



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

City Council

Wednesday, November 6, 2024

6:30 PM

Council Chambers

Invocation:

Pledge to the Flag

Roll Call

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

Courtesy of the Floor

Courtesy and Privilege of the Floor Rules

Ms. Becky Kiss, S Berk Street, she stated that she is here to talk about an interaction she had with the police two weeks ago. Two weekends ago, there was this shooting by Muhlenberg College. A couple of hours later, there was a shooting around the corner from her house. She knows this because she woke up in the morning and three separate neighbors have texted her asking her for her camera footage from her doorbell camera. She went on her camera and she found the video. She called the police because when there is a shooting that is what you supposed to do. Two officers showed up. The first was Victor Diaz. He was polite and nice. She did not get the name of the second officer, but as Officer Diaz walked away to look around the neighborhood and see what he could see, the second officer stood in her yard and looked at her like he was not convinced that what she was saying was the truth. She explained the situation to him as he arrived a couple of moments after Officer Diaz and finally she said to him that he is looking at her like he doesn't believe her. She stated that she has video and audio and you are acting like she is not telling the truth. He said that he did not say that, but that is your demeanor. She stated that is how you are coming off towards me. She stated that the second officer whose name she doesn't know looked at her and said this is a safe neighborhood. She stated that she paused and said to him, it shouldn't matter what neighborhood you are in, if you hear a gunshot you should call the police. She said to him that she finds it hard to believe that you guys had no calls at 1:30 in the morning when this happened. Because there were numerous police sirens in the video that she has and he looked at her and said how do you know they were police sirens. Officer Diaz did eventually come back. There are two no parking signs in front of her house that were put there by the Parking Authority for some work that LCA has

been doing. She noted that those signs had been knocked over. There was trash all over the street from the people who had done the alleged shooting. Officer Diaz picked up the no parking sign and dropped on the ground and said maybe this was the sound that you heard. She stated that it definitely not the sign that she heard. She stated that she would like to play the audio from the video for Council. Just to kind of prove that this is what she heard. In the video, there is a couple of seconds in the beginning where you can hear an altercation, the gunshot and then the afterwards. She played the audio. She stated definitely a gunshot and definitely not a situation where it was a no parking sign being knocked over. She and her neighbors did go out and see if they could find the bullet. They did their own little neighborhood investigation. She stated that she did email Ed after it happened just because she felt like this was not an interaction that people shouldn't have with the police. If she quote on quote live in a good neighborhood, how are people who live in different neighborhoods being treated in these situations, especially coming off Chief Roca's budget proposal and hearing him talk about equity across the city and being treated with respect and kindness by officers. She stated that she did not feel like this was a situation in which that happened. It was frustrating because she did go back to the neighbors who texted her about the incident who did hear it and she asked them why they didn't call the police at the time and they all had the same interaction and same kind of situation where they all said nothing is going to happen. When she did call the police, nothing did happen. She wanted to make them all aware of that incident and it was not a very good interaction with the two officers that showed up at her home.

Dr. Cynthia Mota stated that she is sorry that it happened and what she would suggest that she gives Mr. Hanlon your name and your email and perhaps your phone number and make sure that someone contact you.

Ms. Becky Kiss stated her question is what is the result of the contact. Her next steps here was going to get a copy of the police report which she did say to the second officer that they even bothered to file a report. He said that is what he is doing. None of this was explained to her so the next steps in her mind were to get a copy of the police report to file a complaint against the second officer about the comments that he made regarding the neighborhood, regarding the gaslighting of her with the sign falling over and honestly, to file a Right to Know to get the bodycam footage of the interaction.

Dr. Cynthia Mota stated that she believes that she is entitled to do all that. She suggested Ms. Kiss give him your name. She stated that she is glad that she is here and reporting this. It is important that we get your name and your email and they will do a follow up.

Mr. Daryl Hendricks asked Ms. Kiss has she contacted anyone since the incident from the police department, a supervisor.

Ms. Becky Kiss stated no. She stated after that interaction why would she. She stated that is why she is coming here today to get the gall rolling.

Mr. Daryl Hendricks stated that they will make sure that someone is going to contact her.

Ms. Christina DiPierro, 4536 Bellflower Way, stated that she is speaking as a representative of the Commission on Homelessness for the city of Allentown. She asked for five minutes. Last month the Commission, sent an email to all Councilmembers and the Mayor. She stated that she is disappointed that the Mayor left because this is directed towards his administration and she would hope that someone from his administration would bring this message to him.

Dr. Cynthia Mota stated that Ms. Bina is here on his behalf.

