



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

City Council

Wednesday, February 3, 2016

7:00 PM

Council Chambers

Invocation: Julio Guridy

Pledge to the Flag

Roll Call

Present: 6 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, and Roger MacLean

Courtesy of the Floor

Mr. Lou Hershman, 405 N. Gilmore Street, talked about the Opinion regarding the same political party.

Mr. Richard Fegley stated that this is something that Ned Donovan, Michael Donovan's son had asked me to read. To the members of the esteemed City Council, earlier today as you no doubt heard by now my father, former Councilman William Michael Donovan passed away after a long battle with Cancer. I wanted to extend my thanks, and the thanks of my family to this institution. My father always wanted to get involved in politics and this body allowed him to truly find his voice as a politician. Serving on this Council was one of the highlights of my father's life. Something he spoke of with great pride as I am sure you all feel. I am aware that there are many challenges facing Allentown and this group of men and women will make many decisions regarding those issues. I hope that in honor of my father's memory you will remember his priorities as you look at these issues. My father stressed the community over the individual and he made sure to treat the janitor as the same as the CEO. He was adamant that the rights of the little guy must be protected in order to better society. When there are two options, take the one towards love and compassion and always strive to move inclusive, respectful, and caring community. There are no groups more important than any other and to solve the problems facing a city engaging the entire community is important, but especially the under-represented and under appreciated voices. I thank you for all your service to this city as my father served in the past. I hope to meet all of you one day, Ned Donovan.

Mr. Ray O'Connell stated that Mr. Donovan passed away this morning after a courageous battle with Cancer. I served with Michael when I first started Council. Michael was an extremely passionate and caring man. Michael was ahead of his time. Today, we truly lost one of the good guys. May he rest in peace.

Mr. Lou Hershman stated that when reading the minutes of the Opinion on same political party. It doesn't state the 30 days you have to be registered in that part. He talked about funding New England Avenue.

Mr. Juan Camacho deferred the question to Ms. Wild to clarify the answer she gave to that question.

Mr. Ray O'Connell stated to Mr. Hershman that he talked to Ms. Wild and will have an answer for you tomorrow morning. He can tell him the ruling on the Controller. After it is posted and we wait two weeks, at that point and the application is closed, you go back 30 days and you have to be registered with that particular party.

Mr. Fran Dougherty stated that it is a project that needs to be done.

Mr. Julian Kern, 252 Walnut Street, asked about the Project Lifesaver.

Mr. Ray O'Connell stated that we are working with our Grant person. If you have been reading the paper, Salisbury Township got a grant for Project Lifesaver.

Mr. Fran Dougherty stated that we did take your comments and I had numerous conversations with the Chief Morris. He has been running with this and met with J B Reilly and the business community to get them to donate money so that we can buy these bracelets.

Mr. Julian Kern stated why the city is not utilizing Act 90 of 2010.

Mr. Fran Dougherty stated that we have been through this a number of times. The FOP has donated one bracelet for Project Lifesaver.

Mr. Dennis Pearson, 942 E. Tilghman Street, stated that the St. John's Church will have a fundraiser for that. Overlook Terrance still needs a light so that people can make a left-hand turn.

Mr. Fran Dougherty stated that the dedicated traffic light or a light for illumination.

Mr. Dennis Pearson stated dedicated traffic light. He stated that he attended the city's State of the City Address. If our mayor continues to be mayor and give people a key to the city which is broken.

Mr. Kenneth Heffentrager, 733 N. 11th Street - Allentown Tenants Association, spoke about the article on Lead exposure stating it indicates Allentown is higher than Flint. He talked about crime and drugs. He asked Council to take a look at the 10th Ward. He talked about security cameras. Every single plan leaves the 8th and 10th Wards out.

Mr. Ray O'Connell stated that he does agree with Mr. Heffentrager.

