



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

City Council

Wednesday, May 1, 2024

6:00 PM

Council Chambers

Committee of the Whole

Roll Call

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

[15-6848](#)

Bill 40
Fine Increases

Sponsors: Hendricks and Napoli

Attachments: [Bill 40 Parking Violations](#)
[Parking Authority Exhibit A 2](#)
[Attach A Violation Rate Change Proposal](#)
[Fine Proposal Letter to Council 4-3-2024](#)
[Fine Comparison Line Chart](#)
[Violation Comparison](#)
[Stopping, Standing and Parking \(1\)](#)
[Allentown Parking study](#)
[Parking Enforcement Patterns in ABE 1.9.24](#)

Ms. Cynthia Mota stated that the sponsors are Mr. Hendricks and Mr. Napoli.

Mr. Santo Napoli stated that he will speak. He stated that he is a board member and would like to at least give the lay of the land on why they are here and they will continue the conversation. He stated for those that don't know him, he does sit on the Allentown Parking Authority Board. He was appointed by Mayor O'Connell as a merchant. Obviously, he became a City Council person later. He stated that he does serve in that capacity as well. The Parking Authority Board two meetings ago raised monthly contract parking in its downtown decks along with the transient hour rates in the decks. He stated that the surface decks were increased by \$5 per hour. Unfortunately, this wasn't enough to overcome budget shortfalls that continue to be predicated on low revenue due to the parking ticket violation rates being too low. The violation rates were implemented in 1985 and updated in 2001. That was the last time and since then no updates have

been made other than double parking. That is the only one that has been updated. Right now, they are dealing with a significant imbalance when compared to deck and street rates. The Parking Authority are in charge of the affective administration of parking in our city. Parkers are always encouraged to use parking decks and street parking should be for transient parking only. Obviously, folks that are coming to restaurants, coming to a small business, they want those spaces to be open so they can come and go and they want folks to spend the day to do it in the deck. Currently, the parking penalties in the Central Business District even for safety violations range from \$10 to \$15. What is happening here, folks are choosing to take a ticket as opposed to parking in the deck because it would actually cost them less money to get that ticket on the street. He stated that is the reason they are here tonight. It is a imbalance. It doesn't make sense. This also leads to a lack of parking for visitors and customers which also results in double parking which they all know it is a continue issue throughout our city. It saves visitors money. He used concerts as an example. To come downtown and park for a concert is \$15 in the parking deck. They can park in front of the restaurant for six hours and get a \$10 ticket. It is not helping that restaurant. That customer that wants to come eat at that restaurant, now either has to park farther away or they have to pay the parking deck which is \$15 which is unfair because they are only going to be there for an hour and a half. The streets are designed for transient parking. Long-term parking needs to go in the deck. The violation rates aren't helping to accomplish that goal. Over the time, the cost of doing business has also increased dramatically at the Parking Authority. Back in 2001, when they updated the violation rates, the hourly labor was \$9 an hour. That is what they were paying their hourly folks. Today, the starting rate is \$21 an hour, with options for benefits. This is important because first off it is a livable wage. They want to make sure that the folks working in any organization or business is paid a livable wage. Secondly, if the Parking Authority would pay less hypothetically, what would happen just like any business, it would result in more turnover. The problem with turnover in any business is that you have less experience, you have inconsistency and much more mistakes which is not an option when dealing with writing tickets. The goal of the Parking Authority board is to have employees be there long-term, well experienced, and that results in less mistakes for the public. Labor continues to be the primary shortfall on the budget. If mistakes are made from time to time, the board instituted an internal appeals process back in April 2023. Anyone with a ticket can appeal their violation internally, instead of taking it to the magistrate. What was happening before April 2023, folks had to appeal their tickets at the district court. The problem with that is the ticket incremental increased and they had added court fees. It is really doing a disservice to the public. Having an internal appeals process is free and since its inception, the Parking Authority is averaging close to 50 percent dismissed or reduce to

