



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Meeting Agenda - Final

City Council

Wednesday, July 19, 2017

7:00 PM

Council Chambers

Invocation: Roger MacLean

Pledge to the Flag

Courtesy of the Floor

Courtesy and Privilege of the Floor Rules

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

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

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

Approval of Minutes:

June 7, 2017 City Council Approval of Contracts Professional Services Meeting Minutes

Attachments: [45 June 7, 2017 City Council Approval of Contracts Professional Services Meeting Minutes](#)

June 7, 2017 City Council Meeting Minutes

Attachments: [47 June 7, 2017 City Council Meeting Minutes](#)

June 21, 2017 City Council Approval of Contracts Professional Services Meeting Minutes

Attachments: [52 June 21, 2017 City Council Approval of Contracts Professional Services Meeting Minutes](#)

June 21, 2017 City Council Meeting Minutes

Attachments: [53 June 21, 2017 City Council Meeting Minutes](#)

Old Business

Communications

Reports FROM COMMITTEES:**Committee of the Whole:**

The Committee of the Whole met on Wednesday, July 12 at 6 PM and forwarded Bill 40 favorably with an amendment which is on tonight's agenda.

Budget and Finance: Chair Guridy, Hendricks, Mota

The Committee has not met since the last council meeting; the next meeting is scheduled for July 26th at 5:30 PM. The CAFR was submitted on time and was posted on the website; the committee is scheduled to have a presentation by the auditors on the CAFR, management letter and single audit on August 23rd at 6 PM.

Community and Economic Development: Chair McGuire, Guridy, Mota

The Committee met this evening; the next meeting is scheduled for July 26th at 6:30 PM – we will be reviewing legislation being introduced this evening having to do with CDBG and other federal funds.

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

The Committee has not met since the last council meeting; a future meeting has not yet been scheduled.

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

The Committee has not met since the last council meeting; the next meeting is scheduled for August 2 at 5:30 PM to review legislation being introduced this evening.

Public Safety: Chair Hendricks, MacLean, Affa

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

Public Works: Chair MacLean, McGuire, O'Connell

The Committee met this evening; a future meeting is not yet scheduled.

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

The Committee has not met since the last council meeting; a meeting will be scheduled shortly to deal with legislation being referred to the committee this evening.

Ad Hoc Committee on Inclusionary Zoning: Co- Chairs Guridy and McGuire

The Committee has prepared a white paper and is in the process of reviewing the report.

City Controller's Report

Inclusionary Zoning Material

Attachments: [Inclusionary Zoning - Kimmerly](#)
 [Affordability Census Tracts](#)
 [White Paper](#)
 [Affordability analysis](#)
 [Census tracts affordability](#)
 [Downtown Housing Assessment ANIZDA 2015](#)
 [Nexis Study - CeCe forward](#)
 [LAW MEMO TO CITY COUNCIL 2-10-17](#)
 [New York Secures the Most Affordable Housing Units in 27 Years](#)
 [Housing-asset-management - Fels](#)
 [Upside Allentown Plan, 2014](#)
 [Strategies-for-Increasing-Housing-Affordability pdf-1166616292](#)

Appointments:

Memo from Mayor Pawlowski regarding Appointments to the Arts Commission for City Council's consideration.

Name	Authority/Board/Commission	Term to Expire
David Mickenberg	Arts Commission	01/03/2021
Deborah Rabinsky	Arts Commission	01/03/2021

Mr. Mickenberg and Ms. Rabinsky are currently members of this commission.

Appointments to the Nuisance Abatement Board of Appeals

Rosalie Desilva - Private citizen resident - 2 year appointment - 7/19/2019
 Mario (Rigo) Peralta - Private business owner - 2 year appointment - 7/19/2019

Attachments: [Memo from Mayor Pawlowski regarding Appointments to the Arts Commission \(](#)

ORDINANCES FOR FINAL PASSAGE (To be Voted On):

Bill 40 Committee of the Whole, forwarded favorably
 Amending Part III, Business Regulation and Taxation Code, Title One Businesses and Licensing Code, of the City of Allentown Code by Creating Article 320, Appropriate Mental Health Services, which would prohibit licensed professionals from engaging in counseling, practices, or treatments that seek to change a minor's sexual orientation or gender identity.

