



# Allentown

435 Hamilton Street  
Allentown, Pa. 18101

## Minutes - Final

### City Council

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Wednesday, December 6, 2023

6:30 PM

Council Chambers

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#### Invocation:

#### Pledge to the Flag

**Roll Call: Candida Affa, Cynthia Mota, Ce Ce Gerlach, Daryl Hendricks, Santo Napoli, Natalie Santos, Ed Zucal**

#### Courtesy of the Floor

#### Courtesy and Privilege of the Floor Rules

#### Contract Approvals

[15-6467](#)

R204

Authorization for Contract with Wyoming Electric & Signal, Inc. in the amount of \$237,094.40 for improvements to the pedestrian safety along Martin Luther King Jr Dr, Lehigh St, and Union St, bid through the State as a result of a PennDOT TASA Grant.

**Attachments:** [R204 - Wyoming](#)

Mr. Daryl Hendricks asked if there were any questions or comments from his colleagues or any comments from the public.

Mayor Matt Tuerk asked Mr. Hendricks to have Ms. McNeil read the contents of the Resolution.

Ms. Sarrah McNeil stated that the project was advertised to obtain the services of a qualified contractor in PennDOT's ECMS System on the city's behalf on September 29, 2023. The Project was advertised to obtain the services of a qualified contractor and PennDot's ECMS System n the city's behalf on September 29th, 2023. The opening was on November 2, 2023. There were five bidders, but the lowest qualified bid being from Wyoming Electric & Signal Inc. The city has successfully done business with this vendor before.

Mr. Daryl Hendricks thanked Ms. McNeil and asked if there were any questions or comments from his colleagues or comments from the public.

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

Enactment No: 30752

[15-6468](#)

R205

Authorization for Contract price increase of 10% or more for an existing Contract over \$40,000.00, that was previously Bid and Awarded under City Policies, with Maher Duessel in the amount of \$51,000.00 that was previously bid to perform financial and compliance audits covering each of three (3) years ending December 31, 2022, 2023 and 2024.

**Sponsors:** Administration

**Attachments:** [R205 -Maher Duessel](#)

Mr. Michael Hanlon stated that there is a request for Eddie Aviles to speak. There is no subject matter.

Mr. Eddie Aviles stated that he will make it quick. He stated that today Council has an important decision to make. He asked when can he speak about the Mayor.

Mr. Daryl Hendricks stated when that comes up.

Ms. Sarrah McNeil stated that Maher Duessel is a previously awarded contract that was requesting additional funds in the amount of \$51,000. This is due to additional services being requested. Due to the cost of the Change Order being over 10 percent of the amount, it is being presented here before Council.

Mr. Daryl Hendricks asked if there were any questions or comments from his colleagues. He asked if there were any comments from the public.

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

Enactment No: 30753

## Minutes of Previous Meeting:

[15-6470](#)

November 4, 2023 City Council Budget Review and Action Meeting Minutes

**Attachments:** [November 4, 2023 City Council Budget Review and Action Meeting Minutes](#)

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

## Communications

## Old Business

**REPORTS**

**Special Meeting:** There will be Special Meeting on December 12th at 6:30 PM to review and act on the budget.

**Water/Sewer Compliance Meeting:** There will be a Water and Sewer Compliance meeting on December 20th, time to be determined.

**Budget and Finance:** Chair Napoli, Hendricks, Gerlach  
The Committee has not met since the last council meeting; a meeting is scheduled for December 20th, time to be determined.

**Community and Economic Development:** Chair Mota, Napoli, Affa  
The committee met this evening; the next is scheduled for December 12th 5:45 PM.

**Human Resources, Administration and Appointments:** Chair Santos, Zucal, Napoli  
The Committee has not met since the last Council meeting; there are no future meetings scheduled at this time.

**Parks and Recreation:** Chair Gerlach, Affa, Mota  
The Committee has not met since the last Council meeting; the next meeting is scheduled for December 12th at 6 PM.

**Public Safety:** Chair Affa, Hendricks, Zucal  
The committee did not meet this evening; there are no future meetings scheduled.

**Public Works:** Chair Zucal, Santos, Hendricks  
The Committee has not met since the last Council meeting; the next meeting is scheduled for December 12th at 6:15 PM.

**Rules, Chambers, Intergovernmental Relations, and Strategy:** Chair Hendricks, Mota, Gerlach  
The committee has not met since the last Council meeting; there are no future meetings scheduled at this time.

**Controller's Report (3 minutes)**

Mr. Jeffrey Glazier stated that they will do something different tonight. It might be instructive for everyone to take a dive in overtime. He put together a handout and for the public, it is up on the scene. He stated if you look at the budget, the overtime number is a big number. If you ever wonder what goes into it, he thought that he could take a couple of minutes and break that down for Council and the public. He used 2022 because they have the full year. He went over the overtime. He stated that public safety is the main driver of overtime is really police. He looked at the

breakdown and took the top 10 categories. He talked about Special Events. There are city events like Halloween and events like that, that are city sponsored if they need police overtime. There are other Special Events that the city invoices the sponsoring group for the time that has been spent. The total amount of invoice this year is a little over \$60,000 and so far that got \$50,000 paid. There is about \$15,000 that is owed to us. Most people pay eventually, but not all groups end up paying. If a group does not pay, they will probably will be denied a permit going forward if they want to do something because they didn't make good on their commitment. He stated that gives us a look at overtime in a nutshell so they have a better understanding of the kinds of things to go into it and what we are getting for our overtime dollars. He stated that if they have any questions, he will do his best to answer them.

Mr. Daryl Hendricks asked if anyone had any questions right now.

Ms. Ce Ce Gerlach stated for clarification for school patrols, asking is that the SRO's.

Mr. Jeffrey Glazier stated good question, this is outside the school. They will be patrolling in the neighborhoods and the perimeters, but not inside the schools and not the SRO's.

Ms. Ce Ce Gerlach sated ok, got you. She stated for the arena, she did not get to get her calculator out yet. They only get reimbursed for the police that is inside the arena. She asked how did that get setup. How did that get setup that our police have to go out and do traffic duty for an entity that is generating revenue.

Mr. Jeffrey Glazier stated inside the arena. That is correct. He stated that he can't tell her exactly. It has been a longstanding arrangement. The Chief is here and may be able to add to that. If not, he will certainly get her the answer.

Ms. Ce Ce Gerlach stated that the events are in the evening and she does not know if a lot of stuff happens in the neighborhoods and the cops are down there directing traffic.

Mr. Jeffrey Glazier stated that is undoubtedly why you are not using regularly scheduled officers to do this because they are out in the neighborhoods doing their best to keep them safe. It is an overtime expenditure.

Mr. Daryl Hendricks stated that he appreciates the work Mr. Glazier put into this. He knows himself this is something that he is just getting now and briefly looked at it earlier. He stated that with any questions they can direct them.

Mr. Jeffery Glazier stated to Ms. Gerlach just email to me and he will get something more definitive.

Ms. Ce Ce Gerlach thanked Mr. Glazier.

Mr. Jeffrey Glazier stated you are very welcome.

Mr. Daryl Hendricks asked if anyone had any brief questions. If so, bring them to Mr. Hanlon and they will get those answers.

**Mayor's Report (3 minutes)**

Mayor Matt Tuerk deferred the Mayor's Report to the next meeting.

[15-6501](#) Controller Reports

**Attachments:** [overtime present](#)

[Accounts Payable - Dec 30](#)

[Petty Cash Report to 11.28](#)

[Bank Rec to August 30](#)

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

[15-6347](#) Bill 93  
AN ORDINANCE OF THE CITY OF ALLENTOWN TO AMEND THE ZONING ORDINANCE OF THE CITY OF ALLENTOWN TO ADD A NEW SECTION THAT WOULD ESTABLISH A NEW "MIXED USE OVERLAY" ZONING DISTRICT, AND THAT WOULD APPLY THIS NEW DISTRICT TO LAND FORMERLY OCCUPIED BY THE ALLENTOWN STATE HOSPITAL THAT IS SOUTH OF HANOVER AV., SOUTH OF E. ALLEN ST., SOUTH OF WAHNETA ST. EXTENDED, GENERALLY EAST OF MAXWELL ST. EXTENDED, NORTH OF RIVER DR., AND WEST OF THE CITY OF BETHLEHEM BORDER, AS DEPICTED IN MORE DETAIL ON AN ATTACHED MAP LABELED "EXHIBIT A", AND TO ADD CERTAIN DEFINITIONS.

