



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

City Council

Wednesday, August 2, 2017

7:00 PM

Council Chambers

Invocation: Councilperson Guridy

Pledge to the Flag

Roll Call

Present: 7 - Ray O'Connell, Daryl Hendricks, Candida Affa, Roger MacLean, David McGuire, Julio Guridy, and Cynthia Mota

Courtesy of the Floor

Courtesy and Privilege of the Floor Rules

Mr. Hahn was called to speak

Mr. Joe Hilliard, 2819 Rhonda Lane - Allentown Citizens Audit Committee, stated that they are establishing a very methodical method of what's going on fiscally. Forget the crime and corruption. The city is in a fiscal mess. He filed a Right to Know and they can't locate years of financial reports for five years. He stated that he was going to an SEC seminar. In 2010, they established the Public Finance Abuse Unit and Enforcement Unit. The SEC even brings cases even if bonds don't default or no rating effects.

Ms. Janet Keshl asked about the signs going up in Allentown selling and buying homes. Are we able to remove it.?

Mr. Ray O'Connell stated that you can't really put anything on the utility pole. He asked Mr. Hartzell to take the concern and take it under advisement.

Mr. Brent Hartzell asked Ms. Keshl the specific location.

Ms. Janet Keshl stated South 4th Street and Susquehanna.

Mr. Lou Hershman, 405 N. Gilmore Street, stated that when he left last week's meeting of the Budget and Finance meeting, he wrote a letter. He stated that Council should have a Committee of the Whole meeting and the Mayor should be here. He stated after the Mayor submitted a fake budget to Council and you let him off the hook. We have 13 police officers short, four firefighters and EMS short. He asked about Cash Reserves and no information on transfers. There is no oversight. The City law states that we

should have an Investment Advisory Committee and we don't even have that. He asked about the Vehicle Report from Mr. Glazier. He asked about the costs of the basketball courts at Irving Park (Andre Reed Park).

Mr. Ray O'Connell stated that we asked that question and was told soon.

Mr. Brent Hartzell stated that he feels it necessary to let you know something about Right to Know. The gentleman that came up was a member of City Council and Controllers for years and who purchases the annual budget for the city every year. He sent in a Right to Know Request asking our office the biweekly pay of every Department Director in the city.

Mr. Lou Hershman stated that he does understand the budget. He stated that the reason why he is doing it is to make sure they are paying the salaries you have budgeted.

Mr. Scott Marshall, Oath Accountability Project, stated that they have an issue in Allentown. When a journalist is out conducting an investigation and has not broken any laws, it doesn't really matter who he is investigating. He stated that a entire platoon should not come and harass a journalist and claim that they have broken laws and try to make them leave and step over their Constitutional Rights. He asked for re-training and/or Oath Accountability Project can speak to Allentown Police Department. He stated that half of the Allentown Police vehicles have Fraternal Order of Police directly on the license plates or Thing Blue Line on the License Plate. The Pennsylvania Law says it is an obstruction. He asked Council if they were aware of the video that he is talking about. It was just released last week. It has gotten over 70,000 views.

Mr. Ray O'Connell asked if there were any comments from his Councilmembers.

Mr. Roger MacLean asked if Mr. Marshall reached out to the Chief and offered to sit down with him and discuss things.

Mr. Scott Marshall stated that he has a meeting with the Chief this week. He has been in contact with him this week.

Mr. David Keshl, Wabash Street - Mountainville 30 Crime Watch, stated that Mr. Hendricks is well aware of the problem on the 2nd Street bridge. He has several conversations with Craig Messinger. The single lane bridge is closed because of an automobile accident. He stated that kids going to school use that bridge heavily. He stated that according to Mr.

Messinger it is in the works to work on the bridge.

Mr. Ray O'Connell stated that is more than fair.

Mr. Daryl Hendricks stated that he will try to stay on top of that.