warnings. So it does work. The board also started a program for inspection/registration violations which gives 15 days. If you have an inspection that is out of inspection or out of registration, you have 15 days to remedy and the ticket is rescinded. The AP board has discussed initiatives which will benefit residents. He stated that this is important. A Community Relations Specialist was hired in January. His job is to improve communication and collaboration with the community and stakeholders. He attends neighborhood groups meetings and visits with stakeholders, etc. There is much more communication going between the Parking Authority and the community than there was a year ago. Unfortunately, there are initiatives that are on hold due to the budget shortfalls. He wanted to make sure he mentions these quickly: in the last seven or eight months, they have been discussing internally an internal payment plan which is really important to us. To his knowledge, most Parking Authorities don't offer this service, Philadelphia does. The difference in Philadelphia is they are a city and county. They can do it much more efficiently. In Allentown, we are separate from the county and it becomes much more difficult. The Parking Authority has gone to their software vendor to assist in upgrading their software that communicates with the state and district courts. The estimate for this upgrade is between \$35,000 - \$50,000 and something that they are working on. This will also help violations from reaching district courts where the amount increases and fees are added. It is very important for someone to have the ability hypothetically if they got a violation for \$50. Instead of having to pay the \$50 within 10 days, they have the option to pay \$12.50 a week for four weeks. They don't have to make a decision on what not to buy in one week. They can spread it out and that is really important why they are working on it. Also, investments in requiring and converting blighted parcels in our densest neighborhoods to add parking capacity. This was done at Seventh and Allen Streets. If you are familiar with the surface lot on that corner and it was successful. It was actually successful in reducing tickets in that neighborhood. The concept works. They would like to replicate it over and over in our densest neighborhoods. Again, it is on hold due to budget shortfalls. If possible, they would like to do a small business discounts. Some sort of programs for part-time employees working downtown who parks in the decks. They have a lot of people that work in restaurants that work hourly rate jobs that they would love to help with their parking downtown, if that was an option. Lastly, further investment in larger projects which has the affect of increasing development and therefore, increasing the tax base for the benefit for all citizens of Allentown. For instance, when the Parking Authority built a parking deck, it attracts a ton of development in that area. It benefits everyone with the tax base increasing it. Lastly, if the Parking Authority continues to have budget shortfalls, misses its covenant with the bank, there is a risk that the bank could sell its assets to the private sector. It has happened elsewhere. Most recently, it

has happened in Harrisburg and it resulted in street parking going up to \$4.00 an hour. In Allentown, it is \$2.00 an hour and monthly contracts for their parking decks are between \$200 and \$275 a month. He stated that the city's is currently at \$100 a month. So when the private sector gets involved, there's a definite difference in the rates and the community will feel that. He is not a Harrisburg guy, but he is an Allentown guy and focused on Allentown, but if he was guess, he guessing that businesses are leaving Harrisburg because of this. That is something that he does not want to see in his city. It is important to note that it can be avoided. They have done the research. They have done other measures first and they are here tonight because they continue to have the shortfall and the other measures they made in the parking deck with the transient and monthly. It is just not enough. That is why they are here tonight to discuss.

Ms. Cynthia Mota thanked Mr. Napoli and asked if there was anybody else from the dais.

Ms. Candida Affa thanked Ms. Mota and stated that her thoughts on this and thought about it a lot. She used to be on the Parking Authority and she understands the process and understands all these things. When she thinks about this, she thinks about the merchants and it has to be people to come into the city to open their businesses who are asking people to come in as consumers. When they think of the deterrent when they raise prices or fines or whatever. In this case, it is a deterrent that they can sit all day long in front of Mr. Napoli's business or a restaurant and just have to pay \$10. The other consumers if they want to go to a restaurant and they want to go to the game, they can find no parking. They are a city of 130,000 people. Harrisburg only has 50,000 people. She stated that we consider ourselves the third largest city because of population and when we have this population, they have a lot of parking problems. She knows and it is documented that Philadelphia lawyers will come into our federal building and into Allentown and the Parking Authority can attest to this and get \$10 and all day long they are sitting and parking on our streets from Philadelphia and it is easy for them. It is only \$10 for the entire day. It has become a joke. When she thinks about bringing fines up, she doesn't think of it as a deterrent. She thinks of it as it is going to help the merchants, help the city of Allentown, and when Mr. Napoli brought up the point that the Parking Authority could go belly up and stated we are in serious trouble. It is not a threat that they are \$1.8 million in debt now and for someone to actually be able to come to our city and park all day long for \$10. Raising this amount, could help the Parking Authority get out of the \$1.8 million. The reason they are in debt is because we had 24/7 service and we no longer have that. They are no longer giving those tickets out. They paid a lot of money for new cars and officers. She stated to her she thinks this is so necessary that you are actually helping the merchants by upping the fine.

