



# Allentown

435 Hamilton Street  
Allentown, Pa. 18101

## Minutes - Final

### City Council

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Wednesday, October 4, 2023

6:30 PM

Council Chambers

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#### Invocation:

#### Pledge to the Flag

#### Roll Call

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

#### Courtesy of the Floor

#### Courtesy and Privilege of the Floor Rules

Ms. Mary Tomlinson, 373 W Liberty Street, stated that she wanted to speak at the Public Safety meeting, but they did not have an opportunity to do that. She is one of the co-petitioners for the Crisis Response, Co-Responder Program and the Pinebrook Mental Health Liaison Program that is doing good work for APD. She thanked the staff. She supports the expansion. She talked about the Pinebrook Program started in 2017. This year, is the first time it had a written contract. It is difficult to get information about this program. They all know however the number of mental ill people in the prison is increasing. They appreciate an opportunity further dialogue. She stated that 3,800 signed the petition for help, not handcuffs. She stated that they need to keep mentally ill people out of jail. The community is underserved and look for real engagement, collaboration and innovation for the sake of our people. Follow up with the county Crisis Response Program. Their services are limited. Let's make Allentown a safer, healthier place to live.

Ms. Dawn Godshall, Community Action Development Corporation, stated that she stands her today to advocate for a cause that is not only close to her heart, but one that should resonate with all of us. Investing in the future of our city through the Allentown Youth Center. Community Action has been tirelessly working towards this project and she urged them all to consider providing funding for this endeavor, including the demolition of the old Cleveland School building. It is an opportunity for the city to have skin in the game and demonstrate its commitment to the well-being of the youth in Allentown. Our youth is our most valuable asset and hold the key to the future of our great city. They need our support, guidance and resources to thrive. The youth center is not just a building, it is a symbol of our collective

commitment to our young people. By investing in this center, they are making a statement that Allentown cares about its youth and dedicated in providing them with opportunity growth, education and development. She asked them to envision a brighter future for the children. It is an opportunity to build a state-of-the-art facility that would cater to the diverse needs and aspirations of our youth. Supporting a youth center is not just an investment, but a necessity. She stated that we need to redo on how we teach our youth. The Center will offer educational programs and skill development opportunities that will equip our youth with the tools they need to succeed in today's competitive world. It will be a hub for learning and personal growth. It will bring together youth from different backgrounds. A thriving youth center can be a powerful deterrent to negative behaviors. A vibrant youth center can attract businesses, organizations, and families to our city. Boosting the local economy and revitalizing our community. By providing funding to this project, City Council has an opportunity to lead by example. It sends a clear message that the city is committed to the well-being and success of its young citizens. It shows that they are not only talking about investing in a future, but actively taking steps to make that happen. She understands that budget considerations are always a challenge, but investing in our youth is an investment in the future prosperity and vibrancy of Allentown. It is an investment in the well being of our community as a whole.

Mr. Pas Simpson, 25 N. 9th Street, stated since Dawn just went before him, he will see if he can make it a little bit more hurtful. It has been almost a year since they passed the money for the Credible Messengers. He stated that they have seen ARPA money go to many different things. We have seen babies die. We have seen us argue. We have seen all kinds of things, but what they have not seen is the application of the money that was already voted on and passed by City Council. Some of you are up for election in a couple of weeks. We won't see the money that they actually passed. It is disappointing because we have seen the rise in murder, rise in violent crime, unfortunately since Covid. We provided more police to the streets, but even our Chief stated that he needs support. He asked what can they do and what will you do to make sure that our babies are safe. If you are not going to ever give the money to the Credible Messengers, even though you voted on it. At least give it to the youth the Dawn is talking about. Do something that is proactive. We cannot continue to be reactive. We keep the ones that are most vulnerable, 16 to 25 according to our state index to violence. They decided during the winter league that they will stop at 14 youth so we now left thousands of kids again, unattended, uncared for and uninvested in. He stated please, let's do better.

Ms. Heather Felt-Albert, 832 N. Leh Street, stated that she is here tonight to stand before Council. She stated that she does not have any comments,

she has statements. She asked for some assistance and some help. She stated that her daughter passed away of September 15 at 4:00 AM in a house her in Allentown. She received a call on September 16 from the coroner's office, making her aware that they had her daughter. She was not allowed to identify her because they told her that her boyfriend had identified her. She did not get to see her daughter until she did her hair for the last time at the funeral parlor to prepare her for her service. Second of all, when she spoke to the detective that next day as well. He made her aware that they did find her daughter in a house that was vacant. There was nothing there, but a bed. Her boyfriend was the one who was with her. She asked him where was her daughter's phone, her car, and they told her they did not know. She did not have any personal belongings. She told the detective that her daughter has a car. Not only was she riding around in the one car, but there was another car as well. They did nothing about it. After hearing about her daughter's death, at 8:44 in the morning, and at 9:10 she was searching the streets of Allentown to find and recover her daughter's car her self. She recovered her daughter's one car and then spoke to the detective and made him aware of the second car. She gave him the title number, the VIN number, and everything that is needed and asked him to locate the car. There is no need for her to call PennDOT and have them track the car if the detective at the scene was there, saw her daughter pronounced dead. There is no question. She asked why would she have to go to protocol to have PennDOT then put in for the car to be found. As of today, this car is still on the streets. As she made them aware, her daughter's boyfriend had to be involved in some illegal stuff. She made the detective aware of this. She also made them aware that the second car is out here and it is most definitely transporting drugs. She left it up to everyone here to please go further. She has the autopsy report. She received it yesterday and because of her to try to make sure that justice is just not done for her daughter, but there is some kind of closure for her and something for other families that this doesn't happen to them. She stated that she will not give all the facts here. The gentleman that is involved with everything, the police knows him very well. They are buddies with him. The house that her daughter was found in is his mother's property. Now, here we are, she does not have any answers in reference to her daughter. Here we are, she does not know where the second car is. Here we are, she is left with a 15 year old to raise. She just got over having a liver transplant herself. Today, the detective did not want to work with her who was there at the Detective Bureau. Today, she went there herself. As just as she is talking to them, she represented herself there. She did not yell, she did not holler, she did not swear. She asked for questions and asked if he can show she proof that this car was put in the computer to be located. His response to her is that the case is locked. She stated that she can understand it, but they cannot tell her that there is nobody higher than the detective that worked on the case that could have opened up that

information. She made him aware of the evidence that her daughter left behind, addresses and still, here we are. In leaving because he told her that there were two homicides last night and they are busy and repeated what was said. They have been busy and had two new homicides last night so they are trying to get to everything. Her daughter passed away of September 15 as she stated earlier. She is not looking for everybody to stop doing what they are doing, but she is asking for the 15 years that she has owned her home in the west end of Allentown that the taxes that she has put in. She is asking for those taxes that she pays, to help her now in getting justice for her daughter. She would love for each and every one of them to look up her daughter's name Quanita Harvey. No criminal records, worked for Blue Cross Blue Shields, Well Fargo, GTL. She was no anybody and even if she was, she still deserves justice. She paid taxes as well. She did not live off the system. So, all of them that are here, are receiving the benefits of her labor, but she is no longer here and what she has paid into she deserves back. Her daughter deserves to continue as a 10-grade student at Allen High School has been on the honor roll all her life. She continues to do that. She deserves to do that in peace, knowing that her mother did not die, and no one cared, but her grandmother. She stated that is all she is asking. She is hoping and praying to the God that she knows that sits high and looks low. That this too will be handled and we will get serious with the streets of Allentown and this drug business and we will find out what is going on with this buddy - buddy system and these CIs and all this stuff that goes on here. She is not privileged to know because she is not a criminal. She never had a record to know what the relationship is with them, but will tell them something she thanks God for wisdom and knowledge because what she is seeing is not fair. These relationships that these CIs have what these cops, after she made them aware. Two and two equals four. What she is asking Council for is that the money that they put into Allentown to make it work. Because, that is why they are here. They are here. She moved her family here because she believed it was safe for them.

Ms. Barbara Redmond, Secretary of Allentown Branch of NAACP and Assistant Secretary of the Pennsylvania State Conference of the NAACP, stated that she noticed that the investigation is not on the agenda. She is wondering why it is not on the agenda tonight. She is a very important investigation and related to the city of Allentown employees. They are being harassed, bullied and discriminated against. She stated to Mr. Hendricks that his son is involved in an investigation as well that you are trying to sweep this under the rug. She stated that they would like to know what is going on and why it is not brought to the forefront.

