and departments should use purchasing as a resource.

Mr. Julio Guridy asked are you saying the Transfers for accounts that did not have it budgeted to them were never brought to Council.

Mr. Jeff Glazier stated no, this is a matter of money. A mechanism has to be worked out where you guys are included when there is a change meets a certain threshold.

Mr. Ed Zucal asked if that money is not being used why is it not being turned back in.

Mr. Jeff Glazier stated that in many cases the money is being used.

Ms. Cynthia Mota asked how often does this happen and it is not that I want to throw anyone under the bus, but do you know which department does it more than others. How much money are we talking about.

Mr. Jeff Glazier stated that in personnel expenses are the overwhelming majority of the money that the city spends. The non-personnel accounts in the General Fund might be \$12 million. If you throw in the Enterprise Funds and some of the other funds, it might be \$1 - 2 million more. We may be talking about \$14 million in total in non-personnel spending or non-risk spending.

Mr. Roger MacLean stated that the report and the graphs are very easy to understand. They do show the dollar amounts.

Mr. Jeff Glazier talked about the weekly check review. The report is on the Controller's office website. He stated that he has the Accounts Payable Weekly Check Review for June 30 - July 27, 2018. They reviewed during the time period 503 for a little over \$4 million, 19 wires for \$2.3 million. We had six wires that were

posted in Eden in July 2018 budget, The invoices were from February through April on 2018. These invoices were for employee benefits and we noticed that one wire for a duplicate payment and was stopped before it was released. It was also for employee benefits. HR was advised of the issue and take precautions to process invoices on a timely basis. We identified two invoices that expenses were charged to an incorrect account. One was taken care of by a budget transfer and the second one they were going to do a general entry for, but declined to do a General Entry because there is not enough funds in the account to accommodate it and I referred this to the Finance Director for a Resolution. We had three invoices with late fees totaling \$14.40. The bureaus were advised of the issues and they said they would pay their bills in a timely manner. We had 25 invoices that were paid at 60 days or beyond. All the departments were advised of that and they got back to the Controller's office and they explained the reasoning for that, but once again they were advised to do it in a timely manner.

Administration Report

Mayor Ray O'Connell stated that Mr. Glazier met with Mr. Hartzell, myself and Mr. McMahon. It is an excellent report and grateful that Mr. Glazier took the time. This report will help us go forward. It is not a mismanagement of funds. It might be a little bit of details. The emphasis is on the proper planning of the funds.

Mr. Joseph McMahon stated that as someone who had pretty large budgets when he was here with the city, what Mr. Glazier has done is great because it helps people pay attention to that. A budget is a planning document and things change during the year.

Mr. Brent Hartzell stated that because of what Mr. Glazier had spoken of coming to an agreement of what should go in particular accounts. What should be in Account 72 or Account 46. There has been some diversion over time on similar types of purchases that end up in different departments or different categories and because of working with Mr. Glazier when the budget instructions are going out very shortly and a new guideline on a Chart of Accounts to say what should go in a particular category.

Mayor Ray O'Connell announced that the Boys and Girls Club of Allentown is excited to share with you on one of our kids Jeremiah Lyons. He is a member of our local Boys and Girls Club. Jeremiah Lyons is the 2018 northeast regional youth of the year winner. He won this competition and a \$40,000 college scholarship. It will be \$10,000 for four years. He is headed to Washington, DC on September 21st to complete for the national youth of the year award. On Monday, August 6th at J. Birney Crum Stadium will host the 105th Anniversary of Romper Day. At the last

Council meeting on July 18th, I noted that the City of Allentown was designated runner friendly community. Allentown is one of five US cities to earn a new Runner Friendly Community Designation for the summer of 2018 from the Road Runners Club of America RRCA. It was the Lehigh Valley's Roadrunners Club that brought the attention of the National Roadrunners Club to bring Allentown to the forefront.

APPOINTMENTS:

Name	Authority/Board/Commission	Term to Expire
Fred Banuelos	Allentown Housing Authority	11/05/2021
Donald Senderowitz	Allentown Housing Authority	11/05/2019
Bryan E. Yocum	Vacant Property Review Board	01/07/2020
Sharon Lee Glassman	Arts Commission	01/06/2022
Jane Brown-Heft	Arts Commission	01/02/2022

Ms. Candida Affa asked if there were any comments from my colleagues or the public.

Ms. Candida Affa asked if Mr. Senderowitz wanted to come up and say something.