Ms. Christina DiPierro stated that this message aims to explain why the abruptly paused their this summer. They also reiterated the Commission's purpose, goals and outlined the resources and support needed to affectively serve our unhoused neighbors. The Commission's purpose is to be a voice for the unsheltered citizens of the city of Allentown. They are here to offer guidance, support, expertise, to advocate for policies that address the needs of some of our city's most vulnerable and marginalized residents. In the email, they invited each of them to join in this effort and requested a response. Unfortunately, they did not receive any replies. Not one reply from Council. Not one reply from the Mayor. This lack of response or simple acknowledgement speaks volumes. She acknowledged those who reached out individually in the past to learn about our unsheltered community. Thank you for your dedication. However, for us to function as a Commission, we urgently need the support and actions we requested. One critical need is to fill the eight vacant seats on the Commission right now. These vacancies hinder our effectiveness, limit our ability to serve our community and violate the Charter set forth by the city for the Commission. We have committed to address homelessness in Allentown and need your partnership to succeed. She read the actual email that was sent to all of them and it lists the things that the Commission is asking. Our aim during the period of reflection, this is the reason why we paused.

Dr. Cynthia Mota thanked Ms. DiPierro and stated that she will take that under consideration.

Mr. Don Ringer, 1801 Liberty Street, stated that he is a Vietnam Era Veteran. He is a resident of the United States and so proud to be an America today. To see how democracy really works in this country. He thanked Council for listen to that. He stated now, this lady here just brought up something and Mr. Hendricks you said something about calling the mayor's office. You can't even call their office. They don't answer the phone. They are never there. How is she supposed to get a reply on anything. Incidentally, if you gentlemen or ladies want to drive around the west end with him, he will show where the officers are hiding and they do hide. He stated that the other thing he wanted to say is that he was completely disgusted as a citizen of Allentown, the way the mayor conducted himself at the Trump Rally the other week. He is supposed to be an ambassador for the city, selling our city. Not acting like an idiot.

Dr. Cynthia Mota stated to Mr. Ringer, no name calling please.

Mr. Don Ringer stated that he should be conducting himself in a way that promotes the city of Allentown. Not the way he acted. He was on video acting like that and it was just despicable to see how he conducted himself to the city of Allentown. He didn't do it at the Democratic Rally at Muhlenberg. What's the difference. He just could not believe the behavior of our mayor at that Rally.

Mr. Tim Ramos, 1401 Linden Street, stated that he was also going to talk about the protest and the behavior of the mayor. He personally does not like and he does not care how many disagreements that he and Mayor Tuerk have. He does not like the idea that he is not the star in a few videos that have reached almost 10 million views. It is an embarrassment for him he is sure and it is an embarrassment for our city. It doesn't make us look good. More than anything, he cares what people think about our city. It doesn't send a message that our city is open for business and it doesn't let people know that we are a welcoming city. Unless, they happen to agree with everything they believe in or our agenda items for life and other. That is not the behavior that we should be allowing and he would even question if it would raise an ethics issue. That should have come from all of you. Also, during the protest that happened the day of the rally. She stated that he noticed that Councilwoman Gerlach was involved in that. Rock on, right. And, also State Representative Joshua Siegal. They are so proud of that and enlisting a group to protest with a group that is know to get violent in the past. He could attest that a personal situation where one of their members struck him in the chest with a palm strike. If you know the difference between slaps and palm strikes, you could just go to a MMA gym and they will be more than happy to strike you the difference. Of course, that individual when he responded became very cowardest and

became a victim with everyone with their phones out. He is sure that video would have gone viral too and his also his friends also have videos. All he was doing is standing in between two groups. He wasn't protesting at all. All of them know he doesn't care for protest. He care for getting things done right. He stated that it is their job to promote the city. Not to tell people they are not welcome. He stated that is not your job. He encouraged them to do their job in promoting the city of Allentown and letting everybody know that we are open for business. Not close for some because he doesn't like it. He stated to grow up and act like adults, not children. If there is an ethics issue, he would encourage them to look for it because he knows she got more than a few emails and stop entertaining this nonsense.

Contract Approvals

[15-7296](#)

R184

Authorization for Contract with Baker Tilly Vantagen, LLP in the amount of \$12,500.00 to perform an update of the city Personnel Policy Manual (PPM) and provide associated services related to the rollout of the new manual. One (1) proposal was submitted, contract shall be for twelve (12) months with one (1) three (3) month renewal beyond the contract expiration period.

Attachments: [R184 - Baker Tilly](#)
[Resolution #30947](#)

Dr. Cynthia Mota asked if there were any comments from the dais. He stated that Ms. Baraket is here to explain it if you would like.

Mr. Daryl Hendricks asked is this for Human Resources.

Ms. Jessica Baraket stated that this was done as RFP2024-37. It was advertised on Public Purchase on August 12, 2024. on September 18, 2024 the Public Opening was held and the city received one proposal. The evaluation committee held both technical and cost evaluations. The proposal was evaluated on the ability to meet the RFP requirements and after all the evaluations were conducted, the committee decided not to hold an oral interview. The committee made the recommendation to award based on the firms qualifications and overall score and the committee is recommending an award to Baker Tilly Vantagen.

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: 30947

[15-7297](#)

R185

Authorization for Contract with George E. Ley Company in the amount of \$404,904.45 to complete the bunker renovation located at the Allentown Municipal Golf Course for the Allentown Department of Parks and Recreation. Two (2) bids were received, contract shall be for one (1) year with one (1) one (1) year renewal beyond the contract expiration period.