**Attachments:** [Bill 93 Allentown Mixed Use Overlay Zoning](#)  
[Legal Description of Proposed Mixed Use Overlay District \(1\)](#)  
[ACPC ActionTaken Northridge 11.14.23 \(003\)](#)  
[Letter from Planning Department regarding ACPC Action Taken on Bill #93 Northridge Overlay \(New Bill\)](#)  
[LVPC Letter Bill 93](#)  
[Rezoning Request Petition - ESTABLISH A NEW MIXED USE OVERLAY ZONING DISTRICT FORMERLY OCCUPIED BY THE ALLENTOWN STATE HOSPITAL](#)  
[Redline - Allentown Mixed Use Overlay Zoning Draft 8 2 23 and Allentown Mixed Use Overlay Zoning Draft 10-4-23](#)  
[Northridge - Allentown State Hospital Rezoning](#)  
[Northridge - Allentown State Hospital Rezoning](#)  
[Mixed Use Overlay Zoning District - Allentown State Hospital I](#)  
[Mixed Use Overlay Zoning District - Allentown State Hospital \(Hanover Ave\)](#)  
[Mixed Use Overlay Zoning District - Allentown State Hospital \(N Que-E Allen\)](#)  
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[Mixed Use Overlay Zoning District - Allentown State Hospital \(N Que-E All\)](#)  
[Mixed Use Overlay Zoning District - Allentown State Hospital \(Os-E Gor\)](#)  
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[Mixed Use Overlay Zoning District - Allentown State Hospital \(Owe-E Gor\)](#)  
[Mixed Use Overlay Zoning District - Allentown State Hospital \(Qs-E Gor\)](#)  
[Mixed Use Overlay Zoning District - Allentown State Hospital \(E Ham 002\)](#)  
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[Mixed Use Overlay Zoning District - Allentown State Hospital \(Han 2 002\)](#)  
[Mixed Use Overlay Zoning District - Allentown State Hospital \(Han 3 002\)](#)  
[Mixed Use Overlay Zoning District - Allentown State Hospital \(Han 4 002\)](#)  
[Mixed Use Overlay Zoning District - Allentown State Hospital \(Han 5 002\)](#)  
[Mixed Use Overlay Zoning District - Allentown State Hospital \(Han 6 002\)](#)  
[Mixed Use Overlay Zoning District - Allentown State Hospital \(Han 8 002\)](#)  
[Mixed Use Overlay Zoning District - Allentown State Hospital \(Han 9 002\)](#)

[Mixed Use Overlay Zoning District - Allentown State Hospital \(Han 10 002\)](#)  
[Ordinance #15957](#)

Ms. Cynthia Mota stated that it was forwarded favorably, 3 - 0.

Mr. Daryl Hendricks asked if there were any questions, comments from his colleagues or comments from the public.

Ms. Ce Ce Gerlach asked to clarify procedural as a body, as a Council, this is the only time that they will vote on anything concerning this parcel of land. She stated that she knows that it goes to the Planning Commission, but as a body this is our only time.

Mayor Matt Tuerk stated one second. He is going to get an answer from the Planning Director.

Ms. Many Tolino stated that this is the only Council approval on this particular development, unless some nuance comes out of it which is always possible. This will relay the Zoning framework and the text and the map and will get developed in a three stage process. All of that will be reviewed by the Allentown and Lehigh Valley Planning Commissions.

Ms. Ce Ce Gerlach stated that she does have questions since this is their one opportunity. She stated that when she was reading through the ordinance, it does a good job in spelling out what Ms. Gomez has described in terms of the process that the city and the developers will go through. She did not see within that process another public facing opportunity for the community to weigh in. They know that these plans are somewhat preliminary. It is an idea, but may not be what might finally happens. The fact that it is not mentioned in the ordinance any other further opportunities for the community. The push back is that they can come to the Planning Commission. She is talking about other events on the eastside where once you have the final/final plan for the public to actually weigh in on and express their concerns. Not just one, but multiple. She asked if anybody wants to speak to why it is not in the ordinance. The ordinance is very detailed and very well written. They did a good job writing the ordinance. She finds it interesting that was not mentioned and the process.

Attorney Dennis McCarthy stated that the main answer to the question that Ms. Gerlach already stated because there is a three step process. There are three opportunities at least through the Master, Tentative and Final Plan for everybody, the administration, the public to go to the Planning Commission and be involved. His guess is the phases will involve more than one meeting of the Planning Commission. Answer number 2, you are correct. It is not in the ordinance. What you saw with the development of

the ordinance and the development of the concept plan at least for City Center is a real effort to reach out to the stakeholders and interface with the public and get feedback. He is not sure any element in the Subdivision or Land Development Ordinance or the Zoning Code that include that kind of requirement in any place else in the city, if there could have been. It is disappointing that it wasn't.

Ms. Ce Ce Gerlach stated that she does know that just looking at the ordinance it seems as though and stated it at the CED meeting. It is definitely written in a way for this. There could have been an opportunity to do something different. The Planning Commission meetings are at noon during the week when people are working. She mentioned during the CED meeting that it would be great and if it is not written and if it is not written, then it does not matter. It does not happen. She asked about a Community Needs Assessment and has there been any report that was generated based on that meeting at the Eastside Youth Center to really list some ideas.

Attorney Dennis McCarthy stated no formal report for publication, but it was certainly factored into the thinking and development of the ordinance and the concept plan. As far as assessing the needs of the community, the city is as Ms. Kistler explained going through a health care assessment, housing assessment, and City Center has already reached out to Ms. Kistler to offer help to get eastside residents to respond and provide feedback to that because they want to know too. As part of the Master Plan Development, the city is going to have all this data and information and certainly wants to and any developer would want to understand it and react to it. City Center is committed to helping the city making those assessments as valuable as possible.

Mayor Matt Tuerk added that and Council has a copy. The city went through an exhaustive process of developing a 10 Year Community and Economic Development Plan. Allentown Vision 2030 that has a detailed assessment on the needs on the eastside. At that point it spoke to the needs of the eastside and the city continues to engage the city through the Planning Department to get a better sense of what the needs are.

Ms. Ce Ce Gerlach stated that it is great to hear that conversation between the Mayor and Ms. Kistler have happened. If there were to have a healthcare facility that would be a nonprofit, that would be tax exempt. No taxes would be generated.

Ms. Vicky Kistler stated not necessarily. Taxable outpatient clinical services that could be located on the property.



Ms. Ce Ce Gerlach asked about the open space question and the concern she has is the flexibility of what counts as open space. She was looking at the Riverfront Overlay District which was stated that this was modeled after that. For the Riverfront Overlay District parking lots do not count towards the open land areas. They had a 10 percent requirement. She is curious as to why with this ordinance, rooftop recreational areas count as open space. Rooftop recreational areas are only assessable to the residents of that building or businesses of that building at the general public. It is not necessary greenspace. It is recreational space. That counts towards the open space area. Parking lots that are built for the recreational space like the Eastside Youth Center's parking lot counts towards the open space area. If the School District was to have something there then their recreational space would count towards the open space area. She stated from her reading and please correct her if she is wrong, the only guaranteed publicly assessable greenspace is the trail area.

Mr. Charlie Schmehl, Urban Research and Development Corporation, stated that Ms. Gerlach is correct that a parking lot that is only to serve a recreation area would count as an open space requirement. One of the projects that is envisioned in this plan is a trail head for the trails along River Drive. They want to provide a public parking lot to serve those trail users and that is the type of thing that would be integrated in the open space. The rooftop recreation would only count as open space if it is a deed restriction to guarantee continue use of the recreation area by the residents of the building. They are looking at providing for the recreation needs of the residents of the project to reduce the burden on the existing recreation areas in the city in that regard. The vast majority of the open space would be land along the Lehigh River that would remain wooded and would be managed in association with the Wildland Conservancy and would have trails. There are also proposals for smaller recreation areas integrated with residential areas and also proposal for a community special events space right along Hanover Avenue where all the big tree are. That is envisioned to be a place where it could be different community activities, festivals, building upon the adjacent area. They looked at various types of recreation needs in this area. They are also proposing a recreation area that would be dedicated to the Eastside Youth Center which would probably be used for a soccer field. There are various types of recreation areas that are proposed and envisioned in the plan. The ordinance does require 35 percent of the total land area to be set aside in these areas.

