



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

City Council

Wednesday, May 19, 2021

7:00 PM

Council Chambers

Public Comment Provisions during COVID-19: The meeting will be live streamed. The link to the meeting can be found on the city website with the agenda and legislation at <https://www.allentownpa.gov>. Council will receive comments on the legislation prior to the meeting and will consider all comments from city residents. All comments must include your name and address, including your city, and be emailed to Michael.Hanlon@AllentownPa.gov by 2 PM on the date of the meeting. Comments can also be registered using the ecomment provision on each agenda item found on the city website. Comments received from city residents by that deadline will be forwarded to the Mayor and Council members prior to the meeting and will also be noted at Courtesy of the Floor or Public Comment periods of the meeting. These timely received comments will also be posted on the City's webpage as a supporting document to the meeting. Any comments received on the meeting day, after the 2:00 pm deadline, will be forwarded to the Mayor and Council as soon as practicable. In addition, if you would like to speak during the meeting, please send your name, address, including municipality, and telephone number to the email address above indicating what issue you would like to speak on or call the office at 610.437.7555 and do the same, and you will be called during the meeting.

Invocation:

Pledge to the Flag

Roll Call

Present: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Courtesy of the Floor

Courtesy and Privilege of the Floor Rules

Mr. Tyler Fatzinger, 512 North New Street, We are now at 635 e signatures for the Fairview petition. We the community want change and demand change. We want our history respected and our loved ones respected. As many of you have told me the cemetery is private property and the city has no authority over it. This might be true however the cemetery answers to the nonprofit department at the attorney general's office because its a 501 c13. That is who the city should hold accountable for the cemetery not doing there job. I am just one individual that represents thousands of family's of Fairview. We need the nonprofit to be more open and let others join. The

cemetery hasn't allowed more than three board members since 1996. I am begging the city to contact who they need to, to bring back the cemetery from its arguably toughest time yet. I will be placing veterans flags this Saturday at Fairview cemetery at 10 am where I will again request verbally to the cemetery president that I want to be on the cemetery's board of nonprofit. To which I will Shirley be denied. Sincerely.

Mr. Julio Guridy thanked Mr. Hanlon. He stated that it is a private matter and the city has no say on that board nor on the cemetery. He asked if anybody else had any comments. He asked if there was anything else.

Approval of Minutes:

[15-4273](#) March 17, 2021 Special Meeting to Act on Solicitor Appointment - Sarah Rotz

Attachments: [March 17, 2021 Special Meeting to Act on Solicitor Appointment - Sarah Rotz](#)

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

[15-4280](#) March 17, 2021 City Council Meeting Minutes

Attachments: [March 17, 2021 City Council Meeting Minutes](#)

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Old Business: NONE

Communications

REPORTS FROM COMMITTEES:**NOTICE OF PUBLIC HEARING**

We will consider for possible adoption an Ordinance amending the City of Allentown Zoning Ordinance. The proposed amendment of which this Notice is a summary, proposes to amend the Zoning Ordinance of the City of Allentown by repealing Section 1314.02.C.4 (7) of the Zoning Ordinance with respect to the prohibition of on-site frying of foods in the Traditional Neighborhood Development Overlay District (TNDO) in its entirety, providing for a repealer clause, a severability clause and an effective date.

The effect of the repeal of this section of the Zoning Ordinance would permit on-site frying of foods in the TNDO Overlay District.

City Council will consider the foregoing at a Public Hearing on Wednesday, June 16, 2021 at 6:30 pm in Council Chambers, Room 118, City Hall, 435 Hamilton Street, Allentown, PA. Copies of the full text of this Ordinance are available to any interested party for examination and copying at cost at the City Clerk's Office or for inspection during regular business hours at the offices of this newspaper and at the Lehigh County Department of Law. All interested parties are invited to attend and to comment.

City Council may adopt this amendment to the Zoning Ordinance at the regularly scheduled Council Meeting at 7:00 pm immediately following this Public Hearing.

Budget and Finance: Chair Siegel, Hendricks, Mota

The committee has not met since the last council meeting; the next meeting is scheduled for May 26th at 5:30 PM.

CEDC: Chair, Gerlach, Guridy, Affa

The committee has not met since the last Council meeting; the next meeting is scheduled for May 26th at 6 PM - the agenda items include updates and discussions on the zoning rewrite, branding, housing initiatives and the rescue money.

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

The committee has not met since the last council meeting; there are no future meetings scheduled.

