



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

City Council

Wednesday, June 3, 2026

6:30 PM

Council Chambers

Invocation:

Pledge to the Flag

Roll Call

Mr. Santo Napoli stated before we get started, tonight is their first public meeting since the death of our City Controller. He stated our colleague and a friend Jeff Glazier stating that he likes to thank everyone for the outpouring of condolences and support for his family. Jeff was widely respected for his service over the years at the Allentown School District, the city of Allentown and on many boards that he was a member of. All his service and contributions were focused on making the city of Allentown a better place stating that he will always remember him and always commend him as his legacy to mean. He will also like to give his colleagues if they would like to say a few words on Jeff. He stated he would like to give them the opportunity. He stated Ms. Affa, go ahead.

Ms. Candida Affa stated that she learned through life that to be very thankful and appreciative for the people that support us through us lives and help us get through life, but once they are gone, it is devastating. This is when we truly, truly miss them and to look at the table over there and not see his face is devastating. Because Jeff was always there for every one of us during Budget Season or just chatting in down at the garage. He was never not there for her and she is sure that everybody else on the dais for the last 10 years. She stated that she will and stated rest in peace, Jeff stating that we miss you.

Mr. Santo Napoli thanked Ms. Affa. He asked if there were any other comments from anyone, including our staff. He stated ok and stated go ahead Mr. Binder. He stated Ms. Vice President Mota you are after Mr. Binder.

Dr. Cynthia Mota stated ok, thank you.

Mr. Santo Napoli stated thank you.

Mr. Jeremy Binder stated so though he just started this process with seeing Jeff and the Reports on the things throughout these meetings. He stated that it is really, really hard to not have someone there. The (inaudible) comments that he would make in response to questions and the amount of knowledge he had when it came to this city. He stated that Jeff functioned in so many different capacities from school board to the Parking Authority to City Council to Controller and various other boards. He thinks at some point commented and he is surprised that it was never said at his funeral is that he was the most appointed he like person in all of the city's positions stating that he thinks he was appointed to all of them at some point in his election process, but it is a huge hole that we will not ever fill in this city. He stated that level of institutional wisdom is something that just happens so it is going to be challenging shoes to fill to whoever fills that position going forward, but he was an amazing individual, a passionate individual for detail for making sure there was transparency and making sure that Allentown was a better city for everyone so we... he is definitely missed.

Mr. Santo Napoli stated thank you. He stated vice president Mota.

Dr. Cynthia Mota thanked Mr. Napoli. She stated that she has the privilege of working alongside Jeff for more than a decade. She stated over those years, he became not only a trusted colleague, but also a dear friend stating that he approached every situation with kindness, integrity, and genuine thoughtfulness. Never losing sight of the people he served. His dedication to others in his quiet leadership left a lasting impact on everyone who had the opportunity to know him. His passion is deep and personal to her and for so many of them who was fortunate enough to work with and learn from him. He would be greatly missed and his legacy of compassion and services will not be forgotten. She stated may his memory be a blessing. Thank you.

Mr. Santo Napoli stated thank you. He stated go ahead Mr. Pungo.

Mr. Cristian Pungo stated just to also give Jiffy flowers here, he thinks like Councilperson Binder mentioned stating they just tried to this year, but Jeff still took the time to really sit down with them and talk through things to be an ear, to be someone who can ensure that everyone who is up here understands what is going on and can serve the people with the highest knowledge and responsibility. He stated that he thinks the most impactful thing about Jeff's memory is the fact that he served all of us in this room for decades without even knowing you and without you knowing him and he always looked out for the best of the city and he thinks that is something that we all aspire to achieve as well and it is definitely loss for the city and tough to lose someone that early and stated his term as well would have been great to have and to lean on so, yeah, thanks Jeff.

Mr. Santo Napoli stated ok, thank you everyone and they will move along so they are going to jump into Courtesy of the Floor and stated so this portion of Courtesy of the Floor is for anything you would like to speak about that is not on our agenda. Is there is something on the agenda that you want to speak to, please wait to we reach that portion to speak on that item of business so this portion is just anything in general city related and our Clerk has the card so we will start.

Ms. Genesis Ortega stated Kle Ropski.

Present: 7 - Cynthia Mota, Natalie Santos, Ce-Ce Gerlach, Candida Affa, Santo Napoli, Jeremy Binder, and Cristian Pungo

Courtesy of the Floor

Please observe the Rules of Council when given privilege of the floor. A copy of the Council Rules can be found on the council agenda on the website. 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. When speakers have the privilege of the floor, personal insults, attacks, name calling or other behavior that is inconsistent with the purpose of conducting official business will not be tolerated.

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

You are given the privilege of the floor to provide public comment; it is not a question and answer session. State your position clearly and concisely for consideration. If you speak 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 in place of everyone coming to the podium. 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.

Ms. Genesis Ortega stated Kyle Ropski. She stated that Kyle Ropski passes. She stated Nick Nicoloff. He also passes. She stated Katherine Hoffman. She stated Lester Wagner.

Mr. Lester Wagner a resident at 2432 28th Street SW. He has been a homeowner for over 40 years. He is within a half mile of the subject proposed center. He stated that he just wants to comment in general.