Ms. Ce Ce Gerlach thanked Mr. Schmehl and stated that when she did the math that 35 percent requirement would be met by the wooded area that the Wildland's Conservancy is going to give advice on. Technically to meet that 35 percent, you would need to any other open space because that would be met just by that wooded area. It states in the ordinance that the

trail could be gated or closed to the public. On Page 7, Number 5A. She stated that it says from sunrise to sunset. She can't think of any trails that have a gate.

Mr. Charlie Schmehl stated that the current plan envisions 42 percent open space to make the residential areas marketable and make the commercial area marketable. They feel there is a need to have recreation areas integrated in the project in addition to the nature areas closer to the river. He stated he believes it says at night. Is that the case? The idea is that if it is going to be a public access trail in an area where they are not comfortable with a nighttime security. They would like to be able to close the trail at night. In the same way a lot of the city parks are closed at night. The trail will be open during daylight hours.

Ms. Ce Ce Gerlach thanked Mr. Schmehl for that clarification. She stated that her next areas of concern, on Page 1 of the Ordinance Number 1 letter C of the purpose to widen the housing opportunity. She stated that does not see what is happening. She referenced an article in Lehigh Valley Live in 2023, data from a national housing coalition shows that it is a deficit of housing for extremely low income. She used Lehigh Valley AMI and discussed when you get to middle income and above medium income.

Mr. Charlie Schmehl stated that there is a severe housing shortage in Lehigh Valley for all types. The Lehigh Valley Planning Commission says the current shortage is 9,000 housing units and they need to add 1,320 housing units each year to keep up with the demand. It is not possible for a private developer to build very low income housing without massive public subsidies. There is interest expressed if there are particular partners that want to be involved in portions of the property there may be opportunities to do different types of housing. The goal is to bring in middle income housing and that will loosen up the housing supply.

Ms. Ce Ce Gerlach stated that they are talking low income that is literally most people. That is people making just over \$40,000 something a year. That is most people. Middle income according to Lehigh Valley Live is \$95,000.

Mr. Charlie Schmehl stated that most people will have a wider definition of middle income than \$95,000 per household.

Ms. Ce Ce Gerlach stated that this is not hers. This is from the National Housing Coalition.

Mr. Charlie Schmehl stated that the popular definition is much broader than that.

Ms. Ce Ce Gerlach asked about the public access and the open space. The reason why she asked the questions and looked downtown and the development thus far there is not public access. The dog parks are for the residents. The recreational facilities that the buildings have are for residents. She stated that is where her concern is. Her concern is they will have isolated communities like they do downtown.

Mr. Charlie Schmehl stated that there is potential for the city to own the open space. That is a matter of public discussion. The city has to decide if they want it or not. Some of the open space could be dedicated to the city as parkland particularly some of the land particularly some of the land along the river with public trails.

Mr. Santo Napoli stated that they had a resident this evening that was concerned about extra services needed. He asked if there were any studies on the fiscal impact of what this project will bring to help the eastside resident know how those costs will be offset.

Representative from City Center stated upon buildout of the entire site, they are estimating there will be annually \$9.3 million generated in tax revenue between city, county and school district.

Mr. Daryl Hendricks asked if there is anyone else on Council.

Ms. Candida Affa addressed Tino Babayan about public safety. She agrees with him and stated this before, the city is growing in leaps and bounds. There is the Waterfront and North Ridge. She stated that the city needs a larger and bigger police force. The fact that there will be a lot of tax revenue coming from there, it is going to help to pay to get more police which will be an advantage. According to the Chief, this time around they had more applicants than they had in the last several years. It is an uptick for the police department that there are men and women out there that want to serve. She believes with the projects and the growing city with the tax revenue, it's going to shore up the police department.

Mayor Matt Tuerk stated to Ms. Affa that if he could respond slightly to that is one thing that is attractive to recruiting new police officers is a supportive city environment and the support of City Council as well. The actions that City Council takes certainly has an impact on their ability to recruit new officers. They certainly with additional tax revenue created by the development on the site and with the growing attractiveness with the city of Allentown, they will be able to meet the public safety needs and address the traffic concerns that arises as a result of additional development on the eastside. This is part of the development process. The additional

development prevents them to make investments in our city that allows us to be safer, cleaner and healthier for all of our residents.

Mr. Daryl Hendricks asked if there was anybody else on the dais or any comments from the public.

Pastor Dan Blount, Co - Pastor of Ripple, stated that he saw the question and asked about the low income housing and you can't do anything for them which one of the families, the Butz', Jaindl's, and Mr. Riley who is going to help the poor. Who is going to help those people? Who is going to cry for those people because those people need help? When you look around, there are so many people that need help. Look around at the homeless. You can build something for them, if it is nothing but those little houses that they have out west. He stated to do something for the homeless. Do something for the people that are less fortunate for those who have. It is time that they just help everybody. If the rich was to look out for the poor, it would wipe out poverty. The reality is nobody cares. They care about money. That is not fair to the people that keeps feeding you their money. look out for some poor folks one time and see how God bless you. You are blessed already, but nevertheless.

Ms. Barbara Redmond, NAACP - Allentown, stated the Hanover Avenue Mental Hospital was there to help people. That was to help people so why can't you do something to help the people. Use that facility to help people. That facility was to help the mentally ill people and was a facility to support people in need. Why don't you take that facility and help people in need. You taking from the poor again, and giving to the rich and she just doesn't understand that.

Ms. Phoebe Harris, 1817 17th Street and School Board Member, stated that she is trying to figure out this, they are saying some of the taxes will go towards our school district. ANIZDA said the same thing. They were supposed to get \$5 million and they devalued the properties there. They don't even get a million dollars. She saw the original contract from Mayor Pawlowski that they were supposed to get \$5 million from ANIZDA Zone. To her, this is another bait and switch. How do they know they will get the money to the School District? She stated that she does not because that was promised before and that is not what they are getting again. They are 100 percent free lunch deemed by the federal government. How are you telling them they are building these houses for those who are rich and not even the middle class are getting those homes. She stated that they have to do better. She asked them to look at this completely. Look at the numbers. The numbers are not adding up. What he said did not add up. She asked them to completely research this and do right by the people here.

Mr. Pas Simpson, 215 N. Ninth Street, stated that his issue again is that they are widening the gap. He stated that 52 percent of the students are below the poverty line. He stated that they are not addressing the needs. Poverty is violence. If they continue to ignore what is going on, it doesn't matter how many police you have. He stated that if he is hungry, homeless and have nowhere to go jail is a great place to be. Especially in the winter time. It is warm there. They will get three hots and a cot. He stated that they are not creating a safer environment if they keep increasing the poverty rate. If they keep extending the gap. He stated that they talk about these tax increases. He stated that half of them voted for a tax increase when they heard that there are things that are not being paid for and they have so many people struggling. As they build these new developments, as they do what they do. He stated that they can't keep neglecting the people that are here. Those people sooner or later can't leave. So what are they going to do? he stated that he said it before when he was homeless or hungry, he would rob them in front of the police. You could not stop him. His babies had needs. His fear would not be what they would think it would be. His fear would be looking into his daughter's eyes and saying that he can't provide a meal today. Looking in his daughter's eyes and saying they are not going to be warm again today. He stated that he does not know if they ever were in that position. He knows what it is like even as a business owner to see the bills not come in. There has been times that he has paid his staff and slept outside because he felt for his community that well. He stated that they can't keep extending the gap. They can't keep tripping over their own feet. They can't keep increasing the violence and going, well we are going to get more police. That is going to over burden them and they still haven't gotten the support that they need. As we make decision, let's make the decisions for the people that are currently living here and the burdens that they face on a daily basis.

Mr. Eddie Aviles - Eddie Cares, stated that he currently has a camp that he calls a Cares Camp. There are 22 people in his camp that he caters to everyday, living in tents. He provides blankets, food, you name it. That is his camp. There are six others across the city. That is not included with the people living in their cars. He has about sixteen families. He is up to 16 now. Four of them have four kids in each car. The local hotels are getting rich off our homeless. The hotels are full off of homeless people. This gentleman is saying that he wants to build a building and they don't have enough money to give him a small building like this. He stated that he has a plan to curb homelessness in the city of Allentown and to end hunger. It is \$5.5 million for the building and he needs another \$10 million to make it happen. He stated with \$16 million he could do it. Not by himself, but with every nonprofit that is doing the work. They been doing this out here. If these people can't do for us, why we can't do for them. These people are

living in cars. He would love to take these gentlemen down to his camp. He hopes none of them touch his camp. He stated that he would die for that camp. He stated that before they find a solution, don't touch it. These gentlemen need to do for us before they do for them. Right now, this gentleman is doing for him.

