



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

City Council

Wednesday, July 24, 2024

6:30 PM

Council Chambers

Invocation:

Pledge to the Flag

Roll Call

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

Courtesy of the Floor

Please observe the Rules of Council when given privilege of the floor. A copy of Council Rules can be found on the council agenda on the website; copies are also on the back desk along with the agenda.

When anyone has privilege of the floor, I will not entertain personal insults, attacks, name calling or other behavior that is inconsistent with the purpose of conducting official business.

If you would like to speak, we are asking that you fill out a card – they are on the back table - provide them to the clerk before speaking. Include your name and address.

Courtesy of the Floor is meant to provide public comment on items that are not on the agenda. Public comment during consideration of ordinances, resolutions and motions is limited by topic – your comments must be relevant to the subject matter of the proposed legislation. Public comments are taken before council votes on items.

You are given privilege of the floor to provide public comment, it is not a question-and-answer session. If you are speaking on behalf of yourself, you have three minutes and if you are speaking on behalf of a group that has several members present, you will be given five minutes.

Please address the Council President not individual councilpersons or city staff. Refrain from insulting or defaming staff, officials, and the public; refrain from using offensive language, cursing, and making noises while other people are speaking.

Please be aware that comments and/or behavior in violation of these rules will result in a forfeiture of all remaining time and you will be asked to return to your seat.

Mr. Jim Bartholomew, 929 W. Turner Street, stated that this is the first time he has ever been to a Council meeting. He stated that he has lived on Turner Street for 40 years. He stated that he has an issue with the Allentown Parking Authority and it pertains to him trying to get out of his driveway. That is in the back and that is Russell Street. The property that boxes him in all the time is 930 Oak Street. They have parties every single weekend, Thursday through Sunday. They park on the aprons and he can't get out. This has been an outgoing issue for 11 years and now he decided to escalate it. He has quite a bit of correspondence just from Sunday with Mr. Haney. He has many photos and he stated that he could not go above his authority and he would not ticket cars on the apron. He might want to reach out to Code. He stated that he looked up Code and it says here Amended 3/25/1996, Ordinance #13387 - no person shall park their vehicle at any time in front of/opposite to or in such position to block an entrance or exit by a vehicle from a garage or driveway. The only exception to this is on streets with widths of 20 feet or more where said vehicles are able to park on the apron to a garage and is able to be more than 50 percent off the roadway and not parked on the sidewalk. He stated that his alley is 12 feet wide and the whole alley is posted, no parking. To his understanding, he thought the aprons were the city's right of way. He asked Council if they would like to look at his documentations and his photos.

Dr. Cynthia Mota stated to Mr. Bartholomew that he can give those documents to Mr. Hanlon.

Mr. Jim Bartholomew stated that he hopes that maybe they can resolve this issue with him and Mr. Haney. They have good repour. When he did call him, they did respond quickly and would ticket the cars that were parked in the middle of the alley and blocking his driveway and other driveways. They will not ticket a car that is on the apron. They say that is the private property of the property owner and the only way that can be resolved is if the property owner would be contacted.

Mr. Daryl Hendricks stated to Mr. Bartholomew did you leave your phone number of your card.

Mr. Jim Bartholomew stated yes, he did.

Mr. Daryl Hendricks stated that he will personally get back to him. He will

talk with someone at the Parking Authority and will call him back.

Mr. Jim Bartholomew stated that he will be 70 years old and just can't deal with this anymore. He stated that he works at the Farmer's Market and sees Mr. Hanlon at the Farmer's Market. He stated that he works for Dave's Vacuums and last Thursday he had to call someone to take him to work because he couldn't get his car out. He is not going to go through their gate and have a dispute because they are partying and they are drinking. He stated that is ok. He just wants to get out his driveway.

Mr. Daryl Hendricks stated that he understands and will do his best to resolve it for him.

Mr. Michael Hanlon stated that he just have people that want to speak to a Bill.

Contract Approvals

[15-7063](#)

R118

Authorization for Contract with Yannuzzi Group, Inc. for an estimated yearly sum of \$90,000.00. The intent of this invitation to bid is to secure a Contractor to demolish buildings and remediate the properties on an as needed basis and in accordance with the specifications referenced in Bid No. 2024-27. One bid was received; one (1) year contract that can be extended two (2) additional one (1) year terms, if pricing remains the same. Additionally, if necessary, the City reserves the right to extend the contract by three (3) months, in order to prevent a lapse in coverage.

Attachments: [R 118 - Yannuzzi](#)
[Resolution #30884](#)

Ms. Sarrah McNeil stated that this was done as Bid #2024-27. It was advertised on May 17, 2024. The public opening was held on June 17, 2024. The city received one bid. After the department reviewed the proposals, they are recommending an award to Yannuzzi Group, Inc.

Dr. Cynthia Mota asked if there were any questions from the dais or comments from the public.

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

Enactment No: 30884

[15-7065](#)

R119

Authorizes lease agreement with Friends of Allentown Parks for an office space located at 2700 Parkway Boulevard, Allentown, PA 18104.

Sponsors: Administration

Attachments: [R119 - Friends of Allentown Parks](#)
[Resolution #30885](#)

Dr. Cynthia Mota asked if there were any comments from the dais or any comments from the public.

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

Enactment No: 30885

[15-7064](#)

R120

Authorization of Cooperative Contract(s) in an amount greater than \$40,000.00 to provide the City with various goods/services. H.T. Lyons - Replacement of City Hall Air Handler #2, Samsara Networks, Inc. - 170) License For Vg-Series Gateways, Includes Support, Software Updates, Hosted Service, And Cellular Connectivity (13) License For Dual-Facing Dash Cam, Includes Support, Software Updates, Hosted Cloud Service, Shi International Corp. - Network Switch Order and Miller Sports Construction - Cedar Basketball Court Resurfacing and Bucky Boyle Basketball Court Resurfacing, Schaedler Yesco Dist. – Mack Boulevard Lighting & Musco Sports Lighting, LLC. – Jordan Meadows Mini-Pitch System.

Sponsors: Administration

Attachments: [R120 Cooperative Approval - 7.24](#)
[Resolution #30886](#)

Dr. Cynthia Mota asked if there were any comments from the dais or any comments from the public.

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

Enactment No: 30886

[15-7085](#)

R121

Authorization for Contract with Spohn Ranch, Inc. in the amount of \$977,861.00 to provide services of a qualified general contractor for Phase 2 of Jordan Skatepark. Jordan Park is located at 201 N. 6th St., Allentown, Pennsylvania, 18102. This project involves the construction of a cast in place concrete skate park facility which will be utilized by skateboarders, scooters, and BMX riders. One bid was received; one (1) contract year that can be extended for up to an additional sex (6) months beyond the contract period.

Sponsors: Administration

Attachments: [R121 - Spohn Ranch.docx](#)
[Resolution #30887](#)

Dr. Cynthia Mota asked if there were any comments from the dais or the public.

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

Enactment No: 30887

[15-7086](#)

R122

Authorization for Contract with Bethlehem Landfill Company in the estimated amount of \$2,954,870.00 for the first contract year, with a maximum CPI adjustment of five (5%) percent to be applied for contract commencement on 6/1/2025 and each year after the first-year term, to provide disposal of municipal solid waste (MSW). There were three (3) bids; contract shall be for five (5) years beginning on the commencement date, June 1, 2025, and terminating May 31, 2030 and can be extended for up to an additional two (2) two (2) years beyond the contract expiration period at the sole discretion of the City.

Sponsors: Administration

Attachments: [R122 - Bethlehem Landfill.docx](#)

[BLC](#)

[errors on R122.pdf](#)

[Resolution #30888](#)

Dr. Cynthia Mota asked if there were any comments from the dais.

Mr. Ed Zucal stated yes. He stated that he knows last year in the budget they put \$60 or \$80 aside for each taxpayer towards this. He asked the administration if they remember that so won't have to kill them this year.

Mayor Matt Tuerk stated that the increase to the Solid Waste you guys got it down to \$40.

Mr. Ed Zucal asked so what is this going to.