Mr. Donald Senderowitz stated that he is happy to be the chairman of the Housing Authority for the past 10 years. He thanked him for reappointing him. It is a short appointment to the 2019. He asked if there were any questions on what is going on at the Housing Authority.

Mr. Daryl Hendricks thanked Mr. Senderowitz for your service.

Mr. Julio Guridy stated that he does a real good job. He knows the system well. He knows how HUD works and has a good pulse on the community. He gives people the opportunity to speak when they come over from the Housing Authority Neighborhood Group.

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

[15-2430](#)

Attachments: [Allentown Housing Authority Reappointments - Fred Banuelos and Donald Senderowitz](#)
[Vacant Property Review Board - Bryan E. Yocum](#)

[15-2437](#)

Attachments: [Arts Commission - Sharon Lee Glassman and Jane Brown-Heft](#)

ORDINANCES FOR FINAL PASSAGE (To be Voted On):

[15-2376](#)

Bill 36 Human Resources, Administration and Appointments - Forwarded Favorably - Affa and Zucal (July 11)
Amending the 2018 Equipment Fund Budget and the 2018 General Fund Budget to provide for a transfer between funds in the amount of Two Hundred Twenty Thousand (\$220,000) Dollars for changes to the existing Microsoft Enterprise Agreement as it relates to the Malware situation.

Attachments: [Bill 36 Microsoft Licensing](#)
[Ordinance #15464](#)

Mr. Roger MacLean asked if there were any comments from his colleagues or the public. He stated that he is still waiting for the timeline.

Mr. Courtney Robinson stated that he is waiting for the timelines as well.

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Enactment No: 15464

[15-2410](#)

Bill 40 Public Works, this evening
Renaming a portion of the South 4th Street Ramp from Union Street to Martin Luther King Drive, along the West side of South Fourth Street to Parkettes Lane.

Attachments: [Bill 40 Parkettes Lane](#)
[Parkettes Plan](#)
[Ordinance #15465](#)

Mr. Roger MacLean asked if there were any comments from his colleagues or the public.

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Enactment No: 15465

[15-2398](#)

Bill 41 Public Works, this evening
Amending the 2018 General Fund and the 2018 Capital Fund Budget to provide for a supplemental appropriation of Six Hundred Sixty-Six (\$666.00) Dollars. This was a result of payment for tree damage caused by an auto accident on Hanover Avenue in 2016.

Attachments: [Bill 41 HANOVER AVENUE TREE REPLACEMENT](#)
[HANOVER AVENUE TREE REPLACEMENT BACKUP](#)
[Ordinance #15466](#)

Mr. Roger MacLean asked if there were any comments from his colleagues or the public.

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Enactment No: 15466

[15-2403](#)

Bill 42 CEDC, Recommended Favorably
Amending the 2018 General Fund Budget to provide for a supplemental appropriation of Ten Thousand Six Hundred Sixty (\$10,660) Dollars from the Women's 5K Classic to the City of Allentown to promote breast and cervical cancer screening in the Lehigh Valley.

Attachments: [Bill 42 Womens 5K Donation](#)
[Ordinance #15467](#)

Mr. Roger MacLean asked if there were any comments from his colleagues or the public.

Mr. Courtney Robinson stated that it was in front of the Community and Economic Development Committee last week and it was recommended to be brought forward to the full Council and this is going to be used to provide information to the public on breast cancer screenings and other issues about getting checked.

Mr. Roger MacLean asked if there were any other comments from Council or the public.

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Enactment No: 15467

[15-2399](#)

Bill 43 Parks and Recreation, this evening
Amending the 2018 Capital Fund Budget to provide for a supplemental appropriation of Seven Thousand Five Hundred (\$7,500) Dollars from the Iron Pigs Charities to the City to assist with the completion of the Dog and Skate Parks.

Attachments: [Bill 43 Iron Pigs Donation for Skate Park](#)

Ms. Cynthia Mota stated that it was tabled 2 - 0.

[15-2420](#)

Bill 44 CEDC, Recommended Favorably 2-1
Amending Part Seventeen, Building and Housing, Title Five – Property Rehabilitation and Maintenance Code, Article 1759.99, Fees/Penalties Section for Rental Unit Licensing by updating the date which the fee will be due and increasing the amount due after the due date from One Hundred (\$100) Dollars to One Hundred Twenty-Five (\$125) Dollars.

Attachments: [Bill 44 Rental Unit Licensing](#)
[Ordinance #15468](#)

Mr. Roger MacLean asked if there were any comments from Council.