Data Center investment and expansion is taking place at unreasonably speculative rates. This unbridled advancement is neither productive, prudent or has proven advantageous to the public in general. The AI load of such centers is expected to expand 50 percent by 2030. Now being about 25 percent. The energy burden for AI is 10 times that of ordinary data. The plain truth about AI is that it is highly empowering, not only for good, but for fraud and public abuse. There is no legislation to effectively sort this issue out much less speak to legal regulations over the resources which it uses in access. It is energy, utility, water, and other issues. Not to mention noise abatement and other things. He stated further, the public distribution benefit of these Data Centers is surely not uniform. He stated for this reason, any investors should probably bare the full cost burden of operation. This should include full responsibility for total energy use of being the cost of remote or local generation as well as full cost to build and maintain the required distribution to man infrastructure. This is something that PPL should have address and tell us about the factual information. Other local utility mans for water and cooling must be similarly born by the investors such the public is not mandated to bare our share of the highly speculative operational cost having unknown positive and/or destructive for fraudulent purpose (inaudible) and businesses who employed Data Center Services should bare the full fair market value of the service provided. Thank you.

Mr. Santo Napoli stated thank you.

Mr. Adam Bond stated that he would like to continue his remarks from before. He thought he would have a little more time. He stated in summary, he would say that we always look at these things from a Specialist view. They look at them from a project by project view. They don't take into an account the cumulative effect that not just Data Center development, but all of this development entails in this region has had and now they are being asked to contemplate an entire early new category development who demands may dwarf even the warehouse. Data Centers do not merely occupy the land. They consume an enormous quantities of electricity and substantial quantities of water and their viability depends upon infrastructure whose costs often extend far beyond the boundaries of any individual project. One of the least understood aspects of our electric system is that markets begin pricing a future demands years before facilities are even constructed. Capacity auctions determine the cost of insuring adequate electric generation several years in advance. He stated that this month for instance, electrical suppliers will buy capacity for 2027 and 2028. Utilities and grid operators do not simply respond to existing demands. They respond to projected demand. When developers propose massive data centers, the electricity system begins planning for the possibilities that those facilities will come online. Generation capacity must

be reserved. Transmission upgrades must be considered. Infrastructure investments must be evaluated. The result is that ratepayers can end up paying the cost for the preparing for demand that may not ever actually arrive. The public assumes the risks while private investors pursue the opportunity. These pressures are compounded by a second reality that deserves far more attention. He stated that decades of deferred infrastructure investment. He stated for many years utilities operated under a logic that was short-term, but it is a disaster in the long-term categorized by a model repeated in conference rooms and cubicles in PPL Tower throughout the 1980s, 90s and 2000s. He stated don't spend a dollar today that can be spent tomorrow. Maintenance and if you don't believe it, public utilities make critical decisions based on that been platitudes and you get an insider to talk about it after a few martinis. He stated that maintenance could be postponed, operates could be deferred and capital expenditures could wait until another budget cycle, but infrastructure could not become cheaper in fact its costs has proven to outpace inflation more generally. Transformer, substations, transmission lines and distribution equipment continues to deteriorate while labor materials and financing costs continues to rise exponentially. The bill of deferral inevitably becomes due and when it does, it is far larger than it would have been had the work has been done incrementally over time. He stated today we face combined consequences of those deferred investments and an unprecedented proposed electrical demand.

Mr. Santo Napoli stated alright. Thank you.

Ms. Genesis Ortega stated that the rest of the cards she has are all on Bill 20. She asked does she keep doing them under Courtesy of the Floor.

Mr. Santo Napoli stated that if they are all on Bill 20, they can wait until the actual Bill is on our Agenda. He stated ok, so they are moving along and move into Contract Approvals which is next on our Agenda.

Contract Approvals

[15-8455](#)

R68

Authorization of Cooperative Contract(s) in an amount greater than \$40,000.00 to provide the City with various goods/services, for Horwith Trucks, Inc., Environmental Systems Research Inst., Granicus LLC, and Lobar Associates Inc.

Attachments: [R68 - 06.03.2026](#)

[Contract 1134 and 1142](#)

[Resolution #31267](#)

Mr. Santo Napoli asked if there are any questions or comments from his colleagues on R68 or any questions or comments from the public.

Yes: 7 - Cynthia Mota, Natalie Santos, Ce-Ce Gerlach, Candida Affa, Santo Napoli, Jeremy Binder, and Cristian Pungo

Enactment No: 31267

Minutes of Previous Meeting

Communications

Mr. Santo Napoli stated that he mentioned earlier about Parking Chasers. He stated that if anybody needs one, please see our City Clerk to pay for your parking next door in the Government Deck. He asked if there were any Old Business.

Old Business: NONE

REPORTS

President Napoli: Council is continuing meeting with our partners: we are currently looking at rescheduling the Housing Authority Meeting; We plan to meet with the School District, that workshop – 6/25 at 5:30 PM

Special Committee Meeting: Council will hold a special meeting on June 10th at 6:30 PM to take testimony from the administration on Bill 46, the deferred retired plan for the police, and note we have received a draft encampment policy from the administration

Budget and Finance: Chair Pungo, Mota, Gerlach
The Committee met this evening; the next meeting is not yet scheduled.

Community and Economic Development: Chair Gerlach, Binder, Napoli
The Committee has not met since the last council meeting; the next meeting is scheduled for June 17th at 5:30 PM to discuss amendments to the vacant property registration and potential changes to tighten restrictions on data centers.