Mayor Matt Tuerk stated that what they did and he can asked Mark to explain it a little further. They split the contracts. They split the bid into a hauling contract and a disposal contract.

Mr. Ed Zucal stated that was going to be his next question.

Mayor Matt Tuerk stated that it is based on hiring a consultant to assist with preparation and this was their recommendation. The first piece of this is the disposal contract which is the contract in front of you.

Mr. Ed Zucal asked if they knew how much that is going to cost per se per

person for taxpayer.

Mr. Mark Shahda stated that they will have a better understanding once they have the bids for the collection.

Mr. Ed Zucal stated since this doesn't expire until June 2025 and asked if he is correct on that. Maybe they should hold off in voting for this until they have all the answers.

Mr. Mark Shahda stated that he would advise for them to vote on it and approve of it this evening. The reason being during budget season to budget for it. They will have a better understanding of what the disposal fee is going to be and the collection fee. They talk about what the trash should be budgeted at for next year.

Mr. Ed Zucal thanked Mr. Shahda.

Dr. Cynthia Mota asked if there were any other comments from the dais or any comments from the public.

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

Enactment No: 30888

Minutes of Previous Meeting

[15-7067](#) June 5, 2024 City Council Committee of the Whole Meeting Minutes

Attachments: [June 5, 2024 City Council Committee of the Whole Meeting Minutes](#)

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

[15-7068](#) July 9, 2024 City Council Special Council Meeting Minutes

Attachments: [July 9, 2024 City Council Special Council Meeting Minutes](#)

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

Communications

Dr. Cynthia Mota stated that city has received a petition for a Liquor License Transfer for Top Star Express at 2050 Tilghman Street to add beer and wine sales. There will be a public hearing on the transfer on August 21st at 6:15 PM.

Mr. Santo Napoli stated that for visitors of the City Council meetings, you are encouraged to park in the government deck which is next door to city

hall and see Mr. Hanlon, our Clerk for a Chaser to pay for your parking for this evening and for all Council meetings.

Old Business: NONE

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

The Committee met this evening; a meeting is scheduled for August 28th, time to be determined, to discuss the city's budget parameters with the Finance Department and Financial Advisor.

Community and Economic Development: Chair Hendricks, Mota, Napoli

The committee met on July 17th; and forwarded some items on this evening's agenda. There are no future meetings scheduled at this time.

Human Resources, Administration and Appointments: Chair Affa, Napoli, Santos

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

Parks and Recreation: Chair Santos, Affa, Gerlach

The Committee met this evening; the next meeting is scheduled for August 7 at 6:00 PM.

Public Safety: Chair Zucal, Hendricks, Mota

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

Public Works: Chair Gerlach, Affa, Zucal

The Committee met this evening; the next meeting is scheduled for August 7 at 6:15 PM.

Rules, Chambers, Intergovernmental Relations, and Strategy: Chair Mota, Napoli, Gerlach

The committee met on July 17th; and forwarded some items on this evening's agenda. there are no future meetings scheduled at this time.

Controller's Report (3 minutes)

NONE

Mr. Jeffrey Glazier stated that the interns are quickly wrapping up their projects and he believes they have an agreement to have them present their process flows at the August 7th meeting. The audit reports will come out shortly after that. He stated that these gentlemen work very hard. Jacqui did a great job directing them and he is sure that the findings will help the city run its operations in a much more efficient manner. He stated to stay tune.

Mayor's Report (3 minutes)

Mayor Matt Tuerk stated that he will try to make it brief. He stated that one thing he

wants to report on is that the city has participated yesterday in a kickoff meeting with the City Data Alliance. You may be aware that the city of Allentown has been accepted into a John's Hopkins led effort to build a data strategy for the city of Allentown to help them become a better data informed city. The kickoff begins and yesterday they are going to focus on the development of the data strategy as well as a resident impact project. He stated that he hopes to inform Council in the future about the dimensions of the Resident Impact Project. They also hosted a City Hall at the Table event at the Civic Theatre last night. He was happy to see Councilperson Hendricks join them. Those are excellent opportunities for members of the public to discuss whatever is on their minds. He believes last night they talked about parking, housing and litter. These are common topics and it is a great opportunity for you all to join us and meet with city residents to hear what's on their minds. The next one of those is scheduled for August 27th which is just before Fair week kicks off. They will be at Civic Theatre that night as well. He stated that they are looking forward to the week ahead. They are going to get started on Friday with a busy weekend, particularly for basketball fans. Friday night they will be showing Space Jam. It is Space Jam II. It is the LeBron James version. If you are a Michael Jordan fan, he has bad news for you. Space Jam will be showing at Valania Park on Friday night. They will follow that up with two basketball tournaments. The very big one is the Awesome Fest which is happening at Cedar Beach over Friday, Saturday and Sunday. It is accompanied by a football tournament as well. They are also hosting the Heritage Classic at Valania Park on Saturday and Sunday. He stated that he hopes they all can join them for those events that are run by other organizations. They are also working with the Puerto Rico Cultural Preservation Association on Sunday at 11:00 AM to do a Puerto Rican Flag Raising in recognition to the Puerto Rican Culture here in the city of Allentown. That will be followed by the Puerto Rican Parade which begins right after the flag raising and goes up to 5th Street he believes and terminates at Coca Cola Park when the Puerto Rican Cultural Preservation Association will host the Puerto Rican Festival. They are sensitive to issues that were experienced last year on Union Boulevard by some of the resident businesses. They worked to address those issues and be better prepared for the huge number of people that will be joining them on the eastside. He hopes that Council will be able to join them as well. It is hot so wear your sunscreen. He encouraged them to join them on August 5th, before the next Council meeting they will be celebrating Romper Day. He stated that he is sure all of them are familiar with the Playground Program in the city of Allentown. A huge and awesome opportunity for great young people across the city to get involved in physical activity over the course of the week during the summer. That all culminates at Romper Day which is the J Burney Crum on August 5th. That's a Monday. He stated that he hopes Council can join them for that. The following night is National Night Out which he doesn't know which number they will be celebrating here in Allentown, but it is always a great experience. He knows that they often see Councilperson Affa joining them at those events. It is the opportunity for neighborhood groups to engage with the Police Department and

other public safety organizations. He stated that he hopes to see them there. The final thing he wants to note with the things upcoming is that the Safe Streets for All Safety Action Plan Map Project is open through the end of July. He encouraged them if they did not offer feedback on the needed safety improvements for our streets. There you can go to Allentownpa.gov/ss4a and record your concerns related to traffic safety. He stated that the final thing he wants to mention is just in response in a way to the conversation that they had last week and wants to address a pressing concern that they do obviously continue to face continued demand for our city services with limited staff. This is seen most acutely in our parks. He stated that the team is constantly working to address those issues. He stated that he knows there are some discussion last week and appreciates Councilperson Affa's outreach to our fire department, our parks department. He stated that he does want to remind them as they look forward to the discussion tonight that our team is stretched thin. Council did vote in the 2024 budget not to increase taxes and not to fund certain positions that would have put us in a better position to address those increased demands across the Lehigh Valley. He stated that they will have to revisit that and will address some of it tonight. That is something that he does want Council to consider and keep in your minds as we prepare for this next budget that there are very strong needs in our city. The city is changing and we must adapt to those needs. He thanked Council President Mota for your time and your continued commitment to the city of Allentown. He looks forward to working together to find solutions that would allow them to all serve our community better.

[15-7088](#) Controller Reports

Attachments: [AP Check Review.pdf](#)

[Bank Rec.pdf](#)

[PCard Review.pdf](#)

ORDINANCES FOR FINAL PASSAGE (To be Voted On):

[15-6952](#) Bill 55

Amending the 2024 Golf Fund, General Fund, and Trexler Fund budget to fund the Chief Maintenance Supervisor in the Dept. of Parks and Recreation to improve work efficiency and support operations at a level to accommodate additional responsibilities related to infrastructure projects and comply with maintenance standards expected from the Trexler Trust.

Attachments: [Bill 55 - Parks Chief Maint Supervisor](#)

[Ordinance #16028](#)

Ms. Natalie Santos stated that it was recommended favorably to full Council.

