



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Meeting Agenda - Final

City Council

Wednesday, May 13, 2020

6:15 PM

Council Chambers

Council Meeting

City Council plans to conduct regularly scheduled Council Meetings. Our intent is to continue to ensure an open government by conducting regularly scheduled council meetings with active public participation, while implementing safety precautions established by the CDC and Commonwealth Health Department and following Governor Wolf's Order. These accommodations are shaped by guidance offered by the Pennsylvania Office of Open Records and are consistent with our Home Rule Charter and applicable laws.

Essential Issues: Council will only consider legislation that is essential and important to city operations – we do not plan to entertain any legislation dealing with sensitive neighborhood issues like re-zonings and the like.

Remote Participation of Councilmembers, City Staff and our Citizens: While the Council and City Hall doors are physically closed to the public, the Council Chambers are open to the public through electronic means. The public, City staff and councilpersons are afforded the opportunity to participate remotely. Councilpersons and city staff participating in chambers will follow CDC guidelines – six-foot separation, separate microphones and wearing masks. These efforts are geared towards minimizing the number of people in the room and at the same time to protect against community spread of the virus. Also, to protect against community spread, members of the public are invited to participate in public comment and courtesy of the floor through electronic means. We will be making every effort to create as many opportunities for residents to comment on legislation and bring issues to Courtesy of the Floor.

Encouraging Written Public Comments and Courtesy of the Floor Statements: Public comments will be accepted in writing through an email to the City Clerk at Michael.Hanlon@Allentownpa.gov or sending an email to Public.Comment@Allentownpa.gov. Emailed public comment must be submitted by 5:00 pm on the day of the meeting to make it available and distribute it. The comments received will be read into the record by the City Clerk. The email must follow the regular format of council meetings – include your name and address on the email. A Courtesy of the Floor section will be created for items not on the agenda.

Live Comments During the Meeting: Email - Council will be taking live comments during the meeting following the regular protocols using email. Email can be sent to the City Clerk at Michael.Hanlon@Allentownpa.gov or to Public.Comment@Allentownpa.gov. A reminder that comments must be directed to legislation under review except for Courtesy of the Floor.

The meeting is live streamed and can be found at the city website:
<https://www.allentownpa.gov/> under Public Meetings or simply go directly to the link
<https://allentownpa.legistar.com/Calendar.aspx>. Make sure the drop-down menu references City Council and is on the current month. The complete agenda and legislation are found there. When the meeting starts, it will say Meeting in Progress on the right-hand side. Click that and you will join the meeting. The live stream works best with up to date browsers. After the meeting is over, the video will be uploaded into the file. Should you have any questions on this, call the City Council Office at 610-437-7556.

Record of Meeting: The video and minutes of the meeting will be posted on the City website as soon as possible after the meeting for review.

Invocation: Councilperson Zucal

Pledge to the Flag

Roll Call: President Hendricks

Courtesy of the Floor

Courtesy and Privilege of the Floor Rules

Please observe the Rules of Council when addressing the body. A full copy of Council Rules can be found on the city website or by email if you contact Council office.

There are multiple opportunities to address Council. Individuals can speak during Courtesy of the Floor (addressing items not on the agenda) and during Bills and Resolutions on Final Passage and Introduction. When given the Floor, please go to the podium and state your name and address. All remarks must be directed towards the presiding officer or council as a body; not a particular Council member or elected official, the audience or city staff. Unless otherwise determined, individuals shall have three minutes to address council and individuals representing a bona-fide group shall have five minutes. Privilege of the Floor will not be extended for personal insults or personal attacks on any individual, name calling or other behavior that is inconsistent with the purpose and intent of conducting official business. Please address council as a body. Refrain from using offensive language, cursing and making noises while other people are speaking. Act with decorum. Remove your hat and turn cell phones off.

(Council Speaking Rules: Members and others given the privilege of the floor will address the Presiding Officer. The Presiding Officer will extend the courtesy to the Councilperson(s) responsible for introducing legislation the opportunity to speak first. Each member will have the right to speak twice on any subject. No Member will be allowed to speak more than twice on any subject without permission of the Presiding Officer. No Member will speak more than three (3) times on the question without the unanimous consent of all the Members present.