Mr. Kenneth Heffentrager, 214 N. St. Cloud - Allentown Tenant Association and 10th Ward North, stated that in 2011 we formed the Tenants Association and quickly realized that in 2012 rental issues were not the only thing, blight was a major concern, dumping was a major concern. After several months in 2012, we managed to get the Mayor to do a walk around the 8th and Chew area. In 2013, no walks, in 2014 two walks that the Allentown Tenants Association were canceled, in 2015, the Allentown Tenants Association once again emails were ignored. All three walks were given to Jordan Heights and West Park. The 10th Ward North in 2016 we scheduled two more walks and once again canceled and given to Jordan Heights, and given to West End Alliance. In 2017, we get a date and we moved it to a day where it was a near hurricane, canceled. It was rescheduled August 10th and it rescheduled. We arranged the Council walk and it was canceled. He stated that the Mayor refuses to go to the 10th Ward. Blight is skyrocketing through the roof. Why is the 10th Ward left out.

Mr. Ray O'Connell thanked Mr. Heffentrager and stated to Mr. Hanlon to reach out to Mr. Heffentrager to do a Council Walk.

Mr. Severyn Freeman - FreedomParadox.Org, Bethlehem, stated that if people who are speaking out about Police abuse and Police behaviors were standing out and in the room intimidating police reporters I really think that officer in the back of the room would have something to say about it. There were people calling me names and calling real foul things about me. He asked that they are given the same respect that anyone else would.

Mr. Ray O'Connell stated that as president of City Council we want civility and respect.

Mr. Severyn Freeman stated that there has been court rulings about social media and the public to censure social media. These rulings were out there now and settlements from cities that censured. These things are open forum and if you were to open them for one person to speak you should open for all persons to speak. He stated that he cannot comment on the Mayor's Facebook page that is linked to the City website.

Mr. Daryl Hendricks stated that he is very much aware and is talking to people and very much aware of what you spoke about with some of the

websites. I do believe that they are in violation. We are going to do everything in our power to make sure they are corrected, they are open and honest and not used for the wrong purposes.

Mr. Glenn Hunsicker, 844 S. 11th Street, asked about the reconciliation of checks and where do we stand. He asked if that has an affect on our Audit on the CAFR Report.

Mr. Ray O'Connell stated when we get to the Controller's Report.

Mr. Julio Guridy stated that we are going to get a CAFR on August 23 at 6:00 PM.

Mr. Brent Hartzell stated that with respect to the 2016 CAFR I will certainly admit that we have timeliness issues. Every one of those statements were reconciled and reviewed by the Auditors as part of the 2016 audit.

Mr. Glenn Hunsicker stated that contradicts the conversation that I had with the Controller.

Mr. Michael Hanlon stated that you will see it in the Management's Letter.

Mr. Julio Guridy stated that we have a Single Audit Report and whole City CAFR Report.

Mr. Brent Hartzell stated that the Management Letter he drafted today.

Mr. Tom Hahn, 2016 E. Highland Street, stated that this is the packet that I wanted to share to the Councilmembers that are on the Budget and Finance Committee and failed to in a weeks time have any contact other than emails and received no confirmation that I can talk to him about this. He talked about an article in the paper that someone found the \$1.7 million that was missing. It came from a forensic audit by the FBI in the dealing with the Mayor with a fellow named Allison. Who is going to investigate the \$1.7 million?

Mr. Ray O'Connell stated that the FBI did a forensic audit. He stated that he heard \$1.38 million, now \$1.7 million.

Mr. Tom Hahn stated no, \$1.73 million. Mr. Julio Guridy stated that it is such a coincidence. You have been saying it and now the FBI is saying \$1.38 million.

Approval of Minutes:

Yes: 7 - Ray O'Connell, Daryl Hendricks, Candida Affa, Roger MacLean, David McGuire, Julio Guridy, and Cynthia Mota

[15-1769](#) July 12, 2017 City Council Approval of Contracts Professional Services Meeting Minutes

Attachments: [54 July 12, 2017 City Council Approval of Contracts Professional Services Meeting Minutes](#)

[15-1786](#) July 12, 2017 City Council Committee of the Whole on Bill 40 - Appropriate Mental Health Ordinance (Conversion Therapy)

Attachments: [58 July 12, 2017 City Council Committee of the Whole on Bill 40 - Appropriate Mental Health Ordinance \(Conversion Therapy\)](#)

[15-1788](#) July 19, 2017 City Council Approval of Contracts Professional Services Meeting Minutes

Attachments: [60 July 19, 2017 City Council Approval of Contracts Professional Services Meeting Minutes](#)

Old Business

Communications

Proclamation for Doug Snyder - 2017 Varsity Brands School Spirit Awards Show The National Coaching Award: Mr. Doug Snyder was not present

Proclamation for Keith Groller, Senior Reporter, Sports Desk - The Morning Call

Mr. Ray O'Connell stated that he is honored to give a Proclamation to Mr. Groller. He read the Proclamation.