Dr. Cynthia Mota asked if there were any questions.

Mr. Ed Zucal asked what is the salary for the 13N.

Mr. Michael Hanlon stated that it is listed on the Ordinance for \$73,149.

Mr. Ed Zucal stated ok.

Dr. Cynthia Mota asked if there are any other comments from the dais or any comments from the public.

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

Enactment No: 16028

[15-7004](#)

Bill 56

Amending the 2024 Capital Fund Budget to provide for a transfer of One Hundred Seventy Thousand (\$170,000.00) Dollars from Irving Pool Improvements capital project into Dixon St Bridge to use for design of the bridge and Jordan Skatepark for construction of Phase 2 of the park.

Sponsors: Administration

Attachments: [Bill 56 - Parks Bonds Funding](#)
[Ordinance #16029](#)

Ms. Natalie Santos stated that this was in the committee this evening and it was also recommended favorably to tonight Council.

Dr. Cynthia Mota thanked Ms. Santos and asked if there were any comments from the dais or any comments from the public.

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

Enactment No: 16029

[15-7005](#)

Bill 57

Amending the 2024 Capital Fund Budget to provide for a supplemental appropriation of One Hundred Twenty Thousand (\$120,000.00) Dollars from the Pennsylvania Department of Conservation and Natural Resources (DCNR) to support construction phase 2 of Jordan Skatepark

Sponsors: Administration

Attachments: [Bill 57 Parks DCNR Grant Funds](#)
[Ordinance #16030](#)

Ms. Natalie Santos stated that this was also forwarded favorably to tonight's meeting.

Dr. Cynthia Mota asked if there were any comments from the dais or the

public.

Mayor Matt Tuerk extended a thank you on behalf of the administration, but also a couple of weeks ago he and Mandy were meeting with the users of the Phase I of the Skate Park who are a very passionate group of people who cares for the property and for the park. That is the symbol of a great park with a community that is built up around it. They are very excited about Phase II. He thanked City Council for continuing support for this great recreational activity that brings a community together in our city. He stated thank you very much.

Dr. Cynthia Mota thanked Mayor Tuerk.

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

Enactment No: 16030

[15-7006](#)

Bill 58

Amending the 2024 General Fund Budget to provide for a supplemental appropriation of Seven Hundred Fifty (\$750.00) Dollars from Keep PA Beautiful in their efforts to support a volunteer event by Giant/Martin Food Stores for supplies to conduct the volunteer event.

Sponsors: Administration

Attachments: [Bill 58 Parks Grant Appropriation](#)

[Ordinance #16031](#)

Ms. Natalie Santos stated that this was also this evening and it was forward favorably to tonight's meeting.

Dr. Cynthia Mota asked if there were any comments from the dais or the public.

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

Enactment No: 16031

[15-7010](#)

Bill 59

An Ordinance providing for the expenditure of certain monies received by the City of Allentown under Title I of the Housing and Community Development Act of 1976, as amended; The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009; and Title II of the National Affordable Housing Act of 1990, as amended; for the purpose of undertaking programs of housing and community development within the City

Sponsors: Administration

Attachments: [Bill 59 CED HUD New Account Setup](#)
[Ordinance #16032](#)

Mr. Daryl Hendricks stated that it was forwarded favorably by the committee, by all three members.

Dr. Cynthia Mota asked if there were any comments from the dais or the public.

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

Enactment No: 16032

[15-7018](#)

Bill 60

Amending the Ethics Code Section § 36-6 Patronage, by prohibiting the hiring of anyone that has been engaged in remunerated political activity related to the election of City Officials.

Sponsors: Gerlach, Hendricks, Mota and Mr. Zucal

Attachments: [Bill 60 Patronage](#)

Dr. Cynthia Mota asked if there were any comments from the dais or the public.

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

Enactment No: 16033

[15-7020](#)

Bill 61

Amending the Ethics Code Section § 36-5 Nepotism, by prohibiting the hiring of an elected official's spouse or domestic partner, child or stepchild, sibling or stepsibling, parent, or member of his or her household, of an elected official during the office holder's term and requiring a specific time frame for the Human Resources to carry out the responsibilities of reporting such relationships already prescribed in the code.

Sponsors: Gerlach, Mota and Mr. Zucal

Attachments: [Bill 61 Nepotism](#)

Mr. Michael Hanlon stated that there is something already in the Code.

Dr. Cynthia Mota asked if there were any comments from the dais or the public.

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

Enactment No: 16034

[15-7055](#)

Bill 62

Amending the 2024 Capital Fund Budget to provide for a transfer of Seven Hundred Thousand Dollars (\$700,000.00) from the Residential Street Construction capital account to the City-Owned Building Repairs capital account. This will transfer the unused funds from the Residential Street Construction project to the City-Owned Building Repairs capital account.

Sponsors: Administration

Attachments: [Bill 62 Public Works Transfer](#)
[Ordinance #16035](#)

Ms. Ce Ce Gerlach stated that it was voted on tonight and it was forwarded favorably to full Council.

Dr. Cynthia Mota asked if there were any comments from the dais or the public.

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

Enactment No: 16035

[15-7056](#)

Bill 63

Amending the 2024 Capital Fund Budget to provide for a transfer of Eight Hundred Seventeen Thousand Dollars (\$817,000.00) from the General Fund Unappropriated Cash Balance to the Administrative Order capital account. The debt will be paid back with 4.250% annual interest in full no later than May 31, 2029, pursuant to the Annual Debt Service presented in the annual report required will allow the Administrative Order (AO) fund to have the additional funds needed to complete the City's requirements under the Concession Lease Agreement.

Attachments: [Bill 63- Public Works AO Fund Transfer](#)
[Ordinance #16036](#)

Ms. Ce Ce Gerlach stated that this was also forwarded favorably to tonight's meeting.

Dr. Cynthia Mota thanked Ms. Gerlach and asked if there were any comments from the dais or the public.

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

Enactment No: 16036

[15-7057](#)

Bill 64

Amending the 2024 General Fund, Rental Fund, and Risk Fund budgets to accommodate the upgrading and retitling of positions to allow various departments to operate at a level more in line with the job responsibilities

currently assigned, to support City functions. This will ensure that departments are operating more efficiently, inequalities are reduced, positions are correctly classified, and employees are appropriately compensated for the work they are performing based on a correctly classified position which enhances job satisfaction.

Attachments: [Bill 64 - Department Reorgs](#)
[Non-Bargaining Unit Classifications and Pay Grades](#)
[Bill 64- Department Reorgs.pdf](#)
[Controllers Financial Review .xlsx](#)

A motion was made by Ed Zucal, seconded by Ce-Ce Gerlach, that this Bill be tabled until Budget time.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Ed Zucal, Natalie Santos, Ce-Ce Gerlach, and Candida Affa

No: 1 - Santo Napoli

Mr. Ed Zucal stated to Dr. Mota that he would like to make a motion to table this until budget time which these are actually budget items anyway.

Bill 64 was tabled.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Ed Zucal, Natalie Santos, Ce-Ce Gerlach, and Candida Affa

No: 1 - Santo Napoli

[15-7058](#)

Bill 65

Authorizing the Lehigh County Board of Elections to place the following question on the November 5, 2024 ballot for the Allentown electorate that would amend the Home Rule Charter, Section 807, Revenue, to delete the Deed Transfer Tax from Section 807 (B).

Sponsors: Administration

Attachments: [Bill 65 - Deed Transfer Tax](#)
[Deed Transfer Tax Residents and Investors V2.pdf](#)
[Letter with attached Ordinance #16037 to Tim Benyo Authorizing the Lehigh County Board of Elections to delete the Deed Transfer Tax from Section 807\(B\)](#)
[Ordinance #16037](#)

Dr. Cynthia Mota asked if there were any comments from the dais.