Attachments: [R185 - George E. Ley](#)

[Resolution #30948](#)

Ms. Jessica Baraket stated that this was done as Bid #2024-38. It was advertised on Public Purchase n August 20, 2024. The public opening was held on October 15, 2024. The city received two bids. After the departments reviewed the bids, they are recommending awards to the lowest bidder George E. Ley Company.

Dr. Cynthia Mota asked if there were any comments.

Mr. Ed Zucal asked based on the availability to renew this, this could potentially cost them \$808,000.

Ms. Jessica Baraket stated no, the big price could be set at a firm bid price.

Mr. Ed Zucal stated \$404,904.45, but they have the option to renew it for a year.

Ms. Jessica Baraket stated that the bid price would not renew. The bid would just extend the term if the work is not done in the one year. She would not extend that price for additional.

Ms. Cynthia Mota 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: 30948

[15-7308](#)

R186

Authorization for Contract with Pacific Crest Uniform Company (d/b/a Mountain Uniforms) in the amount of \$460 each set / or \$80,500 for 175 sets including shipping to provide two-piece jacket ensemble, consisting of a waterproof outer shell jacket and a coordinating softshell jacket. One (1) bid was received, contract shall be for one (1) year with three (3) one (1) year renewals beyond the contract expiration period.

Attachments: [R186 - Pacific Crest](#)
[Resolution #30949](#)

Ms. Jessica Baraket stated that this was done as Bid #2024-43. It was advertised on Public Purchase on September 13, 2024. The public opening was held on October 11, 2024. The city received one bid. After the department review the bid, they are recommending an award to Pacific Crest Uniform Company.

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

Mr. Daryl Hendricks asked what department is this for. Is it the Fire Department? He stated thank you. They spoke about it in the budget.

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

Deputy Fire Chief Christian Williams stated that he would like to provide a little background on this. This is actually a grant funded purchase. He stated that they received \$60,000 in order to get these jackets or coats. They received them last year and this will be the implementation of this. He stated that they quoted the contract high because they realize over the next few years as people leave or they replace them, they have to provide more coats. That are not initially going to be purchasing 175 sets. They are going to be using the \$60,000 which is already funded with grants already received. The actual coats themselves, they never issued the firefighters coats. In the wintertime, they never had a jacket. They never had raincoats. They never had that. They always relied on their firefighter coat and for years that was the standard way they did things. As he mentioned the firefighting coat cost \$2,500. They also found the last five years or so the firefighting coats has PFAS which causes cancer. They moved in to ban the chemicals in our coats. They have been trying to take efforts to try to limit how often does the members have to wear the coats. That's why they went out and sought the grant because buying and purchasing that coat when they hire them four or five of them at a time is one thing, but to outfit 140 people at once is expensive. This is actually a nice coat. It is a two layer coat. You can think like a fleece softshell and it has a corresponding hard-shell that goes over the top so it can be worn separately. You just need a raincoat. They are pricey coats, but they are grant funded and it is really topnotch stuff. It is designed exactly for search and rescue personnel. He asked for them to support this grant.

Dr. Cynthia Mota asked if there were any other comments or 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: 30949

[15-7298](#)

R187

Authorization of Cooperative Contract(s) in an amount greater than \$40,000.00 to provide the City with various goods/services, with Canon Solutions America, Inc.

Attachments: [R187 Cooperative Approval - 11.6](#)
[Resolution #30950](#)

Ms. Jessica Baraket stated that these are just Cooperative Purchases that are being purchased off of the Omni Contractor. There are two contracts here with both Canon.

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

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

Enactment No: 30950

Minutes of Previous Meeting: NONE

Communications

Mr. Santo Napoli stated that he would like to add that any visitor to the City Council meetings are urged to park in the government deck which is next to city hall and to please see our City Clerk Mr. Hanlon for a Chaser ticket to pay for your parking.

Old Business

Mr. Ed Zucal stated that he just has one thing. He stated that he got a couple of calls over the weekend regarding the shooting that happened at Muhlenberg College. There really has not been any press or follow up about the shootings or whether or not there has been any arrest made. He guesses there is no one here. They all left from the police department. He asked if someone can follow up from the mayor's office and put some type of press out whether it is a normal investigation. They didn't have any suspects and no one was arrested. They kind of feel like they are being alienated since it is not a very common occurrence out there. They still feel like they should have some type of information or a follow up of some kind.

Dr. Cynthia Mota thanked Mr. Zucal and stated that she does agree with that. Hopefully, they will follow up.

REPORTS**Special Council Meeting:**

There will be a Special Council Meeting on November 13, at 5:30 PM – the tentative schedule is as follows;

5:30 PM - 5:45 Solicitor's Office

5:45 PM - 6:15 PM Human Relations Issues

6:15 PM Public Works, Solid Waste Fund, Liquid Fuels, Administrative Order Fund, Stormwater Fund

7:00 PM Community and Economic On November 20th at 5:30 PM, Council will meet to review the Human Resources and Non-Departmental Budgets.