Mr. Art Armstrong, 1516 W. Turner Street, reminded Council that this project was foisted on the people of Allentown when the state sold the property to a single developer for a pittance. Council should insist that they be able to direct the future of the city, not Harrisburg and not a single developer. Council should send a clear message and refuse to rezone this property and pursue organic development options instead.

Ms. Megan Schaeffer, stated that she is speaking again. She stated Ce Ce you brought up some great points that she would like to touch upon, stating that Ms. Gerlach mentioned about the public meetings of the Planning Commission would be the only other time that you are able to speak. Is there a certain website or communication that she is not aware of that this stuff is posted or a Notice besides The Morning Call newspaper that had this meeting in. She asked if there is anything scheduled Public Hearing wise.

Ms. Ce Ce Gerlach stated that the city should answer that, but to her knowledge The Planning Commission meetings are on the city's website. You would go there. In terms of if Mr. Riley were to graciously have more public meetings that would be on him to communicate that with the residents.

Ms. Megan Schaeffer stated that for instance if you are talking about the Eastside Youth Center meeting. She had no knowledge of that and that is right down the road from her. She did not know if it was on a Facebook Page or some kind of communication or something else out there.

Mr. Daryl Hendricks stated that it was advertised in The Morning Call.

Ms. Megan Schaeffer stated that she is sorry. She does not get The Morning Call.

Ms. Ce Ce Gerlach stated that she gets her.

Ms. Candida Affa asked if they sent something out at the last meeting.

Mayor Matt Tuerk stated that the Planning Commission meets every second Tuesday of every month at 12:15 PM.

Ms. Ce Ce Gerlach stated that there is a lot of cross talk.

Ms. Candida Affa asked Mr. Hanlon how many flyers were sent out.

Mr. Michael Hanlon stated probably 250.

Ms. Candida Affa stated 250 were mailed out for meetings here on this subject.

Ms. Schaeffer stated that she received the first one and the meeting was in September. She received no further communication since. She stated that she would like to stay in the loop and was wondering if she was missing something as far as communications.

Mr. Daryl Hendricks asked if there was anybody else from the public.

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

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

Enactment No: 15957

## CONSENT AGENDA

Mr. Daryl Hendricks asked if his colleagues had any comments or questions on any of the items or any comments from the public.

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

### [15-6462](#)

R206

Certificate of Appropriateness for work in the Historic Districts:

- 201 N. 10th St.
- 531 W. Allen St.
- 1143 W. Linden St.
- 1529 W. Turner St.
- 1539-51 W. Chew St.

**Attachments:** [R206 HARB Resolution](#)

[1539-51 W Chew Street Final Review](#)

[201 N 10th Street Final Review](#)

[531 W Allen Street Final Review](#)

[1143 W Linden Street Final Review](#)

[1529 W Turner St Final Review](#)

Enactment No: 30754

### [15-6488](#)

R207

Authorizes Disposition of Certain Records

**Sponsors:** Administration

**Attachments:** [R207 - Records Retention Health 2023](#)  
[2022-2023 Health Bureau Files for Destruction](#)

Enactment No: 30755

[15-6440](#)

R208  
Sewage Planning Module at Parikh Allentown Restaurant

**Attachments:** [R208 Parikh Allentown Restaurant - Sewage Planning Module](#)  
[701 N 19th Street Sewage Planning Module](#)

Enactment No: 30756

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

[15-6433](#)

R202  
Denial of a Certificate of Appropriateness – 213 N. 11th Street

**Sponsors:** Administration

**Attachments:** [R202 HARB Resolution to DENY - 213 N. 11th St](#)  
[213 N 11th Street Final Review](#)

Ms. Cynthia Mota stated that it was denied due to the lack of communication between the homeowner and the city. He also did not show up for tonight's meeting.

Mr. Daryl Hendricks asked if there were any comments or questions from his colleagues or any comments from the public.

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

Enactment No: 30757

[15-6486](#)

R209  
Police Officer Appointments

**Sponsors:** Administration

**Attachments:** [R209 - Hiring Patrolmen](#)

Chief Charles Roca stated that before them tonight, he has four officers that he is going to put forth. The first is Erick Reyes, 25 years old of Allentown, PA. He graduated from William Allen High School and took classes in Criminal Justice at Northampton County Community College and East Stroudsburg University. He is fluent in Spanish and will be attending the Allentown Police Academy in January 2024. Joshua Cabrera is 21 years old of Oak Ridge, NJ. He graduated from Jefferson Township High School and received his Associate's Degree in Criminal Justice from the Community College of Morris. Joshua will be attending the Allentown



Police Academy in January 2024. Brendan Velez is a 22 year old of Lower Macungie Township, PA. He graduated from Emmaus High School and obtained his Associate's Degree in Criminal Justice from LCCC and currently working towards obtaining his Bachelor's Degree in Criminal Justice from Kutztown University. Brendan is fluent in Spanish and will be attending the Allentown Police Academy in January 2024 and finally Justin Rosso is a 23 year old resident of Orefield, PA. He graduated from the Metropolitan Expeditionary Learning School in Queens, New York. He is a veteran of the United States Marine Corp and he will be attending the Academy in January 2024. He stated that this bring them closer to the complement. They are going to have at least eight officer retire all together. They about five right now. It bring them to the full complement. They are working towards that number. He stated that he will take any questions if anybody has them.

Mr. Daryl Hendricks asked if there were any questions or comments from his colleagues or comments from the public.

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

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

Enactment No: 30758

[15-6487](#)

R210

Authorizes the submission of the formal application for funding from the Local Share Account (LSA) grant in the amount of up to Three Hundred Thousand Six Hundred Thirty-Six dollars (\$300,636.00) with no match required.

**Attachments:** [R210 - Public Works LSA Grant Application](#)

Mayor Matt Tuerk stated that in the previous two meetings, part of the local share account application process needs a Resolution from City Council authorizing them to make applications. A couple of years ago, they received about \$750,000 for the purchase of a fire truck. In this case they are going to be asking the state for assistance for the purchase of a fire truck.

Mr. Daryl Hendricks thanked Mayor Tuerk. He asked if there were any questions or comments from his colleagues. The state LSA would have to decide between having a fixture of money that they allocate across all of the 67 counties in the state.

Ms. Ce Ce Gerlach stated that if they will indulge her question will also be pertinent to R211 and R212. Just in general, how is it decided what the money is spent on. In this case, it is a bucket truck and then later.

Mayor Matt Tuerk stated that these are applications that are made. In case of the bucket truck, they are applying for support directly as the city of Allentown. In the case of R211, that is the Baum School is making application to the state local share account. In the case of R212 with the Allentown City School District making application to the same body for support of community outreach related to the development of athletic facilities Andre Reed Park. Broadly speaking, the decision and what they decide to apply for is what the department or nonprofit organization needs support with. It ultimately comes down to the state. They end up competing with each other. Whatever department is willing to put together a grant application for support of their activity, they will do that.

Ms. Ce Ce Gerlach stated that she better understands, not fully but better understands.

Mayor Matt Tuerk stated local legislators or local representatives probably can help. There are two different types of LSA money and a local share account which is related to gaming funds which is smaller dollars. They recently received support from the Pound for Pound Boxing Gym. Under that program which is about \$50,000. This is the LSA statewide. There is a group of legislators on the state level that will support applications. They can count on the local legislators supporting these applications to that board. They will typically support all of the Allentown applications. Statewide, he does not know the total amount of the awarded is, but they always fight to get as much as possible awarded to the applications in the city of Allentown.

Ms. Ce Ce Gerlach thanked Mayor Tuerk.

Mr. Daryl Hendricks asked if there were any others on the dais or comments from the public.

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

Enactment No: 30759

[15-6496](#)

R211

Approves the submission of the formal application for the local share account grant on behalf of The Baum School of Art to support upgrades including modernizing the facility, increasing capacity, integrating technology, and adding dedicated spaces for specialized artistic disciplines.

**Sponsors:** Administration

**Attachments:** [R211 - Baum School Local Share Grant Application](#)

Mr. Daryl Hendricks asked if there were any questions or comments from

his colleagues or comments from the public.