Ms. Diane Fegley, 1002 S. Bradford Street, thanked Council for stepping up and working on solutions for the Homeless. She is upset about the lack of plowing in the neighborhoods in downtown. She gave her condolences for Mr. Donovan's family and friends.

Mr. Robert Trotner, 1920 Whitehall Street, stated that we have a mayor that we may or may not be able to remove. He should resign. It is intolerable now. It is an obligation of City Council to be vocal about this. He is very concerned about the delinquent tax contract with Northeast and will request a Right to Know.

Mr. Ray O'Connell asked Mr. Trotner if he read the Resolution. It's pretty strong.

Mr. Ray O'Connell stated that a guilty plea by the Assistant Solicitor, by the former Director of Finance, and he is personal looking to see if we can get out of the Northeast Contract.

Mr. Jim Osche, 404 W. Hamilton Street, stated that he talks to a lot of people. He knows what needs to be done to be good leaders of the whole City of Allentown. He spoke about Public Official #3 and the importance to separate yourself. He needs to go.

Mr. Joe Hoffman, 334 N. 13th Street, stated a couple of days ago the first sentence was issued as a result of all this FBI work. It happened in Reading. A 40 year old City Councilpersons is now going to prison for two years. Two years ago we didn't have a PPL Center. The investigation is in Reading, Allentown, the Parking Authority and Lehigh County. He spoke about the snowstorm and 13th Street and Gordon Street did not get plowed and just got signs up today, 11 days after the snow. There was no snow emergency in Allentown.

Mr. Chris Cocca, thanked Council in its prompt action for the homeless. There was a study that came out today that Allentown was number #1 in Pennsylvania for incidences of lead exposure in children over the limit from the Center for Disease Control. He asked Council to focus on the paint chips, the dust, and the housing stock. It is a public health crisis. He asked Council not to fill the vacancy with someone that was part of Ed Pawlowski's PAC.

Ms. Betsey Levin, 431 W. Turner Street, stated that no snow emergency was an absolute disaster. We live in a neighborhood where people have to work and can't pay their mortgages. We didn't see a plow until Thursday. It is unacceptable.

Ms. Candida Affa asked if that study was Lehigh Valley or Allentown.

Mr. Chris Cocca stated Allentown alone. Pennsylvania has 18 cities that are worst off then Flint Michigan and Allentown is one of the 18.

Mr. Julio Guridy thanked Mr. Cocca for the information and stated that he is the chair of the Community and Economic Development Committee and he wants to see if Council can do something about it. He asked Mr. Cocca what does he recommend and can do to alleviate this issue. We had CDBG funds for properties that had lead.

Mr. Chris Cocca stated that is a great question and he hasn't thought that far ahead.

Mr. Ray O'Connell stated that we had Vicky Kistler, Health Director, talk about it over the years.

Mr. Roger MacLean stated that in the study, did they pinpoint where the lead was coming from. Is it the housing stock? He stated to Mr. Dougherty that during his time with the city there were several times that the city won awards for the water quality. Do you know if lead was tested the those studies?

Mr. Chris Cocca stated that they seem to really pinpoint the environmental atmosphere, the dust and the paint chips. They did not have a means to inspect the water.

Mr. Fran Dougherty stated that he believes it was. We saw this report today and directed Vicky Kistler to put a White Paper together for City Council.

Mr. Jeff Glazier stated that the article makes two points that add clarification to this situation. They state that most of it is do to aging and deterioration of lead based paint. That Pennsylvania does not have mandatory testing for children. In Allentown, for instance, may have a higher rate because we test more kids than anybody else.

Ms. Helen Hahn, 2016 E. Highland Street, stated that she feels for the people that needed to get out after the snow. She stated that before the water and sewer were leased to the County, she understood that the city had 94 pieces of equipment that could be ready to go for snow removal. How many pieces do we own now and if that is part of the problem?

Mr. Ray O'Connell stated that you are absolutely right. We did lose equipment.