Parks and Recreation: Chair Hendricks, Gerlach, Siegel

The committee has not met since the last council meeting; the next meeting is not yet scheduled.

Public Safety: Chair Mota, Hendricks, Zucal

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

Public Works: Chair Zucal, Affa, Siegel

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

Rules, Chambers, Intergovernmental Relations and Strategy: Chair Guridy, Mota, Hendricks

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

Controllers Report

Mr. Jeffrey Glazier gave two brief Reports/Audits. There are many cash drawers throughout the city and the Controller's office will audit them periodically. This is a Cash Account in Finance for the Revenue and Audit. There was a Bank Reconciliation for the month of February.

Mr. Julio Guridy asked the audit of the cash account and the endorsement of deposit. Are you recommending that because there were checks that were cashed by somebody?

Mr. Jeffrey Glazier stated that it is a best practice. Most checks are scanned and go to TD Bank.

Administration Report

NONE

Attachments: [Bank Rec - Feb](#)
[Revenue and Audit Cash Count](#)

APPOINTMENTS:

[15-4272](#) Maria C. Ocasio, Environmental Advisory Council, 01/02/2024

Attachments: [Maria C. Ocasio, Environmental Advisory Council](#)
[Resolution #30204](#)

Ms. Candida Affa asked if there were any comments from her colleagues.

Mr. Julio Guridy stated that he knows Ms. Ocasio. She is part of the Environmental Group that interviewed during the Mayoral debate. She works closely with Ms. Tinku Khanwalkar. She will be very appropriate with committee.

Mayor Ray O'Connell stated that he agrees with Mr. Guridy. She is a very good person and very involved with environmental issues. Tinku speaks highly of her. He stated that Maria will be an outstanding appointee.

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

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30204

ORDINANCES FOR FINAL PASSAGE (To be Voted On):

[15-4246](#) Bill 39 Public Safety, this evening
Amending the 2021 General Fund Budget to provide for a supplemental appropriation of Fifty-Six Thousand Five Hundred Seventy-Two (\$56,572) Dollars from the United States Department of Justice through the Emergency Supplemental Funding program known as the CARES Act to the City of Allentown for COVID-19 related purchases.

Sponsors: Administration

Attachments: [Bill 39 Police Covid Grant](#)
[Resolution #15709](#)

Ms. Cynthia Mota stated that it was passed 3 -0. It is not a matching fund. It is mainly \$56,572 from the CARE Act Fund for PPEs.

Mr. Julio Guridy asked if there were any comments from the dais or the public.

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 15709

[15-4247](#)

Bill 40 Public Safety, this evening
Amending the 2021 Capital Fund Budget to provide for a supplemental appropriation of Forty-Nine Thousand Seven Hundred Sixty-Four Dollars and Twenty-One Cents (\$49,764.21) from the Municipal Police Officer's Education and Training Commission (MPOETC) for tuition and salary reimbursement from Act 120 Training to be used for building upgrades and repairs on the Police Academy Bldg.

Sponsors: Administration

Attachments: [Bill 40 Police Academy Grant](#)
[Resolution #15710](#)

Ms. Cynthia Mota stated that it was voted 3 -0. It was mainly to provide a supplemental appropriation of \$49,764.21. They are planning to do the roof projects and renovation for the Police Academy.

Mr. Julio Guridy asked if there were any comments from the dais or the public.

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 15710

[15-4248](#)

Bill 41 Public Works, this evening
Providing for the vacation of South Bryan Street from the centerline of Ester Street to the centerline of vacated Dover Street in the Nineteenth Ward of the City of Allentown:

Sponsors: Administration

Attachments: [Bill 41 Bryan Street from South Bryan Street to Ester Street](#)
[Letter from Irene Woodward from Planning Department regarding South Bryan Street from South Bryan Street to Ester Street - Street Vacation](#)
[Letter from the Lehigh Valley Planning Commission regarding South Bryan Street from South Bryan Street to Ester Street - Street Vacation](#)
[Letter from Mike Hanlon regarding South Bryan Street from South Bryan Street to Ester Street](#)
[S Bryan Street Report Staff Report](#)
[Resolution #15711](#)

Mr. Ed Zucal stated that this was brought up at the committee meeting and sent to Council 3 - 0.

Mr. Julio Guridy asked if there were any comments from the dais or from the public.

