



# Allentown

435 Hamilton Street  
Allentown, Pa. 18101

## Minutes - Final

### City Council

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Wednesday, December 4, 2024

6:30 PM

Council Chambers

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Dr. Cynthia Mota stated let's continue. This was wonderful. She thanked Mr. Zucal and thanked the young kids that were here. Thank you for the amazing job.

Ms. Candida Affa stated that she would like to acknowledge and congratulate our Chief Charles Roca on receiving the CIT Law Enforcement Award. CIT stands for Crisis Innovation Team. The CIT program enforcement award recognizes a Sheriff, a Chief or a member of Law Enforcement, Executive Staff or active supports the CIT program in their community. Chief Charles Roca serves as a champion and advocate for the CIT Program within the Police Department and the board of communities. He actively promotes community engagement and initiatives such as town hall meetings where residents can voice concerns and suggestions regarding mental health issues and law enforcement practices. Additionally, the Chief encourages officers to participate in outreach programs fostering positive relationships with local mental organizations and community leaders. By championing these efforts, the Chief cultivates a supportive vibrant where law enforcement and the community work together to address mental health crisis, effectively, compassionately and ensuring the success and sustainability of the CIT program. Both internally with the police department, and externally with the community. Through his leadership and commitment, he has helped to ensure that law enforcement officers are being equipped to respond to mental health crisis with empathy, compassion, and effectiveness. Ultimately, promoting the safety and wellbeing of both individuals in crisis in of the community. She stated that their Chief Roca got the award from the state and stated thank you and congratulated him.

Dr. Cynthia Mota stated and now we have Councilman Zucal and he will be giving out a few Citations.

Mr. Ed Zucal thanked President Mota and stated well he has been on

Council for seven years and think that this is only the fifth time he has given out Proclamations because he thinks that they have to be well earned. He shared a story with them. On two Sundays ago, on November 24th, he was invited to the Oath with is the Operation Against the Homeless to help serve meals to the homeless. When he arrived there were all these young gentlemen there. Gentlemen that would normally be out there chasing girls, but instead they were there helping to feed the homeless. He wants to tell them and he is not easily impressed, but he spoke to the Clerk the very next day and all he could do is brag about he guys. These guys, if this is our future, we are going to be ok. He stated to the Coach he sees that he brought the next line up with him here. Thank you for bringing him. He read the Proclamation to the Penn State Lehigh Valley Men's Basketball Team.

Chief Charles Roca stated that he just wants to say thank you to Council and the Mayor for this recognition. He stated that it is not just about him. It is the hardworking men and women of the Allentown Police Department who do the good work that reach out to the vulnerable populations that are out there. He stated that they are going to tell people to do the right thing and bring professional police services to the forefront. He stated thank you.

### **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**

### **Courtesy and Privilege of the Floor Rules**

Dr. Cynthia Mota asked for the Solicitor and stated that the Ms. Montero, the floor is yours.

Attorney Maria Montero stated that a lawsuit has been filed and Council is aware. Typically, Council does not comment on pending litigation. However, attendees have the right to speak during the Courtesy of the Floor. She stated that they all ask that everyone present to abide by those Rules.

Dr. Cynthia Mota thanked Attorney Montero. 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 &ndash; 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. Just a Note doesn't have to be read: Council Speaking Rules: Members and others given the privilege of the floor will address the Presiding Officer. The Presiding Officer will extend the courtesy to the Councilperson(s) responsible for introducing legislation the opportunity to speak first. Each member will have the right to speak twice on any subject. No Member will be allowed to speak more than twice on any subject without permission of the Presiding Officer. No Member will speak more than three (3) times on the question without the unanimous consent of all the Members present.

Ms. Carol Gallagher, 1122 Linden Street, #2, stated that she has known Candida about 40 some out years now. She stated that she moved out of the area for quite a while and when she moved back somewhere in the early 80s, they became friends and she was also her employer at her bar at 12th and Chew for many, many years. She was a very kind woman, a very decent woman, and not once would she say that she would have been prejudice of any kind. They had a very diverse crowd behind the bar. She stated that she also participated there. She stated that she really enjoyed her time with her. They are still friends. Not once has she ever heard her say any racial slurs at all.

Mr. Dennis Carrigan, 4145 Primrose Drive, stated that he is friends with Candida for about 54 years. He met her in 1968 and they became good friends. They remain friends. He went for her at her bar. Never once would he would think of her being prejudice. It is just not like that. It is not her. He stated that he has nothing, but nice things to say about her and she has a lot of nice things to say about people. She is very kind and will do anything

for you. He stated that is not her. He stated that they have been friends for so long and he just knows her.