Mr. Daryl Hendricks stated that it is scheduled for October 31. A Committee of the Whole.

Ms. Barbara Redmond stated that she feels that he should be removed from the investigation because his son is involved. She stated that it is a conflict of interest.

Mr. Daryl Hendricks stated that Ms. Redmond has been ill-informed. His son is not involved in an investigation.

Ms. Barbara Redmond stated that he is involved. She stated that they have the complaints and know what is going on. They know who is involved. They have all the complaints and Christopher, your son is involved in complaints and she thinks that he needs to be removed.

**Contract Approvals: There are no contracts for approval.**

### Minutes of Previous Meeting

[15-6269](#) September 6, 2023 City Council Meeting Minutes

**Attachments:** [September 6, 2023 City Council Meeting Minutes](#)

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

[15-6268](#) September 20, 2023 City Council Meeting Minutes

**Attachments:** [September 20, 2023 City Council Meeting Minutes](#)

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

### Communications

Mr. Mike Hanlon stated Disclosure: Councilperson Zucal noted pursuant to the ethics code that he had a discussion with Scott Curtis in regard to Bill 87, authorizing an investigation.

Ms. Ce Ce Gerlach stated that she would also like to disclosed if that is ok. She has a conversation with Dawn Godshall concerning using ARPA funds to support the Youth Center and another conversation with Sherri Bender concerning using ARPA funds for affordable housing.

Mayor Matt Tuerk added a disclosure. He had a conversation with Dan Bosket related to the Cleveland Youth Center and the use of ARPA funds.

**Old Business: NONE**

### REPORTS

**Committee of the Whole:**

A Committee of the Whole is scheduled for October 31 at 6 PM to review Bill 87, authorizing an investigation.

**Budget and Finance: Chair Napoli, Hendricks, Gerlach**

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

**Community and Economic Development: Chair Mota, Napoli, Affa**

The committee met this evening; the next meeting is scheduled on October 18th at 5:40 PM.

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

The Committee has not met since the last council meeting; the next meeting is scheduled for October 18th at 5:45 PM.

**Parks and Recreation: Chair Gerlach, Affa, Mota**

The Committee met this evening; the next meeting is scheduled on October 18th at 5:30 PM.

**Public Safety: Chair Affa, Hendricks, Zucal**

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

**Public Works: Chair Zucal, Santos, Hendricks**

The Committee met this evening; the next meeting is scheduled on October 18th at 6:15 PM.

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

The committee has not met since the last Council meeting; there are no future meetings scheduled at this time.

**Controller's Report (3 minutes)**

Mr. Jeffrey Glazier stated he has a P-Card review for the month of June 2023. They reviewed 70 statements and the number of documents reviewed were 641. The total dollar amount was \$230,159.98. The first issue is an expense split that they identified an invoice for an emergency pipe repair. It was split between two programs. One was maintenance and one was administration. The Controller recommended that the expense be solely charged to maintenance because that is typically where an expense like that would be charged to. He read the department's response. All the Controller's office can do is advise, but this is most assuredly very, very poor spending practice. They have a travel experience where a tip was calculated on the tax. The city rules say that a tip should be calculated pretax and where a TER was not completed in a timely manner. The department has agreed to comply going forward. They had 15 incidents where the incorrect expense accounts were used, and the departments were advised and journal entries were completed in those cases.

**Mayor's Report (3 minutes)**

Mayor Matt Tuerk stated that he wanted to do a couple of advisories on upcoming events. On Monday, October 9 at 10:00 AM, they will hold an awards ceremony for their Allentown Fire Department at the new Fire Training Facility. Upcoming safety forum that is being held by the Allentown School District on October 10 at 5:30 PM at the Ninth Grade Center at William Allen High School. The city of Allentown is collaborating with the School District on the forum. The ongoing collaboration with the administration and the Allentown School District related to Andre Reed Park. The last time City Council had a meeting during the committee meeting of Parks and Recreation there was some discussion on the conveyance of Andre Reed Park. At that time, he made a statement to media that the city of Allentown administration and the department of Parks and Recreation making all efforts to serve the needs of the residents of the city of Allentown, particularly the eastside and the needs of the students at Dieruff High

School at Andre Reed Park. He will have a further update for them related to the Resolution. That is consistent with the city's effort to support the Allentown School District in all things. To be an ally to the superintendent, to make sure that the worked of the Allentown School District is as easy as possible in meeting the needs as Ms. Godshall spoke of earlier of these critically important residents of the city of Allentown to our shared future. That work continues in that capacity and many others.

Mr. Daryl Hendricks stated that the Awards Ceremony was originally scheduled for the Charter.

Mayor Matt Tuerk stated that it will be at the Executive. It is still at 10:00 AM.

Mr. Ed Zucal stated that one of the contentions at one of the meetings two weeks ago was that there was an issue with them leasing that field which belongs to the city of course, to Dieruff. Isn't it a fact that the city actually lease properties over off of Lancaster Avenue from the school district for 99 years as well. He is not sure what the difference is and the hang up with that property. He stated that they are talking about Dieruff here and the school district per se. He is not sure what the issue is to leasing the property to the school district, when in fact they are leasing the property to the school district and they have not had a problem with the city doing that.

Mayor Matt Tuerk stated that they have lease agreements with a variety of different organizations. He asked Mr. Hendricks if it will be more appropriate to speak to that at the Parks and Recreation Committee.

Mr. Daryl Hendricks stated that they can speak to that when it comes up. There are some other people that want to speak to that.

[15-6293](#) City Controller Reports

**Attachments:** [PCard Review - June](#)

[Bank Rec](#)

## **ORDINANCES FOR FINAL PASSAGE (To be Voted On):**

[15-6049](#) Bill 70  
Amending the Zoning Map and Zoning Ordinance of the City of Allentown by rezoning certain parcels at 51 N. Front St. and 115 Riverside Dr to B-5 Urban Commercial District, and by adding adds a text Amendment that provides additional requirements for B-5 properties, provides for a repealer clause, a severability clause, and an effective date.

- Attachments:** [Bill 70 Riverside Drive from BLI to B5](#)
- [Letter from Urban Residential Properties regarding Rezonign Request Petition - Riverside Drive](#)
  - [Bill Riverside Drive from BLI to B5](#)
  - [Letter from Jennifer Gomez in Planning regarding Bill #70 51 N. Front Street and 115 Riverside Drive](#)
  - [Public Hearing Bill 70 Riverside Drive from BLI to B5 - October 4 Posting](#)
  - [Public Hearing Bill 70 Riverside Drive from BLI to B5 - October 4 Posting I](#)
  - [Public Hearing Bill 70 Riverside Drive from BLI to B5 - October 4 Posting II](#)
  - [Public Hearing Bill 70 Riverside Drive from BLI to B5 - October 4 Posting III](#)
  - [51 S Front Street Posting](#)
  - [115 N Front Riverside Drive Posting](#)
  - [Public Hearing Bill 70 Riverside Drive from BLI to B5 - October 4 Notice](#)
  - [Public Hearing Bill 70 Riverside Drive from BLI to B5 - October 4 Notice II](#)
  - [Public Hearing Bill 70 Riverside Drive from BLI to B5 - October 4 Notice III](#)
  - [Public Hearing Bill 70 Riverside Drive from BLI to B5 - October 4 Posting IV](#)
  - [Public Hearing Bill 70 Riverside Drive from BLI to B5 - October 4 Posting V](#)
  - [Public Hearing Bill 70 Riverside Drive from BLI to B5 - October 4 Posting VI](#)
  - [Public Hearing Bill 70 Riverside Drive from BLI to B5 - October 4 Posting VII](#)
  - [51 S Front Street Posting II](#)
  - [51 S Front Street Posting III](#)
  - [Public Hearing Bill 70 Riverside Drive from BLI to B5 - October 4 Notice IV](#)
  - [Public Hearing Bill 70 Riverside Drive from BLI to B5 - October 4 Notice V](#)
  - [Public Hearing Bill 70 Riverside Drive from BLI to B5 - October 4 Notice VI](#)
  - [Public Hearing Bill 70 Riverside Drive from BLI to B5 - October 4 Posting VIII](#)
  - [Public Hearing Bill 70 Riverside Drive from BLI to B5 - October 4 Posting IX](#)
  - [Public Hearing Bill 70 Riverside Drive from BLI to B5 - October 4 Posting X](#)
  - [Public Hearing Bill 70 Riverside Drive from BLI to B5 - October 4 Posting XI](#)
  - [Public Hearing Bill 70 Riverside Drive from BLI to B5 - October 4 Posting XII](#)
  - [Public Hearing Bill 70 Riverside Drive from BLI to B5 - October 4 Posting XIII](#)
  - [The Morning Call Ad 7495076](#)



[Ordinance #15944](#)

Mr. Daryl Hendricks asked if there were any questions or comments by his colleagues.