AMENDMENT: Add a new section 320.04 entitled: Enforcement: Investigation of Complaints of Violation, Notice and Hearing to read as follows and lettering the current existing paragraph d (copies of the amended version are at the back of the room and on the website).

(a) There is hereby established a Complaint Administrator to investigate complaints for the violation of Section 320.02 of this Ordinance. A Licensed Mental Health Professional shall be nominated by the Mayor and confirmed by City Council to serve in this capacity.

(b) Neither the Complaint Administrator nor the Appropriate Mental Health Services Appeals Board, established under Section 320.05 of this Ordinance, shall have the ability to compel the production of records or any materials that are made confidential by federal or state law or that are protected from disclosure by a lawful privilege, unless a valid waiver of the privilege is made.

(c) The Complaint Administrator and the Appropriate Mental Health Services Appeals Board, established under Section 320.05 of this Ordinance, shall not divulge confidential or privileged information that is disclosed during the Enforcement process under this Section 320.04 to anyone outside the Enforcement process.

(d) Notice of the hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of complaint and the time and place of hearing conducted by an appeals board. The notice shall be mailed, postage prepaid, to the licensee at the licensee's last known address at least five days prior to the date set for hearing.

Attachments: [Bill 40 Appropriate Mental Health Ordinance](#)
[Bill 40 - Amended Version](#)
[Legal Memo Bill 40](#)
[LRS 2017-045 Continuation- Explanation for Need of Amendments](#)
[National Task Force Letter to Legislators on FTC Complaint - June 5 2017](#)
[Letter-Pennsylvania Psychiatric Society](#)
[Letter- KidsPeace](#)

Bill 41 Community and Economic Development Committee, this evening
Amending the 2017 General Fund Health Budget to provide for a supplemental appropriation of Fifteen Thousand Seven Hundred (\$15,700) Dollars as a result of a grant from the Pennsylvania Department of Health, Bureau of Public Health Preparedness for preparedness and response activities.

Attachments: [Bill 41 Emergency Preparedness Grant](#)

Bill 42 Public Works, this evening
Amending the 2017 Capital Fund Budget to provide for a supplemental appropriation of Nineteen Thousand Eight Hundred Ninety (\$19,890) Dollars as a result of a grant from the Pennsylvania Department of Conservation and Natural Resources (DCNR) for the students of Penn State to conduct an inventory off all the street trees within the City.

Attachments: [DCNR STREET TREE INVENTORY GRANT.docx](#)
[DCNR Final check.pdf](#)
[DCNR final payment letter.pdf](#)

RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):

R132 Public Works, this evening
Recommends Congress support a Carbon Fee and Dividend to Address Climate Change

Attachments: [R132 Calling for the United States Congress to Address Climate Change](#)

R142
Authorizes Submission of an Application to the Pennsylvania Department of Community & Economic Development's Multimodal Transportation Fund for a Grant of One Million Six Hundred Two Thousand Four Hundred Eighty-Eight Dollars (\$1,602,488) for Use in the Upside Allentown Pedestrian Streetlighting Program

Attachments: [R142 Pedestrian Streetlight Grant](#)

R147
Certificates of Appropriateness for work in the Historic Districts: 34 N. 11th Street and 36 N. 11th Street

Attachments: [R147 HARB Resolution](#)
[HARB Cases](#)

R143
Requests more Speed in the Delivery of Justice to the Citizens of Allentown

Sponsors: Affa, Hendricks, McGuire, Mota and O'Connell

Attachments: [R143 Delivery of Justice](#)