Ms. Celeste Surrell, 1230 W. Walnut Street, 2nd Floor, stated she met Candida in 2018 when she relocated from California. She stated that Candida has been very helpful with her family. They go to lunch and dinner. They always talk. If she had problems regarding her landlord, she helped her. She made sure someone came to check the property and the problem was resolved. She was very upset to hear on the news everything she was hearing. She stated that Candida is a dear friend of hers and never heard any kind of racial slurs from her. She stated that she is a good person. She really helped the family when they moved here.

Ms. Phyllis Alexander, 109 Kingfisher Lane, stated good evening everyone. She stated that she saw the suit, the description of the discrimination suit in the paper this morning. So she thought she would stop by and offer her comments and thoughts about this. Just because she reads something in the paper, she is clear that she does not have the whole story. She only have what she read, but what she does know is Tawanna is meticulous, thoughtful, cautious, careful and she would not file a complaint that is frivolous. She encouraged them to think about what are their next steps. She stated that she hopes that they are thoughtful, considerate, thorough because this is an opportunity to model to the city what you should do when accused when there are allegations of discrimination. She stated that you can double down. You can get defensive or you can decide to be curious and thoughtful and really examine all of the points that are being made and to really try to figure out how this city can be its best. She stated that she hopes they are thoughtful about their next steps. She stated and lastly, she was formerly the Director of the Human Relations Commission and she can tell them for a fact that being nice has nothing to do with whether or not you will behave in a way that is discriminatory.

Ms. Robin Riley-Casey, 217 N. Ott Street, stated that she is a previous Human Relations Commissioner. Many of them that are sitting behind that table was on the Human Relations when she was there. She stated Daryl Hendricks, Cynthia Mota, Ce Ce Gerlach and at that time Tawanna has always remained professional. In fact, she loves to be behind the scenes, not in front. She is meticulous. She is organized. Many of the Ordinances that had to do with LGBTQIA in the city of Allentown had to do with her support and her amazing ability to get things done through all the particulars of city government. She stated what she knows about Tawanna as a professional, not personally is that she always maintained clear boundaries between her role in the city of Allentown and her relationships outside of that. She always cared for the city and this community in its totality. Not whether you were Black, Brown, White, Asian, Latino, Queer,

Straight, Christian, Muslim. That is who she is. She stated that she doesn't know all the facts at all, but what she does know is when a friend of yours or a professional colleague calls for you to stand with them, don't tuck your tail and run and stated that is what she does know. And, all the niceness. We all thought everybody was nice up until the day of the election. She had so many allies up until the day of the election. It is really funny how it works out. What she can tell them, in terms of Tawanna Whitehead she would stand with any member of this community regardless to make sure the business of the city gets done and gets done equitably that stated that is why she is here. Thank you.

Mr. Michael Surrell, 2404 S 2nd Street #A, stated that he is a 72 year old Vietnam War Veteran. He stated that he is a Black man. He came out here 10 years ago from California. He was forced to move, had to move into a row house because he was not allowed to live in his RV which was his wife and three children drove out here. The rowhouse that he moved in was in bad shape, basically. He had no choice because his kids had to go to school. He went into a burning building and saved a little girl. He had injuries to his lungs. He could not breathe. He had third degree burns to his lungs. At his home one day, his sister came to the door and there was a woman with her, Ms. Candida Affa. She came in the house and introduced herself and looked around and started seeing the condition of the home he was living in and the black mold and everything. It was just terrible. He called out to everyone in this city for help. Everyone and every call he could possibly make and got no response. He stated that Candida came into his home and said this isn't right. He said that he has to move because he can't live here. It is detrimental to the health to himself and his children. The landlord took him to court. He did not pay rent that month because he had to save money to move. He is a Vietnam Veteran on a disability pension. He had to go to court and Candida went to court and backed him. She helped him. He won that case and it turned out the landlord owed him \$900 after he turned in all his paperwork. After that because a reference she gave he was able to get into a home. He stated that Candida invited him, his wife and his three children to her home where they sat and ate. They went to the pool, pool party. They all got in the pool together and had a great time. His children are so happy, relieved and thankful for Candida. She brought his youngest son here and he wanted to be an Allentown Police Officer. He came up in here and it was a different mayor and you guys have really prettied it up in here. He decided he wanted to go into city government here because of this woman. Now, people get angry and say things and sometimes they take them so far out of whack it is unbelievable because of their reputation he has been hearing. At 72 years old and he comes from a hard life, he knows racism and know prejudice very, very well. This woman is not prejudice. She is not racist. People get angry and say things. We all do. We all make

mistakes. He stated that Candida Affa is a great person and a great woman.