Human Resources, Administration and Appointments: Chair Binder, Santos, Affa
The Committee has not met since the last council meeting; the next meeting is scheduled for June 10 at 5:30 to review legislation being introduced this evening, the mayor's travel expenses, options relating to creating rules for city travel and an update on the development of the personnel manual.

Parks and Recreation: Chair Santos, Pungo, Binder
The Committee met this evening; the next meeting is scheduled for June 10th at 5:30 PM

Public Safety: Chair Affa, Mota, Santos

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

Public Works: Chair Mota, Pungo, Affa
The Committee met this evening, the next meeting will be scheduled prior to the June 17th council meeting.

Rules, Chambers, Intergovernmental Relations, and Strategy: Chair Napoli, Mota, Gerlach
The Committee has not met since the last Council meeting; there are no meetings scheduled.

ORDINANCES FOR FINAL PASSAGE (To be Voted On):

Amending Part II General Legislation, Chapter 660 Zoning, Article 5 Uses, Table 660-4 Use Table and Section 660-38 Manufacturing & Industry Group, adding the use category Data Center Use; and Article 14 Measurements & Definitions, Section 660-135 Terms Beginning with "D" and Section 660-149 Terms Beginning with "R", adding the definition of Data Center, Data Center Accessory Use, and Renewable Energy.

Sponsors: Administration

Attachments: [Bill 20 - Zoning Data Center Use](#)

[Exhibit A - Zoning Ordinance - Data Center Use](#)

[LVPC Report](#)

[ACPC Action 4-14-26](#)

[Environmental Advisory Council- LOS_DataCenterUse](#)

[04 April Minutes - Excerpt](#)

[Ordinance #16223](#)

Mr. Santo Napoli stated thank you and he is going to move his colleagues Ms. Gerlach Chairs Community and Economic Development. It just came out of her committee so if you would like to provide a Report or any comments, please.

Ms. Ce Ce Gerlach stated oh, sure, yes. She apologized for not being able to be there in person, but yes, this Bill was in her committee and it was forwarded to tonight's meeting for a vote. She stated that she is happy to hear everyone who has shown up to provide comments. She too, during the meeting had some concerns about the strength of the Ordinance, but tonight we heard even more that she definitely didn't even think of and she is sure many of her colleagues did not think of either. She stated that this just has been great and she will if it is ok Mr. president she will go ahead since she has the floor and just has a couple of questions and then potentially may be a comment. She stated her first question is she really and thinking clarification based on reading the Municipal Planning Code and reading our own Zoning Ordinance and listening to comments that if they do not pass Bill 20 tonight and therefore they do not have an ordinance stating they do not have language regulating Data Centers that then there would be absolutely almost free range for applicants to apply to open a Data Center because there would be no regulations. She stated that her understanding is that in the MPC (The Municipal Planning Code) and the Zoning Ordinance, when a Zoning Ordinance does not speak to a specific topic, a specific situation and there is no kind of catch all language which is her understanding that there is not than that is then when either a municipality and/or a landowner can file what they have been hearing a lot about Curative Amendment. She state so her question is right now if a landowner wants to submit an application for a Data Center and they don't have language to handle that do they have to file a Land Owner Curative

Amendment and stated that is just her question of her initial question and she has more.

Mr. Santo Napoli stated ok and he will move to the administration to answer her concerns.

Mr. Frank Kane stated Councilperson Gerlach this is Frank and they have been advised by their Counsel that is not the case under The Municipal Planning Code. The argument is if it is under their Code they default to the most similar use which in this case is manufacturing and that is why all the Data Center doesn't exist. It defaults to manufacturing. He stated that he is going to turn it over to Mike Handzo who you may know from the Community and Economic Development Department who is a little bit more versed in area and can give you a better details.

Mr. Michael Handzo stated sure and thank you Mr. Kane. He stated that he is Mike Handzo and is the Zoning Supervisor for the city so he is the one who is administering these regulations day in and day out. If a Data Center proposal comes in, chances are he is one of the first folks along with some of the other faces at the table seen with the application. He stated that there are categories of manufacturing uses. He stated that the way they are written now is that they provide guidance to create the use on impacts to a certain extent. They also provide guidance to assess uses based on characteristics to the use so based on the manufacturing use definitions written, the Data Center would be a modern impact or a high impact manufacturing category if it is that high impact category in that case. It would only be permitted by Special Exception which would require a Public Hearing for the Zoning Hearing Board for that particular circumstance. He stated that one of the challenges in the current code is that there are no use specific standards for Data Center. There are standards for a manufacturing in general. It is the comments you heard this evening. You indicated a Data Center deserves (inaudible) as its own animal, separate from a general manufacturing facility to simplify some very nuance style they heard earlier this evening. He stated that there is a procedure under the current Code by which they will be able to classify and regulate a Data Center or not wondering in the woods. They are not necessary at risk of any proposal, anywhere an applicant wanting to be able to be shoved down their throats, but what this current Bill, what this Bill 20 seeks to do is just really to be able to strengthen to a certain degree the level of use specific regulations they have for a Data Center. Obviously, some continued process can go to consider the regulations and consider if we need a pass something and then as they go down the road to refine it. He stated that wouldn't be off the table. He stated that they do advise that some kind of regulations be put in place so that they have more Data Centers specific language in the Code rather than treating it the same as other

manufacturing uses.