Mr. Courtney Robinson stated that it was in front of the Community and Economic Development Committee last Wednesday and it was forwarded favorably 2 -1. We had a vigorous debate about this with Mr. Guridy and Mr. Lightner. He stated that it is a reasonable increase in the fee. We are going to be paying to executive the late notice whether we increase the fee or not. This bill will change the time when it is due from April 30th to December 31st. We will make it more inline of the permit itself will be a calendar permit. He recommended his colleagues to vote in favor of this.

Mr. Roger MacLean asked if there were any other comments from Council.

Mr. Julio Guridy stated that he has a vigorous disagreement on how the bill was going to change 75 percent of it into a late fee. The bill is \$75 and the late fee will be \$25. The proposed change is to increase it to \$50. He thought it would be better to say if you are late you pay \$25 and if you don't pay within the late fee after 30 days you have to pay \$25, and if you don't pay it is then another \$25. It is excessive to increase a late fee so high. You are increasing it 75 percent.

Mr. Joe McMahon stated that his assumption was that is what the Bill was and the Bill is not that. It is \$50 upon being late. Mr. Lightner spoke about that last week and stated that is what it costs them to issue the late notice. Do you want the taxpayer to pay a portion of it or do you want the landlord to pay.

Mr. Julio Guridy stated if that is the bill how about they don't pay it in 30 days. What happens?

Mr. Leonard Lightner stated that right now you have four months. We are not looking at doing anything different, but changing the billing date from September and it will be due December 31. Four months to pay a bill is beyond any lending company, credit card company. We are giving you four months to pay a bill. What you are proposing is after you are late after December 31 you are saying you want us to then bill \$25, 30 days later.

Mr. Julio Guridy stated that you just brought that up that you were going to change it to December 31. I thought it was going to stay at April 30.

Mr. Leonard Lightner stated no, September is when the first bill goes out. You have until December 31 to pay your bill and your rental registration fee by December 31. Once January 1st comes you are delinquent, you are late. He stated that 21 percent of the people are not paying on time and you are asking us to give them another 30 day grace period.

Mr. Julio Guridy stated that I thought you were going to keep the bill and

send the bill in January and keep it until April. Now, you are saying that you are going to send it in September and give them three months to pay by December 31. If they don't pay by December 31, it will be \$50.

Mr. Leonard Lightner stated that it will be \$125.

Mr. Julio Guridy stated that you are still increasing the late fee \$25.

Mr. Joe McMahon asked when is the late fee due.

Mr. Leonard Lightner stated upon receipt.

Mr. Joe McMahon asked if the late fee is not paid, where do we go for there.

Mr. Leonard Lightner stated that we will follow the Ordinance. We will do what we will normally do. We will send inspectors out and tagging the properties. We will do the revocation process.

Mr. Julio Guridy stated that he spoke to various people and they did not know about the bill.

Mr. Leonard Lightner stated that when they come in and register their property and stated that they are a landlord how do they not know that there is a bill due. You are registered as a rental registration property. There is no excuse for them not knowing.

Mr. Julio Guridy stated that there are people who don't have their property registered out there and are renting.

Mr. Leonard Lightner stated and we are going after them.

Mr. Julio Guridy stated that we have to let people know that is what is going on.

Mr. Leonard Lightner stated that they have four months. If you can't pay your bill in four months.

Mr. Julio Guridy stated that it is like taxes and people are given four months to pay it.

Mr. Roger MacLean stated that we are talking about \$75. We are not talking a tax bill that is \$4,000 - \$5,000.

Mr. Courtney Robinson stated that it is actually only \$50. From \$25 to \$50.

Mr. Julio Guridy stated that raising any fees, especially a fee is not working properly. To raise any fee 75 percent of what the total bill is, is excessive.

Mr. Ed Zucal asked why are we not pulling their licenses if they are not paying.

Mr. Leonard Lightner stated that is part of the process. That is why we are trying to bill ahead. Right now, we are billing in the same year.

Mr. Ed Zucal asked what is the deterrent from not paying.

Mr. Leonard Lightner stated that we post the property and do a revocation. In order to reinstate, that is a \$500 fee.

Mr. Ed Zucal stated that it seems that the system needs to be revamped. The system is not working.

Mr. Leonard Lightner stated that is what we are trying to do.

Mr. Joe McMahon stated that you will add additional revenue to their budget so that they can build the infrastructure to do this properly.