Mr. Fran Dougherty stated that he believes that Craig responded to Council about the older pieces of equipment. We got rid of the oldest and most decrepit pieces of equipment with the Water and Sewer Lease.

Mr. Daryl Hendricks stated that we actually replaced every piece of equipment and surpassed the amount of equipment. Never in this city did we receive this much snow at one time.

Mr. Tom Hahn mentioned Michael Donovan and if he was here they would have a wonderful discussion on which truck knows how much snow it plowed. He suggested that the city test the children and find out their addresses, have the city inspectors inspect these properties to find out who has lead pipes still in the homes.

Mr. Lou Shupe, 625 N. 6th Street, talked about 20 years ago he worked on lead abatement supervised by the Allentown Health Department. They had devices that would sample the lead quality in the house. He suggested Council to contact the Health Department and ramp up their efforts.

Mr. Ray O'Connell said he stated earlier that Vicky Kistler, Director of Health does this stuff and we getting right on it.

Approval of Minutes:

[15-539](#)

January 20, 2016 City Council Meeting Minutes

Attachments: [04 January 20 Council Meeting Minutes](#)

MINUTES APPROVED BY COMMON CONSENT

Old Business

Mr. Ray O'Connell discussed the Warming Center down at Fountain Park Pool house. He received an email from Diane Fegley and emailed it to Fran Dougherty to help facilitate this situation. Mr. Dougherty, Ms. Calluori and the Mayor picked up the ball. Pastor Stevens really picked up the ball. Mr. Hendricks, Ms. Affa, and myself met with Jack Felch from the Lehigh County Conference of Churches. We are going to work on a plan.

Pastor Bob Stevens stated that he appreciates the opportunity and thanked Council for the remarks about Michael Donovan. He spoke about the concern that no plan was in place after the storm. Some of the issues that were raised over that weekend are being addressed by the Lehigh County Conference of Churches. He spoke to Jack Felch and his clergy colleagues are looking to addressing some of the issues. There needs to be an emergency plan. Five congregations put together an interim plan. We are willing to help.

Mr. Ray O'Connell stated that we will be in touch. We met yesterday. Give us a few days and we will look for Taskforce members.

Communications[15-382](#)

Council Rules

Attachments: [Council Rules](#)

REPORTS FROM COMMITTEES:**Budget and Finance: Chair - - Hendricks, Guridy**

The Committee met on January 27 and reviewed the monthly finances and capital reports. A future meeting has not yet been scheduled.

Community and Economic Development: Chair Guridy, Mota

The Committee has not met, a meeting will be set up in the near future to deal with Bill 3 which is being introduced this evening.

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

The Committee has not met, there are no future meetings scheduled.

Parks and Recreation: Chair Mota, Affa, O'Connell

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

Public Safety: Chair Hendricks, MacLean, Affa

The Committee met on January 27 and forwarded Bill 2 to the full council with a favorable recommendation. The bill is on tonight's agenda. A meeting will be scheduled in the near future to deal with Bill 4 which is being introduced this evening.

Public Works: Chair MacLean, O'Connell

The Committee has not met yet, there are no meetings scheduled.

Rules, Chambers, Intergovernmental Relations and Strategy: Chair O'Connell, Hendricks, Guridy

The Committee has no business at this time.

Managing Director's Report**Controller's Report**

[15-523](#) Committee Members

Attachments: [Committee Members - 2016](#)

APPOINTMENTS: None**ORDINANCES FOR FINAL PASSAGE (To be Voted On):**

[15-496](#) Bill 1
Amending the 2016 Capital Project Fund Budget to provide for a transfer of Five Hundred Thirty-Six Thousand Two Hundred Twenty-Nine Dollars and Eighty Cents (\$536,229.80) from Capital Project 2008 (Street Lighting

Upgrade) and Capital Project 1905 (City Wide Park & Playground Improvement) to Capital Project 2202 (WPA Structure Renovations) to complete the repairs to the collapsed wall in the Lehigh Parkway

Sponsors: Administration

Attachments: [Bill 1 Transfer for Lehigh Parkway WPA Wall](#)

Ms. Cynthia Mota stated that the Bill was forwarded favorably to full Council, 3 - 0.