At 6 PM that evening, Allentown City Council will conduct a Public Hearing to take public testimony on the request for the transfer of Liquor License Number R-15779 to Top – Star Express, Inc., 2050 Tilghman Street, Allentown, PA 18104. The license would allow beer and wine sales as a convenience to its customers. There will be a resolution on the council meeting that follows the public hearing that will allow City Council to approve or disapprove the transfer.

Budget and Finance:

Chair Napoli, Hendricks, Gerlach

The Committee met on October 30 at 5:30 PM and reviewed the audit and monthly finances.

Community and Economic Development, Chair Hendricks, Mota, Napoli

The Committee met has not met since the last council meeting. There are no future meetings scheduled at this time. (Might get update on two denials that were sent back to the CED Dept for review.)

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

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

Parks and Recreation: Chair Santos, Affa, Gerlach

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

Public Safety: Chair Zucal, Hendricks, Mota

The committee has not met since the last council meeting. The next scheduled meeting is for November 20th at 5:15 PM to review the Fire fees.

Public Works: Chair Gerlach, Affa, Zucal

The Committee met this evening. There are no future meetings scheduled at this time.

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.

[15-7327](#) Controller's Reports

Attachments: [Bank Rec.pdf](#)
[Check Review.pdf](#)
[PCard.pdf](#)

ORDINANCES FOR FINAL PASSAGE (To be Voted On):

[15-7314](#) R190

Mayor Matt Tuerk and the Council of the City of Allentown, hereby authorize a sign at the drop off center on Martin Luther King Drive that says, Dedicated to Ann Saurman

Attachments: [R190 AS Dedication.docx](#)
[AnnS.docx](#)
[Resolution #30953](#)

Dr. Cynthia Mota congratulated Ms. Ann Saurman and asked if she would like to say a few words.

Mr. Mark Shahda asked Dr. Mota if he can say a few words really quickly. He thanked Mayor Tuerk and City Council for this heartfelt dedication to Ms. Saurman. By honoring her exceptional contributions, you are demonstrating how deeply the city values. The dedication and hard work of our employees. In Ms. Saurman's 36 years of her groundbreaking effort in recycling and environmental education and her leadership is creating impactful programs that have greatly enriched Allentown. The commitment has left an enduring impact and they are all extremely grateful for her dedication for all the years of her service and hard work. He stated that they really wanted to take a minute to congratulate her in her successful career. He stated congratulations and he wishes her all the best.

Dr. Cynthia Mota stated wow, we are allowed to clap.

Ms. Ann Saurman stated good evening and thank you Mayor Tuerk, Council President Mota, and members of City Council, her fellow

colleagues, family and friends. She stated that it has been her great honor to work for the city of Allentown in the Bureau of Recycling and Solid Waste and to serve the citizens of our community. She has been blessed to complete a long and successful 36 year career and so fortunate to work alongside so many wonderful and dedicated people who have guided and influenced her in order to achieve their goals. She stated that tonight she is very touched to receive this honor of dedicating the Allentown Recycling Drop off Center in her name from the Mayor, the administration and City Council. In particular, she wants to acknowledge and thank Mark Shahda, her former boss and Gabrielle Heiney who is also here who proposed this dedication and began this process in recognition to her many years of service. She stated that when she started 1988. That is the same year that Pennsylvania passed the statewide Recycling Law and the drop off center was created started by her mentor Betsy Morris Levin. In 2023, they processed and recycled over 1,400 tons of materials at the center last year. Throughout her 36 years old career, she believes the people and the relationships she made along the way stand out the most for her. From her staff, to the schools to her community partners to the statewide national recycling associations that she was elected to represent Allentown. She stated that she has been so fortunate to learn and grow from these experiences and the people and to be able to use this knowledge to continually move our bureau forward and our programs forward to benefit the citizens of Allentown. She stated that she was born and raised in Allentown by her wonderful parents, John and Pauline Coshenet(sp) who taught her to work hard and give back to her community. She is the youngest of four children. She would like to acknowledge her siblings: Marie Repco, and her brother John Coshenet (sp) and her entire family for their continual love and support. Her family believes in a close family and have a strong faith in God. She thanked God for putting her on this path of public service. As resulted in making our neighborhoods cleaner and stronger and our city more beautiful. She is extremely confident in her successor, the new Bureau Manager Brett Stout and the entire bureau that they will continue this important work that they laid the groundwork for. She thanked them again for this honor, dedicating the Allentown Recycling Drop off Center to her and she is truly humble and blessed to receive this recognition for her years of service to the city of Allentown. She stated thank you very much.

Dr. Cynthia Mota thanked Ms. Saurman. She stated thank you so much for serving. She stated that 36 years is many years. It is unbelievable. She stated that you so much for all that you did for this city.