Ms. Ce Ce Gerlach apologized if it was covered in CED. She stated that just to confirm, are these the parcels that there are not going to be a buffer. In skimming, she saw the word buffer. Is it not a buffer. What would the anticipated impact be to the current residents of Front Street. That was also a conversation. Typically, at least downtown, the develop builds kind of these self-isolated developments and the people who live in them kind of stays there and don't venture out. How will this be different?

Ms. Vicky Kistler stated that in their discussions previously, they expressed concern about their residents being able to see and have easy access to the Riverfront as well as our emergency vehicles. They had wide enough areas to be able to delivery emergency services. All of the issues that the city discussed they had concerns regarding these parcels are addressed in the text amendment. They have come to an agreement with the developer that all of those needs have been met through this rezoning. The residents should be able to easily access the water, easily see the water. There is the buffer and emergency vehicles will have a wide enough path to reach the area of the water to be able to fight fire or an emergency from the water side to the building side.

Ms. Ce Ce Gerlach stated to confirm current Allentonians will be able to see the water and have access to the water from Front Street and from the first ward. Not just the new folks coming in.

Ms. Vicky Kistler stated yes.

Ms. Ce Ce Gerlach stated that we had that conversation after the meeting where the concern was the Front Street folks and that they will have access to all this fancy developments.

Ms. Cynthia Mota stated that it passed favorably, 2 - 0.

Mr. Daryl Hendricks asked if anybody else and any comments from the public.

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

Enactment No: 15944

[15-6243](#)

Bill 84

Amending the 2023 General Fund budget to provide for a supplemental

appropriation of Three Hundred Twelve Thousand Dollars (\$312,000.00) from the Safe Streets and Roads for All grant and Seventy-Eight Thousand Dollars (\$78,000.00) from the unappropriated balance as a grant match for an Action Plan.

**Sponsors:** Administration

**Attachments:** [Bill 84 - Safe Streets Grant](#)  
[Ordinance #15945](#)  
[Ordinance #15945](#)

Mr. Daryl Hendricks thanked Mr. Hanlon and stated that this was in your committee, Mr. Zucal.

Mr. Ed Zucal stated that it passed favorably, 3 - 0.

Mr. Daryl Hendricks asked if there were any questions or comments from his colleagues or from the public.

Mayor Matt Tuerk thanked Council for approving that expenditure. It is critically important for the safety of our community. It is a priority of this administration, in particularly Public Works. After a year, in 2022, where traffic related accidents claimed the lives of four pedestrians. This is critically important. They are eager to launch this particular from the Public Works Committee to make Allentown streets safer for all.

Mr. Daryl Hendricks asked if there were any comments from the public.

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

Enactment No: 15945

[15-6242](#)

Bill 85

Amending the 2023 Fire Department budget to provide for a supplemental appropriation of Thirty-Nine Thousand Seventy-Three Dollars and Sixty-Three Cents (\$39,073.63) from the Department of Homeland Security grant for the purchase of Wellness and Fitness equipment.

**Sponsors:** Administration

**Attachments:** [Bill 85 - Fire Equipment](#)  
[Ordinance #15946](#)

Mr. Daryl Hendricks stated that this was in your committee Ms. Affa.

Ms. Candida Affa stated that it passed favorably, 2 - 0.

Mr. Daryl Hendricks asked if there were any questions or comments from his colleagues or from the public.

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

Enactment No: 15946

[15-6241](#)

Bill 86

Amending Part I Administrative Legislation, Chapter 12 Authorities, Boards and Commissions, Article I Board of Recreation by updating the language in Sections 1 – 3.

**Sponsors:** Administration

**Attachments:** [Bill 86 Recreation Board Amendment revised](#)  
[Ordinance #15947](#)

Mr. Daryl Hendricks stated that this was in your committee, Ms. Gerlach.

Ms. Ce Ce Gerlach stated yes. It was forwarded favorably to tonight.

Mr. Daryl Hendricks asked if there were any comments or questions from his colleagues or the public.

Mayor Matt Tuerk stated that before they vote, he thinks it is appropriate to recognize the hard work done by the members of the Recreation Board to amend or modernize the language. He has pointed out often that the original ordinance was drafted in 1921. It referred to a lot of components to the city and the city school district that no longer exists. He is really grateful for the chair of the Recreation Board, Becky Kiss for the work that she did in leading her team in delivering more modern language that reflects the need of our current Allentown. They did a phenomenal job. He apologized for having it take for as long as they did. He stated that this is on him for not getting it to them all quickly enough. As Councilperson Gerlach saw in her committee, it is well written and reflects the need of our city and its future and the product of collaboration between city government and city residents which is just a fantastic thing. He commended them to approve this legislation.

Mr. Daryl Hendricks stated so noted. Thank you.

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

Enactment No: 15947

## CONSENT AGENDA

[15-6262](#)

R162

Sewage Planning Module at 827 – 829 West Linden Street

**Sponsors:** Administration

**Attachments:** [R162 - Sewage Planning Module at 827 - 829 West Linden Street](#)  
[827 829 W Linden Sewer Planning Module](#)  
[Resolution #30713 R162 - Sewage Planning Module at 827 - 829](#)  
[West Linden Street Signed Documents](#)  
[Resolution #30713](#)

Mr. Daryl Hendricks asked if there were any questions or comments from his colleagues or the public.

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

Enactment No: 30713

## RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):

[15-6231](#) R161  
Denial of a Certificate of Appropriateness – 327 N. Nagle Street

**Sponsors:** Administration

**Attachments:** [R161 HARB Resolution to DENY - 327 N Nagle Street](#)  
[327 N Nagle Street Final Review](#)  
[Resolution #30714](#)

Mr. Daryl Hendricks asked if there were any questions or comments from his colleagues or the public.

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

Enactment No: 30714

[15-6267](#) R163  
“Judge Memorial Dog Park” at Dixon Street

**Sponsors:** Administration, Affa, Gerlach and Mota

**Attachments:** [R163 Judge Memorial Dog Park at Dixon Street Naming](#)  
[Judge Memorial Dog Park at Dixon Street](#)  
[Resolution #30715](#)

Mr. Daryl Hendricks asked if the Fire Chief would like to speak to this. He stated that they wanted to have the dog here this evening. The dog is not in good shape and just with the trip here it would have been very difficult. He would allow to speak more about the dog and the history of the dog. In its services to the citizens of Allentown.

Fire Chief Efrain Agosto stated that he cannot speak a whole lot to the history of Judge. He knows from his dealings with him throughout his career as a Fire Marshal, Assistant Chief of Fire Prevention while Judge

was actually a part of this organization. He knows that if Lee could be here and speak to it. Obviously, he was informed that he is in poor health and he might not be with us much longer. WFMZ did a great story on him. So did Lehigh Valley Live. They did stories on him as recently. He definitely was a catalyst for Fire Prevention and fire investigations. He was used throughout the entire area for many years throughout his career. There was a time where arson cases appeared to be rising in the city and just the mere appearance of him being a part of this organization lessened that almost instantaneously. That has been proven in all the records that were shown throughout his career. His ability to be around individuals and children. He is probably the calmest dog he has ever known. His ability to detect those things that are considered to be ignitable substances. Anything that dog was taught to be able to detect was an amazing thing to watch. Some of the demonstrations that Lee would put him through was impressive to see how he and stated that he is not sure if any of them were able to witness that, but it was impressive to see him put several cans throughout the area and Judge being able to go from one to one to one and all of a sudden find that one where an accelerant (just a drop). He wished that Lee was here to speak a little bit more to his demeanor, not only as arson detection dog, but also as a team member of the Allentown Fire department to assist with being able to prevent fires here throughout the city and throughout the entire area. There would be times that he would be requested outside of our jurisdiction and that is when he became very useful. He made a name for himself. He is recognizable throughout the city. He had his own Facebook page. You are more than welcome to visit it and you will find more about him. He will be missed, no doubt about it. He has been missed since he has been gone as part of the Allentown Fire Department. Ever so often Lee would bring him around them to be able to get to see him again. That was always a big plus for us. As of late, he is in poor health and 14 1/2 years for a Lab is a really, really good long life. For the type of work that dog was doing is even more so which was very impressive.