Mr. Jaime Ortiz, 245 N. 12th Street, stated this wonderful lady Candida Affa for the past 20 years he has known her and lived and grew up on the same block as her, coming from a Hispanic poor family not once has she ever made any racial slurs towards them, treated them any other way. She treated them as normal humans. He stated not only that, she is his landlord too. Any problems or issues that he has with her, she helps him out. Last year, he stated that he was unemployed for three to four months and he brought it to her attention and she helped him and did everything she could to make sure he got on his feet and told him don't worry about paying the rent and don't worry about this and don't worry about that. He didn't have a license or car or nothing and every step of the way, she was there with him every step of the way. She picked him up and they studied and driving. They did the whole nine yards. She knows his grandparents for maybe 30 plus years and they are Hispanic. He stated that she is an amazing woman. These accusations that are going around about her, in his opinion are false. No one has to go through what she is going through at all. He stated that he doesn't believe that she is racist or anything at all. He stated that she is a wonderful woman and he loves her.

Mr. Don Ringer, 1801 Liberty Street, stated that he has known this lady for about 40 years. They both in the tavern business about the same time. They have always done well with each other. He always respected her. She always respected him, except for the time she throw him out of Chambers one time and that was it. She had people of color working for her for a number of years and that doesn't sound like a person that is racist. He stated that he doesn't think there is a racist bone in her body. He stated that they will be discussing this and asked to give Candida the benefit of the doubt. She is a great and wonderful person. He would never say anything bad about her.

## Contract Approvals

### [15-7373](#)

#### R203

Authorization price increase of 10% or more for an existing Contract over \$40,000.00, that was previously Bid and Awarded under City Policies, with James Duncan and Associates, Inc. in the amount of \$31,965.00 that was previously bid for urban planning consultant to support the City of Allentown Zoning Ordinance and Subdivision and Land Development Ordinance (SALDO) updated, and other City planning and zoning initiatives. The original contract was for \$256,150.00, the addition would bring the contract to a new total of \$288,115.00.

**Sponsors:** Administration

Attachments: [R203 - Contract Increase - James Duncan](#)  
[Resolution #30966](#)

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

Mr. Ed Zucal stated that this basically has to do with a lot of contracts, not just this one. He just doesn't understand how people submit plans for a contract that they don't have more concise numbers. They are constantly doing Change Orders for these contracts. Someone needs to step up their game here.

Dr. Cynthia Mota thanked Mr. Zucal and stated go ahead Ms. Gerlach.

Ms. Ce Ce Gerlach stated on similar lines, is this the second Change Order that has to do with the Zoning rewrite and asked when will this thing be done.

Ms. Vicky Kistler stated that basically this started pre-Covid. Covid suspended the work for a while. Now, we were determined to have as much community engagement as they could. They had no idea that they will receive this amount of community engagement. They have had discussions with community groups. They have had contractors. They have had citizens. They have had property owners. They have had developers. They have had everyone. Coming in recently, they have had colleges and universities as well as nonprofits. She is hoping that this second round of community engagement will be the final round and they will be bringing them a product that they have taken into consideration of every stakeholders opinion and given them the best product. Because they are taking all that community engagement, it extended the life of the professionals who are doing the research behind putting this together to make sure we have no spot zoning which is illegal and to make sure they are taking the best route forward in this. Again, the reasons for the Change Orders was when this was bid, this was pre-Covid which was much cheaper then than it is now. She stated that she is hoping that this is not only our final, but you will have a product early 2025 to vote on.

Dr. Cynthia Mota thanked Ms. Kistler and asked if there were any other comments.

Mr. Santo Napoli stated that he would like to add that he has been part of these meetings since Covid and it has been a long process. It's been an arduous process. It is something that is obviously important to the city. This is a monumental task and he gotten to learn a lot about Zoning through all these Zoom calls and Teams calls. He has been to some of the community meetings that was had throughout the city. To Ms. Kistler's point, it has been a process that has turned into something bigger than any

of us expected. He stated that it is a good thing because, the end product will reflect that. The amount of feedback that they have taken back from these consultants has been substantial and they are working hard to give that final product. He wanted to mention that along the way he has been part of it and it has been really substantial and very expressive. It is something that they all will be proud of when it is finished.

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

Ms. Jessica Baraket stated that she just wants to make one additional comment as well. This wasn't for them changing their pricing. This was for additional work that was incurred. She just wants to make sure that is clear. That was not something that was identified or could have been identified at the beginning when they bid their pricing. It was for additional work that was not identified when the original bidder was done and then the contract has been extended along the years that this has gone on. It just wasn't something that was missed on the contractor's end or Purchasing end. This had to do with work that had not been identified originally.