Ms. Candida Affa stated that she has been on Council for nine years now. There wasn't a time that she had to call her on anything that she wasn't there for her. She stated that this is coming from her personally. A

Councilwomen who needed advice at times and answers. She stated that Ms. Saurman was always there and stated thank you so much for your service. She stated that the fact that Ms. Saurman was there for her.

Ms. Ann Saurman stated her pleasure and stated thank you, Candida.

Dr. Cynthia Mota asked is it possible that they can all stand because they need a picture with her. She thanked them and stated that she really needed this.

A motion was made by Candida Affa, seconded by Ed Zucal, to Suspend The Rules and go to R190

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

Enactment No: 30953

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: 30953

[15-7229](#)

Bill 84

Providing for the vacation of East Clay Street from the centerline of North Wall Street to the centerline of Club Avenue in the Fifteenth Ward of the City of Allentown:

Attachments: [Bill 84 E Clay Street](#)

[Planning Staff Report - Vacate E. Clay St](#)

[Letter from Jennifer Gomez regarding ACPC Action Vacate East Clay Street](#)

[East Clay Street from North Wall Street to Club Avenue Vacation Staff Report](#)

[Letter from Lehigh Valley Planning Commission regarding E. Clay Street from N. Wall Street](#)

[Letter from Mike Hanlon regarding E Clay Street from N Wall Street to Club Avenue - Street Vacation](#)

[East Clay Street from the centerline of North Wall Street to the centerline of Club Avenue \(Mailing List\)](#)

Ms. Ce Ce Gerlach stated that it was forwarded favorably through committee. She stated that she does have some questions that were at the Council meeting.

Dr. Cynthia Mota stated to Ms. Gerlach that you have some questions.

Ms. Ce Ce Gerlach stated that she just wants to get it through so they can have it here for discussion.

Dr. Cynthia Mota asked if she could asked the questions before they vote.

Ms. Ce Ce Gerlach stated that she had mentioned and it was acknowledged that there were two objections to the vacation. She stated that she reviewed the objections and she always try to put herself in their shoes. It looks like these are two property owners and she looked at the photos and she would object to if she was them. They are saying that they park and if you look at the photos that are greenspace and right beside the parking lot for this beverage dealer. They are saying that they park there and the one that is Ms. Gomez is saying that it is not really a place else for her to park. She parks behind her house as well. She has another car. She guesses two cars. She stated that she doesn't know if the administration has any kind of response. She stated that she gets why they would object. Just looking at these photos and reading the letter.

Mr. Mark Shahda asked if David was on the line yet.

Mr. David Petrik stated yes to Mark and stated that he is here.

Mr. Mark Shahda asked if Mr. Petrik can answer Ms. Gerlach's question, please in terms of the parking for the Wall Street resident.

Mr. David Petrik stated that the reason the administration and the bureau is recommending this is because the city doesn't have any right to the alley anymore. It was never opened and never approved. Any use that the owners have of the area, they are doing as private resident parking on private property. Any action that the City Council takes on this will not affect what they are doing now. He thinks that certainly there is an impression that there is a public right to there and their use of it as parking and establishing that. It is not the case. Their opinion is that whether it is vacated or not, the conditions on what they are using the parking don't actually change.

Ms. Ce Ce Gerlach stated ok. So she read on one of these documents that they would have to ask the Petitioner, the property owner and negotiate that ability to park with them. If the street was to be vacated. They would be able to lose the right if the Petitioner, the owner of that establishment says no, you can't park there.

Mr. Mark Shahda stated that it would become a civil matter at that point and time.

Mr. David Petrik stated correct. He stated that it is a civil matter now.

Ms. Ce Ce Gerlach stated that she guesses Ms. Gomez was under the

impression when she purchased her home and she can see why because her yard is right there. That was her property. It looks like it would be. She stated that it is not.

Dr. Cynthia Mota asked if they have spoken to the owner.

Mr. Mark Shahda stated that the property owners were consulted during the polling process. He asked Mr. Petrik is that correct.

Mr. David Petrik stated correct. He stated that they both objected. Given the reasons of the impressions that they would lose parking.

Mr. Michael Hanlon stated that they letters were forwarded to you. You guys got those emails from Brian Borzak.

Ms. Ce Ce Gerlach stated that the one gentleman and said no, this is the Petitioner. He is stating that parcel has not been used for more than 50 years. Obviously, the homeowners would differ. He stated that it is only 12 feet wide and not usable per city engineers. He stated that six feet is already allocated to 902 Club Avenue's lot. That is his argument. She stated that she wanted to forward it to the regular Council meeting, not necessary because she agreed because she had these questions and it is not really clear to her what the impact would be. There are two homeowners. She does not want to have a disparaging impact on their quality of life. She doesn't know if it would or if it wouldn't. She stated that it is not really clear on that.

Dr. Cynthia Mota stated that property doesn't belong to them, right.

Mr. Mark Shahda stated that is correct. It belonged to the city and they lost their rights to it. They have not improved the climate for decades. The city can't go in there and do any improvements. He stated that they lost all of their rights and this is why our engineering department is supporting this Street Vacation. They technically lost all rights to it.