Mr. Daryl Hendricks thanked Fire Chief Agosto for that. Needless to say that he was a great ambassador for the city of Allentown and the whole area because of his services that he provided for us and also to other departments close by.

Ms. Candida Affa stated that several years ago, he was the number 1 dog in the entire country. She stated that she believes it was 63 accelerants that he could identify. She didn't know you can start of fire with 63 kind of and still there is no other dog that can do that. He was on the Disney Channel and they picked seven dogs out of the country for various things and she remembers Chief Laubach and seeing Allentown in the background and judge coming up with his medal that he had won. He did

not make Dog of the Year. A dog named Hooch won because that dog helped a veteran and Hooch and Judge became really good friends. There are so many stories that she would love to hear when Chief Laubach would tell her. One of the things that amazes her, before he retired and thinks it was the only time it happened. He was in a building and smelling for accelerants and he started walking towards the door so the Chief followed him, opened the door and the dog went out. He walked a block and a half right to the door of the person who started the fire. He was just an amazing dog. She was proud to be at his retirement party. She stated what you said Chief is just amazing that he is our firefighter. He was number 1 in the country. She stated that they will miss Judge.

Mr. Daryl Hendricks thanked Ms. Affa and asked if there was anybody else or comments from the public.

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

Enactment No: 30715

[15-6248](#)

R164

Approves three transfers: (1) \$35,270.00 in Traffic Planning by transferring funds from Account 46 to 68; the Wayfinding Sign installation, originally budgeted as a contract will be done in house, 68 is the proper account to purchase materials; (2) \$14,525 in Parks and Recreation, Golf Course Capital Project, from the 54 to the 46 Account, for improvements to the agronomics of the soil; (3) \$14,355.72 in Parks and Recreation, Jordan Skatepark Project, from the 72 to the 46 Account, the cost for lights was less than expected, the funds are transferred for Phase 2 of the construction.

**Sponsors:** Administration

**Attachments:** [R164 Transfer Funds](#)

[Needed Because The Wayfinding Sign Installation Was Originally Budgeted in Account 46](#)  
[Funds Were Allocated For Improvements to the Golf Course as a Capital Project](#)  
[Funds Allocated To Jordan Skatepark Capital Project for Phase 2](#)  
[Resolution #30716](#)

Mr. Daryl Hendricks asked if there were any questions or comments from his colleagues or the public.

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

Enactment No: 30716

[15-6250](#)

R165

Approves the transfer of \$30,000.00 in Human Resources from Account 04

(temporary wages) to Account 46, Other Contract Services, to cover additional costs for the HR Consultant that were not budgeted.

**Sponsors:** Administration

**Attachments:** [R165 Transfer Funds - HR Consultant](#)  
[Funds Transferred Are to Cover Contract for HR Consultant](#)  
[Resolution #30717](#)

Mr. Daryl Hendricks asked if there were any questions or comments from his colleagues.

Ms. Ce Ce Gerlach asked will the addendum that covers the gentleman's lodging, travel and food be added to R165. Does Council get a vote on that or was it kind of added?

Mr. Garry Ritter has been reviewed by Finance and by Jeff Glazier's group. They are not going to execute that addendum as it is at this time. They need to work on that. There are some things that they need to work on and clean up.

Ms. Ce Ce Gerlach thanked Mr. Ritter. She asked if that is what this \$30,000 is for.

Mr. Garry Ritter stated that the \$30,000 is essentially to get us through the end of the year, if needed.

Ms. Ce Ce Gerlach stated that this invoice is from September 7. He did some Planning and Zoning work. She stated that she is guessing that this one hasn't been paid.

Mr. Garry Ritter stated that one will be paid. They processed invoices through August 31st. it will be another coming for September.

Ms. Ce Ce Gerlach stated that perhaps it is great that they have it because it looks like and she looked at his resume and he seems to know a lot about CED, Development, Zoning.

Mr. Garry Ritter stated that he is critical to HR and the operation of HR and the support that is needed.

Ms. Ce Ce Gerlach asked if he is a consultant for HR or CED.

Mr. Garry Ritter stated that he is a consultant for HR. If you are referring to the work that is done for rezoning and planning. That was to create tests for applicants and HR's function in bringing on new hires is often to assist the bureaus in testing. That was the consultants role.

Ms. Ce Ce Gerlach thanked Mr. Ritter for that clarification. She was under the impression that this gentleman was an HR expert, but when she looks at his resume she had a hard time finding that certification and HR expertise. She asked Mr. Ritter to help guide her as to where. She stated that she is just missing it. Obviously, he is an expert when it comes to CED items. She is just missing the expertise in HR.

Mr. Garry Ritter asked Ms. Gerlach does she have a copy of his resume.

Ms. Ce Ce Gerlach stated that she does.

Mr. Garry Ritter stated quite honestly and maybe the mayor can answer a little bit more about this. He was obviously not on board in HR when he was employed.

Mayor Matt Tuerk stated that Mr. Trant has experience in strategic solutions and draws on a multitude of experience serving municipal governments. He stated that as Ms. Gerlach is familiar he is sure, when you serve in a municipal government you wear a lot of different hats. Mr. Trant's legal experience is where he draws on HR. He has demonstrated expertise working with municipalities across Pennsylvania to resolve labor situations to provide HR guidance. He is drawing from a host of experiences. He stated that he does not believe that Mr. Trant has his SHRM. That is certainly not a qualification for the work that they are asking him to do.

Mr. Daryl Hendricks asked if anybody else.

Mr. Ed Zucal stated that he has a question and is not sure if Mr. Ritter can answer it or not. The addendum is information that this gentleman wrote that himself, correct. He came up with that addendum himself.

Mr. Garry Ritter stated that is correct.

Mr. Ed Zucal asked if he wrote his original contract that the city hired him originally.

Mayor Matt Tuerk stated that his sole firm is Strategic Solutions LLC. He drafted that contract and presented the proposal to the city of Allentown which Council saw and voted on and accepted.

Mr. Garry Ritter stated that it gets vetted through our contracts.

Mr. Ed Zucal stated that Mr. Trant wrote his own contract, basically. Is that fair enough? He stated that Council agreed to it.



Mr. Santo Napoli thanked Mr. Ritter for stepping up and helping out in HR. It is really important. HR touches every corner of this building and make sure that we serve all our employees is instrumental. He is happy to see Mr. Ritter step up and to continue to work with this gentleman to bring that to all our paths.

Mr. Garry Ritter stated thank you.

Ms. Ce Ce Gerlach asked if she should be concerned that he has access to personnel information. He is handling grievances. She has seen various times in a number of ordinances that he submitted and handling some type of investigation with APD. She asked should they be concerned that an outside person has this information.

Mr. Garry Ritter stated that personally in his experience working with John, he is a consummate professional.

Ms. Ce Ce Gerlach stated that she knows, but they were under the impression that was not supposed to happen. In general, outside folks is not supposed to.

Mayor Matt Tuerk stated that when they have through the Law Department has hired professionals to conduct personnel investigations. Sometimes the city does go outside. They are subject to the terms of the contract that signs with the city. As Ms. Gerlach pointed out, Mr. Trent is subject to confidentiality as defined in his contract.

Ms. Ce Ce Gerlach stated wonderful. So it is possible to have an outside entity come in and get access to confidential information as long as they sign something. She thanked Mayor Tuerk for clarifying that.

Mr. Daryl Hendricks asked if there were any comments from the public.

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

Enactment No: 30717

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

[15-6263](#)

Bill 88 Request to introduce and vote on this tonight at this council meeting.

Providing for the vacation of Susquehanna Street from the centerline of South 7th Street to the centerline of South Virginia Street in the Twelfth Ward of the City of Allentown.