Mr. Santo Napoli stated that he will speak again. He stated that he spoke last week about this and the thought process he wants to make sure it is public. He spoke about the city's housing stock and how it has been neglected for decades. They really are in a position now where they really have to do something about the housing in Allentown. Whether it is blighted properties. Whether it is properties that are moving towards

blight, but they also have to address homeownership. He stated that unfortunately he had a family vacation and wasn't able to do more data collection over the last few days. The month of June, for those of who were not here last week, 46 percent of the properties purchased in Allentown in June were LLCs and corporations. He stated news flash everyone. Homeowners are being squeezed out of this market. When they speak about how this will make attaining housing more expensive, he can't argue with that. It is going to end up being \$250 for every \$100,000 to the buyer. He stated that is a fact, but the buyers aren't even getting to these places because the LLCs and the corps are getting to invest. His thought process and he shared this publicly and will share it again because there are fresh faces in the room. He shared it with the Greater Lehigh Valley Realtors Association. He shared it with other stakeholders. He stated that he can't sit by and continue to do nothing. If they do nothing, they are going to get nothing. He believes there is an opportunity to really address the housing issues in this city and to really help people when it comes to blighted properties that is an opportunity for us in the city to get these places rehabbed and get them in the hands of homeowners. He stated that they can do that with deed restrictions. He stated that they can do that by using realtors to get them in the hands of actual homeowners versus investors. They can actually look to address the next generation of blighted properties by creating a facade and a roof repair program. This will really help our residents who don't have the money for a small repair. Whether it is a roof repair, a facade repair. Those repairs are small today. When they are not done, they become very big in 10 years, 20 years. That's how blighted properties become blighted. People just throw up their hands and just can't do anything. It is a \$30,000, \$40,000 repair. He stated that they can address that by getting to it faster when it is only a \$4,000 repair. A \$7,000 repair. They can do revolving loan funds. They can get creative. The idea of this plan, and he is just speaking for himself and want to publicly state what he was thinking. If they bump up the deed transfer tax .5 percent, the scenarios that have been run it would raise about \$2.3 million a year. That would enable the city to have a reliable source of revenue that they can actually get some of this work done in the city. By addressing blighted properties, you are also indirectly addressing quality of life or indirectly addressing crime in those kind of situations. It is something where he believes not only they are getting because they can't control when a property goes on the MLS, they can't stop an investor from buying it. You can't. If the city of Allentown is focusing on the blighted properties then they can focus on making sure it reaches the homeowner through a deed restriction. Through different avenues and being creative. That is how we increase homeownership. If this city continues to become a city of investors and rentals, in 20 years, 10 years, 15 years it is going to continue to contribute to the issues that we are facing of quality of life, and those issues that are plaguing current homeowners. That is why he believes this

is an opportunity to really address those issues along with affordability. He believes that they can use this reliable source for revenue for actually helping qualified homeowners get to the finish line at settlement. If they need some gap funding. If they need \$4,000, \$6,000 to get them that home, the city can help. He rather see that home with a family living there who owns a home versus another rental. He stated that they need rentals in the city and they are getting to a point where they will have too many. He stated that he knows him, but when was the last time any of them washed a rental car. They have to make sure that they don't become a city of rentals. He stated that homeownership is really important to him and he believes they can address that with a program that has a reliable source of revenue and they can actually use helping real people in Allentown live in Allentown and not have to rent and deal with rent increases. He stated that is something that he wanted to mention publicly. He has spoken with President Mota about it. He has spoken with Ms. Affa. He just wants to say it again, lastly is that they have to do something. It has been neglected for decades and our stock is crumbling around us. They know and see it. They just have to do something. He stated that he is looking at this as an opportunity to finally address some of these issues and make an impact on our residents and our city.

Dr. Cynthia Mota thanked Mr. Napoli and stated that she agrees with him. They need perhaps a housing committee to be able to work on this. She stated that she feels the same way. She knows that there was or that there is programs as the first - time homebuyer from Community Action. She doesn't know if they still have that. She asked if there is anyone from Community Action here. She stated that she knows there are a few programs. Seven years ago, they had a program where they will help. Public sectors would help employees purchase a home. She thinks that was \$10,000. She doesn't know what happened with that. That was like seven years ago. She believes they need to bring this back. Maybe contact public sectors and see how they can help us out.

Ms. Dawn Godshall stated they do still have a first time homebuyers program. It takes two weekends a month. They have it both in Spanish and in English. They help people who have never owned homes before to purchase their first home. They also have a weatherization program that goes into homes to help make them more energy efficient. They have a roofing program that will help homeowners to preserve the roofs in their house because that is the most costly expense that homeowners have is water getting into homes and they can't afford to repair it. They have many different programs to help the public, whether it is a homeowner or a renter who can refer their landlord to get these surfaces to make sure we are keeping people in their homes within the city or allows them to purchase a home within the cities in the Lehigh Valley.

Dr. Cynthia Mota asked Ms. Godshall to tell her about her first home program. She asked if she gets many people. Does the community know about it?

Ms. Dawn Godshall stated that they are usually packed every time they have it. She stated that they can have about 100 people per class. They do seven of them per year. They do three in Spanish and four in English. They have them in different locations. Sometimes they have them in Allentown, Easton or Bethlehem. People from all three cities come to each of those cities, depending on where it is. They get a certificate at the end of having taken the classes that allows them to often get assistance from mortgage companies that they may get some down payment assistance because they took those classes. The first time homebuyer classes.

Dr. Cynthia Mota asked Ms. Godshall if they do a follow up. For example, once they get their certificate, how many of those people and/or community members go and buy their own homes.

Ms. Dawn Godshall stated that they do and have not seen a lot of purchases happening right now because of the high interest rates. They are getting their certificates. It is not likely that interest rates are going to go down significantly anytime soon. They are trying to encourage people that if they are going to purchase, they should purchase now.

Dr. Cynthia Mota asked Ms. Godshall has she worked with different businesses out there for more funding.

Ms. Dawn Godshall stated that they get funding from many different sources. This is for our first time homebuyers. It is a part of our Housing Counseling Program.

Dr. Cynthia Mota stated to Mr. Napoli that she guesses they need more programs like that.

Mr. Santo Napoli stated absolutely. A lot of this always comes down to it is never reliable sources of funding. He stated that is why he was thinking that this would be an opportunity. He believes that if it passes, it should not go into the General Fund. He believes it should be a separate line item under our CED department and just focus on housing. The more programs the better. Like anything, it comes down to we can have great programs, but if we have no money how good of a program.

Dr. Cynthia Mota stated that is very true.

Mr. Santo Napoli stated that is the thought process and he thinks also that he wants to be clear, it is not affecting current homeowners. He stated that they are talking about our seniors who are living social security check to social security check. It doesn't affect them. It doesn't affect our most vulnerable folks who are living paycheck to to paycheck and keeping up with their mortgages. It only affects folks who are buying homes. It is something that he thought would be an opportunity to really make an impact in the real estate market and actually make it more lucrative in Allentown. He thinks as a property owner, residential and also with investment properties, he wants his home values to increase and he believes in attacking blight and attacking some of these issues could actually help everyone in the long run. It was what he was thinking and again, it comes down to they have done nothing about our housing stock for a long time. It is time we step up.

Dr. Cynthia Mota stated that she agrees, but in a perfect world, if it passes, she hopes that they can do something about taxes too. She stated that she would not want to see a 10 percent increase for the taxpayer.

Ms. Candida Affa stated that she has a question and is going way back somewhere in her little brain thinking that there was a program at one time where the city or whatever the program was offered them a certain amount of money or they could buy it for a dollar or whatever. When they got this money or got the help, they had to sign a contract that they had to live there for at least five years or seven years. She asked if they remembered any kind of program like that. She stated that she thought it was wonderful because once you live somewhere for five years, you have roots. She stated that is what our problem is. We need neighborhoods. We don't have neighborhoods anymore. It helps with schools because kids are in school. The next thing you know, you have a nurse living next door. We have firemen. She asked if that program still going on.

Ms. Dawn Godshall stated that they have a land trust and she is not sure if that is what Ms. Affa is referring to. She stated that CACLV owns the land and they own the home. The agreement is that they have to sell. If they do sell their property, they have to sell it to another low to moderate income person so that those homes stay affordable in perpetuity. She stated that CACLV still do have that. They still have a land trust.