Nat L. Hyman, CEO
The Hyman Group

As you know, at the last Council meeting you selectively read an email from a former employee of mine which was both defamatory and untrue. Accordingly, I think it only reasonable that you read the following publicly at the next Council meeting:

"I would like to publicly apologize to Mr. Nat Hyman. At the last Council meeting I read an email from a former employee of his, which contained false statements. Mr. Hyman is a respected member of the Allentown business community and that email should not have been read without first verifying its validity."

So that we can put this matter behind us amicably, I would ask that this statement be read exactly as written herein.

Thank you,

April Riddick, Regional prosperity district

Hi I have seen the document on the Controller's website for the regional prosperity district. I know that times are going to be tough. I like the idea of a tax that is not a property tax. I am hoping you will support this idea.

Hillary Kleinz , 528 Muhlenberg St.

Please send my note to the Mayor and City council members

I have heard about the Regional Prosperity district that will bring in new money to the city without increasing my property tax. There will also be money to make investments into Allentown. Please support this idea.

Ettore J. Angelo, Esq.

ATTN: MICHAEL HANLON

Dear Mr. Hanlon: I am requesting two things as it relates to my email below, which I sent to Mayor O'Connell yesterday, Monday, May 11, at 7:59AM:

1. that it be read into the record at the Council Meeting scheduled for tomorrow night, that is, so that it is entered into the minutes of the meeting; and
2. that Council Resolve at that meeting to support the Pinsley/Siegel Tax Plan.

My office address where I have practiced law for the last 35 years is:

Sovereign Executive Office Building

1st Floor
609 W. Hamilton St.
Allentown, PA 18101

Alan Jennings | Executive Director
Community Action Committee of the Lehigh Valley

I ask that you share the following comments with my friends on City Council prior to tonight's meeting:

I understand that Council will be discussing the county controller's proposal to explore a regional revenue-sharing initiative. This proposal is very similar to one that was actively pursued in the late 1990's into the early 2000's. CACLV was then and remains now, a strong proponent of this concept, in large part because it will lighten some of the burden of the region's challenges on the city and urbanized boroughs and share that burden throughout the county.

I would urge you support the proposal.

Thanks for your hard work on behalf of our city.

Hasshan Batts

Please include the following in tonight's meeting:

Access to prosperity grounded in equity is critical to individual, family and community wellness.

I support the further exploration of a strategic and specific Regional Prosperity District with the requirement that it is grounded in an equity lens and is led and designed by the people that continually experience disparate impact across our community. We must use this as an opportunity to repair some of the structural harms that continue to negatively impact the health and life outcomes of our neighbors.

Thank you for prioritizing this crucial issue.

Julie Thomases, 824 N. Broad St.

I am writing in support of further investigation of the proposal to create a Lehigh County Regional Prosperity District put forth by Lehigh County Controller, Mark Pinsley and Allentown City Council person, Josh Siegel. I am in favor of a robust public community discussion on all the opportunities, benefits and challenges such a district would create.

Historically it is known that a vibrant arts community has been a catalyst in boosting the economy of municipalities across the country through job creation and its spin-off effects. Of course, the ramifications of the proposed new taxes need to be thoroughly explored. Key to the success of this district is the fair and equitable administration, allocation and distribution of funds. And to be clear, funding can be used for areas other than the arts such as universal Pre-K, re-entry programs, STEAM programs and regional healthcare. I look forward to being an integral part of these discussions.

Victor Martinez
CEO, VP Broadcasting, LLC
1125 Colorado St.

Dear Mayor and Allentown City Council,

I have watched with great interest the proposal titled Regional Prosperity District, made by Lehigh County Controller Mark Pinsley and City Councilman Josh Siegel.

I encourage you to support further investigation into this idea.

I'm sure you, like me, have been around long enough to realize that we are in pretty unprecedented times. If this was just a painful recession, we'd be wincing but know there is a somewhat predictable path. We have no idea how long this will last. But this time does give us a moment to plan for the future.

We have a huge Hispanic population in Allentown. We are the majority, minority. We need to find alternatives to the property tax and we need new revenue that can propel Allentown into the future. Please support this endeavor and make it *clear* to the County that our planning should not wait until the last minute. We can not count on Federal or State aid, we must take care of our citizens.