Dr. Cynthia Mota thanked Ms. Baraket and asked if there were 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: 30966

[15-7374](#)

R204

Authorization for a change order in the amount of \$1,920 with Canon Solutions America, Inc. to supply Maintenance and lease agreement for signature /approvals PA state contract #4400015954 for a Colorwave 3500 two roll print engine plotter. The original contract was for \$63,723.16, the addition would bring the contract to a new total of \$65,643.16.

**Sponsors:** Administration

**Attachments:** [R204 - Contract Increase- Canon Engineering](#)  
[Resolution #30967](#)

Ms. Jessica Baraket stated that she is going to say the same thing kind of for this one and the next one as these are Change Orders as well. When these contracts are identified at the beginning of the contract, they don't know what's said is the cost or the supplies, the cost of overages, the monthly lease cost. Those costs are set and those costs don't change. What we don't know is the usage is going to be. What supplies are going to be needed. What overages they are going to have throughout some of these contracts are three year contracts. Some are five year contracts. Those things are the unknown. That is where the contract Change Orders



came in for this one and for the next one. It is because if we think we are going to use a certain dollar amount within supplies of overages and it goes over that, they cut needs to come back to request the additional funds. For this one and the next one, it does have to do with needing additional support supplies and the print volume being over what was originally anticipated when they set the contract up.

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: 30967

[15-7375](#)

R205

Authorization for a change order in the amount of \$6,500.00 with Canon Solutions America, Inc. to supply printers and multifunction machines along with support and maintenance of the equipment. The original contract was for \$145,224.86, the addition would bring the contract to a new total of \$151,724.86.

**Attachments:** [R205 - Contract Increase- Canon IT](#)  
[Resolution #30968](#)

Dr. Cynthia Mota stated to Ms. Baraket that she knows she will explain.

Ms. Jessica Baraket stated that she has no other additional comments.

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: 30968

[15-7376](#)

R206

Authorization for Contract with Golf Car Specialties, LLC in the amount of \$101,410 Yearly totaling \$405,640.00 for four (4) years to furnish (lease) new motorized golf carts for use of golf patrons at the Allentown Municipal Golf Course, located at 3400 Tilghman Street, Allentown PA. One bid was received, contract shall be for four (4) years with two (2) additional one (1) year renewals beyond the contract expiration period.

**Attachments:** [R206 - Golf Car Specialties](#)

Ms. Jessica Baraket stated that this was done as Bid #2024-45. It was advertised on Public Purchase on October 18, 2024. There was a Public Bid Opening on November 15, 2024. The city received one bid which is from Golf Car Specialties and the city is recommending an award to sole

bidder.

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

Mr. Daryl Hendricks stated his question is that there is only one bid. He asked is that unusual.

Ms. Jessica Baraket stated not typically for this type of bid. It is not something that it is a ton of. She did look at who downloaded the bid. There were others out there. It was downloaded by Golf Car Inc., Golf Car Specialties and Golf Car Services as well as 27 other bidders. Those were the ones that stood out to her based on their names. They chose for whatever reason chose not to. They might not provide leasing options which is not an unusual thing that they don't provide leasing options.

Mr. Daryl Hendricks thanked Ms. Baraket.

Dr. Cynthia Mota thanked Mr. Hendricks and asked if there were any other 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: 30969

#### [15-7377](#)

R207

Authorization for Contract with Linde Gas & Equipment, Inc in the estimated yearly amount of \$45,000.00 to furnish and supply various industrial gases for various departments within the City of Allentown. One (1) bid was received, contract shall be commence upon full execution and cease December 31, 2025, with two (2) additional one (1) year renewals beyond that contract expiration period.

**Attachments:** [R207 - Linde Gas](#)

[Resolution #30970](#)

Ms. Jessica Baraket stated that this was done as Bid #2024-49. It was advertised on Public Purchase on October 25, 2024. There was a public bid opening on November 20, 2024. The city received one bid and the department is recommending an award to the sole bidder.

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: 30970

## Minutes of Previous Meeting

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

[15-7365](#) November 20, 2024 City Council Meeting Minutes

**Sponsors:** System

**Attachments:** [November 20, 2024 City Council Meeting Minutes](#)

## Communications

Mr. Santo Napoli stated that he would like to mention for visitors that are attending City Council meetings, they are encourage to park in the government deck next door to city hall. He stated to see the Clerk, Mr. Hanlon for a Chaser ticket that will pay for your parking.

Dr. Cynthia Mota thanked Mr. Napoli. She stated Executive Session on December 4, 2024 City Council held an Executive Session with the City Solicitor to discuss three Lehigh County Common Pleas matters and one US District Court Eastern District matter. Randy Fey and David Howells v. The City of Allentown, ET.AL. Case Number 2024-C-1296. Jose Angeles and Liselot Rodriguez v. The City of Allentown, Et.AL. Case Number 2023-C-978. Serfass Construction v. The City of Allentown, Case Number 2023-C-1654. Council also discussed a spoliation request. The session was held pursuant to section 708 of the State's Open Meetings Statute.