Resolved by the Council of the City of Allentown, That

WHEREAS, Keith Groller a graduate of Dieruff High School is the Senior Writer at The Morning Call and will be celebrating his 35 Anniversary as a full-time writer with the paper in September; and

WHEREAS, Keith Groller hosts a weekly radio show on ESPN Radio of the Lehigh Valley, has hosted several TV shows over the years, and currently co-hosts the weekly Sports Talk TV show on RCN4 Cable; and

WHEREAS, Keith Groller has been covering Lehigh Valley sports for 35 years and has won numerous community service awards in the Lehigh Valley; and

WHEREAS, in 1998, Keith Groller won The Morning Call's Excellence Award; and

WHEREAS, Keith Groller has covered two World Series, one Indianapolis 500, NBA playoffs, Eagles playoffs, a Super Bowl and Lehigh in the NCAA

football playoffs; and

WHEREAS, Keith Groller covers PIAA football, basketball, and softball;
and

WHEREAS, Keith Groller has been inducted into the Lehigh Valley Softball Hall of Fame, the Lehigh Valley Basketball Hall of Fame, the Lehigh Valley Sports Hall of Fame, the Blue Mountain Baseball League Hall of Fame and the Dieruff High School Sports Hall of Fame; and

NOW, THEREFORE ALLENTOWN CITY COUNCIL on Wednesday, August 2, 2017 recognizes and honors Keith Groller as the Senior Writer at The Morning Call and for his coverage of community sports across the Lehigh Valley.

Mr. Keith Groller stated that Allentown is very, very important to me. I was born and raised in Allentown. My father served on the Allentown Fire Department and was a city worker prior to that. I am really proud of my father, who was the firefighter of the year in 1996. My son Christopher is a Lieutenant in the Allentown Fire Department. My uncle is here and still lives in the city. My father is an Allentown High School graduate and my uncle is a Dieruff High School graduate and they got me started in sports. He stated that his wife of 35 years allows him the freedom to cover other kids when I missed a lot of my kids things. My youngest daughter was a straight A student. It is a honor. I was inducted in many Hall of Fames, but this is at the top for me because once you are an Allentownian you are always an Allentownian. This is a great, great city with a great future.

Mr. Roger MacLean stated between Mr. Hendricks and myself we probably have 70 years in law enforcement and a Proclamation for a reporter is saying something.

Mr. Ray O'Connell stated very true Mr. MacLean.

REPORTS FROM COMMITTEES:**Budget and Finance: Chair Guridy, Hendricks, Mota**

The Committee met on July 26th; the next meeting is scheduled for August 23rd at 6 PM - the committee is scheduled to have a presentation by the auditors on the CAFR, management letter and single audit...

Community and Economic Development: Chair McGuire, Guridy, Mota

The Committee met on July 26th and forwarded items on this evening's agenda; a future meeting has not been scheduled.

Human Resources, Administration and Appointments: Chair Affa, MacLean, McGuire

The Committee has not met since the last council meeting; a future meeting has not yet been scheduled.

Parks and Recreation: Chair Mota, Affa, O'Connell

The Committee met this evening; a future meeting has not yet been scheduled.

Public Safety: Chair Hendricks, MacLean, Affa

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

Public Works: Chair MacLean, McGuire, O'Connell

The Committee has not met since the last meeting; a future meeting will be scheduled after the street vacations being introduced this evening are advertised.

Rules, Chambers, Intergovernmental Relations and Strategy: Chair O'Connell, Hendricks, Guridy

The Committee has not met since the last council meeting; a meeting will be scheduled shortly to deal with legislation being referred to the committee this evening.