**Sponsors:** Administration

**Attachments:** [Bill 88 Susquehanna Street Vacation Ordinance](#)  
[Susquehanna Street - Street Vacation Report](#)  
[Letter from Mike Hanlon regarding Unopened Section of West  
Susquehanna St from South Seventh St to South Virginia St - Street  
Vacation](#)  
[Susquehanna Street Vacation Maps](#)  
[Susquehanna Street - Street Vacation Report](#)  
[Allentown City Planning Commission Action Letter for the Vacation of  
Susquehanna Street 09.12.23 signed](#)  
[Susquehanna Street from the centerline of South 7th Street - Mailing  
Addresses](#)  
[Allentown City Planning Commission Action Letter for the Vacation of  
Susquehanna Street 09.15.23 signed](#)  
[Public Works Staff Report on Susquehanna Street Vacation](#)  
[Signed Petition from Francisca Garcia \(No Objection to Street  
Vacation\) for Susquehanna Street from South 7th Street o South  
Virginia Street  
Ordinance #15949](#)

Mr. Daryl Hendricks stated that this one was just missed on a previous vote.

Mr. Michael Hanlon stated no. This is a request by the Petitioner to introduce and vote on this tonight because he has a closing coming up. He stated that maybe Mr. Shahda can speak to it.

Mr. Mark Shahda stated that this Street Vacation is an open section of West Susquehanna Street that is between S. 7th and Virginia Street. Essentially, what this Vacation does is it allows for the development for Cumberland Street Apartment Complex Project to go through. What he understands, the developers are under a tight timeline to make this happen. That is why they are before Council tonight to introduce and ask for a vote tonight.

Mayor Matt Tuerk stated that it is fully supported by the administration.

Mr. Daryl Hendricks asked if there were any questions or comments.

Mr. Ed Zucal asked if there were any oppositions from any of the residents in that area.

Mr. Mark Shahda stated no. No opposition and utilities also responded with no objections.

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

Enactment No: 15949

Mr. John (last name inaudible), 1125 S. 7th Street, stated that he understands that the city vacates a property, it is split between the neighbors. He stated that he owns 1125 and the guy behind him owns 1127. He has paperwork and understands that it should be split if the city is vacating the property. It should be split between the neighbors. This is his first hearing board about this. He is opposed to give it up for the building behind to have access. He is not opposed to split it equally if the city is vacating the property.

Attorney Charles Smith asked Mr. ? if he is in favor if it is split equally.

Mr. John (last name inaudible) does not want the city to give up rights for an entrance for development. When the city vacates, it should be split evenly between the adjoining neighbors.

Mr. Charles Smith stated that your comment as a parcel owner is that you essentially what to make sure that you are getting your half.

Mr. John (last name inaudible) stated that it should be split if the city is vacating the property. It should be split equally to the adjoining neighbors.

Mr. Daryl Hendricks asked Mr. Shahda if he can speak to that.

Mr. Mark Shahda stated that typically in these situations, any time a parcel of land is being vacated that is when the adjoining property owners are polled and at that point any time they will have an opportunity to express concerns. When the poll was conducted, there were no objections.

Mr. Mark Hartney stated that when the city vacates a street, it is a paper street and the street gets vacated along the center line and the adjoining property owners receive that property. It would split down the center line. Anything for the property on the left and anything for the property on the right.

Mr. Daryl Hendricks asked if he owns a property adjoining this on the other side.

Mr. John (last name inaudible) stated yes. And, the property around where the development anticipates going is untaken care of. There are overgrown trees, weeds. He had property in the city of Allentown and they gave him fines under sweep for little weeds growing up and this property has overgrown trees, dilapidated fence that is falling over to his property. He stated that he just bought this property on July 21, 2023 and the alley

that is being vacated has been overgrown with weeds and shrubs. He stated that he personally brought weed killer and went in there and cleared the alley to make sure it is not overgrown and taken care of. He cleaned his property up and the city with the property behind is untaken care of. Nobody really maintains that.

Mr. Michael Hanlon stated just so you know, it is an un-open street and it has been unopened for more than 21 years. You can see the pictures.

Attorney Charles Smith stated that they are expediting the 14 day. You need six out of seven in order to proceed.

Mayor Matt Tuerk stated that they have to Suspend the Rules.

Mr. Michael Hanlon stated just so you know that is already attached to the Ordinance that says upon approval of six of seven votes, it goes into effect immediately.

Mr. Michael Hanlon stated that Mr. Khan is here to speak to it.

Mr. Yasin Khan stated, 2324 Woodland Drive, stated that he is the developer of Sixth and Cumberland. The goal here is to have the street split equally among the neighbors. They are not looking for any kind of access from that side. It would be basically part of that project where the parking would be. There is no access and not looking for any kind of entrance from there. The entrance is already determined. The street will be split basically among the neighbors.

Mr. Daryl Hendricks stated that the question is that the gentleman that spoke about having it. Would he have that portion?

Attorney Charles Smith stated that you would hire a civil engineer and present them with your deed and ordinance and describe what happened.

Mr. Mark Hartney stated yes. Technically, since these paper streets were never opened in 21 years, they can petition orphans court for adverse possession which basically means the property rights go back. This just cleans it up so that the lot lines are consolidated and this land is clear.

Mr. Daryl Hendricks stated what he is asking for would be honored.

Mr. Mark Hartney stated yes by this vote tonight to do it.

Mr. Daryl Hendricks stated that it would satisfy both parties.

Mr. John (last name inaudible) stated that it is split between the three neighbors, correct.

Mr. Mark Hartney explained the process.

Mr. John (last name inaudible) stated that with this being split, do they have to get new surveys, new deeds drawn up and who is responsible for all of that.

Attorney Jorge Pereira stated that it is a street that was never opened.

Mr. John (last name inaudible) stated that if he plans to do something there, his property line does not show that with the Recorder of Deeds.

Attorney Charles Smith stated that is something you can do. The city is not going to do it.

Mr. John (last name inaudible) stated that once it gets approved being vacated then he goes to the city and say that he needs a new deed drawn up.

Attorney Charles Smith stated that you would hire a civil engineer and present them with your deed, present them with the ordinance and describe what happen and have them do a description for you. He stated to Attorney Pereira that the city is not going to do a new Legal Description for his lot.

Mr. Daryl Hendricks asked if that is clear.

Mr. David Roth, 117 S. 7th Street, stated that he is the adjoining property to Mr. Khan's property. He represents his mother that has lived in that house for 42 years. The street that is being vacated, Susquehanna Street was never a street. It was a piece of property. The previous owner made an agreement in the late 70s or early 80s where the city gave up the rights to the street. At some point, he fenced the property in. There was never any vacation done by the city. It was rights given up by the city. The dilapidated fence is yours. It is on your property built by the previous owner. Welcome to the neighborhood. At 1125, the other adjoining property is 1204. Those are the two properties being split. The back alley on Virginia Street will all be owned by Mr. Khan with his new development plan. The other half comes to his mother's property. He has worked with Mr. Khan through he Planning Commission at all those meetings. He has their full support. He stated that they are the property that is most affected. He stated that Mr. Khan has worked very well with them. They discussed

fencing and trees, noise levels being built between them and Mr. Khan has their full support.

[15-6239](#)

Bill 87 There is a request to pull this from committee and act on it. Authorizing an investigation by an outside agency under Section 210, Investigations, of the Home Rule Charter:

**Sponsors:** Gerlach and Mr. Zucal

**Attachments:** [Bill 87 Investigation](#)  
[Ordinance #15948](#)

Mr. Daryl Hendricks asked if there were any questions or comments from his colleagues.

Mr. Santo Napoli asked if this one that was scheduled for October 31. Is there a reason Council is moving it out of committee.

Mr. Daryl Hendricks stated that he does not have the information about it. He learned of it a short while ago.

Mr. Ed Zucal stated that he will make a second motion once Council is done with it and why they need to.

Ms. Ce Ce Gerlach stated that from her end, the reason she decided to make a motion is that it is of the utmost importance when there is any type of cloud hanging over a governmental body, let's just squash it. Waiting an entire month, she does recall at the previous meeting they had discussed having a Committee of the Whole on today, October 4. The public that was there has an understanding and here we are. Her understanding and don't know if anybody else had the understanding, but you had that understanding. Today was supposed to be the Committee of the Whole meeting. We cannot continue to push things and push things and push things, especially something so important like an investigation. Let's just vote. Council has two Executive Sessions, they had conversations between each other and members of the public come here. She stated that she does not mean to be too frank, but they all know how they are going to vote. You already know. To pretend that you don't and think that it is more information that you need. Let's just vote. We have Solicitors here, the Mayor here, we got questions, let's ask them tonight. Let's get it done.