Ms. Ce Ce Gerlach stated thank you. Now, is there Case Law or something written down somewhere that states that when an Ordinance lacks language specifically on Data Centers that the municipality is to then consider the most similar of use. She asked is that law or where did that determination come from.

Mr. Michael Handzo stated that they may not necessarily be a lot of Case Law on Data Centers specifically at this point just because that is a new use, but it is a well established principle Zoning practice backed up by Case Law on Pennsylvania that the use can be determined and the determination of use can be made. The Zoning Officer can make a determination of use stating that is the same process that every application follows. He stated that there is so much diversity of use that is can never fully be narrowed to a handful of pages. If they needed to conceptualize because every particular use, the Code Book will probably would reach up to the ceiling of this room, but it is a well established principle in Pennsylvania that you need to Zone for every possible use. You need to allow for every possible use in a Municipality and a district that has Zone regulations adopted so the way to be able to do that and the way to be able to do that effectively as we have seen new uses emerge such as a Data Center is to put these new regulations in place, but in the interim they continue regulating the use under the current Code as it stands.

Ms. Ce Ce Gerlach stated thank you once again and stated then her next question is the current and stated that she knows they are not specifically voting on the Emmaus site and they all know that everything exist within the context. She stated so they, the current application for Emmaus asking did they just apply using that rationale of a similar use or did they file or did they plan to file a Curative Amendment. A Land Owner Curative Amendment.

Mr. Michael Handzo stated that particular application was put in through the general application process same as with any other applicant. Same as with the most boring you can think if they put in an application for a Zoning permit, they submitted an application processes. He stated that they went through the standard process of applying our existing Codes to the Zoning Ordinance and being able to triage the nuance some way.

Ms. Jennifer Gomez stated that she can also add that applicant in addition to applying for the Zoning Code has also applied to the Curative Amendment because if they get turned down for the Zoning application, they intend to come in with their own Curative Amendment and their cure is to allow Data Centers by right as a permitted use with no regulations.

Ms. Ce Ce Gerlach stated thank you. So then, it seems as though at for this initial one because she is trying to think she stated that again, she understands fully that they are talking about Bill 20, but we all know that we are also talking about potentially a Curative Amendment. Potentially tabling so she doesn't want to appear as though she is off topic because everything is interrelated. She stated so it appears as though in this first situation they got a developer who wants to do a Data Center and he has realized that the way that the current Zoning Code is structured may or may not be in his favor so as a backup he is doing as he is able to do legally as they are able to do legally a Land Owner Curative Amendment to almost like a Plan B. She stated that it seems that that is what the average and that might be a common practice if you are in a municipality that doesn't have a language speaking Data Centers and you want to build one that you would file through the MPC stating not through, but as you allowed to through the MPC (The Municipal Planning Code). She stated that you will file a Curative Amendment and stated she doesn't know things like that that would be a reasonable ask to take action from somebody who wants to set up a Data Center in a place that doesn't have language and the MPC allows that and so is our Zoning Ordinance so she says this because there is another form of a Curative Amendment. It is a Municipal Curative Amendment and that is what they have been hearing a lot about tonight. She stated that she very very much appreciates the time and the work that has went into Bill 20 and the people who have been engaged in this process up until this point and the people who are there right now and she strongly feels as the chair of CED that did vote in favor of passing this on, but did not hear everything that they just heard tonight. When she did so stating they need to take a pause and they need to take our time to develop stronger language. A lot of the concerns that have came up are the reason why and they are empowered through the mechanism of a Municipal Curative Amendment which would give us 180 days to strengthen this Ordinance during of which the time developers would not be able to request their own Curative Amendment. She stated that so it will shut that process down for six months and so they will have time to put something together that is a little bit stronger. She stated that they all can agree that this needs to be a little bit stronger. She stated that so she has sent on Monday a Resolution, of Monday of this week she had sent a Resolution to do just that. To pass a Municipal Curative Amendment. In the Resolution she did not put the term in and would like to add that. She stated that a Municipal Curative Amendment so that they can slow down and do this right. She stated that she knows that there are various opinions on our ability to do so and the effectiveness and what not, but she would just like to put that out there on the table and perhaps that could be part of the conversation. She stated that this will have lifelong implications. She stated that she doesn't feel comfortable stating that she is not an expert on this and does not anyone in the room other than maybe some folks that

came up to speak who are experts. She stated that this will have lifelong implications and we need to do our due diligence and she thinks they need more time. She stated with that said she will pause here and listen. Thank you.

Mr. Santo Napoli stated ok.

Mr. Frank Kane stated that administration's perspective, they share a lot of those concerns. He stated that they have been advised by their Council that they would love to have 180 day moratorium too stating that their Counsel has advised us that is not what this Curative Amendment will do. He stated that our Counsel has advised us that if you just even if you just Google it, it says that a Curative Amendment does not prevent people from applying. It may prevent other Curative Amendments, but their understanding is a person can come in today and tomorrow if this doesn't pass tonight and try to locate a Data Center and have no setback requirements. He stated so they like everyone here wants to see people and want this community protected. He stated that he wished they knew for sure. He stated that he wishes they could be sure. He wishes somebody could show them where it is 180 moratorium because everything that he can find says that it is not. It just prevents us from being sued from landowners filing Curative Amendments against us. He stated that is really the bottom line stating if you believe that we are completely, you know we are less protected then they should pass amendment, you know Bill 20 and they can consider a Curative Amendment also. He stated that he thinks they would want at least those protections and then we could come back and talk about bigger setbacks and the effects on people with special needs. He stated that he doesn't have a great answer other than that is what our Counsel has told us what their legal advice is. He stated that he is open to anyone who may have different thoughts who can show us where that is not the case.