Ad Hoc Committee on Inclusionary Zoning: Co- Chairs Guridy and McGuire

The Committee has prepared a white paper and is in the process of reviewing the report.

City Controller's Report

Mr. Jeff Glazier stated that regarding the audit on vehicle to go home, we continue to review the fleet and there are still one or two legal questions outstanding and we are working to be answered and we are working with the Solicitor to get those resolved. In regards to bank reconciliations what I told Mr. Hunsicker was not in conflict with Mr. Hartzell said. The treasury department in Finance does their own reconciliation and when they are

done it comes up to us. Jacqui goes over it with a fine-tooth comb. Sometimes there are no issues and sometimes there are. He talked about the Accounts Payable Check Review and the Contracts Receivable Review. He stated that these are online on the Controller's page. Accounts Payable Check Review, July 1 - July 28 had 559 checks a little bit over \$6 million, four wires for about \$544,000 and our findings and Resolutions we identified two wires with the invoice did not agree with the wire amount. We had one wire with a difference of \$105,865,086.50, and another wire had a difference of one cent. Both were submitted and approved by HR before the errors were identified. Treasury and HR were advised of the issues and Treasury corrected those amounts prior to finalizing the wires. One invoice with a missed discount of \$282. There were checks in Parks and Recreation with late payments fees totaling \$56.68. Two checks for three invoices where the invoice detailed totals did not agree with the total amount billed, total \$70. We had one or two questions on how referees were paid. We had a couple of late payments of invoices. The Eden issues forwarded to IT for review. The Contract Receivable Report dated July 31 looks at contracts where contractors pay the city for the privilege of doing business with us. This is an eleven page report. We identified 27 vendors that fall into this category. There were outstanding Receivable. Jack's Slice Lease Agreement and Addendum were not compliant on the terms. The rent is \$30,000 a year and it supposed to be paid in 10 equal payments. As of January 18, 2017, November and December payments have not been paid. The administration stated that payment, including penalties were deposited April 2017. The Heritage Fly Shop annual rent is \$1 payable in April on the first day of the year and they don't always do that. He stated that there are processes here and the auditors have to audit on a standard. They identified two contracts where the consideration terms on the final contracts required the city pay the vendor. The administration was notified and they duly corrected them in a timely manner.

APPOINTMENTS: None

ORDINANCES FOR FINAL PASSAGE (To be Voted On):

[15-1752](#)

Bill 44 Parks and Recreation, this evening
Amending the Codified Ordinance Part IV, Streets, Utilities, Public Services, Title 7 – Parks and Hamilton Street, Article 951, Park Regulations by revising the sale of merchandise by mobile vendors - Section 951.12 Sale of Merchandise Prohibited and the standards for the issuance of a use permit – Section 951.18(A-2) – Permits. No mobile food or non-food vendors may vend within Two Hundred Fifty (250') feet of an event perimeter without written permission from the event organizer. Permitted activities must be organized by a non-profit organization, or directly benefit an Allentown-based non-profit organization. For-profit

events are not permitted to be held in a City park unless they directly benefit an Allentown based non-profit organization.

Attachments: [Bill 44 Park Regs](#)
[Ordinance #15387](#)

Mr. Ray O'Connell stated that Ms. Lindsay Taylor talked about it and we passed it on favorably 2- 0. He asked if there were any comments from his colleagues about Bill 44 or the public.

Yes: 7 - Ray O'Connell, Daryl Hendricks, Candida Affa, Roger MacLean, David McGuire, Julio Guridy, and Cynthia Mota

Enactment No: 15387

[15-1751](#)

Bill 45

Amending Part III, Business Regulation and Taxation, Title 9 - Fees, Article 400, Park and Recreation Fees by revising the fee schedule for special events - Section 400.08 Special Event Fees by establishing a fee for the use of the city podium at \$50 and a \$200 refundable deposit, and waiving the special event fee for Easter Egg Hunts (noting the fees for pavilions, fields, street closures and all other event requirements must be followed including Certificate of Liability Insurance).

Attachments: [Bill 45 Recreation Fees](#)
[Ordinance #15388](#)

Mr. Ray O'Connell stated that we had the discussion in the Parks and Recreation Committee meeting this evening and Ms. Taylor gave an update and we passed it favorably 2 - 0 to the entire Council. He asked if there were any comments from his colleagues about Bill 45 or the public.