Mr. Santo Napoli stated that the reason that he asked is that unfortunately he missed an executive session due to a family members having Covid. He thought that Council was good for October 31. He did not realize that it was coming up tonight. He stated that he wishes that he did not miss that meeting.

Mr. Daryl Hendricks asked if there were any other comments and questions from his colleagues or from the public.

Mr. Eduardo Aviles, 386 W Gordon Street, stated that the last two sessions or so he and Mr. Hendricks have been the agenda. Today, he is going to follow the rules. He asked that Mr. Hendricks don't interrupt his three minutes. If he does interrupt his three minutes, the three minutes will start over. There is an investigation that the public has asked to start. A lot of rumors have come up in reference to our mayor. As you uncover with the investigation you will see a corrupt organization, corrupt nonprofits, and a whole lot of corruption. As the picture starts to unwind, you start to get closer into this investigation. Your name keeps popping up, Hendricks. The public speaking. He stated that he is speaking for a lot of Allentonians. He is willing to sit down with them. He suggested that Mr. Hendricks needs to recuse himself from the investigation. He stated that Mr. Hendricks should be off the board. He stated that his son is involved in this investigation. He stated that he has documentation.

Mr. Daryl Hendricks stated let's make the matter clear, his son is not on the Police Department.

Mr. Eduardo Aviles, 386 W Gordon Street, stated that he is not saying he works for the Police Department. He works for the city. He asked Mr. Hendricks to recuse himself. He stated that it is time. He is trying to educate himself as much as possible to get him off the board and make sure that the mayor gets indicted.

Mr. Michael Hanlon stated that this is on the motion to pull the Bill from committee.

Attorney Charles Smith stated that it is a motion to recall it from committee and bring it back to Council.

Mr. Pas Simpson thanked Ms. Gerlach. He stated that we have no more time to waste. it is too easy to push things down the line. It is too easy to allow things to unravel. It is too easy to allow themselves to act instead of actually taking action. He asked this Council to truly take an action. He thanked Mr. Zucal for giving that second to Ms. Gerlach so they don't have to wait until the end of the month. Three more weeks is a long time. A lot can happen in 24 hours. In three weeks, so much can happen. Do something bold and make a stand today.

Ms. Karen Ocasio stated that she wants to address this whole situation and tell them how they look to the public when you are skipping this thing. Keep sweeping it under the rug and don't want to address the issues. She stated

that they are really showing them that they don't matter to them. Black and Brown people have said these things and a lot of people are coming forward and like Eddie said you become closer and closer to all of these things that are happening. You keep dismissing us and dismissing us and dismissing us. Why, let's address the issue today. Let's address this issue and start this process and move it along. Let's uncover it. Let's stop the jokes, the games, the behind the door scenes, the meetings and the dinners. Please let's stop this and get it moving and let's investigate. She stated that they need it to happen like yesterday.

Ms. Jessica Ortiz stated that the first time they had a meeting her first concern was the staff. The staff that comes to her organization to say their grievances in a safe space. Right after the meeting, the next day they showed up for work, it was the most tense situation for many of them. When you go to work, you see a newspaper article. Well, that might have been an accusation because the real head was not the head and the letter was not authorized. She comes from before she was the person she is today. She lived a world in the streets. Some of you guys are police officers. What it looks like to the common eye, right now is all the drugs are being flushed down the toilet before the warrant gets there. That is what it looks like to us. People go to work and they are scared for their jobs. These are their livelihoods. People put in a lot of days and hours working for the city to say that they are proud and working towards a pension to be proud of the city. She was disheartened. She stated that she was on a phone call with a city employee, saying please be there to voice for us today. It's says now hiring. You can't welcome people in your house if your house is dirty. We got to clean up and at least say if nothing is true, then why would you stall it. If there is nothing to hide and everything is transparent and there are no waves and everything is circumstantial. Why not show the people who work for us in this building every day all day we care about you. We take your allegations seriously and maybe you are going over the top. Some people are dramatic and some are not. But why not give them the satisfaction to have their day. Everybody deserves to have a voice. Right now, you have them in a chokehold, but they still have to come to work because food is expensive. It is a hostile environment. It doesn't matter who kid or not kid, if there is another solution, come up with one. Like Ms. Ocasio said, a meeting after a meeting, she is sure that how it feels. Many of them have been doing it a long time. Think about the people that are uncomfortable feel in this building and go home. It is hard enough. She stated that she had three murders on her block last week. Some of the people that work in your building, live on that block. Imagine the tension when you have to go to work with tension, live in tense neighborhood and live in a tense community. As an Allentonian, we all deserve to live a life in peace in our work, homes and our every day lives.

**A motion was made by Ce-Ce Gerlach, seconded by Ed Zucal, to Suspend the Rules and Recall Bill 87 from Committee.**



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

Enactment No: 15948

Mr. Daryl Hendricks asked if there are any questions or comments from his colleagues.

Attorney Charles Smith asked if he could offer some legal analysis of what it is that Mr. Zucal is moving. There is a requirement that agenda items have two sponsors and needs to be submitted eight days preceding a Council meeting. This is coming on and got added now so they would have to Suspend the Rules, but also want to point out because it is happening, this is being added to the agenda on short notice that they would have to disclose under the Sunshine Act the reason for the changes to the agenda. He wants to make sure that they follow the appropriate protocols. They are Suspending the Rules to add it to the Agenda and at the time it is added to the agenda that should be after the disclosure as the reasons why. He agrees that the first and it was seconded. The motion number 2 will be to Suspend the Rules.

Mr. Ed Zucal stated that he has been receiving phone calls that some of the victims/witnesses in the investigations are still being contacted by members of the administration. That does not mean the mayor's office. It could include Department Directors, Supervisors, Deputy Directors, anybody. This is the reason that it has to be and again, as Ms. Affa says that it has to move forward. Stalling this, is not going to fix the problem. What's going to come out, is going to come out. Good or bad. He would make a strong suggestion as he did as a police officer with people that he was interviewing that had themselves backed into a corner. He stated that he used to tell them that they are holding the shovel. Eventually, you are going to dig yourself so deep that you are not going to be able to get out of the hole. If you are intimidating these people, he would suggest that they stop. That information will be related to the investigator or investigating agencies or whoever it turns out to be.

Attorney Charles Smith asked if there was a second for the motion to Suspend the Rules.

Mr. Daryl Hendricks stated that there was from Ms. Gerlach.

Attorney Charles Smith stated that now, they will take comment from Council and the public.

Mr. Daryl Hendricks asked if there were any comments from this colleagues or the public.

Mayor Matt Tuerk stated that it is important to hear the public and they certainly heard the public back in September 20th and September 6th. They understand the feeling of people and understand Mr. Aviles talk about rumors. Much of what you hear is often a rumor. He encourage them to vote favorably for the initiation of that investigation. He knows that there are certain challenges related to the performance of the investigation. You will be able to navigate those challenges and as he said of September 6th and will say it again tonight that they in the administration, particularly in the mayor's office welcome an investigation. What you are going to find might not be what some folks are hoping to find. You are going to find an organization that is dedicated to fostering an environment of care and respect and inclusion and support in the city of Allentown. You will find an organization that is committed to the welfare of the employees of the city of Allentown. Particularly and so far as they serve the needs of the residents of the city of Allentown. It is important that you hear additional comments from the public. If it helps and it helps everyone get home to their families tonight, he will offer from the administration's perspective that you just grab the vote right now and preferably vote 7 - 0 to initiate your investigation.

Mr. Daryl Hendricks thanked Mayor Tuerk.

Attorney Charles Smith stated that it is appropriate that the next step would be to just make a motion to add it to the agenda. You already have done your disclosures, but just to keep in the correct sequence.

**A motion was made by Ed Zucal, seconded by Ce-Ce Gerlach, to take a vote tonight to pass the Bill.**

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

Enactment No: 15948

[15-6264](#)

Bill 89

Providing for the vacation of North Maxwell Street from the centerline of East Turner Street to the centerline of East Linden Street in the Fifteenth Ward of the City of Allentown.