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

Bill 43 Refer to Rules, Chambers, Intergovernmental Relations and Strategy
AN ORDINANCE DIRECTING THE LEHIGH COUNTY BOARD OF ELECTIONS TO PLACE A REFERENDUM QUESTION BEFORE THE CITY OF ALLENTOWN VOTERS ON THE NOVEMBER 7, 2017 GENERAL ELECTION BALLOT TO AMEND THE CITY OF ALLENTOWN HOME RULE CHARTER TO LIMIT THE TERM OF THE OFFICE OF CITY COUNCIL MEMBERS AND THE CITY CONTROLLER TO TWO (2) TERMS

Attachments: [Bill 43 Term Limits for City Council Members and City Controller](#)

Bill 44 Refer to Parks and Recreation Committee
Amending the Codified Ordinance Part IV, Streets, Utilities, Public Services, Title 7 – Parks and Hamilton Street, Article 951, Park Regulations by revising the sale of merchandise by mobile vendors - Section 951.12 Sale of Merchandise Prohibited and the standards for the issuance of a use permit – Section 951.18(A-2) – Permits. No

mobile food or non-food vendors may vend within Two Hundred Fifty (250') feet of an event perimeter without written permission from the event organizer. Permitted activities must be organized by a non-profit organization, or directly benefit an Allentown-based non-profit organization. For-profit events are not permitted to be held in a City park unless they directly benefit an Allentown based non-profit organization.

Attachments: [Bill 44 Park Regs](#)

Bill 45 Refer to Parks and Recreation Committee
Amending Part III, Business Regulation and Taxation, Title 9 - Fees, Article 400, Park and Recreation Fees by revising the fee schedule for special events - Section 400.08 Special Event Fees by establishing a fee for the use of the city podium at \$50 and a \$200 refundable deposit, and waiving the special event fee for Easter Egg Hunts (noting the fees for pavilions, fields, street closures and all other event requirements must be followed including Certificate of Liability Insurance).

Attachments: [Bill 45 Recreation Fees](#)

Bill 46
An Ordinance providing for the expenditure of certain monies received by the City of Allentown from the repayment of loans made through the Rental Rehabilitation Program.

Attachments: [Bill 46 CDBG HOME - Rental Rehab.doc](#)

Bill 47 Refer to CEDC
An Ordinance providing for the expenditure of certain monies received by the City of Allentown under Title I of the Housing and Community Development Act of 1974, as amended; The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009; and Title II of the National Affordable Housing Act of 1990, as amended; for the purpose of undertaking programs of housing and community development within the City.

Attachments: [Bill 47 CDBG CONSOLIDATED PLAN.doc](#)

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

R144 Refer to Rules, Chambers, Intergovernmental Relations and Strategy
Supports an Open Government Platform and Establishes an Ad Hoc Committee to make recommendations to Council and the Administration on an Open Data Policy

Sponsors: Mota, McGuire, MacLean, Hendricks, O'Connell and Affa

Attachments: [R144 Open Government and Transparency](#)
[Harvard 2017 Municipal Open Data Privacy Report](#)
[Governing Post](#)
[Seattle 2017 Open Data Plan](#)
[Seattle Exec order 2.26-EO](#)
[Seattle Open Data 2016 Annual Report](#)
[Seattle Open Data Policy V1](#)
[Seattle OpenData Playbook 2016](#)

R145 Refer to CEDC
Approves the Submission of the Action Plan to the United States Department of Housing and Urban Development

Attachments: R145 CDBG ACTION PLAN.docx

R146 Refer to Public Works
Authorizes encroachment of a landscape wall & fence at 313-315 N 27th Street along Monroe Street

Attachments: [R146 13 N 27th ST Encroachment](#)
[313 N 27th MAP.pdf](#)
[313 N 27th ST APPLICATION.pdf](#)

NEW BUSINESS

GOOD AND WELFARE

ADJOURN

Council meetings are held on the first and third Wednesday of each month beginning at 7:00 pm in Council Chambers. For copies of the agenda or meeting announcements, please visit our website at www.allentownpa.gov or contact the Clerk at Michael.Hanlon@allentownpa.gov to receive an email notice of the meetings.