Ms. Candida Affa asked how do you purchase one of these homes.

Ms. Dawn Godshall stated that right now they only have a certain number that are already owned by people. If they move or sell, they have to sell to another affordable or another low income family. Now, if there are blighted properties within the city that they wanted to work with Community Action

for them to put grant money to fix those homes up, they can also make them land trusts homes to make them available to low and moderate income people.

Ms. Candida Affa stated that is a good way. She was on the board and there is a lot blighted properties. That is a really good way.

Ms. Dawn Godshall stated to keep them affordable.

Mayor Matt Tuerk stated that if he could add, what's at root here and part of what Council Vice President Napoli is speaking to is that there are actually fewer blighted properties than you think there are. The challenge that they have in the city of Allentown is a lack of inventory broadly speaking. They are just not producing that much housing. He knows that Councilperson Gerlach is sensitive to that as well. What Councilperson Napoli is suggesting that the establishment of a fund that they can then use to incentivize the production of additional housing. That is really what is at the root of the skyrocketing housing prices whether they are rentals or for homeownership. There is just not enough supply in the market. One of the challenges that they have here is there is just very few our Redevelopment Authority is rejuvenated, but they just don't have a huge supply of blighted properties that they can take possession of and then put into the market. Demand is so strong in Allentown, the small LLCs are acquiring properties, making the investments in them and then renting them out. They have to produce more housing in the city of Allentown. He knows that some of them were able to work through some of their proposed zoning changes. He stated that he looks forward to discussing that in the future. What they really need is the resource and the resources funding that they can then use to incentivize the production of addition housing. That is what is kind of propose with the increase in the deed transfer tax.

Mr. Ed Zucal stated that the only concern he has and most people would agree with him on this. Most people that are buying their first home are pretty young. They are just starting out and it doesn't sound like a lot, but that \$2,500 or the \$5,000 could be the difference of them buying or not buying a house.

Ms. Dawn Godshall stated that there are mortgage companies that they work with within their first time homebuyers program that will offer an incentive of \$2,500 or various amounts for down payment assistance or closing costs for first time homebuyers. Once they have that certificate, it enables them to be eligible for that funding.

Mr. Ed Zucal stated that your banks, lending agencies do, but not all do.

Ms. Dawn Godshall stated correct.

Mr. Santo Napoli stated just to be clear, to pay an extra \$2,500, it would be a million dollar home. If someone is buying a million dollar home, they can afford it. For the average home price, let's say the average home price is \$150,000, we are looking at around 300 bucks. Again, the thought process is that we can help more people by having a reliable source of revenue to get them into homes. We can't stop who's buying the homes.

Dr. Cynthia Mota asked if there were any comments from the public.

Mr. Michael Hanlon stated yep, there are two speakers.

Mr. Asher Schiavone, Greater Lehigh Valley Realtors Association, stated since their last meeting he had conversations with members of Council and members of the administration. He worked with the city of Bethlehem for 10 years in the Economic Development Department. He certainly appreciates the stress and what they are under to try to better the city. He certainly understands that side of it. They have had good discussions and dialogue about this bill and Zoning amendments and things in general with the city of Allentown. It is important to have that relationship going forward. He stated that their position is still against this referendum. He is not going to rehash some of the points that he did at the last meeting, but he does want to go over somethings that they were essentially concerned about. As far as the wording of the referendum. Looking at the last three times the deed transfer tax was up for referendum, November 2002 - Shall Subsection A and B of Subsection 807 of the Home Rule Charter be deleted to remove the restriction against Council establishing a new tax and allow Council to raise rates of the deed transfer, earned income, business privilege, occupational privilege, amusement devices and resident taxes above the respect of 1996 levels, 84 percent opposed. November 2004, shall Section 807B of the Home Rule Charter of the city of Allentown be amended to allow City Council by ordinance to increase the rate of the realty transfer tax beyond its 1996 levels, 67 percent opposed. November 2005, shall Section 807B in the Home Rule Charter of Allentown be amended to allow the city by ordinance to increase the rate of the realty tax up to an additional one percent, 70 percent opposed. He thanked Council for bearing with him. He stated that he is going somewhere with this. The proposed referendum now is in front of them. It is the Section 807B, Revenue - The Home Rule Charter of the city of Allentown be amended to allow City Council by Ordinance to remove the deed transfer tax. There is no mention of the word increase at all. He knows that they are talking about just removing the deed transfer tax from the Home Rule Charter, but instead letting the voters decide on the increase which previous referendums have done, what they are now doing is allowing

voters to say ok, we are going to unlock this deed transfer tax and going to give the power of the tax increase to the administration of the City Council. He stated that he wants to be clear that it appears that this wording is misleading. He found a voter walking into the voting booth and see this question, it sounds like he is voting to appeal a tax. It doesn't take into account all the conversations that have happened. The .5 percent, the increased tax, what do you plan to do with it. It doesn't factor all those considerations. He stated that he would like that to sit with them. He asked Mr. Hanlon does he get another two minutes since he is representing.

Mr. Michael Hanlon stated that it is Council's call. He thought if there were a number of people here and you were speaking for a number of people.

Dr. Cynthia Mota asked are you speaking for a few people.

Mr. Asher Schiavone stated for 3,000 members of the association. He stated that is as far as the wording and his comments on that. As far as the LLCs and the rentals, he is not going to argue with the numbers. It was looking over the past 18 months. Those LLCs are then going to and if they haven't increased costs as a result of the deed transfer tax increase, they will be willing to bet that they are going to pass this cost on the tenants. He stated that they don't think developers are just going to eat that cost. That is going to increase rental rates across the city. There has been discussions again, about raising the deed transfer tax 1/2 a percent. There has been conversations about affordable housing and blight. Even the General Fund mentioned as far as filling that gap. There has been no commitment to allocate in that funding to any program. They are talking about potentially raising \$2.3 million on half of a percent increase for the city of Allentown but no plans to spend it. Again, it is increasing the cost of homeownership especially for low and moderate individuals and it is not helping to make housing more affordable. Just going back to the medium home sales in Allentown for \$250,000. A one percent increase would result in an increase cost of \$2,500 at closing. He stated that the deed transfer tax has been at one percent for the last 28 years and it seems like this is being rushed through. They are looking at misleading language. There is no specific purpose of where this money is going towards. Taking into an account the current housing market, it is really not a great time to do this. He stated that he would like to pose that question to them and going back to the wording. He thinks the residents deserves to know what exactly they are voting for and they don't think that the current wording of the referendum reflects the conversations that have happened.

Mr. Sam Del Rosario, Associate Broker and small business owner, stated that he office and his branch is located in the city. He works hand and hand

with a lot of the community. he stated that in fact he is an instructor from CACLV. He teaches the first time homebuyers seminar. One of the reasons why he is here today besides being asked by his membership. He is a member of the govern affairs committee. It is because of his firsthand knowledge of the housing market in Allentown. He stated that he does a lot of transactions here in the city. He works with the city and Vicky is fantastic and they have a great Building and Standards department. They work with inspections and some of the properties that are not in great shape. He commended the city just in general with the cooperation that they get whenever they do transactions. As both fluent in Spanish and English, he does deal with the community and one of the biggest challenges that he run into is just information sharing, understanding affordability housing issues. He stated that the biggest concern that he has about the referendum and of course, the voters will decide if they want to have that removed is exactly what he would reiterate what Asher said in making it clear if they remove that from the Charter, it could potentially be an increase in the deed transfer tax. He stated that he will give them some statistics, last year 50 percent of the homes in Allentown, specifically Allentown sold above ask price. Part of the strategy occurred as a result of selling and buying especially in our city, considering the inventory. The low stock as the mayor said. Many of the buyers are paying the deed transfer tax for both sides of the table. A lot of time the buyer is taking on the low inventory cost, the high prices, the unaffordability of some of the housing. Unfortunately, yes .5 percent may not seem like a big deal, but it is for his 86 year old seller who is trying to move into a home and she now have to pay in that money all she has in retirement because we know baby boomers statistically don't have enough for retirement so every dollar counts. It doesn't matter if it is a \$1 or \$250. When it comes to transactions in the city and handling those blighted properties, they understand and he would say homeownership in general has to do a lot with quality of life which he has mentioned before. To Councilmember Napoli at a point they talked about this and about quality of life issues and ensuring that we want primary homeowners to buy in the city. Quality of life is going to be a big factor, not just affordability. They want to make sure they do that. With regards to money availability for affordability for first time homebuyers. This is why you need a professional realtor representing you. There are a ton of programs and a ton of actual homebuyer programs. There are renovation loans. There are home products that can help blighted properties and take equity and use that to help them fix the property. It is really important that we think about what we are doing here. Using a referendum and removing that and using that as a basis of revenue is unstable. It is market depend. Even if you pull it out, nationally, we are 2 million homes less. That is what we sold. If we depend on this, we are also depending on the market to replenish that revenue source which could be a challenge. He stated that his point simply and he knows that he is out of

time, let's take it into consideration yes, affordability is truly an issue and they want to make sure that they represent everybody's interests. Let's make sure we are transparent about it and that money gets allocated to where it needs to be to help our community and certainly will be an advocate for that 100 percent. There is no issue there.