Yes: 7 - Ray O'Connell, Daryl Hendricks, Candida Affa, Roger MacLean, David McGuire, Julio Guridy, and Cynthia Mota

Enactment No: 15388

[15-1753](#)

Bill 46

An Ordinance providing for the expenditure of certain monies received by the City of Allentown from the repayment of loans made through the Rental Rehabilitation Program.

Attachments: [Bill 46 CDBG HOME - Rental Rehab.doc](#)

Mr. Ray O'Connell stated that CDBG people were here and Mr. Lightner was here and it was a good discussion and passed favorably 3 - 0. He asked if there were any comments from his colleagues.

Mr. Julio Guridy stated that he thinks that the new housing project was an old organization that is coming back is a great idea. He stated what Mr. Heffentrager talked about we can use some of those funds to fix some of

the problems that you have been talking about.

Mr. Ray O'Connell asked if there were any other comments from my colleagues or the public.

Mr. Kenneth Heffentrager asked if they can see where the money came from to begin with. Who is paying it back.

Mr. Leonard Lightner asked Mr. Heffentrager if he is asking to see the people that paid back the loan. He stated that he would have to refer to the Solicitor to see because that is someone's private information about their particular loan.

Mr. Scott Holbert stated that the best way to review that information is through the Right To Know office to make sure the correct information is out. There may be privacy considerations and third party notifications that have to go out ahead of time.

Mr. Ray O'Connell asked if there were any other comments from the public about Bill 46.

Yes: 7 - Ray O'Connell, Daryl Hendricks, Candida Affa, Roger MacLean, David McGuire, Julio Guridy, and Cynthia Mota

[15-1755](#)

Bill 47

An Ordinance providing for the expenditure of certain monies received by the City of Allentown under Title I of the Housing and Community Development Act of 1974, as amended; The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009; and Title II of the National Affordable Housing Act of 1990, as amended; for the purpose of undertaking programs of housing and community development within the City.

Attachments: [Bill 47 CDBG CONSOLIDATED PLAN.doc](#)

Dr. David McGuire stated that it passed in the Community and Economic Development Committee.

Mr. Ray O'Connell stated that Mr. Lightner gave a presentation and it passed, 3 - 0. He asked if there were any comments from my colleagues.

Mr. Julio Guridy congratulated Mr. Lightner and his department for the great work that they have done. We have to continue working together to make sure that comes to fruition.

Mr. Ray O'Connell asked if there were any other comments from my colleagues or the public.

Yes: 7 - Ray O'Connell, Daryl Hendricks, Candida Affa, Roger MacLean, David McGuire, Julio Guridy, and Cynthia Mota

RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):

[15-1750](#)

R145

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

Attachments: [R145 CDBG ACTION PLAN.docx](#)

[one year action plan draft](#)

Mr. Ray O'Connell stated that Mr. Lightner and his staff talked about R145. He asked his colleagues if there were any comments about Resolution 145 or from the public?

Yes: 7 - Ray O'Connell, Daryl Hendricks, Candida Affa, Roger MacLean, David McGuire, Julio Guridy, and Cynthia Mota

Enactment No: 29536

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

[15-1772](#)

Bill 48

Provides for the vacation of S. Lynn Street from Harrison Street to Colorado Street

Attachments: [Bill 48 S. Lynn Street from Harrison Street to Colorado Street - Street Vacation](#)

[Letter from Mike Hanlon regarding a Street Vacation Petition for South Lynn Street abutting 729 S. Poplar Street](#)

[Staff Report - S. Lynn Street from Harrison Street to Colorado Street - Street Vacation](#)

[Letter from Steve Neratko regarding the Partial Vacation of S Lynn Street from Harrison to Southern Boundary of 815 S Poplar Street](#)

[Letter from the Lehigh Valley Planning Commission regarding Street Vacation Request – South Lynn Street abutting 729 S. Poplar Street.](#)

[S. Lynn Street from Harrison Street to Colorado Street Mailing Labels](#)

[Photo S. Lynn Street from Harrison Street to Colorado Street - Street Vacation](#)

[Allentown City Planning Commission Meeting Minutes 7-11-17](#)

[Legal Ad Proof South Lynn Street from Harrison Street to South Poplar Street - Street Vacation \(MC 5115764\)](#)

Mr. Ray O'Connell asked if there were any comments from my colleagues on Bill 48 or the public.