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 15711

[15-4252](#)

Bill 42 Rules, Chambers, Intergovernmental Relations and Strategy, this evening

Amending the Ethics Code by adding language that states: No elected official, appointed official, or employee shall use City resources in any manner for purposes of any political activity. This prohibition includes, but is not limited to: use of interior locations in city buildings, use of any City equipment; use of time; and use of any City resources; and conducting public or private meetings in City property. Political activity includes, but is not limited to: (1) any campaigns for elected political office, whether contested or not; (2) any support or opposition for or against any political party; and (3) any support or opposition for or against any political based action group.

Sponsors: Guridy, Hendricks, Mota, Mr. Zucal, Affa, Gerlach and Mr. Siegel

Attachments: [Bill 42 Ethics Amendment](#)
[Resolution #15712](#)

Mr. Julio Guridy stated that it was in his committee. They moved it forward favorably. It was sponsored by all of them. He asked if there were any further comments from the dais or the public.

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 15712

RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):

[15-4270](#)

R68

Authorizes Submission of a Formal Application to the Pennsylvania Office of the Budget for a Grant of One Million Dollars (\$1,000,000) to support the DaVinci Science Center Downtown Allentown Project.

Attachments: [R68 Da Vinci Science Center Loan Application](#)
[Resolution #30205](#)

Mr. Julio Guridy stated that it is an easy one. Any comments from the dais or the public?

Mr. Julio Guridy stated that it is an easy one.

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30205

[15-4277](#)

R69

Certificates of Appropriateness for work in the Historic Districts: 337 N. 8th St., 23 N. West St. and 1507 W. Turner St.

Attachments: [R69 Certificates of Appropriateness](#)

[23 N. West St. Final Review](#)

[337 N 8th Final Review](#)

[1507 W. Turner Final Review](#)

[Resolution #30206](#)

Mr. Julio Guridy asked if there were any comments from the dais, the public or the administration.

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30206

[15-4281](#)

R70

Approves Transfers: \$24,000 in Building Maintenance for the rental for a portable chiller and \$10,000 for Legal Ads cost increases.

Attachments: [R70 BM and CC Transfers](#)

[Chiller Transfer](#)

[Legal Ads](#)

[Resolution #30207](#)

Mr. Julio Guridy stated let's talk about this a little bit. Any comments from the dais?

Mayor Ray O'Connell stated that Mr. Messinger is on the phone. The chiller broke. We have a rental chiller until we get a new chiller and it is going to be costly.

Mr. Craig Messinger stated that the work is estimated to take two months so the cost of that chiller out there is \$35,000. Part of it is that we had to do a Transfer to cover the cost of that. It is a very large unit that is getting replaced. For example, in your house you have a 3 ton unit or a 2 1/2 ton unit to cool your property. This is a 225 ton unit. It is a little bit more specialized and will take a little bit more time to get here. They feel confident that the repairs will get there in the two months. He stated that they need the money to transfer for the unit.

Mr. Daryl Hendricks asked the cost of the new unit.

Mr. Craig Messinger stated that the cost of the new unit is approximately \$260,000.

Mr. Daryl Hendricks stated that is not something that we had planned on spending. Is that correct?

Mr. Craig Messinger stated no, that was not a planned expense. The city did not think that the unit will be going, but obviously it is an old unit and we tried to get everything that they could out of it. One thing to keep in mind, the unit was a 250 ton unit. It is actually a little bit larger than necessary, plus it was old. With the new unit going in and sized to what the city and the efficiency will be a pretty big savings on the city's energy cost.

Mr. Ed Zucal asked is the \$10,000 tied to the Chiller.

Mr. Craig Messinger stated no.

Mr. Michael Hanlon stated that is actually for Council.

Mr. Daryl Hendricks stated that is for Legal Ads.

Ms. Jessica Baraket stated that the cost of new Chiller is about \$260,000, but there is a potential for needing some new pumps along with that.

Mr. Craig Messinger stated that you are correct.

Ms. Jessica Baraket stated that she wants to make sure when the Transfer comes on June 2, Council is not surprised seeing the difference in that price.

Mr. Craig Messinger stated with the Chiller itself, the city will be replacing four pumps along with it.

Mr. Julio Guridy asked if it costs \$10,000 for Legal Ads.

Mr. Michael Hanlon stated because the nature of the Legal Ads and the way we have to advertise under Covid, it cost a lot of money. That was the reason for his suggestion and Council start meetings at 6:30 PM and work the Contracts into the meeting. It saves us the cost of one Legal Ad per evening which is significant. You will start at 6:30 and manipulate your agenda around to make sure you got to the business. You can save a significant amount of bucks.