Dr. Cynthia Mota stated those that are in favor say, I.

Ms. Candida Affa stated I.

Mr. Daryl Hendricks stated I.

Ms. Ce Ce Gerlach asked if they are discussing.

Mr. Michael Hanlon stated that he believes that they should ask Ms. Montero about the procedures.

Dr. Cynthia Mota stated her apologies, Ms. Montero.

Attorney Maria Montero stated that Motion that was made should be read so that everyone understands what the Motion is and it is open for debate after the Motion is made and seconded.

Dr. Cynthia Mota stated let's talk about it and stated that they are allowed to talk about it.

Ms. Ce Ce Gerlach asked if that can be read again.

Mr. Santo Napoli made a Motion to temporary suspend the litigation between the administration and City Council on the investigation and the FLEO Contract that is scheduled for a Hearing tomorrow and work with the administration, City Council and both Solicitors to develop and expedite an independent investigation.

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

Ms. Ce Ce Gerlach stated since they have a contract with an attorney, what happens with that. She stated that Council has a contract that she supposed to handle this. She asked if they are in breach of contract if they do this.

Mr. Michael Hanlon stated that he would say they are paying the bills for the attorney. He stated that they are doing that.

Dr. Cynthia Mota asked if there were any other feedback.

Mr. Ed Zucal stated that he believes the reason that they are going into litigation tomorrow is that they been unable to come to a resolution with the administration.

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

Ms. Ce Ce Gerlach asked is there an explanation as to where this is coming from. Tomorrow is the court date, right. She stated that she knows he had some reservations and regrets. Council had multiple votes on this. Tomorrow, a judge will here both sides and she trusts that the judge will make a decision based on hearing both sides. She trusts a judge. Let a judge figure this out. She stated that she thinks it is a male so this is what he does. This is not out of his ballpark. Where they tried to do the whole negotiate. They tried this. Let a judge make a ruling. It might not be in our favor, if you want the investigation to continue. She stated that you might be happy with the result. You actually might be setting yourself up to have an unfavorable situation, depending on what the judge says. If everything that some people on Council and all the concerns that some folks on Council such as yourself Mr. Napoli are true, then the judge will definitely rule against use going forward with the investigation. There is nothing to worry about.

Mr. Santo Napoli stated that he briefly just say that this was introduced back in September of 2023. They voted on it early October 2023 and here

we are 14 months later and Council hasn't done what they were supposed to do for the folks that same to Council and said we want your help. This is an opportunity and he looks at it as an opportunity to reset. To find a way to move this along in a more expeditious way. He believes what is going to happen with what you mentioned tomorrow isn't going to mean it is going to be an answer tomorrow. It could be months of more back and forth. He wants to finally move this forward. He stated that is why they can reset and move it forward in a way that will serve the folks they are trying to serve in a much faster way.

Mr. Ed Zucal stated that this would have been settled a long time ago had the mayor had not refused or the mayor refused to cooperate with Council. At his own admission here, in Council Chambers he asked Council to vote 7 - 0 to do this investigation. Once Council did that, he blocked it. He stated it is not us that is delaying this. It is the administration. That is why they are going to a Hearing tomorrow because there is no resolution.

Ms. Ce Ce Gerlach stated that it is not uncommon when there are two parties that cannot come to a resolution to have an outside arbitrator, mediator, and in this case a judge to help expediate that along. She stated that it is not uncommon. That is what they got here. They got the administration saying one thing. Many of them on Council are saying something different. She stated to your point, we have been at this for months and have yet to do an investigation because the administration, the hold up was they wanted someone from the administration to be on the selection committee. That is not going to change. They are still going to want that. She stated that they still are going to feel how they feel. Let's have a judge make his ruling and work with that. That is also legally will have a judge saying this is what you can and can't do. This is what should happen. She thinks that would help them in terms of any future legal litigation or anything because it s a ruling from a judge. Be that tomorrow, be that a month from now. Sometimes quick is not always best.

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

**A motion was made by Santo Napoli, seconded by Daryl Hendricks to temporary suspend the litigation between the administration and City Council on the investigation and the FLEO Contract that is scheduled for a Hearing tomorrow and also work with the administration, City Council and both Solicitors to develop and expedite an independent investigation.**

**Yes:** 4 - Cynthia Mota, Daryl Hendricks, Candida Affa, and Santo Napoli

**No:** 3 - Ed Zucal, Natalie Santos, and Ce-Ce Gerlach

## **OLD BUSINESS**

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

**President Mota –** At December 11, 2024, there will be a Special Council Meeting to review the Administration Budget Amendments. Council will conduct a Public Hearing on Wednesday, December 18, 2024 at 6:00 PM in Council Chambers to take public testimony on the request of the Transfer of a Liquor License Number R-15779 for Radhe Krishna Mart, Inc., 1234 – 1246 Lehigh Street, Allentown, PA 18103. The license would allow beer and wine sales as a convenience to its customer.