Ms. Jessica Ortiz stated that she is a realtor and run a nonprofit, own a home, and a business. She stated that this will hurt us. The realtors have their own stress right now. Most of the buyers are being put on the cost of buyer fees from lawsuits. That's not a city problem, but it is a sales problem. It will affect you. If a buyer now has to worry about an extra fee for deeds and a buyer. She stated that she has seen people not get funding or not get a house for \$25. You have to have certain stakes in the game with the funding programs. She stated that she works with several banks. They have to have certain. They can get \$5,000 in grant money and be short \$50 because of the deed transfer. There are certain banks that have certain rules. If the deed transfer cost is going to be too high, they might not get a PHFA or a FHA loan. Like her colleague Sam said, they have people that are on fixed incomes. These are the people that deserve and lived here all their lives and they deserve a chance to buy in Allentown. If you think that they landlords aren't going to put that cost. She stated that we went through this with Covid. How many times did she come up here saying the cost that they are getting, they are putting. They don't put the cost. They put the cost times three on to their tenants. She stated what do we have. We have people leaving Allentown, Allentonians. She stated that we have to think about the people. She stated that she knows that you came and spoke with the realtors. We have to be more involved. The people that we are helping build. When it comes to taxes, school taxes and county taxes. If the people that are selling the city. That's what we do. She stated that we are selling the city. Do you know how hard it is if you keep putting another problem on us. Here is a couple more fees. We have crime problems. We have homelessness problems. We have food scarcities. She stated that they are living stressed out. She stated that they are working it out and she loves what Sam says. The city is working hard, but they are fixing things that they didn't break. It is hard and she know all of them go through the stress, but if they are not the people that are affected at the table making the decisions. She stated that she is pretty smart and she read that thing five times and still did not understand it. It doesn't make any sense. She stated that Santo said a few things, but it doesn't align with what it said in the speech. It is not going to affect certain people. It is only going to affect those with no money. Then again, they are going to have only investors buying houses in our community and that is all they see. We have to start thinking about all the people. She stated that she can give at least 20 scenarios of people that didn't get their house because of a few dollars of funding. She has a list of banks, lenders and

programs in our community that has funding, but it is very. It is a lot of rules and a lot of things and this could take somebody out of the park. Let's kind of think about it and think about the wording and think about who is going to be most affected. Once again, Allentonians. Investors have the money. Let's be for real.

Mr. Santo Napoli asked Mr. Hanlon if there is any opportunity to work on this wording with referendum. He stated that it is a definite issue and asked are there opportunities to.

Mr. Michael Hanlon stated that he would simply say this, it is the mayor's bill and when the bill is sent to the board of elections, they will do a plain English statement and they will send that language to you and they will have a public meeting and you could go up there and you can ask them to change the plain English statement, but it will explain what's in front of you. He stated that you will have a crack at it then. That is an open meeting.

Mayor Matt Tuerk stated that he thinks Sam said it best. It is an opportunity for the voters to make a decision. If the voters do make a decision to repeal this item from the Charter, it then pushes the responsibility onto the administration and Council. They can visit that discussion with City Council within the budget process every year which we all encourage folks to do. To get more involved. He stated that he thinks this is taking a look at probably poorly wording component of the Charter and pushes the responsibility to City Council's which he personally thinks it is a good idea, but will leave it up to the voters. To Mike Hanlon's point, the Bill will be cleaned up before the ballot.

Mr. Michael Hanlon stated that it will be a plain English statement.

Mr. Shane Fillman, 120 S. 22nd Street, stated that these gentlemen were very excellent. He appreciate and concur with everything they said. Not to be redundant, but just to touch on something you mentioned Santo. He lived downtown as they are aware for 30 years and owned multiple properties downtown and it was extremely active in the community, both with Old Allentown Preservation Association sitting on that board for well over 20 years and also the HARB (Historical Architectural Review Board) with the city of Allentown. One thing he would say living right downtown and dealing with the quality of life issues that a lot of other people are facing and that he dealt with everyday. When you talk about getting control of the housing stock and trying to create more home ownership, he fully agrees and that has been a very slippery slope for a number of years and the city is probably approaching 70 percent. It is well over 60 at this point. One thing that is extremely effective and basically alienated by previous administrations was the Redevelopment Authority, Karen Pooley was an

excellent and very knowledgeable super smart lady that acquired a lot of deplorable buildings in Old Allentown which is your biggest partner downtown. They basically encumbrances about 1,500 homes. Without Old Allentown, there really would not be much going on with J B Reilly. That is the anchor downtown. Peter Lewnes is doing a great job on Seventh Street. Without a doubt, even though he doesn't live there anymore, Old Allentown is the anchor of this city. That is something that definitely needs to be protected and cooperated with. In regards to and he knows there is a housing shortage, but one of the things that have been exceptionally productive and helped in Allentown over the course of its inception since 1978, were actually de conversions. Some properties are definitely overpopulated. Parking is a major issue and it only gets worse as times goes on. He thinks that was something that was very successful that really a lot of people in Old Allentown were investing their own money in properties based upon seeing those types of things. They see scaffolding going up. They see facade restorations. Old Allentown, did over 130 facade projects in their history so far. One of the things about the deed transfer tax, you mentioned about people buying. That is only part of it. As the gentlemen mentioned, it is also selling too. When someone buys a house, the median home, it is not difficult to spend \$300,000. At that point, both the buyer and seller are each paying \$6,000. That is a lot of money. Of course, the lifetime of its ownership of the property. They are paying a decent amount of taxes in the city which one of the biggest struggling components of Allentown is the school district. People are paying a lot of money for their taxes and then when they go to sell their property, they get dinged again. He stated that he is completely opposed of increasing the property transfer tax. He thinks it is wrong and it is no big plan here for how that money is going to be spent. He stated that should be definitely worded correctly that people understand what they are voting for.

Dr. Cynthia Mota asked if there were any other comments from the dais.

Mr. Ed Zucal asked can he make a motion to send it with no recommendation.

Dr. Cynthia Mota asked what would that do.

Mr. Ed Zucal stated that the motion would let the people decide. He stated that he thought they were going to vote yes or no.

Mr. Michael Hanlon stated that a yes vote goes on the November ballot.

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

Enactment No: 16037

CONSENT AGENDA

Dr. Cynthia Mota asked if there are any comments from the dais.

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

[15-7069](#)

R123

Certificate of Appropriateness for work in the Historic Districts: 820 Liberty St.

Sponsors: Administration

Attachments: [R 123 HARB Resolution](#)

[Pre-Review 820 Liberty Street - Fire danger entire rear \(FINAL\)](#)

[Resolution #30889](#)

Enactment No: 30889

RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):

[15-7009](#)

R115

Approves the submission of the Action Plan to the United States Department of Housing and Urban Development.

Sponsors: Administration

Attachments: [R115 HUD Action Plan](#)

[Resolution #30890](#)

Dr. Cynthia Mota asked if there were any comments from the dais, the administration or the public.