Mr. Santo Napoli asked to remind him and stated that the city losing rights to a property, if it is not used for how many years.

Mr. Mark Shahda stated 20 years.

Mr. Santo Napoli stated that this is obviously past 20 years.

Mr. Mark Shahda stated when he is looking at this photo of the property on the corner of East Clay Street and North Wall Street, it looks like their fence, the portion that is shaded red and asked if they would lose all that

parking or just the portion from their fence going toward the Petitioner. He stated that he is not sure if he is explaining that well enough. The shaded area seems bigger on the side of their house. He stated that he is looking at Page 2. Page 2 and 3 of the Planning Staff Report.

Mr. Mark Shahda asked the question from Mr. Napoli.

Mr. Santo Napoli stated when you look at their fence it looks like they would maintain parking next to their trash cans, right. That is their property.

Mr. Mark Shahda stated that the entire portion would be vacated.

Mr. Santo Napoli stated that the fence portion is theirs.

Mr. Mark Shahda stated that it is theirs, but it sub illegally.

Mr. Santo Napoli stated that it explains it then. The fence should not be there.

Mr. Mark Shahda stated that the fence should not be there. They have been utilizing the portion of the alleyway for their own personal gains. The Petitioner filed the Street Vacation Request. They felt since he paid the fees, they should see the process all the way through.

Mr. Santo Napoli stated lastly, if the city lost all rights and he thinks and knows when you purchase a home he knows there was a concern about and the thought was theirs. When you purchase a home, on the deed it has where the property line is at. Unfortunately, they may have not caught that. It sounds like they have been using the property illegally. He guesses that is the word he would use. He thanked Mr. Shahda for the clarification.

Dr. Cynthia Mota stated that she would like to hear from the Controller.

Mr. Jeffrey Glazier stated that you are hearing from the Controller as a member of the Planning Commission this evening. Street Vacations go through the Planning Commission. They don't say yes or no. All they do is make a recommendation which is forwarded to Council. He stated that 99 percent of those times the recommendations are sure. This happened to come with a negative recommendation from the Planning Commission. He stated that everything that Mr. Shahda and Brian Borzak have said is in fact true and correct, but there was a process as he recalls, a process issue here where the I wasn't dotted and the T wasn't crossed in terms of everyone being notified in a timely manner. That ultimately lead us to say, they can't recommend this at least not at this point. In terms of when it took place in the hearing, they had some questions to whether it should have

even come before them with that deficiency. He stated that he doesn't know if there is a good answer at the moment, but this is something that has a little bit of a twist to it. He certainly understands everybody's concern about the property owners. This is the nature of street vacations. Whatever that 12 foot or 20 foot piece is, you get half of it. Once again, here they felt it was a process issue and they were not willing to make an affirmative recommendation at that time in this case. He stated that quite honestly and he would defer to the Solicitor and Mr. Shahda and Mr. Borzak. He is not quite sure how to cure it either. Ultimately, it should be vacated, but it is proper that they strive to do things with a proper process.

Mr. Michael Hanlon stated that he would just add gently on the process, on the process Brian indicated in an email that has been followed. The process has always been the polling of the property owner to indicate whether it is abutting, the property owner would object or not object and usually they would advertise it differently if the abutting property owners didn't approve it. He stated that he would push back gently. Historically, they have always done it this way.

Mr. Jeffrey Glazier stated that this is an odd one.

Ms. Ce Ce Gerlach stated that she has a question. Now that other things have been brought to light. If the fence on the Clay Street property was put up say illegally, they had to get a permit from the city to put the fence up. So did they get a permit to put a fence up on property they now own.

Mr. Mark Shahda stated that he doesn't think any permits were ever pulled.

Ms. Ce Ce Gerlach stated that it would be nice to know that for sure. If they did get a permit. For sure they got one. If they did, that opens up a whole other thing where if they got a permit, then she can definitely see a reasonable person would think that large section, that intersection with Wall Street would be their property.

Dr. Cynthia Mota in other words do you know for a fact that they didn't pull a permit or do we have to find out.

Mr. Mark Shahda stated that they would have to confirm with Planning and Zoning.

Mr. Daryl Hendricks asked would that have normally been done by now.

Mr. Mark Shahda stated yes.

Mr. Daryl Hendricks stated that they just don't know what the answer is.

Mr. Mark Shahda stated that he can't confirm whether or not a permit has been pulled. He was told permits weren't pulled. he just can't confirm it this evening.

Ms. Ce Ce Gerlach stated that it looks like an older fence and it looks like it has been there for a while. She read that there was an unfavorable recommendation from PP&L and maybe another utility company.

Mr. Mark Shahda stated that they are supportive as long as the easements are pulled so they have access to their utilities.

Dr. Cynthia Mota asked shall they hold on for voting so they can find out if they had a permit. She asked if they can do that.

Ms. Candida Affa suggested that they wait until they received a permit.

Dr. Cynthia Mota stated that is her suggestion.

Mr. Daryl Hendricks stated that there is no rush.