It is so much easier now with our meters and everything. You don't have to run out and put any money in it. If you are in a restaurant and it is running out, you can use your phone. There is no reason for you to sit there all day long. The only reason you are doing it is because it is only going to cost you \$10. She thinks to help consumers and to help our merchants, she truly believes in having to find larger than \$10 would be an advantage.

Ms. Ce Ce Gerlach stated that she thinks most of her questions might be best answered by the Parking Authority. She stated that one of the questions she had asked back when they met on Zoom is other municipalities are referenced that they fines for violations are higher. The question she had asked back then and she will ask now is, is it working. If other municipalities are charging more, do they have less safety violations, less parking violations then what we have.

Mr. Jonathon Haney from the Allentown Parking Authority stated that he reached around and asked all his colleagues and asked if somebody had studies from other cities beyond Pennsylvania that would back up or at least give any data to that claim. He could not find any and being 100 percent truthful with everyone. He spoke in depth with Lancaster Parking Authority who has in the past gone through the same process where they raised parking fines and compliance increased minimally. It wasn't a watershed moment where suddenly everyone realized everything going on and began parking legally. Certainly, that is the goal. He doesn't want to write more tickets. He wants to write less tickets. He would rather see people comply. Hopefully, that gives you some kind of answer. He doesn't have any material data to give her. It just isn't anything out there that he can find.

Ms. Ce Ce Gerlach stated that she definitely appreciates your honesty. A lot of times people would just try to paint a glossy picture. She stated that she appreciates his honesty. That is one of the main concerns she has. They have no evidence that increasing fines actually would work, why do it. Her understanding of the Parking Authority, she remembers it was about 2015 or so before she got on here and she remembers that Mr. Zucal had said hey, you guys just want to make more money and then the Parking Authority said no, no, no we are not about that. They are about public safety and making sure that people have spaces. She stated that she thinks it is kind of two approaches, clearly you are a business. You need to make money. There is also the idea of providing quality services and increasing public safety and if that is also one of the main purposes of a Parking Authority and there is no evidence that increasing fines would increase public safety. That is an issue. She stated that her second issue or question is that a couple of months ago sent an email out about meter placement and she said it here publicly. There are meters were they

shouldn't be. These are meters that people may not feed and therefore have to pay a ticket. These are meters because they are meters, there will be parking attendants going out to those blocks and more likely to get tickets for other types of things. She stated that they are talking about outside the Health Department. If you are going to the Health Department for health, you are poor. You don't have money more than likely. Yet, there are meters there. There are meters on blocks that are purely residential blocks. There is no commercial. They are on the block, but yet there are meters. Many of those blocks are restricted and they can't even get the residential parking permit for their block. They have to feed the meter. There is a federally qualified health center on the 100 block of Hamilton Street affiliated with Casa Guadalupe. Federally qualified health center, again, poor with meters outside. She stated to her, until that issue is fixed she doesn't think in good conscious they can raise the rates on poor people.

Mr. Jonathon Haney stated that he didn't want to interrupt. Just as a response to a couple of issues you brought up. He wants to borrow from a comment that was made at an earlier committee meeting from our Public Works Executive, Director Mr. Shahda. As he was explaining his position to this Council, he made mention that his departments are grappling with dealing with the growth of a city such as Allentown. Experiencing rapid growth and creating challenges for his department. He stated that Ms. Gerlach kind of hit on this point. The Parking Authority is no different. Their costs have increased and certainly they need to be responsible of what they are in charge of and make sure that the proper revenues are coming in to cover those costs. Beyond that, those revenues also serve them to meet those needs in the neighborhood that she is talking about. He can tell her that they recently at their most recent board meeting collaborated with the city and looking to acquire a piece of property. This is in a very densely populated area and happens to be in an area that they have numerous surface lots to service the neighborhoods at that location. They are all packed full and every one of those lots have a waiting list for people trying to get on that lot. The city was very gracious in working with us and helping them put this deal forward and get their ability to acquire this piece of land. He has no funds to develop it. Those revenues come from in part, the enforcement of the parking fines that they are mandated with doing. The Parking Authority is limited to three sources of revenue that they can draw from. That is per state legislation that created that so they can charge for their decks and lots. They can charge for the meters on the street and the revenue comes from enforcement as well. He stated that Mr. Napoli mentioned before that the Parking Authority Board has taken a hard look at those options and they exercised what they can in some of those, but it is not enough to make up that gap so they can do some things like develop land and/or work on a Meter Parking Study which he has and would like to