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

Enactment No: 30890

[15-7078](#)

R124

RCDC HUD Action Plan Amendment

Sponsors: Administration

Attachments: [R124 - RCDC HUD Action Plan amendment](#)

[Resolution #30891](#)

Dr. Cynthia Mota asked if there were any comments from the dais.

Ms. Natalie Santos stated that she has a quick question. What exactly does environmental work and remediation consist of.

Ms. Vicky Kistler stated whenever you go through Land Development

process, you have environmental studies. When an organization has a plan that is approved by us and approved in the HUD federal funding mechanism, if you hit a snag, maybe you hit an underground oil tank, maybe you hit some DEP contaminated soil or anything that throws a monkey wrench to your proposal you have to go back to HUD and make an amendment that says you need a little bit more money to complete the project as proposed. The environmental assessment had an environmental snag which they re-approached HUD with this amendment.

Ms. Natalie Santos thanked Ms. Kistler.

Dr. Cynthia Mota thanked Ms. Kistler. She asked if there were any comments from the dais.

Ms. Ce Ce Gerlach stated a quick question following up on Ms. Santos question, and asked is this for the childcare for the church at 9th and Turner or is it for their new property at the Liberty Bell Church.

Ms. Vicky Kistler stated that this is for the childcare.

Ms. Ce Ce Gerlach stated childcare, ok.

Dr. Cynthia Mota asked if there were any other comments from the dais or any comments from the public.

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

Enactment No: 30891

[15-7081](#)

R125
Authorizes Lead Grant Application

Sponsors: Administration

Attachments: [R125 - Lead HH Grant Application](#)
[Resolution #30892](#)

Dr. Cynthia Mota asked if there were any comments from the dais or any comments from the public.

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

Enactment No: 30892

[15-7066](#)

R126
Approves one transfer: (1) \$19,000.00 in CED required to purchase a Viken Detection Machine (Detects Lead Paint).

Attachments: [R126 Transfer Funds](#)
[Required To Purchase A Viken Detection Machine \(Detects Lead Paint\)](#)
[Resolution #30893](#)

Dr. Cynthia Mota asked if there were comments from the dais or the public.

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

Enactment No: 30893

[15-7077](#)

R127

Authorizes and Approves the Engagement of Brown McGarry Nimeroff Attorneys at Law, to Provide Legal Services to Allentown City Council Pursuant to the Allentown Home Rule Charter and Administrative Code to provide legal services in an action adverse to the Mayor of Allentown, and/or the Mayor's Administration.

Sponsors: Mr. Zucal, Gerlach and Mota

Attachments: [R127 Engagement of Brown McGarry Nimeroff Attorneys at Law](#)
[Allentown City Council Engagement Letter](#)
[Resolution #30894](#)

Dr. Cynthia Mota asked if there were any comments from the dais.

Mr. Santo Napoli stated that he is going to mention something quickly. When this all started, one of the big reasons that they did this was the alleged issue of morale with our city staff and how their morale was being impacted by the decisions of the administration. He just has to say that the fact that a half hour ago they tabled something and not even listened to what they had to say and what our controller had to say. Whatever alleged morale the administration has inflicted on them, we just doubled it tonight and he wanted to say publicly that he is really disappointed that they find \$20,000 to sue the mayor on a process that they bungled, yet we can't even hear discussions about how we can treat our employees better and serve our residents better. He just finds that to be an issue and just wants to say publicly, he was disappointed. He will obviously be voting against this.

Dr. Cynthia Mota asked if there were any other comments from the dais or the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Ed Zucal, Natalie Santos, Ce-Ce Gerlach, and Candida Affa

No: 1 - Santo Napoli

Enactment No: 30894

[15-7087](#)

R128

Approves the submission of an application for a grant from the Commonwealth of Pennsylvania Department of Community and Economic Development for the improvements of Andre Reed Park. The City is asking for \$250,000.00 in grant funding with a 15% match required – land appraisal or cash.

Sponsors: Administration

Attachments: [R128 - DCED Grant Application Andre Reed Park.docx](#)
[Resolution #30895](#)

Dr. Cynthia Mota asked if there were any comments from the dais or the public.

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

Enactment No: 30895

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

[15-7080](#)

Bill 66

Amending the 2024 Capital Fund Budget to provide for a supplemental appropriation of Two Hundred Thousand (\$200,000) Dollars from the Pennsylvania Department of Community and Economic Development (DCED) to support improvements to the Rose Garden including stone repairs at the stairs and gazebos and an upgraded Rose Garden #2 pavilion.

Rose Garden Grant

Sponsors: Administration

Attachments: [Bill 66 - Rose Garden Grant](#)
[Ordinance #16038](#)

Dr. Cynthia Mota asked if there were any comments from the dais or any comments from the public.

REFERRED TO THE PARKS AND RECREATION COMMITTEE

Enactment No: 16038

[15-7070](#)

Bill 67

Providing for the vacation of South Ruhr Street from the centerline of Willow Street to the centerline of Hill Street and Hill Street from the centerline of South Saint Lucas Street to the centerline of South Ruhr Street in the Eighteenth Ward of the City of Allentown.

Sponsors: Administration

Attachments: [Bill 67 South Ruhr Street from the centerline of Willow Street](#)
[Staff Report Planning Vacate S. Ruhr St. Hill St .pdf](#)
[S Ruhr Hill St Vacation Report](#)
[Letter from Jennifer Gomez regarding ACPC action on Vacate Portion Of Hill Street Portion of Ruhr Street](#)
[LVPC Draft Review Ruhr Street and Hill Street Vacation petition Allentown](#)
[South Ruhr Street from Willow Street Report](#)
[South Ruhr Street from Willow Street to Hill Street Mailing Labels](#)
[Ordinance #16039](#)

Dr. Cynthia Mota asked if there are any comments from the dais or the public.

Mr. Jose' Cartagena stated that he is here today because he applied for this vacated alley or vacated street. He stated that he is the petitioner who requested the proposed street vacation on Hill Street and Ruhr Street. He wants all property owners bring awareness of the property and maintenance responsibilities of the area, if granted. Are all the owners entitled to the vacation street would need to add it to their deeds in order to be granted that vacated street. He stated that the reason he mentioned it is because at the first meeting he was told under the ordinance they are entitled of 50 percent of that vacated street. If they are entitled to 50 percent of the vacated street, he also wants them to be responsible of cleaning, maintenance and everything else that is all involved. He did all the motions and applied for this, but they are entitled. They don't have to apply for it, they automatically get 50 percent. His problem is if he has done all the maintenance, and all the cutting and all the picking up garbage and all the McDonald's bags and everything else that he needs and replace the blades on his lawnmower and one person out of the whole neighbors, only one of 10 said they are entitled, but they don't know no English. He stated that he doesn't know what he is reading. He has a problem with that because they did not maintain it like he did. He understood that it was vacated. He read what the law states and what the Ordinance says about it and it is why he applied for it. If your ordinance is saying you are entitled of it. He wants to be entitled of maintenance and clearing the area. It is only fair. The two easements will be PPL and Verizon. He has taken a photo and the PPL easement is a way from the 20 feet of this property of the vacated land. He doesn't know if they need an easement for PPL, but if they do, maybe they can look into it. He wants to make sure if they sign off on it or Council votes on it that he is going to give them all the rights, but while they are waiting for a signature for that easement if they don't need it. It is why he is here also to explain to them. Will there be anything added to the Ordinance 2556 due to this vacated street? The reason he says this is because this ordinance has been around since 1930 he believes. If there anything added to it, he wants to make sure that he gets some type of

writing of that ordinance in order to apply on this on his deed. If you vote on it, he will have to need all the paperwork to this in order to add it.

Dr. Cynthia Mota stated to Mr. Cartagena she wants him to know that they are going to have a meeting and this will be referred to Chairperson Gerlach. You will also have an opportunity to speak on behalf of this property.

Mr. Jose' Cartagena asked if it will be a separate meeting.

Dr. Cynthia Mota stated that there will be a separate meeting.

Mr. Daryl Hendricks stated that it will specifically be for one of the items. In that group which is a group of three of their members will make a recommendation wither favorably or unfavorably. He stated to Mr. Cartagena that he will have an opportunity to go over the details again.