Ms. Ce Ce Gerlach stated that she will move to wait to vote on this item until they get some of the answers, especially with the permits and potentially maybe confirm everything was done.

Dr. Cynthia seconded that Motion.

A motion was made by Ce Ce Gerlach, seconded by Cynthia Mota, to move to wait to vote on this item until they get some of the answers, especially with the permits and potentially maybe confirm everything was done and this Bill be tabled.

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

[15-7281](#)

Bill 98

Amending the 2024 Capital Fund Budget to provide for an appropriation in the amount of Eighteen Thousand Dollars (\$18,000.00) from the Trexler Fund to the Rose Garden capital project account. These funds will be used to complete the stone entrance step repairs at the Rose Garden.

Sponsors: Administration

Attachments: [Bill 98 - Rose Garden Improvements Allocation](#)
[Ordinance #16061](#)

Ms. Bina Patel stated that she believes it was moved favorably at tonight's Park's meeting.

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

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

Enactment No: 16061

[15-7280](#)

Bill 99

Amending the 2024 Capital Fund Budget to provide for a supplemental appropriation of Two Hundred Twenty-Eight Thousand Nine Hundred Thirty Dollars and Fourteen Cents (\$228,930.14) from UGI for the purpose of construction ADA handicap ramps and for the milling and paving of streets under the City's Utility Paving Program.

Attachments: [Bill 99 - UGI Cost Share Agreement](#)
[Ordinance #16062](#)

Mr. Michael Hanlon stated that this was forwardly favorably at the Special Committee.

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: 16062

[15-7283](#)

Bill 100

Amending the 2024 Capital Fund Budget to provide for a transfer of One Hundred Thirty Thousand Dollars (\$130,000.00) from Irving Pool Improvements capital project into Roosevelt Park for demolition of the old pool house building and a new pavilion.

Sponsors: Administration

Attachments: [Bill 100 - Parks Irving to Roosevelt Transfer](#)
[Ordinance #16063](#)

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

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

Enactment No: 16063

[15-7282](#)

Bill 101

Amending the 2024 Capital Fund Budget to provide for a transfer of One Hundred Ninety-Eight Thousand Seven Hundred Seventy Dollars and Five Cents (\$198,770.05) from various accounts within the Bridge Capital Project for inspection services, conceptual cost estimate services, scour

protection designs, deck repair designs, and sidewalk/pedestrian barrier improvement designs on various city bridges. This will transfer the unused funds from the various accounts within this capital project to the correct account for these services.

Sponsors: Administration

Attachments: [Bill 101 - Public Works Bridge Transfer](#)
[Ordinance #16064](#)

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: 16064

[15-7284](#)

Bill 102

Amending the 2024 Federal Grants Fund to provide for a supplemental appropriation of One Hundred Fifty Thousand Dollars (\$150,000.00) from the Pennsylvania Department of Health, Bureau of Family Health Lead Abatement Grant.

Sponsors: Administration

Attachments: [Bill 102 - Lead Abatement Grant](#)
[Ordinance #16065](#)

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

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

Enactment No: 16065

CONSENT AGENDA

Dr. Cynthia Mota stated that there are two items on the Consent Agenda, R188 and R189. She asked if there were any comments from the dais or the public.

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

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

[15-7295](#)

R188

Certificate of Appropriateness for work in the Historic Districts: 953 W Turner St., 1651 Linden St.

Sponsors: Administration

Attachments: [R188 HARB Approvals](#)[1651 Linden Street Pre - Review](#)[953 W Turner Street Pre - Review](#)[Resolution #30951](#)

Enactment No: 30951

[15-7294](#)

R189

Sewage Planning Module at 366 West Allen Street

Sponsors: Administration**Attachments:** [R189 366 West Allen Street - Sewage Planning Module](#)[366 West Allen Street - Planning Module](#)[366 W Allen Completeness Checklist](#)[Resolution #30952](#)

Enactment No: 30952

RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):[15-7311](#)

R191

Approves three transfers: (1) \$65,422.00 in Parks to correct negative balances: Premium pay is over due to the snow storms and necessary increase of trash pick up and bathroom cleanings due to park usage in the summer; (2) \$21,799.20 in Traffic Planning required for purchase of traffic equipment to maintain and upkeep with various projects throughout the city; (3) \$20,000.00 in Recreation for funds needed to be transferred to the 50 – other services & charges account to cover the cost of credit card fees assessed by Global Payments (payment processor).

Sponsors: System**Attachments:** [R191 Transfer Funds](#)[Funds needed to be transferred to the 50 – other services & charges account to cover the cost of credit card fees assessed by Global Payments \(payment processor\)](#)[Traffic Planning required for purchase of traffic equipment to maintain and upkeep with various projects throughout the city](#)[To correct negative balances - Premium pay is over due to the snow storms and necessary increase of trash pick up and bathroom cleanings due to park usage in the summer](#)[Resolution #30954](#)

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

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

Enactment No: 30954

[15-7302](#)

R192

Authorizes submission of a formal application to the Department of Community and Economic Development for a grant of One Million Dollars (\$1,000,000) to support the construction of a 1.2-mile extension of the Martin Luther King Drive (MLK) Trail.