Ms. Candida Affa stated that what we are voting on tonight is very simple. This is all about late notices. This is nothing more than the fact that when you are sending these late notices out it cost us money. We you are asking is for us to vote to raise this so you can justify and have the money to send the notices out. Whether they are going to be evicted. They can't pay it in four months. That is not what we are voting on. We are voting on can you afford to send these notices out without being in debt. Is it costing the city money. With us raising this it wipes out the debt. It would cost us money. This is the only thing that we supposed to be voting on, correct?

Mr. Roger MacLean stated that what Mr. Lightner is trying to do is have the delinquent landlord pay for it. Rather than us who have nothing to do with it.

Mr. Julio Guridy stated that he would like to see the cost of this. He wants the financial statement or financial breakdown on what it actually cost to do this. If that is the case, we should raise every fee people don't pay an extra \$25 or whatever it is.

Mr. Courtney seconded that.

Mr. Leonard Lightner stated that you are talking about the registration and we are talking about the delinquency. I am not here to change the rental

registration fee. I am here to deal with the delinquency. Again, the taxpayers are paying that. Why are they not held responsible for paying it.

Ms. Cynthia Mota stated why not table it.

Mr. Courtney Robinson stated that before we do anything we have an amendment. He stated to Mr. Lightner that the entire purpose that you are your staff have done the research on and what you presented to us last week was that you calculated out what the costs were dealing with 2300 different properties that pay late or do not pay. You calculated the costs from different departments and following the law sending out inspectors and their hourly rate is large. If this amendment passes, we are adding an extra layer of bureaucracy to what you are trying to do. This will insert an extra cost. Instead of sending out one late notice, now you have to send out two late notices.

Mr. Leonard Lightner stated that based on the amendment you want to send \$25 then another \$25 and then another \$25.

Mr. Julio Guridy withdrew his amendment.

Amendment to keep fee at \$25 and if after 30 days they don't pay, increase it another \$25, and if they don't pay after that increase it \$25 subsequently.

The Amendment was withdrawn.

Enactment No: 15468

Mr. Roger MacLean asked if there were any comments from the public.

Mr. Kenneth Heffentrager stated that no one has ever analysis this before this. We are jumping \$25. That means we must have been losing a lot of money the previous years.

Mr. Julio Guridy stated exactly.

Mr. Roger MacLean stated that Mr. Lightner did look at it and that is why he brought this up.

Mr. Kenneth Heffentrager stated it is excessive. It will be passed to the tenants. We need to consider 33 percent of the population is at or below poverty. He asked why can't we email to cut off the printing department.

Mr. Roger MacLean stated that there are certain requirements and I don't think email is one of requirements. He asked if there were any other comments from the public.

Yes: 5 - Candida Affa, Roger MacLean, Courtney Robinson, Daryl Hendricks, and Ed Zucal

No: 2 - Cynthia Mota, and Julio Guridy

Enactment No: 15468

[15-2428](#)

Bill 45 Public Works, this evening
Amending the 2018 Solid Waste Fund Budget and Stormwater Fund Budget for a total combined supplemental appropriation of Thirty-three Thousand Nine Hundred Eleven Dollars and Twenty cents (\$33,911.20) as a result of a grant from the County of Lehigh and the Pennsylvania Department of Environmental Protection for the Zika Pilot Program.

Attachments: [Bill 45 ZIKA GRANT](#)

[Ordinance #15469](#)

Mr. Roger MacLean stated that it was in Public Works tonight and asked if there were any comments from Council or the public.

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Enactment No: 15469

RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):

[15-2458](#)

R92

Authorizes Submission of an Application to the Pennsylvania Department of Community & Economic Development for a Grant of One Million Three Hundred Fifty Thousand Five Hundred Seventy Seven Dollars (\$1,350,577.00) for use in streetscapes renovations and modifications on 8th Street.

Attachments: [R92 8TH St Gateway Grant](#)

Mr. Roger MacLean asked if there were any comments from his colleagues.

Mr. Courtney Robinson asked if we already applied for multimodal funding. He stated didn't we apply for the Phase III of American Parkway. Are you concerned that we have two grants that might complete against each other? What's the breakdown on the work you wanted to do on the block itself and the rough cost of it?

Mr. Leonard Lightner stated no because we already talked to PADCED and they are aware that it is coming. He stated that he has a complete breakdown and if Mr. Robinson would like he can show it to him.