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

Enactment No: 30760

[15-6495](#)

R212

Approves the submission of the formal application for the local share account grant on behalf of Allentown School District to support the hiring of a consultant to lead a public engagement process and develop Master Plans for the City and School District owned parcels.

**Attachments:** [R212 - ASD Local Share Grant Application](#)

Mr. Daryl Hendricks thanked Mr. Hanlon and asked if there are any comments or questions from his colleagues.

Ms. Ce Ce Gerlach stated that this is for Andre Reed park then.

Mayor Matt Tuerk stated yes, exactly.

Ms. Ce Ce Gerlach asked no other parcels, just Andre Reed.

Mayor Matt Tuerk stated that it is for development of athletic facilities around Dieruff High School. His preference is that the city talk to the community and assess the feasibility of development of not just the Andre Reed Park site, but potentially the former football fields site that is presently owned by the School District. This is an application that was assisted by Senator Nick Miller's office in response to Council's concerns and his concerns about addressing the needs of residents around the Andre Reed Park area.

Ms. Ce Ce Gerlach stated ok. Thank you.

Mr. Daryl Hendricks asked if there was anybody else on the dais or comments from the public.

Ms. Phoebe Harris, Allentown School Board, asked what football field is the mayor talking about.

Mayor Matt Tuerk stated the field on Tilghman Street. The former practice field.

Ms. Phoebe Harris stated the practice field, you want to develop that. She asked if Mayor Tuerk knew that was an old dump. It is not solid. It is nothing but problems. You cannot level that out.

Mayor Matt Tuerk stated that the city is going to talk to the community. This is funding.

Ms. Phoebe Harris stated that she understands that and they will get their Report because the School District did a Report on that.

Mayor Matt Tuerk stated that Report was conducted and prepared without really any input from people who live in the area around Andre Reed Park. They should go further to discuss community feedback.

Ms. Phoebe Harris stated that they will get the Report to know what exactly is underneath that field that is not practical to use. She stated that she is looking forward to that.

Mayor Matt Tuerk stated as are we.

Mr. Michael Hanlon stated that R213 was removed.

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

Enactment No: 30761

[15-6489](#)

R214

No Confidence Vote in Mayor's Leadership

**Sponsors:** Mr. Zucal and Gerlach

**Attachments:** [R214 No Confidence](#)

Mr. Daryl Hendricks thanked Mr. Hanlon and asked if there were comments from his colleagues.

Mr. Ed Zucal thanked Mr. Hendricks and stated that obviously he is the only person that wants to show some leadership because if you are here to see if it is going to be seven votes or five votes ask for your refund because it is not going to exist. In the 60s, a group called Peter, Paul and Mary wrote a song about blowing in the wind and one of the verses were how many times does a person turn their head and pretend that they don't see. Well, that has been what has been happening here for the last two years. He stated that when Mayor Tuerk took office they had five good Department Directors. Since that time, every one of them have left this city. Some you have gotten rid of and some who left on their own because they have stated that they can't no longer work for you. In addition to that, five Deputy Directors and/or supervisors have left this city for the same reasons. It was said to him by a gentleman that had almost 30 years of experience here that he left before his employment future was ruined because he received information from a fellow employee that you were going to use his current supervisor or Department Director to have him terminated. A second

individual told him that he left here. He stated a very good individual by the way. He stated that Mayor Tuerk asked him to do some things that he felt that were against his integrity and if did not leave, you probably would have fired him. He stated that as you know about 10 days ago an article appeared on Lehigh Valley News about the mayor firing one of the individuals in the HR office. Well, let's be factual because there were three fired. This individual was an employee in the HR department and part of your job when you are in the HR department is to filter complaints. Part of that individuals job was to filter complaints. People came to her with issues whether it was workplace harassment, racism, discrimination or whatever. She took upon herself to do her job and as a result she ended up with a target on her back. As a result she eventually lost her job. As you know sometime this past summer the city hired an HR Director and did an outside study to get him. The city spent about \$30,000. A short time after he was here, he was terminated. if you recall on the very first night that he spoke to the press, he stated that he was terminated because he refused (he is not going to name names because he does not want to play that game). He stated that he was terminated because he refused to fire that employee which is the same employee that was terminated. That employee also filed an EEOC Complaint. If you know anything about EEOC Complaints, one of the first things that you cannot do is to harass, intimidate, or terminate without just cause. He stated to the Mayor that is why I called you out as far as this being retaliatory. When you file an EEOC Complaint, they receive the complaint. They look at it and evaluate it, they notify you within 10 days whether or not if it is justification about the complaint and they also notifies the employer. She was notified the Thursday before Thanksgiving and now he had an opportunity of how many months to terminate her. She was fired on Monday. If that does not show retaliation, he does not know what does. He stated to Mayor Tuerk that is why he called him out. He stated that the Mayor sent him a text on Thanksgiving thanking him for caring and having compassion for the citizens. He thanked the Mayor and stated that he does and will continue. The Budget, and stated to the Mayor that last year you sat here and said you were a guru. Well, how can you be a guru when you come before Council for a 6.9 percent Budget increase and 23 new positions. You stated that he cannot personal explain that. He stated that he knows he tried and then when that failed you came back at us asking for a two percent raise. Council said that they were not going to do that. The majority of Council voted against that. He stated then he started with threats. Why the treats? He stated that they can work things out if they talk they can work things out. There is no communication. He asked his colleagues what's the magic number for people to leave, Department Directors or whatever. People to leave, people to be terminated, people to want to leave on there own. What is the magic number because if it is a magic number then they probably should not be here. They should wait until

they reach that number. He could only say two things about this. Either you believe what people will say tonight and what he says and vote yes or you can say none of this is true and vote no and they continue to turn their heads.

Mr. Daryl Hendricks asked if there is anybody else at the dais who wishes to speak.

Mr. Santo Napoli stated that he has been here for a year and been doing a lot of watching and learning and notice that it is a lot of lack of cooperation between Council and the administration. He can't speak for the administration, but there is blame on their side and they need to do a better job of communicating. There will be disagreements. That is the way it goes. They can agree to disagree, but they have to be professional. They have to work together because at the end of the day, they are serving residents. What is happening here tonight, he is very disappointed because it is taking our eyes off the ball when it comes to serving our residents. That is really what we are here for. What they spent their time here. He stated that he does not spend a lot of time here in the building. Maybe three hours a week average, but it is mentally draining what is happening. He stated that if that is happening to him three hours a week because of what is happening in this situation he can't imagine what it is doing to the employees. The folks that spend 40, 45 or 50 hours a week serving our residents day in and day out. It is grueling. He stated that he does feel for the complaints. Those complaints were heard. Council authorized an investigation based on those complaints they heard them. It was seven to zero. He is anxious of this investigation to begin and find out what happened. Based on the conclusion of that investigation, it is the appropriate time to take action. He does not think that time is now because they have not heard what really happened. He stated that they heard the issues and heard from the parties. Again, they heard, but he is going to tell them that he is not a professional in figuring this out. He stated that it is not our job duty. Their job duty is to hear the complaints, act on them and authorize an investigation and let the professionals handle it and let us know what happens right or wrong. Then Council's job is to take action and say ok whatever the case will be. He stated that he can't speak to that because they don't know what it is. They haven't even gotten to that point. He stated that is his big concern. Listen, in the spring time he spends a lot of time speaking to residents and knocked on doors in every neighborhood in the city and he heard many things: lack of affordable housing (obviously), quality of life (on the tip of everyone's tongue), but one of the big ones was don't be like Washington. Residents don't want dysfunction. They don't want a situation where people can't work together. If they see it in Washington, nothing gets done. He stated we make fun of them. He stated that they say how crazy it is. He doesn't want that to