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

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

**Community and Economic Development, Chair Hendricks, Mota, Napoli**

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

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

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

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

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

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

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

**Public Works: Chair Gerlach, Affa, Zucal**

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

**Water and Sewer Compliance Meeting, Chairperson Gerlach**

The Committee will meet on December 11, 2024 at 5:30 PM in Council Chambers.

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

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

**Controller's Report**

Mr. Jeffrey Glazier stated that he has no Report tonight, but they do have some coming down the pike in the next couple of weeks.

Mr. Ed Zucal asked Mr. Glazier when will Council get the Bill for the mayor's trips

that Council has been asking for for about six weeks.

Mr. Jeffrey Glazier stated excellent question sir. Most trips are paid for on P-Cards. They are working on the August one now. They will not that the Democratic Convention that they might have been concerned about was in August. There are no Bills for that trip paid by the city. There were no Bills in July and as soon as he gets September he will duly inform them. He forwarded correspondence to the Clerk to advise Council of July and August previously. Once again, when September comes across, he will take a quick peek because he can see what charge is what and he will let them know.

Mr. Ed Zucal thanked Mr. Glazier.

Dr. Cynthia Mota thanked Mr. Glazier.

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

[15-7290](#)

Bill 107

Amending the Environmental Advisory Council by allowing nonresidents who have a significant property or business interest in the City to serve on the Council at the discretion of City Council in order to encourage the broadest participation authorized under the Home Rule Charter.

**Sponsors:** Mota, Napoli and Administration

**Attachments:** [Bill 107 EAC membership.docx](#)

[Ordinance #16070](#)

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

Ms. Candida Affa asked if they settled out how this is going to be worded.

Mr. Michael Hanlon stated that Ms. Montero is going to work on the language and then you are going to amend the Code in a general way because your advisory boards have the exact language in it.

Ms. Candida Affa asked if tonight they table it.

Mr. Michael Hanlon stated no, you will just pass it.

Ms. Candida Affa stated we will just pass it.

Dr. Cynthia Mota stated and will change it later on. She asked if there were any other 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: 16070

[15-7309](#)

Bill 108

Amending Chapter 393 Neighborhood Improvement, Section § 393-9 Maintaining Property, by adding a requirement that dumpsters in the public-right-of-way be covered when not in use to prevent unauthorized use or scattering of contents.

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

**Attachments:** [Bill 108](#)

[Ordinance #16071](#)

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: 16071

[15-7329](#)

Bill 110

Amending the 2024 Risk Fund by transferring Six Million Five Hundred Thousand (\$6,500,000) Dollars from the General Fund unappropriated balance to the Risk Fund for the payment of healthcare claims, drug prescription benefits, and other employee medical costs for the remainder of the year. The health care claim amounts are significantly higher this year.

**Sponsors:** Administration

**Attachments:** [Bill 110 Risk](#)

[Ordinance #16072](#)

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: 16072

[15-7355](#)

Bill 111

Amending page 462 of the 2024 Federal Grants Fund budget to accept Seventy-Seven Thousand Two Hundred Eighty-One Dollars and Eighty-Eight cents (\$77,281.88) from the FY 2024 General Fund Department of Community & Economic (DCED) Director's Bureau budget for the SPARK program administration.

**Sponsors:** Administration

**Attachments:** [Bill 111 - Fed Grants SPARK reallocation \(003\).doc](#)

[Ordinance #16073](#)



Dr. Cynthia Mota thanked Mr. Hanlon and asked if there were any comments from the dais.

Mr. Santo Napoli stated that he just wants to mention that he will abstain from the vote. He was a recipient of the program.

Dr. Cynthia Mota thanked Mr. Napoli. She asked if there were any other 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: 16073

[15-7342](#)

Bill 112

Amending Part II General Legislation, Chapter 532 Special Events, Sections 2-14 by updating the language around permitting and fees and amending Part II General Legislation, Chapter 270 Fees, Section 62 Special Event by increasing certain special event fees.

**Sponsors:** Administration

**Attachments:** [Bill 112 - Special Events Fee Amendment](#)  
[Ordinance #16074](#)

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

Ms. Ce Ce Gerlach stated that she would like to make an amendment that all references to church and/or churches be changed to religious institutions or institution.