Mr. Santo Napoli stated ok, he is going to quickly ask our Solicitor if she can offer them any opinion just for us to help them understand it. He stated Ms. Montero, thank you.

Attorney Maria Montero stated that this evening you have an opportunity to vote for Bill 20 and there are options with that. You do have an option to potentially postpone the vote to a later date if you would like to gather more information and that will protect your pending ordinance doctrine of very important days that this was published on May 17th. It gives notice to developers and individuals who maybe seeking applications on potential guidance and guidelines when it comes to Data Centers and when it comes to 6092 that is part of the Municipal Planning Code. The Municipal Legislative Curative Amendment and what Councilperson Gerlach stated

was that it does prevent any Landowner Curative Amendments. She will say there are conflicting opinions when it comes to what the effect of that 180 days is. She stated that she is not a land use attorney and speaking with individuals that practice in that area, it is their understanding that applications for Data Centers could be put on pause during that 180 days. She stated however she would say whatever applications are currently before the Zoning Board that is going to proceed so the Emmaus Avenue Project that is in the process so this is moving forward or any applications that come after May 17th. He stated ok, two thoughts. First, he thinks he would recommend for his colleagues to do an LSR and that empowers our Solicitor to do a Legal Service Review and that way she could determine some more definitive answers on some of the questions we have. That is not something he would ever put anybody on the spot. He would just at this moment, but he thinks he believes that they can empower her to dig deeper and get us the answers they are looking for so that they could be more sure and she brought up 2401 Emmaus Avenue. City Council at this point and at this juncture, that is not under our jurisdiction, but he will mention it again that you have an opportunity to come to the Allentown Planning Commission meeting which is on Tuesday, June 9th at 12:15 PM here in Council Chambers. There is the next body that will be reviewing that 2401 Emmaus Avenue. He stated that they said it before and want to be clear of what is happening for that, but that is not a proposal that is going to be effected one way or another tonight no matter what they do. He stated thank you Ms. Montero and will speak of his colleagues and they will see if they can get an LSR put together so they can get some better answers. He asked if there were any questions or comments from his colleagues stating Mr. Pungo go ahead.

Mr. Cristian Pungo stated thank you stating he just have a.

Mr. Santo Napoli stated sorry, Ms. Mota.

Dr. Cynthia Mota asked can she speak stating she has received many phone calls from people in her community, especially from her neighbors from the southside who are deeply concerned about the potential negative impact this Data Center could have from our community. Residents are worried about rising utility costs, increase strain on water resources and the affect on vulnerable population including children with special needs. She stated many people are fearful about this project that could not affect their daily lives, their quality of life and their livelihood. These concerns are real and to have careful consideration and make decisions about the Data Center. She stated moving forward she does understand when you mentioned that this is not about the Emmaus Avenue right now. She stated that she also would like to make a motion to draft a letter to the Planning Commission and she would like the public to know this requesting the body

to take into consideration the public safety, the public health, the wide impact and the environmental impact when evaluating the Project on Emmaus Avenue and following the recommendation proposed to the Community Development Committee. Council developed and did not safeguarding the Data Center. She stated that she knows that they are planning to do an LSR and she thinks that will be great, but the reality is that this Data Center on Emmaus Avenue is in back of her house and her neighbors are not happy stating that they have heavy duty concerns. She stated thank you president Napoli.

Mr. Santo Napoli stated thank you vice president Mota. For feedback, Mr. Pungo go ahead. He stated he is sorry, did you have something.

Ms. Candida Affa asked if she had a motion stating that she will second that.

Mr. Santo Napoli stated just to be clear for the public stating we have a Motion on the floor by vice president Mota. He stated that he made a Motion, Ms. Affa seconded it.

Ms. Ce Ce Gerlach stated just a Point of Order and stated that she is sorry to jump in from the sky, but she doesn't know and stated that she supports Dr. Mota. She just doesn't know if this is the time to do that.

Mr. Santo Napoli stated that he will involve the Solicitor. He stated that was next on the list. He stated that he wanted to acknowledge Motions publicly that's all. He asked is that something they can put aside until we get through comments.

Attorney Maria Montero stated that she would recommend that they let the comments come through first and then you can decide.

Mr. Santo Napoli stated ok. Thank you. He stated Councilperson Pungo.

Mr. Cristian Pungo stated thank you Council President. He stated so he thinks they heard a lot tonight and he thinks he heard a lot of folks saying deny and kind of reject Bill 20 and instead do the Curative Amendment. He stated that he guesses his question for our Solicitor is why couldn't we do both and asked can we not.

Attorney Maria Montero stated that she believes that they can.

Mr. Cristian Pungo stated he would like to again a lot of people have recognized in the room the kind of work that went into drafting the legislation that they have now before them. He stated that he knows that

they talked about it with the slideshow and some folks weren't here, but can he just ask the administration to confirm roughly when they started this process.