happen here because if this happens here, residents lose. It is that simple. Residents will lose. That is a shame because they are here to serve residents and do the best that they can for them. If they gridlock, it will be a tough two years because they are not going to get anything done. He just doesn't want it to be where and knows the media likes it, but he does not want it to turn into a reality show. Reality shows, we watch them and the dysfunction, drama. It is not something that nothing good comes out of it. Again, he wants to see more cooperation between Council and the administration. They are going to butt heads sometimes. Contrary to popular belief, he butts heads with the administration from time to time. It is one of the things where they are never going to agree on everything. They are going to do things on how they feel best. It is tough because they all have their ideas. They see it all the time. He stated that he is a football fan and a coach comes to his team and he does things a certain way. He wants him to do it a different way. He stated that he wants him to run the ball. He just keeps passing. What are you going to do? He is a coach. That is the thing that they have to take into consideration. He knows Mr. Zucal made a point about folks leaving. He stated that he knows for a fact that what he read after post Covid, a lot of municipalities had this issue. He is not going to say that is the issue for every employee that left, but a lot of companies and organizations lost employees post Covid. There was a lot of movement. He is really happy on who is in place. He stated that the Department Heads and doing a great job. He stated that he is happy with who they have right now. He stated that if they listen to him from time to time he is always advocating for employees. Again, the employees in question, the two that started this, not started, but created the need for the investigation, he wants to hear what happened. Because we need to hear because they were our employees too. When he talks about the 835 employees, they are included. He stated that they need to find out what happened. Once they do, take the appropriate actions. He stated to him that is what is fair. They are putting the cart before the horse and they need to learn more. If anyone of them in this room were sitting in that chair, they would want the same opportunity. Let things play out and find out what happened. He stated that is all he is asking. When that time comes and they have to take action, he is on board. He stated that they need to get their work done. They have a budget to wrap up. They have a housing study that is approaching the finish line that they can help the residents. They have a Community Reinvestment Fund that they need to launch and implement. If they take their eyes off the ball, these other things don't get done or don't get done well. He does not want to see that happen. They have a lot to do. This is a matter that should be addressed at an appropriate time. Tonight's a little bit too early based on the lack of knowledge of what they have. He stated that is just his thoughts and thanked Mr. Hendricks for the extra time.

Mr. Ed Zucal asked if he can respond to Mr. Napoli.

Mr. Daryl Hendricks stated no.

Mr. Ed Zucal asked what do you mean no.

Mr. Daryl Hendricks stated that he will give everyone an opportunity to speak first.

Ms. Candida Affa stated that she don't know what they hope to accomplish tonight with this. She stated that they can't do anything about it. Council can't remove him. They can't remove anybody on Council. They can't fire anybody. They don't have that power. What are we going to accomplish here? We are going to accomplish more of a wedge with the mayor. Things will only get worse. How can we sit up here and vote no confidence and try to work with a man that is our mayor who most of you voted in. She stated what they need to do and asked if she could please talk. What she thinks they need to do as Council and residents is dress him down with all of the things you can find about the mayor you can. She asked Mr. Zucal what does he think he is going to accomplish tonight by that. Nothing, absolutely nothing. Tomorrow, he will still be our mayor. Tomorrow she would like to be able to call him, go to his office which she has which most of them and all of them can at any time. She stated that the mayor and she had a conversation way in the beginning, screaming at each other on the phone telling him what she wanted from him as a leader. Telling him what are the things that she expected from him. She stated that he has disappointed her at times and other times she understood. With this budget, she has found one thing during this budget hearing. He was the one that was negotiating. Council wasn't negotiating. No taxes. No taxes. No taxes. She stated that he cut all the fat as far as he could possibly go. She stated that he showed her one thing. She stated that she is not saying everything Mr. Zucal is saying. That is his opinion. She stated that she has her opinions. She stated that she does not think he did everything right as a leader, but a vote of no confidence is certainly and Council did it with one mayor who had 42 indictments against him and he was still voted in as mayor. She asked what are we going to accomplish here. They are only going to put a wedge between Council and the mayor and as long as this man is our mayor she is going to trying to work with him and tell him when he is wrong and will vote against him when she thinks he is wrong. This is the way you are supposed to do it. You are not supposed to say, I don't like him. It is a hatchet job, let's get rid of him. You can't. So there is no purpose to it this whole thing. Like Mr. Napoli said we have so much to work with here. So much to work with and they can't take their eye off the ball and have these distractions over, and over, and over again. She stated that they have this mayor for two more years. Let's try to work with



him rather than put a wedge and make things even worse on Council for our city and when Mr. Napoli said you citizens, he is not kidding. Ask him how much sleep he got last night. Not much. None of them did. This is a distraction. This is painful and stated shut up to the audience. She stated that is all she has to say. These people. She stated to an audience member you are the main one to shut up. She has had it with him.

Audience talking in the background.

Mr. Daryl Hendricks asked if there was anybody else on the dais.

Ms. Ce Ce Gerlach asked Mr. Hanlon or Mr. Solicitor, can someone step in.

Mr. Daryl Hendricks asked the police to remove an audience member and stated that he does not come back in tonight. He stated that he does not agree with this movement either. There is nothing positive in this Resolution. He stated that he has negotiated with the mayor and he has been more than fair. He started with a seven percent increase in the budget. He negotiated with him on behalf of Council, down to two percent. He removed every position. New position that he has put forth. He has been more than reasonable in this endeavor. He stated that he does not agree with everything that the mayor has done and voted against him on things and will continue to if he does not agree with him. Again, there is nothing positive to come out of this. People look at this and he is going to say this to you people. You people who are the citizens of this city. All of you residents of this city. You voted for some of us and some of us you didn't. This is your city. This is nothing positive that reflects on our city. He stated that Council got an email today from a person who is very upset and they said they moved here from a distance away and they love this city, but when they see our Council meetings now, and this resolution, they are thinking about moving. They said this is similar to Washington and some of our other major cities that have such disruptions. He encouraged his colleagues to vote no on this, let's move forward and work and engage with the mayor to do the best they can for the citizens of the city and those taxpayers.

Mr. Ed Zucal stated two things, maybe Mr. Santo can explain to him why none of this occurred under the O'Connell administration. Number 2, we talk about his outside investigation, but yet the administration has done everything they can to block it or interfere with it. When you say about cooperation, he does not know what his definition of cooperation is, but it is definitely not his. As far as the citizens go, you are absolutely right. It is going to hurt them because you want to know why, there are going to be lawsuits filed as a result of wrongful terminations and who knows after the

investigation how many more there may be. Yes, you are absolutely right. It is about the citizens.

Mr. Daryl Hendricks thanked Mr. Zucal and asked if there was anybody else from the dais.

Ms. Ce Ce Gerlach stated that she does not if anyone slept well last night. Some of them are on different spectrums on how they are going to vote. She stated that she has been stressed. Here is the thing, so it never feels good to have such resolution in front of you, but leadership isn't always about feeling good. Sometimes there are moments of tension. Sometimes there are heated moments. It is possible to work with folks of whom you have publicly stated I don't agree with your leadership. She stated that she is a testament of that. In 2020, there are folks on this Council who attempted to censure her and said that they did not want her on Council. That her leadership lacked and she is now working with one, pretty extensively. She stated that she can talk to Ms. Affa and they are cordial with one another. They still work with one another. Even though they publicly stated they don't want her here. It is proof that you can have very public and heated disagreements and still work with one another and get the job done. She stated that she just wanted to point that out and urged each of them to really think back over the last two years and do a little tally chart and how many times have there been situations, occurrences that raised an eyebrow for you. If that happens and you know of things, things that they can't say publicly right now. She stated that they know of things. If that is of concern to you. Again, this isn't say Mr. Tuerk you are.... It is saying that we got concerns about your leadership. Just like they all said to her. You all said that her actions were a detriment to her service on Council and yet, she is calling them and texting them and here with them right now. Just keep that in mind. They might not get invites to Mayor Tuerk's cookout, but that's ok as long as they can work together and the point is saying yes to a no confidence vote does not automatically say that we will never work together because if that were the case, stating you and I Ms. Affa will never would have had a conversation. Her and Mr. Zucal will never be calling each other. She stated that she wouldn't even say hi to you, Mr. Hendricks. Therefore, we can work together. She stated that they are working together right now.

Mr. Daryl Hendricks thanked Ms. Gerlach. He asked if there was anybody else on the dais that hasn't had an opportunity to speak.