Thank you,

Emily Carter, 1314 E Woodlawn St

Mr. Hanlon and Members of Council:

I'm writing to express my support for the Regional Prosperity District plan proposed by the Lehigh County Controller's Office and to urge city officials to support it as well. COVID-19 has exacerbated the already difficult financial position our city finds ourselves in, and I believe our residents and businesses will face severe hardship if local officials do not take action. This plan would give the county the tools to raise needed revenue (without raising property taxes) once we are past the immediate crisis, to be used for municipal budget relief and assistance to local enterprises in arts and technology. Allentown's residents and business owners deserve the chance to not only survive, but thrive and grow economically in the aftermath of the pandemic.

Thank you for your service to the city and for your consideration.

Greetings Mr. Hanlon and respected members
of the Allentown City Council,

Sincere hopes that this mailing finds you and yours happy, healthy, safe and well as we all navigate our way through these unprecedented times in the history of our communities, Lehigh Valley, Commonwealth, nation and world.

Jeff Kennedy Faubert
1965 Willings Lane

I am writing in support of the proposal to create a Regional Prosperity District in Lehigh County. I

believe this represents good public policy that could allow communities from Slatington to Allentown to make critical investments in their community without overburdening their already stressed tax bases.

The Regional Prosperity District gives us the chance to invest in real property tax relief, infrastructure and critical services to local residents by diversifying our income and ensuring that the county's success and growth lifts all communities.

This proposal has worked in Allegheny County, where it helped Pittsburgh and all of the surrounding municipalities invest in key assets and attractions which drew more tourists, increased job growth and further increased local tax revenue.

The anticipated success of this District would mean the opportunity to expand into Northampton County as well that the whole of the Lehigh Valley would benefit.

We have a chance as a county to be a leader and proactive thinker in addressing some key challenges that all of our community's face in the long-run. Allentown should move to support this plan now.

Respectfully and Sincerely Submitted,

Approval of Minutes:

April 15, 2020 City Council Meeting Minutes

Attachments: [April 15, 2020 City Council Meeting Minutes](#)

Note: Council conducted a Special Council meeting on April 27. In light of the current pandemic and applicable government orders and guidance, the meeting was conducted using remote means. Councilperson Zucal was participating in the meeting remotely, as was some other Council members. During the roll call vote, he was expressing his vote in favor of the legislation but a glitch prevented Council from hearing his vote. Mr. Zucal was a sponsor of the legislation. As soon as practicable after the meeting, he notified the City Clerk that he had been expressing his vote in affirmance of the legislation while the City Clerk was conducting the vote. We have checked with the solicitor's office and under this unique set of circumstances, this one time, unless there is an objection, the minutes of that meeting will note his vote in the affirmative. Additionally, the glitch was looked into, its cause identified and addressed, so that it will not recur.

April 27, 2020 Special City Council Meeting Minutes

Attachments: [April 27, 2020 Special City Council Meeting Minutes](#)

Old Business

Communications

REPORTS FROM COMMITTEES:

Contract Approval: The next contract approval meeting will take place on May 20th at 6:45 PM.

Budget and Finance: Chair Siegel, Guridy, Mota

The committee has not met since the last council meeting; the next meeting will take place on May 20 at 5 PM. That agenda would consist of 1/ reviewing the city's financial modeling and the fiscal impact of the pandemic; 2/ preliminary discussion and information gathering and best practices on priority based budgeting and performance standards; and 3/ list out some components of a governance committee based on the Novak report and best practices.

CEDC: Chair Guridy, Gerlach, Affa

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

Human Resources, Administration and Appointments: Chair Gerlach, Mota, Zucal

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

Parks and Recreation: Chair Mota, Gerlach, Siegel

The committee has not met since the last Council meeting; there are no future meetings scheduled at this time.

Public Safety: Chair Affa, Hendricks, Zucal

The committee met this evening; there are no future meetings scheduled.

Public Works: Chair Zucal, Affa, Siegel

The committee has not met since the last council meeting; the next meeting is scheduled for May 20 at 6:30 PM

Rules, Chambers, Intergovernmental Relations and Strategy: Chair Hendricks, Guridy, Gerlach

The committee has not met since the last council meeting; the next meeting is scheduled for May 20 at 6:15PM.