Ms. Jennifer Gomez stated that this process was started and stated she thinks actually over winter break. She stated that they were hard at work to get this over winter break and put some of the first drafts of the ordinance together and went to the Environmental Advisory Committee in late January and put everything and then developed it further to get to City Council for introduction and then they went several rounds with the Lehigh Valley Planning Commission at their regular Comprehensive Planning Commission meeting and then their full Commission meeting and there is several other here along the way they received support along the way by every single entity. She stated that she will also say that sitting on the Lehigh Planning Commission and watching what other cities are doing at that point in time. She stated that when they started talking about this in Allentown in December of last year, there weren't as many Data Center ordinances. She stated now if they go and check the Lehigh Valley Planning Commission Agenda, they are almost on any single meeting and president Napoli knows every single ordinance is looking to do this. She stated that at that point in time, there weren't as many ordinances so they were proactive in getting this together. She stated she can also state that they use some of the existing ordinances to their advantage as templates and some of that language is where they got from the most controversial element which is the 200 foot setback as well as the setback that is used within our existing Zoning codes for mining and inquiries as well so they just extended that and copied some of the existing language that is within our existing Code, but now she thinks as she is watching this it is an evolving topic and she thinks Ordinances have started to get better. It just takes a really long time and it is a lot of work to amend the Zoning Code through the MPC and hit all of the bodies that need to review it so even those early Zoning Codes she thinks they are now coming back and doing amendments to put together the strongest ordinance that they can. Ultimately, that is why we are all here today.

Mr. Cristian Pungo stated thank you so much and he thinks it is so important to look at this from the lense like you acknowledge this is something that essentially start in December and almost January. He stated that they are looking at almost six months of work right there and in his perspective, if this is something that gives them a layer of safeguards right now and if they do a Curative Amendment on top of that we empower ourselves even more and if for whatever reason and he guesses he speaks to Council, is there any chance that a challenge of a Curative Amendment if it is too restrictive or depending on the language which he is just curious, sorry.

Attorney Maria Montero stated that if she can do an LSR, she could get back to him.

Mr. Cristian Pungo stated he is sorry, yeah, yeah so that is kind of part of that part so they don't even know for certain that a Curative Amendment depending on how it is drafted couldn't be challenged and then they are talking about if there is an injunction on that Curative Amendment then they are left with nothing. There were six months that we could have something right now and then one legal challenge because he thinks there is a gentleman that said people will play by their own rules and then we will find ways to get in the way of it and right now, they have a very it is already vetted, fully legal work like a step along a months long process and if they explicitly to vote no on this on it, that six months everything on this specifically Bill 20 is gone. He stated that if they can potentially have this as a safeguard and on a Curative Amendment on top and really get the best of both worlds here stating for him he thinks there is a benefit to that instead of throwing this to the wind and starting over. He stated that he agrees with you guys, he has very general concerns for some of things that are on there stating that he is sure through the months and the different reviews, there was specific language that was chosen to make sure that it was legal and compliant and personally he would love to see audits in there because he thinks that is part of it. He stated that they talked about changing cases and making sure people stay compliant, not just at the moment they apply. He thinks it is so much that they can do to strengthen this and it is critical for them to take the opportunity now and also take advantage of a potential Curative Amendment so that is kind of his perspective so.

Mr. Santo Napoli stated thank you and stated that he has one follow up for our Solicitor and this could be part of an LSR and he doesn't know if they can answer. If hypothetically, if Bill 20 will pass would that weaken the case for a Curative Amendment. He stated that is something that he would want to know. If it would negatively impact our ability to do that.

Attorney Maria Montero stated while reading Bill 20 at the current juncture, there are no safe guardrails regarding Data Centers and so it is that first step process you have seen it unfolded within six months and so that is the first steps. A potential municipal Curative Amendment could look at the other potential parts of the Zoning Ordinance that could be invalid because of lack of structure and so she doesn't see it as a conflict.

Mr. Santo Napoli stated ok. He asked if there are any other questions or comments from his colleagues. He stated Councilperson Binder, go ahead.

Mr. Jeremy Binder thanked Mr. Napoli and just wanted to reiterate what other people have said but as he thanks them and knows a lot of efforts went to this. He stated that he was invited by what he said earlier today and the amount of checkpoints that went through this process of starting to them and coming to the Planning Commission. He stated that he doesn't look at that lightly nor is he suggesting they should change it. At this point, he is not saying that they shouldn't make it stronger. He stated that they definitely should. He stated that he definitely thinks everyone up here wants to see this as robust as they possibly can. The last thing he wants to do is set us back to the point where now they are behind the line where everyone else is going and one of his questions from a risk perspective is if you just game this out and say they take a moment and make some changes and this has to go in, their and are there any risks for what will the risks be if it needs to go through this cycle again. He asked are we exposing ourselves to the potential that someone is going to come in right now and run underneath the same rules that the current one on Emmaus Avenue is running under.

Mr. Frank Kane stated that they are and Counsel has advised them that that is the risk. He stated that they are open to challenge if they don't pass and stated at least and stated you can amend further and you can create further setbacks. He stated you can with all of the things that he advises tonight. It is great suggestions and they can quickly look at amending the Zoning Code again, but they have been advised by our attorneys that if we don't put these safeguards into place now, someone that applied tomorrow applies under the old Code which has no setbacks. Into also give the volume of discussion that's transpired on this topic.