speak to Ms. Gerlach at some point after this. Get eyes on that and see what they can do to move forward on that. It ties back to his first comment. Allentown is a very growing metropolitan area. They experienced a lot of growth and development and as some things in the Public Works Department needs to change to meet with that. He agrees with them. It is high time they do a meter study and consider where those meters are allocated. That is actually a Council function. Council determines where metered blocks go and the Parking Authority puts the meters in and enforcing them. It is another opportunity to collaborate with the city and take a hard look at those things and see now that Allentown has changed and grown so much. He stated that he has been here for eight years with the Parking Authority and there are blocks that are 100 percent different than when he started as far as the development goes. Without this fine increase, it is going to leave them in a position where they don't have the revenues necessary to meet those increasing costs as Mr. Napoli mentioned in wages for our workers. Along with that, it is just not the hourly wages, it is the health insurance increases. The very same issues that Council deals with the folks that work for the city. You guys are dealing with the same issues we are. Your electric bill goes up, our goes up. The health insurance goes up, so does theirs. The only difference is when it comes to the fine increases, those haven't been adjusted in 23 years. Imagine working for 23 years and never getting a raise. How would you deal with your cost of living increase? How would you deal with buying food, paying your rent, taking care of every day living things without an adjustment to that. This proposal that he put forward before this Council to consider takes all those things into account and without it, it is going to be very difficult for the Parking Authority to meet their needs and to be able to continue to develop parking, look at things like meter studies and other items.

Mr. Santo Napoli asked Mr. Haney if he could quickly address about the issues with the meters on the 100 block of Hamilton and why the meters are there and what would happen if they weren't there.

Mr. Jonathon Haney stated again, he is not trying to throw things

Mr. Jonathon Haney stated again, he is not trying to throw things around here, but the meters are there because Council designated it as a meter block. He stated that is the plain and simple answer to it. He thinks taking a look at a meter study and bringing in a qualified consultant to take a look at those things and evaluate the different aspects that go into why should this be a metered block and why should it not be. What is the purpose of a metered block? Mainly, to create turnover and service businesses. He stated that he knows where Ce Ce is coming from because her block where they are talking about is at one time may be a little more

commercial. Right now, not so much. It is more residential. There are many places in the city that are like that. He stated that again, she would have his support in working with the City Council or a committee to consider a study. Maybe go in together and look at that and put it together and get someone in with some good suggestions on how they can change those and meet today's needs and not be dealing with meter installations that were put in decades ago.

Ms. Ce Ce Gerlach thanked Mr. Haney asked stated that he has mentioned the residential lots. They were \$30 a month. How much are they now?

Mr. Jonathon Haney stated that the board voted to increase them by \$5.

Ms. Ce Ce Gerlach stated that now they are \$35. She stated that the Parking Authority recently acquired the PPL garage. If you are broke, why did you guys do that?

Mr. Jonathon Haney stated correct. He stated the 940 Linden Street. He stated that they are in the business of providing parking. As Mr. Napoli mentioned, they are trying to service all needs of the city. Obviously, they have a lot of development going on downtown. There is a lot of building going on and when the opportunity presented itself for them to acquire that deck, he stated that he is going to borrow from our neighbors in Bethlehem. They have been in the paper recently. The Bethlehem Parking Authority is looking in constructing a brand new parking deck with 520 something spaces he believes and the cost to build that deck is \$45,000 per space. That is almost two-fold increase on what it was just a few years ago. The deck that they acquired was a strategic move and know there is development going on in that area. The Parking Authority would not be in any position to construct a deck to meet the needs that are going on there. And, being that it was an existing structure with some life on it, the price for it and he believes they paid \$10,000 a space to acquire that deck. It was an opportunity that they couldn't pass up. They would not be able to keep up and meet the needs of the development in that area of town as it is expanding westward on Hamilton Street by constructing another deck. They just finished the Maple Street deck. So to build another one wouldn't be possible. It was an opportunity that they had to take. That acquisition had no impact on the 2023 budget and it won't have an impact on the 2024 budget because there is revenue coming from PPL until November. The acquisition of that deck did nothing to the budget. If anything, it improved it this year.