City Controller

Administration

Controllers Reports:

Attachments: [Bank Reconciliation Review For The Month End Date 02-29-2020](#)
[Bank Reconciliation Review For The Month End Date 01-31-2020](#)
[Accounts Payable Weekly Check Review 02-29 to 03-27-2020](#)
[P-Card Review February 2020](#)
[Follow UP To 10-02-19 TELADOC Review](#)

APPOINTMENTS: None

ORDINANCES FOR FINAL PASSAGE (To be Voted On):

Bill 22 was introduced at the last Council Meeting - Bill 27 and 28 are new - someone will need to suspend the rules that bills must go to committee so that they can be voted on tonight. Council is pursuing the strategy of dealing with legislation to be acted on at the council level, issues not requiring legislative action will be handled differently.

Bill 22-2020

Would you please answer the following:

a) Is it legal to authorize expenditures of revenue from CDBG program funds when it is apparent that, the current CDBG account has insufficient revenue.
As of march 31 the CDBG fund has only 437,413 dollars. As a matter of fact all Community Development accounts together show a total of 2.3 M .

In addition last week the administration announced a 400K rental assist program. Which I assume is tagged to the 2.3M stated above.

Please explain your account/financial strategy on this Bill 22

Response from Mr. Lightner: CDBG is not insufficient revenue. The funds are not held in a city revenue account, the funds are held in a HUD account, and the funds are withdrawn on a reimbursable expenditure basis. I'm not sure where he is getting the \$437,413 figure; our revenue status does indicate a shortage.

Also, in response to the Rental Assistance Program, I took money from 2019 home funds dollars. These funds were not tied to the \$2.3M, and the CARES-ACT rules allowed for us to use old money for COVID relief.

Bill 22

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 1976, 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.

Sponsors: Administration

Attachments: [Bill 22 Establishes HUD 46th Year Accounts](#)

The Administration has placed Bills 27 through 30 on the agenda with the ask that they be voted on and go into effect immediately after final passage. Each bill contains the appropriate language for this to happen: That pursuant to SECTION 218 of the City's Home Rule Charter and upon the affirmative vote of six of its seven members to reduce or eliminate the fourteen-day period between introduction and passage of any ordinance, this ordinance shall be effective immediately upon enactment.

Bill 27

An Ordinance of the Council of the City of Allentown authorizing a temporary transfer from the Revolving Loan Fund, in the amount of Four Hundred Five Thousand Seven Hundred Four (\$405,704) Dollars to the CDBG fund to temporarily assist with the Small Business Stabilization Program until C.A.R.E.S Act funds arrive.

Attachments: [Bill 27 Revolving Loan Fund Transfer to CDBG](#)
[2020 Revolving Loan Fund memo](#)

Bill 28

Amending the 2020 General Fund Budget to provide for a supplemental appropriation of Seven Hundred Forty-Seven Thousand Two Hundred Sixty-Seven (\$747,267) Dollars from the Pennsylvania Department of Health, Bureau of Public Health Preparedness and Response for COVID-19 prevention, mitigation, response and recovery activities in the Public Health Emergency Preparedness Grant.

Sponsors: Administration

Attachments: [Bill 28 COVID-19 Grant](#)

Bill 29

Amending the 2020 General Fund Budget to provide for a supplemental appropriation of Twenty-One Thousand Three Hundred Six (\$21,306) Dollars from the Pennsylvania Department of Health, to support the Safe and Healthy Community Program including promotion and marketing for nutrition and physical activity and purchase of car seats for Allentown residents.

Sponsors: Administration

Attachments: [Bill 29 Safe and Healthy Community Grant](#)

Bill 30

Amending the 2020 General Fund Budget to provide for a supplemental appropriation of Thirty Thousand (\$30,000) Dollars from the CDC Foundation to enhance partnerships between public health and public safety to support the initiatives to combat the opioid epidemic.

Attachments: [Bill 30 CDC OPIOID GRANT](#)

RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):**R45**

Approves the submission of the Five Year Consolidated Plan for July 1, 2020 to June 30,

2024

Sponsors: Administration

Attachments: [R45 CDBG CONSOLIDATED PLAN](#)
[Con Plan Complete Draft V3](#)

Questions/Inquiry:

What is the criterion for distributing CARE funds?