Mr. Michael Handzo stated that it is obviously laid bare given the volume of discussion that transpired on this topic. It is obviously lay bare somehow to our Zoning Code to a certain extent so that does seem to suggest if we have started down a process and put certain regulations in place that would take them a step further and Mr. Pungo's comment then what they already have in place. There seems to be some sensibility continuing that process with a mindset that we can always take it the next step further, but we now mentioned this meeting multiple times if the Data Center proposal were to come in and if any move would to be made where there was room for the pending ordinance doctrine will be threatened in any way then it could introduce some level of uncertainty in the review process. If a Data Center were proposed that can lead to uncertain results. He stated that the best thing he could say is if the can gets kicked down the road to any extent it increases the likelihood on certain increases the review process to some extent and at the end of the day that is the concern or a review process and the lack of local control is the one thing that we all share. The lack of local

control is the one thing we all share.

Mr. Jeremy Binder stated that he thinks to one of the speakers and Councilperson Pungo given that people will look to manipulate the system to some degree as municipalities around us becomes tighter. He stated that they run the risk that they don't have something in place. He stated that if he is understanding this that we become from the supply and demand perspective, the next place that is open is used in that is also a concern and he thinks out of everyone in this room. He thinks part of where he is on this is still a lack of clarity on his side with what they have options. He stated that he thinks that is part of the stuff that he is still trying to figure out just because we do want to make this be stronger, but it is not clear what other options they have to make sure we aren't moving from that May 17th date because he believes everyone should understand that's the checkpoint that this started on and that is what everyone has to be held accountable to if you are applying. He stated that we lapse too far and that resets things and that exposes them to additional risks so he would say like what he would like to have as part of the is part of the perspective is just a little bit more clarity. He is not suggesting that they should necessarily should change this. He thinks Council versus Pungo, they can do both and think they can go ahead and say here is this process and they are starting this other one. That is why other municipalities are already doing, but he does feel that he is missing a little bit of clarity because he is getting conflicting information about what of our options are. He stated that he just wanted to call it out and ask some of those questions and stated that he thanks them very much.

Mr. Santo Napoli stated good, Mr. Binder. He asked any other questions or comments from colleagues.

Ms. Ce Ce Gerlach stated that she just had a follow up.

Mr. Santo Napoli stated go ahead, Ms. Gerlach. She stated yes, so on the issue of doing both, she thinks she needs clarification because the purpose of a Curative Amendment is saying that the current Zoning Ordinance is inadequate when it comes to addressing Data Centers. If they pass Bill 20 that will no longer be true. It will address Data Centers so how can we do both.

Mr. Santo Napoli stated that he guesses that is a question and stated that they will all get their turn and find out when the time is appropriate so he guesses and they all kind of thinking about a potential LSR so again, he will never put her on the spot and it is not fair and think they should make sure they have clarification. He stated go ahead Mr. Pungo.

Mr. Cristian Pungo stated to quick add on to that. He agrees with Councilperson Gerlach. He feels like and even heard tonight that there are some parts of this specific ordinance that he makes note of special surveys and studies that make reference to either the Noise Code or the things he thinks maybe there is potential for them to say, hey look some of the studies are part of the Curative Amendment and they are going to set some of them and really kind of use that to say hey, look, we understand that these parts are not clearly defined. There was a gentleman talking about the low frequency audio impacts on neighboring properties. These folks are on his side. He thinks/definitely agrees with some of the continued compliance portion of it and he thinks there are opportunities to say that it doesn't actually address some of the specific parts that they can say hey, look they are going to include a Curative Amendment there again. He stated that is part of an LSR. He would request an LSR to look at potential for specific parts of it, of the Code knowing that if they would have known six months ago they would have included it in the Code, but they are at this juncture where they can't make that change so let's do a Curative Amendment to specifically amend that specific portion of it. He stated just food for thought.

Ms. Ce Ce Gerlach stated that she just had two more things. She stated so she does want it on the record that none of them in the room came up with the idea of using a Curative Amendment to pause passing legislation when it comes to Data Centers. This has been done in over and at this point at least 12 municipalities in Pennsylvania because they are allowed to do so which means their legal team, their solicitor, people just like the folks in that room sat down and figured out the legalities of using municipal Curative Amendment and they determined in at least 12 municipalities that this wasn't in their best interest and legally sound. She stated that she just wants to put that to put that out there. Now, her question that doesn't necessary need to be answered tonight, but it is relevant on how people vote on Bill 20 is if Bill 20 passes and our logic is that which originally wa

A motion was made by Ce-Ce Gerlach, seconded by Jeremy Binder to Table Bill 20 until the next Council meeting which is June 17th to give the City Council Solicitor time to complete an LSR.

Yes: 7 - Cynthia Mota, Natalie Santos, Ce-Ce Gerlach, Candida Affa, Santo Napoli, Jeremy Binder, and Cristian Pungo

Enactment No: 16223

A motion was made by Cynthia Mota, seconded by Ce Ce Gerlach to draft a letter to the Planning Commission and would like the public to know this requesting the body to take into consideration the public safety, the public health, the wide impact and the environmental impact when evaluating the Project on Emmaus Avenue and following the recommendation proposed to the Community Development Committee. Council developed and did not safeguarding the Data Center.

This Bill was withdrawn.

Enactment No: 16223

[15-8447](#)

Bill 45

Amends Chapter 19, Civil Service Board, of the Codified Ordinances, titled "Rules of the City of Allentown Civil Service Board Governing the Appointment and Promotion of Police Officers and Firefighters" by removing "Failed to register with the Selective Service System" as a disqualifier for the Civil Service Test.