REFERRED TO PUBLIC WORKS

[15-1773](#)

Bill 49

Provides for the vacation of North Lawn Street from the centerline of

Andrew Street to the centerline of Early Street

Attachments: [Bill 49 North Lawn Street from the centerline of Andrew Street to the centerline of Early Street - Street Vacation](#)
[Objection Letter - N Lawn Street](#)

[Letter from Mike Hanlon regarding North Lawn Street from Andrew Street to Early Street - Street Vacation](#)
[Staff Report - North Lawn Street from Andrew Street to Early Street - Street Vacation](#)
[Letter from Steve Neratko - Allentown City Planning Commission - June 2017 Approval for North Lawn Street from Andrew Street to Early Street](#)
[Letter from Steve Neratko regarding the Vacation of North Lawn Street from Andrew Street to Early Street](#)
[Lehigh Planning Commission re North Lawn Street vacation](#)

[Photo North Lawn Street from Andrew Street to Early Street - Street Vacation](#)
[Pictures of N Lawn Street - Street Vacation X](#)
[Pictures of N Lawn Street - Street Vacation VIII](#)
[Pictures of N Lawn Street - Street Vacation VIII](#)
[Pictures of N Lawn Street - Street Vacation VII](#)
[Pictures of N Lawn Street - Street Vacation VI](#)
[Pictures of N Lawn Street - Street Vacation V](#)
[Pictures of N Lawn Street - Street Vacation IV](#)
[Pictures of N Lawn Street - Street Vacation III](#)
[Pictures of N Lawn Street - Street Vacation II](#)
[Pictures of N Lawn Street - Street Vacation I](#)
[Allentown City Planning Commission Meeting Minutes 6-13-17](#)

Mr. Ray O'Connell asked if there were any comments from my colleagues on Bill 49 or the public.

REFERRED TO PUBLIC WORKS

[15-1774](#)

Bill 50
Provides for the Vacation of N Folk Street from E Clair Street to W Westminster Street

Attachments: [Bill 50 N Folk Street from E Clair Street to W Westminster Street - Street Vacation](#)
[Letter from Mike Hanlon regarding Street Vacation - N. Folk Street from E. Clair Street to E. Westminster Street](#)
[Staff Report - N Folk Street from E Clair Street to W Westminster Street](#)
[Staff Report - N Folk Street from E Clair Street to W Westminster Street](#)
[Letter from Steve Neratko regarding the Vacation of a portion of N Folk Street from E Clair Street to W Westminster Street](#)
[Letter from Steve Neratko regarding Vacation - North Folk St from East Clair St to W Westminster St](#)
[Letter from the Lehigh Valley Planning Commission regarding North Folk Street - Street Vacation](#)
[Allentown City Planning Commission Meeting Minutes 6-13-17](#)
[Legal Ad Proof North Folk Street to East Clair Street to E Westminster Street - Street Vacation \(MC 5115776\)](#)

Mr. Ray O'Connell asked if there were any comments from my colleagues or the public.

REFERRED TO PUBLIC WORKS

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

NEW BUSINESS: NONE

GOOD AND WELFARE

Ms. Cynthia Mota stated that it was a great event. The kids came from the Dominican Republic. We had an international baseball tournament. They are having a lot of fun playing. It is very educational. A lot of people were there and the weather was wonderful. It was great. We had about 200 people there. She thanked Mr. Lee Butz, Congressman Charlie Dent, City Council, the administration and Juan Sanchez. They had a wonderful tour of City Hall. They were really impressed.

Mr. Ray O'Connell stated that Ms. Mota you should be commended. You have done a great job organizing this. It was a great day and they had Yocco's Hot Dogs today.

ADJOURNED: 8:07 PM

[15-617](#) Home Rule Charter

Attachments: [HOMERULE 2014](#)

[15-382](#) Council Rules

Attachments: [Council Rules](#)