Mayor Matt Tuerk asked if he could speak briefly Mr. Hendricks. He took some advice from a friend who recommended that when other folks go low, he continues to go high. He stated that he is going to stay as high as possible here. This is a quote from another friend in politics, Michelle

Obama. He stated that he wants to quote another politician, Daniel Moynihan who said that people are in fact entitled to their own opinions, but they are not entitled to their own facts. He stated that a lot of what Mr. Zucal stated and he will take the opportunity to communicate with him. You talked about communications and he is glad he knows that you do answer text messages from Councilperson Gerlach because you certainly don't answer them from him. He stated to Mr. Zucal that you don't take my phone calls either. He stated that he will take this opportunity to speak with him because it seems like the only opportunity that he does have to speak with you. He goes back to and stated that Mr. Zucal obviously read the text messages that he sends him because he read the one that he sent on Thanksgiving. He stated that he does respect the work that Mr. Zucal does, but respectfully speaking the work that you are doing up here is diminishing a level of respect for this body and they can see that. You talked about the O'Connell administration and stated that he is disappointed in some of the behaviors of some of the citizens of the city of Allentown and the residents of the city of Allentown who have not permitted elected officials, that probably everybody here voted for to have their opportunity to speak. These types of activities they lower the integrity of the entire body of City Council. What you are doing is and stated that he got thick skin and they can say that they have no confidence in him, but it does not bother him at all. The half truths that you continue to espouse are disappointing. He stated that he thinks people look at them and believe that they speak the truth, but he thinks that they have not done all their research sir, respectfully speaking. It is a two way street and respect the work that they do and continues to respect them as an elected legislator and asked in return you do respect him as the mayor. He stated that he believes that Ms. Gerlach said that she is the author of the resolution. He believes he read that in the morning in one of the newspapers. You are the author. There is no respect to the administration. That is disappointing and he is going to continue to offer respect to them in hopes of continuing to earn, he believes earn their respect so he can earn the respect of many of the other City Council people who do engage in productive dialogue with him and the administration. He asked them to reconsider their positions and return to communication because that is the only way they will get there together. That is the only way they are going to serve the residents of this city. He asked them to put this aside, return to communication and let's get back to business. He wanted to clarify a little bit on what Mr. Napoli spoke to. When he says that this is a distraction, this could be damaging to morale for our city employees. It is not because this is a mess. You guys right now, the City Council people when you engage in this type of stuff, this is not legislating. This is not the work of a City Councilperson. The work of a City Councilperson is to serve the needs of the residents. That is what they elected you to do. That is what he asked them to do. He asked them to collaborate with him and his administration to meet the needs of the

residents. That is the work that we want to get back to. if you can put this type of stuff aside and just focus on the work, they all will be in great shape. He thanked Council for the opportunity to speak to them. He stated that they got his number and is always happy to talk to them. He stated that he looks forward to it.

Ms. Genesis Ortega, Communications Manager, stated Council President if you may, the administration would like to provide a prepared statement regarding the recent firings. She started by saying that this is not typical, but there has been a lot of public discourse and reporting in the media. She stated that they would like to share the following statement. In April 2022, the Solicitor's office retain outside independent Counsel to investigate multiple complaints involving employees within the city's Human Resources Department. Due to the nature of the complaints involving individuals in that office and to ensure an impartial investigation, it was essential to involve external Counsel as Human Resources could not conduct the investigation internally, obviously. The 18 - month long investigation involved interviews with 25 city employees. Following the conclusion of this investigation, a Report was generated, recommending the termination of three employees in the Human Resources Department. Mayor Tuerk met with the outside Counsel from Bingaman and Hess who conducted the investigation and MacMain Leinhauser who represents the city. After careful consideration, the Mayor decided to follow the recommendations put forth by the investigation and terminate the employment of the three individuals. As of the case in all Human Resource related matters across industries and municipalities and even in the corporate world, they cannot provide details of specific findings of the investigations. The interviews, findings and conclusions are confidential. Employment matters that cannot be disclosed. Thank you.

Ms. Ce Ce Gerlach stated that she has a question. Now that is public, she has a couple of questions. She asked when did the investigation conclude.

Ms. Genesis Ortega stated November 2023.

Ms. Ce Ce Gerlach asked what date.

Ms. Genesis Ortega stated that they can get further information. She has no further comment.

Mayor Matt Tuerk stated that his letter is November 2, 2023 when they were presented with findings.

Ms. Ce Ce Gerlach stated November 2, the outside investigator presented you, Matt Tuerk with the findings. In the memo you referenced, it stated that

the mayor recently had a conversation with the investigator. When did that conversation happen? What is recently? She asked because everything else is dated with months and years and everything. That just says recently.

Mayor Matt Tuerk stated that they are not going to answer that question.

Ms. Ce Ce Gerlach asked how much was paid to the outside investigator, not the McMahon who handles the EEOC, but the outside investigator that investigated HRC.

Mayor Matt Tuerk stated that he does not have the information immediately available.

Ms. Ce Ce Gerlach asked does anyone.

Ms. Genesis Ortega stated that they don't have that information right now.

Ms. Ce Ce Gerlach stated that they were led to believe during an Executive Session and publicly she said it so she might as well say it here that an outside investigator will not be able to access confidential information. She asked if this investigator have access to confidential information.

Ms. Genesis Ortega stated that she cannot answer Ms. Gerlach's question right now.

Ms. Ce Ce Gerlach stated with everything going on, why is Council just now learning that there was an investigation for over a year. When the previous HR Director was terminated and that was public and there was an Executive Session about that. Why wasn't it told to Council that there was an investigation.

Mayor Matt Tuerk stated as they detailed they are personnel matters. They are not going to comment on them.

Ms. Ce Ce Gerlach stated that the document states that "a number of other changes to the HR office were recommended". If these "other changes are not of a personnel matter, can Council have a copy of the recommendation.

Mayor Matt Tuerk stated that he is going to put that in the hands of the future HR Director.

Ms. Ce Ce Gerlach stated so there are matters that were not personnel related. They were maybe procedural or something they can get.

Mayor Matt Tuerk stated that it is for the future HR Director.

Ms. Ce Ce Gerlach asked if they can see the contract that was given to this outside investigator.

Mayor Matt Tuerk stated that he can't answer that right now, but can defer it to their Legal Counsel and the Solicitor.

Ms. Ce Ce Gerlach thanked Mayor Tuerk for his time.

Mr. Daryl Hendricks stated that he will now open it up to the public for comments.

Ms. Phoebe Harris, Allentown School Board, stated on School Board, they only have one employee and that is the Superintendent. As City Council isn't the Mayor your employee? No, ok. Because you are elected by the people, who don't you have access to the things you just asked for. You are elected by the people. You are elected to let us know what is going on. She stated to Ms. Affa, her telling someone to shut up is wrong. That was wrong. That hurt us. That is the comment.

Ms. Candida Affa stated that they would not let her speak.

Mr. Daryl Hendricks stated don't. Don't engage.

Ms. Phoebe Harris stated that she is not coming to degrade or dehumanize anyone. She is asking City Council what the rules are. So now she knows that he is not their employee however she listened to Mr. Santo and you pointed out that you feel that you are here to represent the people. All of you are here to represent the people. The people are not having confidence in this Mayor. She stated that they know it does not do anything, however, it let's the mayor know he needs to do better. That is what a vote of no confidence means. It means that you need to do better by our people. By what we need in Allentown. Stop being obtuse and understand and work towards making this a better city. That is the vote of no confidence means. It needs to tell him, do better. That is how she sees it as an elected official. She stated that is what she would do to make the mayor see we have to do better. Transparency. Transparency is really important. The fact that he did not answer those questions she got a problem with it. That means he is hiding something to them. That is what everybody thinks in here. He is hiding something. She asked Council to do a vote of no confidence to let him know he needs to do better.

Ms. Barbara Redmond, Allentown NAACP, stated that the reason why she is here is because Karen was granted the Right to Sue by the EEOC while she was out with her father's death and the mayor was aware of it and of

the decision that the EEOC has made to give her the Right to Sue. When she returned to work on that Monday, the mayor had handled the situation with no courtesy, he had no compassion or dignity for her when she returned. The decision that was made to terminate her was during a fiscal year. The city cannot afford to have money paid out because of this issue. She stated that they feel as though the mayor was unprofessional. What he did to Karen was unfounded and unjust. She stated that they want to know why he would do something like this at this time. The lawsuit that Ms. Ocasio is a burden on the city of Allentown and she wants to remind everyone that the two people that were involved in this are people of color. The people of color have the biggest complaints in the city of Allentown. She stated that they have people of color with Master's Degrees in the city of Allentown who are led by people with a high school diploma. She asked why is it so irresponsible on the mayor's part. Why is he acting like a kindergarten kid instead of being responsible. The city of Allentown loves the people, not him. He works for the people in the city. He is just as bias and unfair in his decision. He dismisses people on his personal preference and not on how they perform or how they conduct. The city of Allentown deserves a better leader.