Mr. Ray O'Connell asked any comments from the administration, the public or my colleagues.

Mr. Joe Hoffman stated that you left the financing of the project the same. The money will be coming from the same account. Will the walls be restored to their original conditions.

Ms. Cynthia Mota stated yes, it is.

Mr. Ray O'Connell stated that the \$500,000 from the Street Lighting and \$36,000 from the park and playground citywide.

Ms. Lindsay Taylor stated no, it is not. The wall repair, the area where the wall collapsed is being replaced with a concrete retaining wall. One side is stamped concrete and the other side of the wall (street side) will be faced with stone. Cost and engineering is holding up the road. The cost was significant.

Mr. Fran Dougherty stated that we announced earlier that UGI has agreed to step and donate materials to repave and redo the entire parkway.

Mr. Ray O'Connell asked any other comments from the public about Bill 1.

Yes: 6 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Roger MacLean, and Candida Affa

Enactment No: 15265

[15-497](#)

Bill 2 Public Safety, Forwarded Favorably - noting sunset issue Amending the Civil Service Board (CSB) Rules for Hiring and Promotion for Police Officers that were adopted pursuant to the provisions of Article 155 of the Codified Ordinances by removing the oral examination component from the Promotional Testing Process for Police Lieutenant and Sergeant, leaving the Written Examination account for 100% of the final promotional scoring.

Sponsors: Administration

Attachments: [Bill 2 Civil Service Rules - Promotion Rules](#)
[CSB Rules proposed changes to Police promo rules 12 15 2015](#)
[Memo to Public Safety Committee 1 12 2016](#)

Mr. Daryl Hendricks stated that is passed favorably, 3 - 0. This is a temporary modification to allow for the immediate testing for a large amount of officers because there is a need to get the testing promotions made as soon as possible.

Mr. Ray O'Connell asked any comments from my colleagues.

Mr. Roger MacLean stated that was his concern also that this is temporary. Mr. Hendricks already alluded to that.

Mr. Ray O'Connell asked any other comments from my colleagues or the public.

Yes: 6 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Roger MacLean, and Candida Affa

Enactment No: 15266

RESOLUTIONS FOR FINAL PASSAGE: NONE

ORDINANCES FOR INTRODUCTION:

[15-510](#) Bill 3 CEDC, Recommended Favorbaly
Amending the Property Rehabilitation and Maintenance Code, Article 1745.08 Fire Alarm and Detection Systems, by adding provisions for certain multifamily dwellings or attached garages to install carbon monoxide detectors in the vicinity of bedrooms or the appliance where the presence of fossil burning fuels exist to bring the code into compliance with State Act 121.

Sponsors: Administration

Attachments: [Bill 3 Building Standards Carbon Monoxide Alarm Standards, 1745.08](#)
[Carbon Monoxide Alarm Memo](#)

Mr. Ray O'Connell asked any questions from my colleagues or the public.

Enactment No: 15269

[15-521](#) Bill 4 Public Safety Committee, prior to meeting
Amending the 2016 General Fund Budget to provide for a supplemental appropriation of \$116,087.00 from a FEMA US Department of Homeland Security Assistance Firefighters Grant to the Allentown Fire Department to provide for Wellness and Fitness equipment and health programs/training.

Sponsors: Administration

Attachments: [Bill 4 Fire Grant Wellness Equipment](#)
[Fire Grant](#)

Mr. Ray O'Connell asked any comments from my colleagues or the public.

Enactment No: 15267

RESOLUTIONS FOR INTRODUCTION: NONE

NEW BUSINESS: NONE

GOOD AND WELFARE: NONE

ADJOURNED: 8:12 PM