**Sponsors:** Administration

**Attachments:** [Bill 89 N Maxwell Street - Street Vacation Ordinance](#)  
[N Maxwell Street - Street Vacation Report](#)  
[Letter from Mike Hanlon regarding North Maxwell Street from East Turner Street to East Linden Street](#)  
[Allentown City Planning Commission Action Letter for the Vacation of N. Maxwell Street 09.12.23 signed](#)  
[Letter from the Lehigh Valley Planning Commission regarding North Maxwell Street from East Turner Street - Vacation](#)  
[N Maxwell Street from East Turner Street to East Linden Street Report](#)  
[N. Maxwell Street from E. Turner to E Linden Street - Mailing Addresses](#)

REFERRED TO THE PUBLIC WORKS COMMITTEE

[15-6270](#)

Bill 90

Amending the 2023 Capital Fund Budget to provide for a supplemental appropriation of Six Hundred Fifty Thousand (\$650,000) Dollars from the Pennsylvania Department of Conservation and Natural Resources (DCNR) to support design and construction of the D&L Trail – Allentown Segment.

**Sponsors:** Administration

**Attachments:** [Bill 90 - D&L Trail DCNR Grant](#)

Mr. Daryl Hendricks asked if there were any comments or questions from his colleagues or the public.

REFERRED TO THE PARKS AND RECREATION COMMITTEE

Mr. Daryl Hendricks asked if there are any public comments on Bill 90.

[15-6271](#)

Bill 91

Amending the 2023 Capital Fund Budget to provide for a Two Hundred Seventy-Five Thousand Dollars (\$275,000.00) from the City's ARPA funds for the repair of the Dixon St. Pedestrian Bridge. These funds will provide for the design and construction of the Dixon St Bridge, which will allow citizens to use this bridge and connect the neighborhoods from the north of Dixon St to South Mountain Middle School and Dodd Elementary school area.

**Sponsors:** Administration

**Attachments:** [Bill 91 - Dixon St Bridge Funds](#)

REFERRED TO THE PARKS AND RECREATION COMMITTEE

Ms. Ce Ce Gerlach stated that she looks forward to the conversation in terms of when it will be handled. It will be handled during the Budget Session like ARPA items.

Mayor Matt Tuerk stated that Council did receive three letters from South Mountain Middle School, from Dodd Elementary School Principal, and from Dieruff High School regarding public safety associated with the bridge crossing.

Mr. Daryl Hendricks stated yes, he saw that. He asked if there were any comments from the public. He stated that they will have an opportunity at the time of the committee meeting.

[15-6272](#)

Bill 92

This ordinance corrects legislation previously passed placing the funds into appropriate accounts. The bill will reverse Ordinance 15886, and appropriate the ARPA money allocated for HDC-Mid Atlantic project to the correct expense account within the ARPA fund. The original Ordinance 15886 was passed and allocated One Million Dollars (\$1,000,000) to the 2023 General Fund DCED Director's budget. This does not allow for proper tracking and oversight of ARPA funding. The original intention of the Ordinance 15886 was to appropriate One Million \$1,000,000 Dollars for the 1528 West Hamilton St. Affordable Housing Project being developed by HDC-Mid Atlantic. These funds should be placed in the ARPA civic expenses account. 100% of the funds will be used to offset construction costs of the project.

**Sponsors:** Administration

**Attachments:** [Bill 92 - Corrects HDC Mid-Atlantic ARPA allocation](#)

REFERRED TO COMMUNITY AND ECONOMIC DEVELOPMENT  
COMMITTEE

Mr. Daryl Hendricks asked if there were any comments from the public.

Mayor Matt Tuerk thanked the members of Council who attended the groundbreaking for the 1528 Project and reiterate his gratitude voiced at the event to City Council for understanding the urgency of the housing crisis in the city of Allentown and making appropriate investments in housing for residents in the city of Allentown. he wants to make sure that is appropriately conveyed. He is taking extra opportunities to thank them for the investments of housing in the city of Allentown.

Mr. Daryl Hendricks thanked Mayor Tuerk.

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

[15-6273](#)

R166 Refer to Parks and Recreation Committee  
Recommends Mayor Tuerk partner with the Allentown School District on the development and upgrades to Andre Reed Park by exploring all options related to park and school district interests.

Sponsors: Gerlach and Mr. Zucal

Attachments: [R166 Lease](#)

Mr. Barry Robb, 860 N. Jerome Street, stated that he has been playing sports down at Irving Park since 1961 and still playing. The reason why he is here for the voice of all the kids that are playing in Irving Park right now. Rumors are being spread around that Dieruff High does not have a football field and they want to buy the field from the city for \$1 for 100 years and give them \$100. He is here to tell all of them, including the mayor that Dieruff High has two football fields and he had a city person yesterday named Laura Ballek - Cole and they went over and seen the football field behind the fire station. He said that he does not know if they are aware of it, but they have been playing over there for 30 years. As of 2019, that field got condemned. He used to be over there with the football players. There are holes in the ground. From what he hears, St. Luke's wants to give Dieruff a ton of money. It is political. Because the other hospital gave Lincoln Executive money and now Dieruff wants to get this money. He said the Athletic Director at Dieruff, if you are getting all this money, it is condemned, but it has a track and field, a building with a weight room fenced all around. The field is bigger than Irving Park. He stated that Laura said to him, she can't believe this field. He said all they have to do is fix it up, but the key is that St. Luke's doesn't want to put the money in this field. They want to dig up the Irving Park field and make it AstroTurf and they want to fly their big flag. This is St. Luke's facility advertisement. He asked why they don't fly it over there. Nobody won't see it over there. It is secluded in the back. Here is a second field that Dieruff can play at Irving Park. The grass field. He stated that he just drove by there and nobody is there. Do you want to hear the best? They play there June, July and August everyday in the summer because of the shade trees. They don't go to Keck Park. Come September, they are told they are not allowed to play at the park. They have to take school buses and take these kids back to Keck Park. The coaches are against it. They are saying why can't we play here. They are not allowed. He doesn't know who is calling the shots at Dieruff. They are not allowed. What they doing is bringing a big bill to show the school district look at this, this is why we need a field. Look at this, look at all the money we are spending on buses. You have seen the buses. Last year, when they took the buses, you should have seen the buses. You would think that the Philadelphia Eagles were going back to Keck Park. They were big casino buses. Do you want to hear the best, when these buses don't show up and they don't show up a lot, do you know where Dieruff practices, right at Irving Park. If they can do that when the buses don't show up, why can't they do it when the buses do show up. Why do they need the buses. Why cant they go to Keck Park. They want to play there. The coaches want to play there. He talked to coaches today and they said they wishes they would fix the field behind the fire station because

that was great for us. He stated that they did that for 30 years. The Recreation Department does such a great job down there fixing the fields and everything. He named two people mainly from the Recreation Department, Tom Regec, Head of Maintenance and Chris Hendricks do so much for our parks. He is just begging this city not to give this park to Dieuruff. What they are going to do, they going to put that field in and put a big fence around and nobody is going to be able to play at that park no more.

Mr. Daryl Hendricks stated your time is up. He will assure that himself and his colleagues will be looking at this thoroughly.

Mr. Barry Robb stated you better look at it thoroughly. Because somebody is pulling a lot of wool over somebody's eyes. They can play at that park. They have been playing there for 30 years.

Ms. Evette D'Amore, 750 N. Irving Street, stated that she is here to talk about the proposed long-term lease of Andre Reed Park to make an athletic facility for Dieruff High School. She has a real concern that this proposal is moving way too fast and no one is interested in the opinions of the stakeholders like her who lives in the shadow of the park. She can literally throw stones from her yard to the park. In haste to give well deserved equity to Dieruff High School athletics, there is a danger in creating inequality in the community. Taking about 2/3 of Andre Reed away from the community or force children to look elsewhere for greenspaces. The nearest parks are Keck and Midway Manor. Both requires children to cross dangerous main roads: Hanover Avenue and Union Boulevard. How is that fair to them? Do you want your little kids running across that street? She stated she does not think so. Why is Allentown School District not considering the remediation of the Dieruff High School practice field? The field is located at the corner of N. Heart and E. Tilghman Streets. Nor far from the high schools. Currently, it lays fallow with gophers running the show. Why can't the district remediate that track of land and solve two problems at once. A new athletic facility and turning a brown space into green. Her thoughts go to all the local youth organizations that use Andre Reed Park. She stated that her boys play soccer for Midway Manor and Andre Reed is their home field this season. Allentown Youth Soccer has played at Andre Reed and in the past ESYC had teams play soccer and baseball at Andre Reed. The proposal leaves these organizations without fields. Once again, creating an inequality for the community. Her boys have lived on the eastside all their lives. They are 13. They have played at Irving Street playground, watched the park change, watched new play equipment be brought in and the old taken out. Then it began Andre Reed. They were really excited. They play there every day all summer. It keeps them out of trouble. It keeps the community

neighborhood kids out of trouble. They have some place to go. They go there and play sports with their friends. Next year, her boys will be freshman at Dieruff High School. Would she love to have them have this facility and would she loves to see this for them, she would, but not at the expense of the community. That is not fair to everyone else. She is just not willing to pay that price. All the children in her neighborhood needs a park to be accessible to them and open to them. Please slow this down and take the time to present the proposal. Present it to the community. Let us have our say. Let us discuss this. They might come up with a better solution then just keep that or remediate this. It might be a middle ground that we might find together.