Mr. Courtney Robinson stated that he is curious about it. With one block there is a lot of work to be done. I am just curious what the breakdown of the work was.

Mr. Roger MacLean asked if there were any other comments from Council or the public.

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Enactment No: 29684

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

[15-2449](#) Bill 46 Refer to CEDC
Amending the 2018 General Fund budget by deleting a Clerk III position (8M) in the Bureau of Health and creating a Community Health Specialist (bilingual Spanish required) position (12M).

Attachments: [Bill 46 Community Health Specialist](#)

REFERRED TO COMMUNITY AND ECONOMIC DEVELOPMENT
COMMITTEE

[15-2445](#) Bill 47 Refer to Public Safety
Amending the 2018 General Fund Budget for a supplemental appropriation of Two Thousand Five Hundred Twenty-Five Dollars and Eighty-Five Cents (\$2,525.85) as a result of a disbursement from the Pennsylvania Emergency Medical Services Council from the State EMS Operating Fund (EMSOF) for medical equipment.

Attachments: [Bill 47 EMSOF Disbursement](#)
[EMSOF CHECK](#)

REFERRED TO PUBLIC SAFETY COMMITTEE

[15-2443](#) Bill 48 Refer to Budget and Finance
Amending the 2018 General Fund budget to accommodate position changes in the Department of Finance, Bureau of Accounting and Financial Management, eliminating the position of Deputy Finance Director and Treasury and reinstating the Treasury and Accounting Manager position.

Attachments: [Bill 48 Manager of Treasury](#)

REFERRED TO BUDGET AND FINANCE COMMITTEE

[15-2442](#) Bill 49
Amending the 2018 General Fund budget deleting the position of Deputy Director – HR (21N) budgeted at a salary of One Hundred Three Thousand Three Hundred Fifty (\$103,350) Dollars and adding the position of Director – HR (21A) at an annual salary of One Hundred Seven Thousand Five Hundred (\$107,500) Dollars.

Attachments: [Bill 49 HR Director Increase](#)

REFERRED TO HUMAN RESOURCES, ADMINISTRATION AND
APPOINTMENTS COMMITTEE

[15-2450](#) Bill 50 Refer to Public Safety
Establishes Article 712, titled Consumer Fireworks, placing restrictions
and regulations on Fireworks between the hours of 11 PM and 7 AM.

Sponsors: Affa, Hendricks, Administration, Mr. Robinson, Mr. Zucal, MacLean and Guridy

Attachments: [Bill 50 Fireworks Ordinance](#)

REFERRED TO PUBLIC SAFETY COMMITTEE

[15-2460](#) Bill 51 Refer to Budget and Finance Committee
Amending the 2017 General Fund cash balance and the 2017 Capital
Fund cash balance to provide for the transfer of cash as directed by the
City's auditing firm Zelenkofske Axelrod, LLC to correct the negative cash
balance in the Capital Fund.

Attachments: [Bill 51 Capital Reconciliation](#)

REFERRED TO BUDGET AND FINANCE COMMITTEE

[15-2459](#) Bill 52
Amending the 2018 General Fund Budget and the 2018 Risk Management
Fund Budget to provide for a transfer to the 2018 Capital Fund for repairs
to the road and parking lot of the Police Academy.

Attachments: [Bill 52 Transfer for Police Academy Road](#)

REFERRED TO PUBLIC WORKS COMMITTEE

[15-2461](#) Bill 53
Amending the 2018 General Fund budget by increasing the salary of the
Community Development Director by Five Thousand Two Hundred Seventy
Eight (\$5,278) Dollars annually.

Attachments: [Bill 53 CD Director Salary Increase](#)

REFERRED TO HUMAN RESOURCES, ADMINISTRATION AND
APPOINTMENTS

[15-2462](#) Bill 54
Amending the 2018 Risk Management Fund budget by transferring Five
Hundred Thousand (\$500,000) from the unappropriated balance into
Account 44 to pay for legal fees and settlements that were not budgeted at
the time the 2018 budget was prepared.

Attachments: [Bill 54 Legal Fees](#)

REFERRED TO HUMAN RESOURCES, ADMINISTRATION AND
APPOINTMENTS COMMITTEE

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

NEW BUSINESS: NONE

Mr. Matthew Kloiber stated that the agenda has Ordinances for introduction to be referred to committee with public comment prior to referral.

Mr. Roger MacLean asked if there were any public comments on any ordinances that we just referred to committees.

GOOD AND WELFARE: NONE

ADJOURNED: 8:26 PM