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

**A motion was made by Ce-Ce Gerlach, seconded by Natalie Santos, that all references to church and/or churches be changed to religious institutions or institution.**

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

Enactment No: 16074

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

Enactment No: 16074

[15-7341](#)

Bill 113

Amending the 2024 Grant Fund budget to accept Fifty-Thousand Dollars (\$50,000.00) from Bloomberg Philanthropies through Johns Hopkins University for the Love Your Block Grant.

**Sponsors:** Administration

**Attachments:** [Bill 113- Love Your Block Grant](#)  
[Ordinance #16075](#)

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: 16075

[15-7357](#)

Bill 114

Amending the 2024 Capital Fund Budget to provide for a transfer of Nine Thousand One Hundred Forty-Five Dollars (\$9,145.00) from Irving Pool Improvements capital project into Fountain Park for installation of a mural on the pool house building.

**Sponsors:** Administration

**Attachments:** [Bill 114 - Irving Park Transfer.docx](#)  
[Ordinance #16076](#)

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

**A motion was made by Cynthia Mota that this Ordinance be approved. The motion carried by the following vote:**

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

Enactment No: 16076

## CONSENT AGENDA

Dr. Cynthia Mota stated that there are five items for the Consent Agenda.

Mr. Michael Hanlon went over the appointments of the five individuals.

Dr. Cynthia Mota asked if there were any comments.

Ms. Ce Ce Gerlach stated just in case Christina is watching, she would like to thank Christina and anyone else for holding them accountable and stated her accountable. Holding the mayor and all of them accountable and the result is right here.

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

**A motion was made by Cynthia Mota that this be approved. The motion carried by the following vote:**

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

[15-7347](#) R208  
Riley Kreuzer, Commission on Homelessness, 12/05/2028 (filling a vacant seat)

**Sponsors:** Administration

**Attachments:** [R Riley Kreuzer - Commission on Homelessness](#)  
[Commission on Homelessness Ordinance](#)  
[Commission on Homelessness List](#)  
[Memo from Mayor Matt Tuerk approving the appointment of Riley Kreuzer \(Commission on Homelessness\)](#)  
[Resolution #30971](#)

Enactment No: 30971

[15-7348](#) R209  
Mary McGonigle, Commission on Homelessness, 12/05/2028 (filling a vacant seat)

**Sponsors:** Administration

**Attachments:** [R209 Mary McGonigle - Commission on Homelessness](#)  
[Commission on Homelessness Ordinance](#)  
[Commission on Homelessness List](#)  
[Memo from Mayor Matt Tuerk approving the appointment of Mary McGonigle \(Commission on Homelessness\)](#)  
[Resolution #30972](#)

Enactment No: 30972

[15-7349](#) R210  
Ann Elizabeth Bebout, Arts Commission, 1/06/2027

**Sponsors:** System

**Attachments:** [R210 Ann Elizabeth Bebout - Arts Commission](#)  
[Allentown Arts Commission](#)  
[Arts Commission List](#)  
[Memo from Mayor Matt Tuerk approving the appointment of Ann Elizabeth Bebout \(Arts Commission\)](#)  
[Resolution #30973](#)

Enactment No: 30973

[15-7359](#) R211  
Sherri Brokopp Binder, Commission on Homelessness, 12/5/2027 (replacing Ellen Denizard)

**Sponsors:** Administration

**Attachments:** [R211 Sherri Brokopp Binder \(Commission on Homelessness\)](#)

[Memo from Mayor Matt Tuerk approving the appointment of Sherri Brokopp Binder \(Commission on Homelessness\)](#)  
[Commission on Homelessness Ordinance](#)

[Commission on Homelessness List](#)

[Resolution #30974](#)

Enactment No: 30974

[15-7360](#)

R212

Christina DiPierro, Commission on Homelessness, 12/5/2027

**Sponsors:** System

**Attachments:** [R212 Christina DiPierro \(Commission on Homelessness\)](#)

[Memo from Mayor Matt Tuerk approving the appointment of Christina DiPierro \(Commission on Homelessness\)](#)  
[Commission on Homelessness Ordinance](#)

[Commission on Homelessness List](#)

[Resolution #30975](#)

Enactment No: 30975

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

[15-7379](#)

R213

Appointment of Four Police Officers contingent upon the candidate passing physical and psychological examinations as stipulated in the Police Civil Service Rules and Regulations and obtaining and maintaining a valid state certification from the Pennsylvania Municipal Police Officers Education and Training Commission.

**Sponsors:** Administration

**Attachments:** [R213 - Hiring Patrolmen](#)

[Resolution #30976](#)

Dr. Cynthia Mota asked if there were any comments.