Attachments: [R192 - DCED LSA Grant](#)
[Resolution #30955](#)

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

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

Enactment No: 30955

[15-7303](#)

R193

Authorizes the submission of a Formal Application for funding from the Pennsylvania Department of Transportation Green Light Go Grant (GLG) Services in the amount of approximately One Million Dollars (\$1,000,000) for signal modernization at 19th Street and Roth Avenue.

Attachments: [R193 - GLG 19th St Grant](#)
[Resolution #30956](#)

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: 30956

[15-7304](#)

R194

Authorizes the submission of a Formal Application for the Local Share Account (LSA) Grant for funding from the Pennsylvania Department of Community and Economic Development Services in the amount of approximately One Million Dollars (\$1,000,000) to supplement the reconstruction of Lehigh and Union Streets.

Sponsors: Administration

Attachments: [R194 - Lehigh & Union St Grant](#)
[Resolution #30957](#)

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: 30957

[15-7305](#)

R195

Authorizes the submission of a Formal Application for funding from the Pennsylvania Department of Transportation Multimodal Transportation Fund Grant (MTF-PennDOT) Grant Services in the amount of approximately One Million Dollars (\$1,000,000) for pedestrian safety improvements on three blocks of Hamilton Street (12th, 13th, and 14th Street).

Attachments: [R195 - MTF-PennDOT Grant](#)

[Resolution #30958](#)

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

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

Enactment No: 30958

[15-7306](#)

R196

Authorizes the submission of a Formal Application for funding from the Pennsylvania Department of Transportation Multimodal Transportation Fund Grant (MTF-PennDOT) Grant Services in the amount of approximately Five Hundred Thousand Dollars (\$500,000) for safety improvements on Hanover Avenue and East Linden Street.

Attachments: [R196 - MTF-PennDOT Hanover Ave Grant](#)

[Resolution #30959](#)

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

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

Enactment No: 30959

[15-7307](#)

R197

Authorizes the submission of a Formal Application for the Local Share Account (LSA) Grant for funding from the Pennsylvania Department of Community and Economic Development Services in the amount of approximately Three Hundred Thousand Dollars (\$300,000) to purchase a truck, trailer and paint eradicator for improvements and maintenance of crosswalks within City limits.

Attachments: [R197 - Public Works Equipment LSA Grant](#)

[Resolution #30960](#)

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

public.

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

Enactment No: 30960

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

[15-7299](#)

Bill 104

Amending the 2024 Grant Fund budget to accept Twenty Million Dollars (\$20,000,000) from the US Economic Development Administration (EDA) grant.

Attachments: [Bill 104 Recompete Phase 2](#)
[Ordinance #16060](#)

Dr. Cynthia Mota asked if there were any comments.

REFERRED TO NOVEMBER 13TH SPECIAL MEETING.

Enactment No: 16060

[15-7300](#)

Bill 105 Special Committee Meeting, forwarded favorably Amending the 2024 Capital Fund Budget to provide for a transfer of Sixty Thousand Dollars (\$60,000.00) from the unappropriated balance of the Golf Funds to the Golf Capital Projects fund. These funds will be used for the bunker capital improvements to enhance the golf course.

Attachments: [Bill 105 - Golf Funds Appropriation](#)
[Ordinance #16068](#)

Dr. Cynthia Mota asked if there were any comments.

REFERRED TO THE NOVEMBER 13TH SPECIAL MEETING.

Enactment No: 16068

[15-7301](#)

Bill 106 Special Committee Meeting, forwarded favorably Amending the 2024 Capital Fund Budget to provide for a transfer of Two Thousand Nine Hundred Thirty-One Dollars and Fifty-Six Cents (\$2,931.56)

from the Jordan Greenway Trail Capital Project into the MLK Trail Capital Project. These funds will be utilized for the construction of the trail.

Attachments: [Bill 106 - MLK Trail Allocation](#)
[Ordinance #16069](#)

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

REFERRED TO THE NOVEMBER 13TH SPECIAL MEETING.

Enactment No: 16069

[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 or the public.

REFERRED TO THE PARKS AND RECREATION COMMITTEE

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 public or the dais.

REFERRED TO THE PUBLIC WORKS COMMITTEE

Enactment No: 16071

[15-7322](#)

Bill 109

Amending Part II General Legislation, Chapter 525 Solid Waste, Article I Waste Storage, Collection and Disposal, Section 2 Authorization of City

contractor(s); scope of work by updating the rebates and penalties portion as well as the language of the ordinance.

Sponsors: Administration

Attachments: [Bill 109 - Solid Waste Fee Amendment.docx](#)

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

REFERRED TO THE SPECIAL COMMITTEE MEETING

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

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

NEW BUSINESS: NONE

GOOD AND WELFARE: NONE

ADJOURNED: 7:26 PM