Ms. Thomas Smith, Executive Director of Facilities, stated that he is there to represent Allentown School District. The Allentown School District would like to propose a partnership between the school district and the city of Allentown to address the pressing need for the improvements of Andre Reed Park. Andre Reed Park has been a vital resource for ASD students and the entire Allentown community for generations, providing valuable space for recreations and athletics. ASD is enthusiastic about the prospect of collaborating with the city to explore viable options for revitalizing Andre Reed Park to better serve the needs of our community and its children. We firmly believe that every child deserves access to a fun and safe place to play, where they can cultivate a sense of belonging and engage in activities that promote their well being and personal development. Research consistently demonstrates the countless benefits of sports and physical activities for children. When children participate in sports they not only increase their chances of growing up healthy, but also gain confidence build friendships, acquire a centralized skills such as teamwork, and respect and more likely to excel academically in their future careers. Therefore, investing in youth sports facilities is an investment in future successes and the well being of our community children. Youth sports fields have a transformative impact on communities, extending far beyond the boundaries of the playing field. They serve as a catalyst for children involvement in team sports, helping them establish health habits and forge social bonds that can last a lifetime. Moreover, improvements to Andre Reed Park have the potential to bring much needed economic stimulus to our community by attracting visitors and generating local revenue. Furthermore, enhancing the parks infrastructure can open the door for a broader range of recreational opportunities for our community members. Promoting and more healthier and active life skill. In light of these compelling reasons, he urged them to consider the possibilities that a partnership between ASD and the city of Allentown could bring to Andre Reed Park. He stated that together they can create a vibrant and safe inclusive space that not only meets the immediate needs of our community, but also lays the groundwork for a brighter future for our children. ASD is

eager to partner with the city to discuss this proposal further and explore potential avenues for collaboration. He thanked Council for their time and consideration.

Mr. Daryl Hendricks stated thank you.

Mayor Tuerk stated Mandy has a little bit more on the question that Mr. Zucal posed related to the Bill related to lease this park and how that differs from some other leases that the city has. He asked Ms. Tolino to briefly describe that.

Ms. Mandy Tolino stated that she will give her non-law explanation of it. She is sure the Law Department could go in more details as well. It is a state law that basically protects parks. State parks and/or any park, it does not matter the administration and who is in charge, a park is a park and you are not allowed to take an active park and change the use of it to make it private. It is protecting parks from privatization. That is the reason that we have seen a park for a long time. It is the same as turning over ownership. It is changing the hands of the control of that property. You are turning it over to a different entity. The issue is not that the Parks Department can't issue you a lease with ASD and another property. It is just that things that are used as parks, that has been historically used as parks were not legally allowed to turn them over to other entities. That is the difference. One other note, they received some grant funding from the state for the pool and they have some pretty clear policies that she can share that are related to if they provide them with grant funding, you can not then change the use of the park that they give them money for. Potentially, they would have to return funds to DCNR and it would be not a great partnership with DCNR for them to do that. That is just about the lease. The partnership is great. That is something totally open to discussing, figuring out ways to increase investment in the park, speaking with Dieruff High School on what their needs are, figuring out if fundraising is something that they are going to do, encouraging that and encouraging investment in the park. The sticking point right now is the public access as well as not having the ability to enter into the long-term lease in a park that is being used as a park.

Mr. Daryl Hendricks stated thank you.

Ms. Candida Affa stated that she would like to echo what she said. She wants to people on the eastside know that this was brought to Council two weeks ago. They did not have much time. They were just listening. She can only speak for herself. She is thinking about the people that live on the eastside and this is their park. They are just getting a pool after so many years. She stated that what Mandy said over there, she did some investigating and what she found is that the city received federal money



through the Department of Conservation and Natural Resources to upgrade the park. The stipulation was that the park must remain open to the public in perpetuity. If the city decides to lease the park to ASD for use by Dieruff, it may not be for exclusive use for just Dieruff students. The entire park must remain open and available to the public. If Dieruff and ASD wants to exclusive use, the city must notify DCNR who will go to the federal government for approval. There is no guarantee that the feds will approve it. She stated that she wants the public to know that the city is investigating, looking at it. This is not something that they are just going to take lightly. They do have in mind the last time there was no one here representing because she doesn't think they knew about it. She is so glad they came in tonight and gave so much more information. She stated to Mr. Robb, you are right about that football field. In her opinion, why won't they fix it up. Anyway, this is a different thing. Basically, feels the same thing.

Ms. Mandy Tolino stated on a positive note some of the things listed on the proposal like bleachers are things that the city agrees are good. It is not even proposed to be turf. It is grass. It is really some improvements that would be helpful and beneficial to the park. They are not trying to say they should not do. It is just some of those things make a lot of sense.

Mayor Matt Tuerk stated that the point being for the city is that it is a public park. We want it to be available for the public. Your resolution encourages/recommends that Mayor Tuerk partners with the Allentown School District, done. They have been working in close collaboration with the district. When Council had the presentation made to them a couple weeks ago. That was done without the actual administration of the School District who he has been actively working with. He stated that Council is free to pass the Resolution to Parks and Recreation and have additional conversations, but they will continue to do what they have been doing which is working actively with the district to make sure they are meeting the needs of their residents and to the students.

Mr. Daryl Hendricks thanked Mayor Tuerk.

Mr. Ed Zucal asked Mr. Pereira to get an opinion for the next meeting on whether or not that is considered an actual park under the park guidelines. It is an athletic field. It is now Andre Reed Park because it has been renamed. He stated if they could get some case law, he would be fine with that. He knows for a fact there are lots of other parks that have fences around them that are open as well to the public as well as to the school. The issue is not whether or not Andre Reed Park cannot be improved. The main issue is whether or not the public would have access to it and that can be accomplished.

Mayor Matt Tuerk asked Mr. Zucal to provide the question in writing so that the administration will make sure you get an appropriate answer at the next possible opportunity.

Mr. Daryl Hendricks stated that this is very early and they are not going to rush into anything. This will go to Ms. Gerlach's committee and it will be further discussions down the road at length. It is not something that will happen over night. As the mayor said this is something that they will collaborate with for those improvements to benefit both the students, the school district, and the city of Allentown and all its people who live on the eastside.

Ms. Ce Ce Gerlach thanked Mr. Hendricks and stated that as this comes to her committee and perhaps they can talk about this. She remembers attending Dieruff way back with a meeting about basketball hoops. Perhaps they can go to the eastside and have a meeting with the folks over there and see folks have on their mind. She knows how it feels to live in a neighborhood and feel that someone is going to change it because it happened where she lives. She gets it. The fact that this resolution is on brought you here. If this Resolution wasn't on, you would not have known that this is happening. She signed on to this with Mr. Zucal s they will begin to at least have these conversations. Far to often back door meetings happen and next thing you know something is happening and you are like what. This at least starts the conversation and hopefully we can have something on the eastside. Not just one meeting because usually when people say let's get the community involvement, it is one meeting and you put stickers on posters than you go home. Multiple meetings and multiple conversations so they can ensure that they reached some type of agreement to serve everyone.

Mayor Matt Tuerk stated that he is looking forward to seeing Mr. Robb on the basketball court. He hears that he is an excellent free-throw shooter.

Mr. Daryl Hendricks stated that you may have to challenge him. He thanked them for their comments.

**NEW BUSINESS: NONE**

**GOOD AND WELFARE: NONE**

**ADJOURNED: 8:32 PM**

[15-5720](#)

Council Rules  
Procurement Procedures  
Code of Ethics

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