Assistant Chief James Gress stated that he has before them four applicants for final approval. The first one is Hector Jimenez. He is local from Allentown. He is 40 years old and from the Civil Service list. He is a graduate of the Lehigh Career and Technical Institute. He will need to attend the Allentown Police Academy in the beginning of January. He is currently employed by Waste Management here in Allentown. The second one is Mr. Kyle Hutter. He is from Yonkers, NY. He is a family of First Responders, Police and Fire. Some in New York and some in this area. He is 24 years old. He is a graduate of Western Connecticut State

University with a degree in Criminal Justice. He would also need to attend the Allentown Police Academy. He currently works for a local security company doing Dignitary Security. The third gentleman is James Williams from Sinking Springs - Berks County. He is 28 years old from the Civil Service list. He is a graduate of the Wilson High School in the city of Reading. He is currently the manager at the McDonald's inside the truck stop on I-78. He did very well on the written test and did well on the agility test. The last one is Ahzarudin Mohammed. His nickname is Scotty and from Ozone Park, NY. He is 23 years old. A graduate of Vaughn College in Queens New York with a degree in Criminal Justice. He currently works for a local HVAC Company. Assistant Chief Gress stated that he will also need to attend the Allentown Police Academy in January. He reminded Council of the Academy graduation on the 13th of December at the Scottish Rite at 3:00 PM. He invited everyone to attend.

Dr. Cynthia Mota thanked Assistant Chief Gress and asked if there were any comments from the dais or any comments from the public.

**A motion was made by Cynthia Mota that this Resolution be approved. The motion carried by the following vote:**

**Yes:** 6 - Cynthia Mota, Daryl Hendricks, Ed Zucal, Natalie Santos, Candida Affa, and Santo Napoli

**No:** 1 - Ce-Ce Gerlach

Enactment No: 30976

[15-7369](#)

R214

Approves two transfers: (1) \$113,596.69 in Parks and Recreation – Aquatics for Several Factors Came into Play for Temp Wages and FICA Going Over Budget. The season started earlier and extended longer than anticipated due to weather and other factors. The Irving Pool Project Was Completed Earlier Than Anticipated Which Also Increased Staffing Needs; (2) \$27,000.00 in Golf Course for Funds Needed to Correct Negative Balances that were created due to the Golf Course Superintendent Position Being Vacant for the Summer Months.

**Sponsors:** System

**Attachments:** [R214 Transfer Funds](#)

[Wage Transfer - The Irving Pool](#)

[Funds Needed to Correct Negative Balances that were created due to the Golf Course Superintendent Position Being Vacant for the Summer Months](#)  
[Resolution #30977](#)

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

**This Resolution was approved.**

Enactment No: 30977

**A motion was made by Cynthia Mota that this Resolution be approved. The motion carried by the following vote:**

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

Enactment No: 30977

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

### 15-7380

#### Bill 115

Amending the 2024 General Fund Budget to provide for a supplemental appropriation of One Hundred Seventy-Seven Thousand One Hundred Twenty-Nine Dollars and Twenty Cents (\$177,129.20) from the Municipal Police Officer's Education & Training Commission (MPOETC) to the City of Allentown Police Department for tuition and salary reimbursement from Act 120 Training.

**Attachments:** [Bill 115 Police MPOETC Appropriation](#)  
[Ordinance #16088](#)

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

## **REFERRED TO THE PUBLIC SAFETY COMMITTEE**

Enactment No: 16088

### 15-7370

#### Bill 116

Providing for the vacation of the Eastern 10' wide strip of North 14th Street right-of-way from the North right-of-way line of Tilghman Street to the South right-of-way line of Green Street in the Eighth Ward of the City of Allentown:

**Sponsors:** Administration

**Attachments:** [Bill 116 North 14th Street Right-Of-Way](#)  
[Letter from Mike Hanlon regarding All That Certain Tract of Land and the Widening of 14th Street to Re-Consolidate Its Property](#)  
[Letter from Lehigh Valley Planning Commission 14th Street Strip of Land Street Vacation 10152024](#)  
[10' Strip N 14th Street Vacation Report](#)  
[Staff Report Allentown City Planning Commission to Vacate N 14th St](#)  
[Letter from Jennifer Gomez regarding ACPC Action to Vacate North 14th Street](#)  
[Staff Report regarding Request for the vacation of a 10' Strip N 14th St](#)  
[The Eastern 10' Wide Strip of North 14th Street Right-Of-Way Mailing List](#)  
[Ordinance #16089](#)

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

REFERRED TO THE PUBLIC WORKS COMMITTEE

Enactment No: 16089

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

**NEW BUSINESS: NONE**

**GOOD AND WELFARE: NONE**

**ADJOURNED: 7:30 PM**

[15-6577](#)

Reference Materials:  
Council Rules  
Procurement Code  
Ethics Code

**Attachments:** [Procurement Code](#)

[Ethics Code](#)

[Rules](#)