The COVID pandemic deals with spread due to distancing, lack of proper items like masks, contact tracing, making sure people are getting tested that need it, etc. How do you get from this context to the distribution of funds laid out in your package. Who decided on this outcome and how was it determined? Was there any mindful needs assessment for the needs of the entire community?

Resolution 52: COVID CARE:

Councilperson Gerlach and Hendricks made this inquiry:

- Requested more detail on Resolution
- What is the criterion for distribution of funds?
- Who determined who would receive funding? How was the decision made?
- What other options exist for the spending?
- How will the reimbursement take place?
- What guarantees exist that there the funding stream is secured?
- What is the spending exactly for?
- What is the nature of the borrowing – terms, length

What are the specifics for the funding. What is the lease for the Homeless shelter? What are miscellaneous expenses for the City and the shelter?

If the school district just got some 9.5m or so funding, why are we funding the school?

What specific expenses can cover city costs given the more bleak financial outlook we face.

Ms. Mota inquired about the business loans - how is that working? She noted the round of first come first serve was not fair to people that didn't have access to computers or people that did not have information about it. Suggested the process should be reviewed and she would like to see criterion for getting the grant - consideration should be given for businesses that have a long history.

CDBG Covid Answers

Attachments: [Answer for Council CDBG-CV](#)

R52

Approves the Submission of the Action Plan to the United States Department of Housing and Urban Development - COVID Cares Amendment.

Sponsors: Administration

Attachments: [R52 CDBG COVID-19 CARES](#)
[ACTION PLAN](#)

KIOSKS ENCROACHMENT:

Ms Gerlach:

Mr. Morgan replied in regard to her question about meters in residential zones: if there are meters today in the residential permit zone they will be replaced by pay stations.

Ms. Gerlach also raised the question of whether there should a systematic study of parking within the context of the needs of the community.

R53

Authorizes numerous encroachments for meter kiosks at various locations on Hamilton, Walnut, Linden, N. 6th, N. 4th, S. 5th, N. 9th, S. 9th , N. 10th, S. 10th, N. 11th, S. 11th, N. 12th, S. 12th

Sponsors: Administration

Attachments: [R53 APA Meter Kiosks](#)
[Encroachment Application kiosks dated 3-16-20](#)
[pages 1 through 20 kiosk locations](#)

R54

Sewage Planning Module for The Waterfront Phase II at Waterfront Drive

Sponsors: Administration

Attachments: [R54 Waterfront Phase II - Sewage Planning Module](#)
[Waterfront Phase II - Sewer Planning Module](#)

R55

Sewage Planning Module for 1110 North Sherman Street

Sponsors: Administration

Attachments: [R55 1110 North Sherman Street - Sewage Planning Module](#)
[1110 Sherman Street - Sewer Planning Module](#)

R56

Supports the Allentown Health Bureau plan to lead an opioid fatality review panel and process for reviewing opioid related deaths with the goal of preventing future addictions and loss of life as a result of overdoses.

Sponsors: Administration, Affa, Guridy, Hendricks and Mr. Zucal

Attachments: [R56 Opiod Task Force](#)

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

Bill 31 Refer to Public Works

Amending the 2020 Capital Fund Budget by transferring Thirty-Eight Thousand (\$38,000) Dollars from Capital Project 2024 – 15th Street Traffic Signal Improvement Project to Capital Project 1225 – Traffic Signal Upgrade Various.

Sponsors: Administration

Attachments: [Bill 31 Traffic Signal Upgrade Transfer](#)

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

R57 Refer to Rules and Chambers

Creating opportunities for residents to obtain information and comment on agenda items prior to meetings

Sponsors: Guridy, Hendricks, Gerlach, Mota and Mr. Siegel

Attachments: [R57 Council Rules Amd](#)

NEW BUSINESS**GOOD AND WELFARE****ADJOURN**

Council meetings are held on the first and third Wednesday of each month beginning at 7:00 pm in Council Chambers. For copies of the agenda or meeting announcements, please visit our website at www.allentownpa.gov or contact the Clerk at Michael.Hanlon@allentownpa.gov to receive an email notice of the meetings.

E Comments

Attachments: [May 6 Questions/Comments](#)