Mr. Julio Guridy stated that this is for Legal Ads all throughout the year. Not for one.

Mr. Michael Hanlon asked Council if they ok with the Rule change.

Ms. Candida Affa stated that it is a great idea. We are saving money.

Ms. Cynthia Mota stated that it is true.

Mr. Julio Guridy thought they needed to be published with WFMZ, but it is The Morning Call. He asked if there were any further comments from the dais or the public.

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30207

[15-4250](#)

R65 Public Safety, this evening

Supports legislation by State Reps. Dan Miller and Austin Davis to make police videos and recordings fall within the RTK laws

Sponsors: Gerlach and Mr. Siegel

Attachments: [R65 RTK Video recordings](#)

[HB 626](#)

This Resolution was tabled.

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

[15-4271](#)

Bill 43

Amending the 2021 Grant Fund Budget to provide for a supplemental appropriation of Eight Million (\$8,000,000) Dollars. This was the result of a Pennsylvania Redevelopment Assistance Capital Project grant for the Riverfront Revitalization Project.

Sponsors: Administration

Attachments: [Bill 43 Riverfront Grant](#)

[Ordinance #15713](#)

Mr. Julio Guridy asked if there were any comments from the dais or the public.

REFERRED TO THE BUDGET AND FINANCE COMMITTEE

Enactment No: 15713

[15-4278](#)

Bill 44

Supplementing Part One, Administrative Code, Title Eleven, Authorities, Boards and Commissions of the Codified Ordinances of Allentown, Pennsylvania, by adding a new Article 171B entitled "Campaign Finance Regulations". The legislation is based on Campaign Finance legislation used in Pittsburgh. It fixes the contribution limit to the federal limits, currently there are no limits – this would limit individuals to \$2,900 to campaign, eliminate stacking, limit PAC Contributions to \$5000 a candidate. Contributions could not exceed the limitations that are in effect and published by the Federal Election Commission as of the first day of that same calendar year. Political contribution limits for donations made by a political committee to a candidate committee shall be the same as the federal contribution limit for "PAC-Multicandidate" that makes contributions to "candidate committees."

Sponsors: Gerlach and Mr. Siegel

Attachments: [Bill 44 Campaign Finance](#)
[CF Court Decision](#)

REFERRED TO THE RULES, CHAMBERS, INTERGOVERNMENTAL
RELATIONS AND STRATEGY COMMITTEE

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

NEW BUSINESS: NONE

GOOD AND WELFARE: NONE

Mr. Julio Guridy stated that he just wants to say congratulations for those who got re-elected. He stated Ms. Mota, Mr. Zucal, Mr. Hendricks. He stated that he knows they still have the General Election, but you got elected in the Primary.

Mr. Ed Zucal stated that people don't realize that running for office is an extremely stressful thing. People put their families out there and their lives out there. You expose yourself to your personal business. For those who did not win. It is always nice when you do win. When you lose, it is a rough time. For those people that lost someone told him years ago stay the course and eventually things will come together and it will work out. He was told the very first time he ran for office that he will lose the very first time and he did. He has been luckily successful since that. Just because you lost the first time, don't give up. Don't be afraid to step up and put yourself out there again. It is not just for you, it is for everyone. In the end when it is all said and done down the road, you will see that it is worth it.

Mr. Julio Guridy thanked Mr. Zucal and stated great point.

Ms. Cynthia Mota said well said.

Mayor Ray O'Connell congratulated Ms. Santos on her election win in the primary. He stated that he thinks Ms. Mota, Mr. Hendricks and Mr. Zucal and Ms. Santos are on your way to a victory in November. He stated that he will support all the democratic candidates.

Mr. Julio Guridy stated that it is very stressful. He has not lost an election in the last 20 years which is good, but he did lose his first election in 1999. Council should submit a Resolution to increase Council's salary.

Mr. Daryl Hendricks commended his fellow colleagues that have one. Congratulations to you and his condolences for those who did not. He looks forward to working with everybody for the next four years. Hopefully, they can accomplish a lot. There are a lot of good thing happening going forward.

Ms. Cynthia Mota stated that she seconded all that.

ADJOURNED: 7:33 PM

[15-4282](#)

Council Rules
Home Rule Charter

Attachments: [Council Rules March 2021 Edition](#)
[HOMERULE March 2020](#)