Dr. Cynthia Mota stated or unfavorably.

Ms. Vicky Kistler stated that it is August 7th.

Mr. Jose' Cartagena stated no problem. He thought this was the final procedure. He already went in front of Zoning and the Commission and they said come here. He figures what's next is to add it to the deed, if you vote on it.

Mr. Ed Zucal stated that it is just an introduction tonight.

Mr. Jose' Cartagena stated then that is fine. He is not going to waste his time or waste Council's time.

Dr. Cynthia Mota stated that at the same time, she is glad that he is here. You do have concerns. She wanted him to know that there will be a separate meeting. And, Ms. Gerlach is listening to you.

Ms. Ce Ce Gerlach stated that she is definitely here and do believe the meeting is August 7th. Hopefully, you are able to make that meeting as well.

Mr. Jose' Cartagena stated that he is also going to attach photos to this meeting so that they can look at it and get to understand of where he is coming from and the work that he did to the two vacated streets called Hill Street and Ruhr Street.

Dr. Cynthia Mota suggested that if he has any materials or any information,

he can always contact Mr. Hanlon and he can give them the materials ahead of time.

Mr. Jose' Cartagena stated beautiful. He would be glad to do that and stated that he appreciates their time. He stated that they have seen his face before and don't forget him when it is time to vote.

Mr. Ed Zucal stated before you leave, you can give Mr. Hanlon your information and maybe Mr. Shahda from Public Works can also reach out to you and explain some of your concerns.

Mr. Michael Hanlon stated that they will have a mailing list and will send it to him. There are no objectors so things are on your side.

Mr. Jose' Cartagena stated no problem. He is glad to hear that and stated that they made his day. He stated Public Works, that is Mr. Shahda and stated that he is going to talk to him. He stated to Mr. Shahda that he wanted to meet him anyway. He appreciated Council's time and stated that he is glad to see them.

Dr. Cynthia Mota stated that she heard that he be cleaning that place a lot. You keep it clean.

Mr. Jose' Cartagena stated that he helps a lot and also help the senior citizens in his area. He wants everybody to be clear. A lot of these senior citizens they need help. He is one of the guys that pick up the trash and bring the garbage to their house and bring them water and they all love him there. He doesn't need a pat on the back. He knows what they did for us and that is why he is giving back to them.

Dr. Cynthia Mota thanked Mr. Cartagena and stated that she heard about him.

Mr. Daryl Hendricks stated that the city needs more of him.

REFERRED TO THE PUBLIC WORKS COMMITTEE

Enactment No: 16039

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

NEW BUSINESS: NONE

GOOD AND WELFARE

Mayor Matt Tuerk stated that he wants to extend an appreciation to Council for their flexibility and willingness to listen to arguments prior to the vote that

they just did to send the deed transfer tax bill to the voters. It is a fantastic display of how City Council should behave. You had some arguments and worked through issues and then you vote. He is incredibly disappointed and wanted to echo what Council Vice President Napoli's disappointment in the way you behaved in regards to the bill for reorganization/reclassification. They did a significant amount of work and presented it to you. They worked to emphasize efficiency. They worked to address workload among city staff. They presented a plan that would allow them to remain competitive in the workplace and to retain our employees and it shows financial prudence. And, you didn't even listen. It is not just disappointing to him. It is disappointing to his staff and demoralizing to his staff. If they will permit him, he would also like to allow Ms. Kistler to express her concerns related to your decision to not hear anybody out and just table it with no discussion.

Ms. Vicky Kistler stated that tonight they tabled a 100 percent grant funded position for the next three years. They eliminated the idea that they can take a Community Housing Specialist position and turn it to a Street Community Health Paramedic. She stated that she doesn't think that they did that because they wanted to do that. She stated that she thinks they did that for other reasons. She can't speculate what Council's other reasons are or if it is the relationship between this administration and this Council. She will tell them that there is nothing more demoralizing than to work for your entire career to bring them grant after grant after grant and stated come on, she has been here how many times. So has Mr. Shahda, So has Mandy Tolino, trying to bring money into the city and now, we are not going to spend it and not going to do that until January. She stated that she doesn't know why they are not going to do that because it doesn't make any sense to her. All she can say is that he is right and Mr. Santo Napoli is right when he says how much they have come full circle into a divide and in honesty, tonight she would venture to say a month ago Mr. Shahda had positions approved outside of the budget. Tonight, Mandy had positions approved outside of the budget. She stated that she thinks that's an effort to divide them and it won't. She stated that they are not going to pit against each other to compete for what you agree with and what you don't agree with. She stated that they had a Grants Sustainability Manager who talked about hundreds of thousands of dollars. They have written a grant for \$20 million and are in the top 22 in the nation and we keep asking our people to do more and more and more work. She stated believes her, she gets it. She hundred percent gets that the city is facing a budget deficit and it is tight. But, to see we create fake news over those numbers. To see that we take that paramedic position and say it is going to cost way more next year than it is ever going to cost makes her feel within a city, we have become what is going on in the nation and you see what that has done. That is what this is doing here.

Ms. Bina Patel asked if she could speak as well. She stated that she wants to echo what the mayor has said and Ms. Kistler stated. The administration had worked very hard. She stated that they came to them united. The positions you said bring them at the budget time. She stated that they did. The last two years, they were in the budget then you did not approve them. These are the employees. The garage was brought in-house. It is saving the city money, but you are not realizing that you approved the Public Works position and that is adding the invoices to the ERP System and the finance staff who is helping to approve those invoices with the Controller who is also verifying them. The other service departments, the Law Department who is helping them. She stated that they all came to Council as one unit united saying that this is what is needed to sustain us. She stated that they are working. Her Risk Bureau, the Benefits Manager is working 10 hours a day. That position was in the budget, this bill. It wasn't approved. Now, what. Let her keep working 10 hours a day. She asked can they tell her how to get the work done and keep the morale up. She stated if they have a better solution then what they are united have presented, she is willing to listen. She stated to Councilperson Zucal presented numbers and she offered at the last meeting that she does not agree with it. She has a one on one meeting to discuss this and nothing was done. She stated that you asked Mr. Controller to go over the numbers and provide his feedback. You did not give him an opportunity to explain. The controller came to her, and they went over the numbers and agreed. They spent hours to simply so they can explain to Council how it is done. She stated that Council did not give them a chance. Everything Council asked them to do, they take it to heart and spent hours working at it and the complaints that the taxpayers bring to them. She stated that they spend hours and do their work daily diligently. They are government workers and understand that. How many hours they can keep working without recognizing. With the staff, she stated that she feels horrible tonight that they didn't even listen to what they had presented. She had provided all the numbers to the mayor. If you have looked at everything. The overall changes are saving the money in the future. It is not costing anything to the city. It is saving the funds and Mr. Controller had all of the details. You didn't even respect the Controller because you asked him to look into this and he worked on it. He has the numbers for you. She stated that she is really disappointed. She doesn't know what to go back and tell her staff. She stated that they were here tonight. They were behind her. They are the ones that are working hard. She stated that she is here and they are here because of them.

Dr. Cynthia Mota thanked Ms. Patel.

Mr. Jeffrey Glazier asked if he could weight in for a second.

Dr. Cynthia Mota asked is this is how we are going to do it from now on. This is how we are going to do it? When they as Councilmembers give a vote, they going to hear about people's disappointment. This is how the rules are going to be for now on? They are going to beat us then down for now on? It was tabled. She stated that they followed the Rules.

Attorney Charles Smith stated that you are the presiding officer. This is under Good and Welfare. You are here to listen to Good and Welfare. He asked Dr. Mota in her estimation is this Good and Welfare or commenting on what Council.

Dr. Cynthia Mota stated that she believes that this is commenting on what Council just voted for.

Attorney Charles Smith stated well, this is your meeting.

ADJOURNED: 7:58 PM

[15-6577](#)

Reference Materials:
Council Rules
Procurement Code
Ethics Code

Attachments: [Procurement Code](#)
[Ethics Code](#)
[Rules](#)