The proposed Bill approves the City of Allentown Police and Fire Civil Service Board's repeal of its Rules that automatically disqualify an applicant for police officer or firefighter from examination for or selection from an eligibility list if the applicant has failed to register with the Selective Service System. The Bill modernizes the Board's Rules and harmonizes the Rules with both Pennsylvania law and recently enacted Federal law

Sponsors: Administration

Attachments: [Bill 45](#)

[Letter from CSB to CC 5.4.26](#)

[Draft Approval of Repeal of SSS Auto DQ - 2](#)

CONSENT AGENDA

[15-8457](#)

R69

1008 S 6th Street (ANB Realty 16, LLC - Sewer Planning Module)

Sponsors: System

Attachments: [R69 - 1008 S 6th Street \(ANB Realty 16, LLC - Sewer Planning Module\)](#)

[1008 S 6th Street Sewage Facilities Planning Module](#)

[Resolution #31268](#)

Mr. Santo Napoli asked if there were any questions or comments from his colleagues on R69. He asked if there were any questions or comments from the public. He stated R69 and said can you call the vote, please.

Ms. Natalie Santos asked what's on the floor right now.

Ms. Genesis Ortega stated that this for the Sewage Planning Module on the Consent Agenda. She stated R60.

Ms. Natalie Santos stated yes.

Yes: 7 - Cynthia Mota, Natalie Santos, Ce-Ce Gerlach, Candida Affa, Santo Napoli, Jeremy Binder, and Cristian Pungo

Enactment No: 31268

RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):

[15-8460](#)

R70

Appoints a Temporary Deputy Controller for the City of Allentown until that time when the City of Allentown City Council appoints an interim City Controller.

Sponsors: Administration

Attachments: [R70 Temporary Deputy Controller](#)
[Resolution #31269](#)

Mr. Santo Napoli asked if there were any comments or questions from his colleagues or from the public on R70. He stated ok.

Yes: 7 - Cynthia Mota, Natalie Santos, Ce-Ce Gerlach, Candida Affa, Santo Napoli, Jeremy Binder, and Cristian Pungo

Enactment No: 31269

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

[15-8459](#)

Bill 46

Amending Part 1 – Administrative Legislation, Chapter 75 – Pensions and Retirement, Article III – Police Pension Fund, by adding a new section 75-53 “Limited Deferred Retirement Option Plan”.

Attachments: [Bill 46 - Police DROP](#)
[Signed DROP2-27-26](#)
[Police DROP Actuarial Study](#)

Mr. Santo Napoli stated ok, any comments or questions from the public on Bill 46. He stated ok and this will be referred to a Special Committee that he believes they have scheduled on June 10th at 6:30. He stated next up.

REFERRED TO A SPECIAL COMMITTEE

[15-8458](#)

Bill 47

Amending the 2026 Capital Fund Budget to provide for a supplemental appropriation of Six Hundred Forty-Nine Thousand One Hundred Thirty-Nine Dollars and Fifteen Cents (\$649,139.15) from the Aqueous Film-Forming Foams (AFFF) class action awards to offset the cost of any PFAS remediation systems the City is required to install under federal and state regulations. The 3M settlement payment will be made in eight more

installments through 2033. The first settlement payment from BASF is in the amount of \$190,684.62. Additionally, there was a settlement payment from TYCO in the amount of \$458,454.53. The total of these sources thus far is \$649,139.15 and represents 95% of Tyco and BASF settle claims. The total amount of settle funds the City has received thus far through its participation in PFAS affirmative litigation is \$3,774,965.12.

Attachments: [Bill 47 - PFAS Appropriation](#)
[Ordinance #16226](#)

Mr. Santo Napoli stated ok, thank you. He asked if there were any questions or comments from the public on Bill 47.

REFERRED TO THE PUBLIC WORKS COMMITTEE

Enactment No: 16226

[15-8461](#)

Bill 48

Amending the 2026 Trexler Fund by authorizing a supplemental appropriation in the amount of Three Hundred Twenty-Two Thousand Nine Hundred Fifty-Five Dollars and Fifty Cents (\$322,955.50) to the Parks and Recreation Department to support the operating and capital budgets. This is inclusive of the City Match required in the agreement which needs to correspondingly increase Eighteen Thousand Two Hundred Eighty Dollars and Fifty Cents. (\$18,280.50) to follow the 6% match requirement. This is part of the 2026 Trexler Capital Project allocation.

Sponsors: Administration

Attachments: [Bill 48 - 2026 Trexler Allocation](#)
[Ordinance #16227](#)

Mr. Santo Napoli stated ok and asked if there were any questions or comments from the public on Bill 48.

REFERRED TO THE PARKS AND RECREATION COMMITTEE

Enactment No: 16227

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

NEW BUSINESS: NONE

GOOD AND WELFARE

Mr. Santo Napoli stated that he did want to mention quickly, City Council is currently taking applications for the vacancy in the Controller position. He stated that if anyone is interested or if you know anyone you think might be interested, direct them to our city website at allentownpa.gov and that has more information regarding the position and the details. He stated that we

encourage all to apply. He asked if there were any other Good and Welfare. He stated good job everyone. He stated that he appreciates all the efforts at this meeting.

ADJOURNED: 8:19 PM