Mr. Jonathon Haney stated that there was an existing lease agreement there that provides funds that cover the payments for the decks.

Ms. Ce Ce Gerlach stated that her last question and thanked Mr. Haney for answering all of those. It would be more so for the administration. There was a conversation when all the hoopla was happening in 2023, the administration was going to study to see what it would look like if we as a city ended up taking over the Parking Authority. She asked Mr. Haney has he and the administration talked about that. Has the administration given any updates on that. She stated just in case something were to happen. He stated that he has none presently that he can share on that.

Ms. Ce Ce Gerlach stated that Ms. Ortega is coming up.

Ms. Genesis Ortega stated that they do have a report ready on the Parking Authority Study. They are hoping to share that within the next couple of weeks. She stated that they can have Ms. Gerlach take a look at it. They do have something.

Ms. Ce Ce Gerlach stated that is great to know and that might be helpful before voting on something like this.

Mr. Ed Zucal stated that he has a question about that because he recalls that the money that Council gave to the city to help with this investigation never occurred and it was put back and gave back to Council. He asked if that is correct Mr. Hanlon.

Mr. Michael Hanlon stated that he does not know.

Ms. Genesis Ortega stated that they did the study.

Mr. Ed Zucal asked on her own, you did it without Council's money.

Ms. Genesis Ortega stated that it was Council approved the study.

Mr. Ed Zucal stated he knows Council approved, then they gave money and then it never went anywhere. He recalls the money being brought back.

Mr. Michael Hanlon stated that he thought it was questionable whether the study was done.

Mr. Ed Zucal stated that he believes at the time he asked the question, it had not been done. It could have been done since.

Ms. Bina Patel stated that the funds that Council had approved were used for this study. They have finalized the study and will share with them. She stated that they did use the funds that you had approved.

Mr. Ed Zucal stated that he basically had the same question Ce Ce had because a couple of weeks ago they were talking about buying the old police station. Again, if you are in debt why would you be creating more debt.

Mr. Jonathon Haney stated that he doesn't believe the Parking Authority is going to be doing that.

Mr. Ed Zucal stated that he believes that was the talk.

Mr. Santo Napoli stated that was never the talk. The Parking Authority is cooperating with the city and bundling both parcels together to get them back on the tax rolls. The Parking Authority is handling the RFP. They were never purchasing a police station and what they are actually doing is the first \$1.5 million of the sale goes to the city. They are actually doing the city a solid.

Mr. Ed Zucal stated that he can't discuss the meeting, obviously because it is confidential. They had a major discussion here of that being sold to the Parking Authority. The mayor came up here and made his statement on why that should not be done. He asked what is the city's position on raising these rates. He doesn't believe that the mayor is here, unless Ms. Ortega has a comment. He asked if they are in support of it.

Ms. Genesis Ortega stated that she does not have a comment.

Ms. Cynthia Mota stated that she is not against the raising of the fees because she knows that it hasn't been raised for 20 something years. She knows that the Parking Authority needs revenue because you guys are in debt. What she is against is who they are trying to target. She is afraid that they might try to use this as a weaponizing against the community and that is what she is concerned about. She stated as they know, the community is poor. What would be the target and what is the plan.

Mr. Jonathon Haney stated that there is no target per se other than the city of Allentown. The Parking Authority's mandate is to enforce the parking regulations citywide. They go anywhere and everywhere in town from the eastside to the west side, downtown, southside. Naturally, you will probably see more enforcement where there are more cars and more folk there using parking. What generates a lot of ticketing and what people would consider the downside would be the street cleaning routes. The street cleaning routes are all mainly in the downtown neighborhood areas. They generate a lot of tickets. People don't move their cars at times. It is one of the most numerous tickets that they issue which may come off appearing that it's a targeted areas, but they are posted street cleaning routes. They

go where the street cleaners go according to that schedule. Meter enforcement is the same thing. The meters are where they are and they enforce them. They do go citywide and take care of issues all over town, especially regarding our dispatch line where people can call in and request enforcement where they are having a problem. They field those calls all over the city. He stated yes, you are going to see a lot more activity and more densely populated areas where there are just more cars and perhaps more infractions happening. No specific target per se that they will be looking for. They go out there and do their best and solve violations fairly and uniquely as they find them.