No Name Given (Male) stated that the mayor said that they disappointed him. Well, the feeling is mutual. In time, he hopes that an investigation will bring to light the full truth of what has happened in the last two years. In the meantime, what do we know? We know that the mayor's office has steadfastly refused to answer even basic questions about why city employees, the people's employees were removed from their posts. The total lack of transparency is dragging us back to the not so distance past and casting appall over the city. City residents and this City Council are entitled to basic answers to basic questions about the people who salaries are paid by taxpayers and we should no need a no confidence motion to get it. He stated one last point, the top priority of this Council is not to avoid drama. It is to do oversight. This Council can't do its job so long as city hall continues to be a black hole of information. Work with him, talk with him, but above all hold him accountable.

Mr. Douglas Bennett stated that he was born and bread here and he ended up going to Massachusetts just after college. He stated that the city of Allentown and the City Council here and the mayor act actually like a team and work very well compared to a lot of other City Council's and town Council's out there. He stated that he can given them some really good examples. He was living up in Boston going to Law School and just this year, the had a City Councilor named Kendra Lara and she was speeding in an unregistered car, unlicensed, and she drove into a house. He stated that he got elected up in Massachusetts as a county commissioner. If you think it is bad here, arrival on the Council with him got into a

**Yes:** 4 - Cynthia Mota, Ed Zucal, Ce-Ce Gerlach, and Natalie Santos

**No:** 3 - Candida Affa, Daryl Hendricks, and Santo Napoli

Enactment No: 30762

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

[15-6469](#)

Bill 104

Providing for the vacation of South Sixth Street from the centerline of Mason Street to the centerline of Dixon Street in the Nineteenth Ward of the City of Allentown:

**Sponsors:** Administration

**Attachments:** [Bill 104 South Sixth Street from the centerline of Mason Street](#)

[S 6TH Street Vacation Staff Report](#)

[Staff Report PW Report on Portion of South 6th Street from Mason Street to Dixon Street](#)

[Planning Staff Report - South 6th Street from Mason Street to Dixon Street - Approved](#)

[Staff Report S 6th Street from Mason Street to Dixon Street -](#)

[Vacation Report](#)

[Ordinance #15965](#)

REFERRED TO THE PUBLIC WORKS COMMITTEE

Mr. Daryl Hendricks asked if there were any comments on Bill 104.

Enactment No: 15965

[15-6478](#)

Bill 105

Amending the 2023 Capital Fund Budget to provide for a transfer of Twenty Thousand Four Hundred and Ninety-Two Dollars and Twenty-One Cents (\$20,492.21) from Valania Park Capital Project into the Cedar Creek Bridges Capital Project for the repairs of the remaining Cedar Creek Bridges to be completed. These funds would be placed in the Cedar Creek Bridges capital project.

**Attachments:** [Bill 105 Cedar Bridges Transfer](#)

[Ordinance #15966](#)

Mr. Daryl Hendricks asked if there were any comments from the public.

REFERRED TO THE PARKS AND RECREATION COMMITTEE

Ms. Ce Ce Gerlach stated yes, and she believes that meeting is December 12th.

Enactment No: 15966



[15-6479](#)

Bill 106

Amending the 2023 Capital Fund Budget to provide for a transfer of Forty-Nine (\$0.49) Cents from City Wide Park & Playground capital project into the WPA Structures Capital to use for repairs of WPA Structures.

**Sponsors:** Administration

**Attachments:** [Bill 106 City Wide to WPA](#)  
[Ordinance #15967](#)

Mr. Daryl Hendricks asked if there were any comments from the public.

REFERRED TO THE PARKS AND RECREATION COMMITTEE

Enactment No: 15967

[15-6480](#)

Bill 107

Amending the 2023 Capital Fund Budget to provide for an appropriation of Four Thousand Two Hundred and Fifty Dollars (\$4,250.00) from the Trexler operating budget to the D&L Trail capital account to assist in design and construction of the D&L Trail Allentown Segment.

**Attachments:** [Bill 107 D&L Trail Allocation](#)  
[Ordinance #15968](#)

Mr. Daryl Hendricks asked if there were any comments from the public.

REFERRED TO THE PARKS AND RECREATION COMMITTEE

Enactment No: 15968

[15-6481](#)

Bill 108

Amending the 2023 Capital Fund Budget to provide for a supplemental appropriation of Six Hundred Fourteen Thousand Four Hundred and Seventeen (\$614,417.00) Dollars from the Delaware Lehigh National Heritage Corridor (DLHNC) to support design and construction of the D&L Trail – Allentown Segment as per the agreed Memorandum of Understanding.

**Attachments:** [Bill 108 D&L Trail DLNHC](#)  
[Ordinance #15969](#)

Mr. Daryl Hendricks asked if there were any comments from the public.

REFERRED TO THE PARKS AND RECREATION COMMITTEE

Enactment No: 15969

[15-6482](#)

Bill 109

Amending the 2023 General Fund Budget to provide for a supplemental

appropriation of Two Thousand (\$2,000.00) Dollars from Keep PA Beautiful in their efforts to support a volunteer event by Giant/Martin Food Stores for supplies to conduct the volunteer event.

**Sponsors:** Administration

**Attachments:** [Bill 109 Keep PA Beautiful Grant Appropriation](#)  
[Ordinance #15970](#)

Mr. Daryl Hendricks asked if there were any comments from the public.

REFERRED TO THE PARKS AND RECREATION COMMITTEE

Enactment No: 15970

[15-6483](#)

Bill 110

Amending the 2023 General Fund Budget to provide for a supplemental appropriation of Thirty-Seven Thousand Seven Hundred and Eighty-Three Dollars (\$ 37,783.00) from the Commonwealth of Pennsylvania, Department of Community and Economic Development Local Share Account grant for the purchase of a vehicle for Lehigh Valley P4P Boxing.

**Sponsors:** Administration

**Attachments:** [Bill 110 P4P Appropriation](#)  
[Ordinance #15971](#)

Mr. Daryl Hendricks asked if there were any comments from the public.

REFERRED TO THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

Enactment No: 15971

[15-6484](#)

Bill 111

Amending the 2023 General Fund Budget to provide for a supplemental appropriation of Fifty-One Thousand Six Hundred and Eighty-Eight Dollars and Eighty Cents (\$51,688.80) from PPL for the completion of Phase 2, 3, and 4 of the LED street light conversion.

**Sponsors:** Administration

**Attachments:** [Bill 111 PPL Street Light Rebate](#)  
[Ordinance #15972](#)

Mr. Daryl Hendricks asked if there were any comments from the public.

REFERRED TO THE PUBLIC WORKS COMMITTEE

Enactment No: 15972

[15-6485](#)

Bill 112

Amending the 2023 General Fund Budget to provide for a supplemental appropriation of One Million Five Hundred Seventy-Four Thousand Eight Hundred and Fifty-Eight Dollars and Fifty-One Cents (\$1,574,858.51) from UGI for the purpose of constructing ADA handicap ramps and for the milling and paving of streets under the City's Utility Paving Program.

**Sponsors:** Administration

**Attachments:** [Bill 112 UGI Cost Sharing Program](#)  
[Ordinance #15973](#)

Mr. Daryl Hendricks asked if there were any comments from the public.

REFERRED TO THE PUBLIC WORKS COMMITTEE

Enactment No: 15973

[15-6499](#)

Bill 113

Repealing Ordinance 15938 passed on August 16, 2023 by administering the grant through the Bureau of Building Standards and Safety and creating proper accounts as required under the grant and The legislation amended the 2023 General Fund Budget to provide for a supplemental appropriation of Two-Million-Dollars (\$2,000,000.00) grant funding from the U.S. Department of Housing and Urban Development to address housing related hazards including radon remediation, asbestos abatement, and electrical and plumbing repairs.

**Sponsors:** Administration

**Attachments:** [Bill 113 Account Grant Changes](#)  
[Ordinance #15974](#)

Mr. Daryl Hendricks asked if there were any comments from the public.

REFERRED TO THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

Enactment No: 15974

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

**NEW BUSINESS: NONE**

**GOOD AND WELFARE: NONE**

**ADJOURNED: 8:54 PM**

[15-5720](#)

Council Rules  
Procurement Procedures  
Code of Ethics

**Attachments:** [Council Rules 2023](#)  
[Contract/Procurement Procedures from the Code](#)  
[Ethics Code](#)