Ms. Cynthia Mota stated another question that she has, when people park and they get a ticket because they are too close to a corner, what are we doing about that. How are you note. Do you need a measuring to find out how or can you color. It is kind of difficult for a few people to.

Mr. Jonathon Haney stated that is a good question. There is obviously a regulation that they have to follow. You can't park within 15 feet of a corner. There is a method for measuring that. You got to the opposite curb and draw a straight line out into the intersection and then it is 15 feet back along the curb that you are enforcing. Two or three years ago, at the mayor's request, the Parking Authority took on a collaborative effort with the Street Department. They got out every summer when the weather is appropriate and utilize our event staff to assist with painting curbs.

Ms. Cynthia Mota stated that she would love to see that happening.

Mr. Jonathan Haney stated that they have been doing it for the last two or three years. Naturally, the event season runs from about October through May or June of the following year. They used it as an opportunity to give our event staff extra work to help them bridge that gap whenever the events are a little bit slower over the summer. He stated that Mark and his crew at Public Works have been great working with the Parking Authority. They supply them with the paint. He stated that the Parking Authority collaborate with them on areas that they would like them to focus on to help get those curbs painted. He stated that they got a large part of it done over the past couple of years downtown. They can certainly go outside into the neighborhoods or wherever and working with them, to tell them where to go. They are trying to do what they can do to help out. It helps the Parking Authority because it does help them give their staff some extra income in down months or otherwise might not have a lot of work around. He agrees with them, the Parking Authority can get out there. They've been trying to do it and will continue to do that.

Ms. Candida Affa stated that they have two different issues here and she

has to agree with Ms. Gerlach. There are some unnecessary meters out there. A study would be appropriate. It would be great for them to see a study and yet, they need a deterrent for the people that are coming into our city and utilizing our spaces for the benefit of just paying \$10. These are two different issues and believes that the study would be very helpful. She still thinks they need to up the fine so they have a deterrent for those who are not parking because they don't want to park there. She agrees with Ms. Gerlach that they do have unnecessary parking spots. If they could address that, that could be great. She stated that she doesn't think that too much to do with a deterrent for people parking for five hours and spending \$10.

Ms. Ce Ce Gerlach asked the Parking Authority when do they need their money by. Therefore, when does Council need to pass this by? Could they do that study where they would pass this increase?

Mr. Jonathon Haney stated that he is not sure how long the study would take. Like he mentioned, he does have a preliminary document and would be glad to share it with them and take a look at it. Right now, in 2023, the Authority had a surplus or at least a contingency fund of about \$3.2 million. Today, it is about \$600,000. He stated that they can see the shortfall there with the \$1.8 million that Ms. Affa referred to before is there. He stated that they kind of need to make a move on this sooner. It doesn't mean that they can't engage in some talks and some looks at the meter study while that is happening. That would certainly help them to get back on the right track. There is a lot of things that go into this as far as facilities. He stated that they experienced an earthquake not too long ago. Fortunately, it was very shallow for them. It wasn't a tremendous impact, but large concrete and rigid structures like parking decks don't tend to act well to earthquakes. Have they would have experienced damage, they would not have had the reserves in the bank to take care of that. That doesn't mention the ongoing maintenance that you have to do to take care of such a large asset that they have. The depletion of the reserves really put them in a bad spot. It has been a combination of things that came at them and they really need to make this move. He understands that Council knows this because he has some forward knowledge of what they are looking at or maybe for the benefit of the folks that are listening, the increases that they are asking for only brings them to the regional aver

A motion was made by Santo Napoli, seconded by Candida Affa, that this Bill be forwarded to the full Council.

Yes: 5 - Cynthia Mota, Daryl Hendricks, Ed Zucal, Candida Affa, and Santo Napoli

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

ADJOURNED: 6:50 PM

