

Allentown

Minutes - Final

City Council

Wednesday, July 13, 2016	6:00 PM	Council Chambers
	Committee of the Whole	
Call to Order: Counc Note: On July 20th a and Bill 35.	tilperson O'Connell t 5:30 PM we will have a Committee of the Whole t	to review the CAFR
Present:	 Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota MacLean, and David McGuire 	, Candida Affa, Roger
RESOLUTIONS FOR	FINAL PASSAGE (To be Voted On):	
<u>15-954</u>	R120 ABE Doors Authorization for one year Contract with ABE Doors, Inc. for \$40,000/year, the actual cost will depend on work completed for emergency overhead door repairs, preventative maintenance and general repairs - the contract may be renewed for an additional two one year terms - sole bidder	
<u>Sponsors:</u>	Administration	
<u>Attachments:</u>	R120 ABE Doors Request for Council Approval - ABE Doors - Bid No. 2016-24 Overhead Door Repairs & Maintenance 7-13-16 Bid Tabulation Ms. Beth Ann Strohl stated that the overhead door and reput out for an invitation to bid in June. It came back on a stroke that the stroke that that the stroke that that the stroke that the stroke that that tha	
	repair the overhead doors. Mr. Ray O'Connell asked if it was a sole bidder.	
	Is. Beth Ann Strohl stated yes, sir.	
	Mr. Ray O'Connell stated thank you. Any comments from my colleagues?	
	r. Julio Guridy asked if she is referring to the garage door that they go in. /e have a contract for \$40,000? How much does that door cost?	

Mr. Ray O'Connell stated, no. It is the whole package. It is all the doors. Any comments from my colleagues or the public? Mr. Daryl Hendricks asked how many years they have been doing this for.

Ms. Beth Ann Strohl stated that they have been operating with a yearly quote. We schedule them for a preventative maintenance on a month to month basis.

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

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

Enactment No: 29284

<u>15-963</u> R121 JMT

Authorization for Change Order with Johnson, Miriam & Thompson in the amount of \$10,280 for Re-design of Stevens Park - the original cost was \$51,885

- Sponsors: Administration
- Attachments: R121 JMT

Request for Council Approval - JMT - C2014-172 Change Order No 1 5-18-16

Ms. Beth Ann Strohl stated that they are opening later this month. We bidded out several times and unfortunately, they came over budget. This particular Change Order, this is the first Change Order that has ever been done on this contract and they asked for additional costs.

Mr. Ray O'Connell asked any comments from his colleagues or the public.

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

Enactment No: 29285

15-956R122 Asphalt Paving SystemsAuthorization for Contract with Asphalt Paving Systems, Inc. in the amount
of \$461,370 for Road Work, Iow bid, 2 bidders

Sponsors: Administration

Attachments: R122 Asphalt Paving Systems

Request for Council Approval - Asphalt Paving Systems, Inc. - Bid No.2016-08 Road Maintenance for 2016 Streets Program (VariousLocations) 7-13-16Request for Council Approval - Asphalt Paving Systems, Inc. - Bid No.2016-08 Road Maintenance for 2016 Streets Program - Bid Tabulation

Ms. Beth Ann Strohl stated that it was an Invitation to Bid that was released in May. This is for road maintenance on various city streets. There were two bidders and this particular company was the low bid. Mr. Ray O'Connell stated that there were two bidder. A quite of a difference in the bids. Any comments from my colleagues or the public?

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

Enactment No: 29286

15-957R123 Barry IsettAuthorization for Professional Services with Barry Isett & Associates in the
amount of \$900 for DEP/Permit Application Work- 1 quote

Sponsors: Administration

Attachments: R123 Barry Isset Resolution July 2016

Request for Council Approval - Barry Isett & Associates - Wetlands Determination 7-13-16

Mr. Ray O'Connell stated R123 has been scratched/removed from the Agenda.

- 15-958R124 Construction Master Services
Authorization for Contract Construction Masters Services, LLC. in the
amount of \$596,300 for ADA Ramp Work to Comply with Americans with
Disability Act low bid, 4 bids
 - Sponsors: Administration

 Attachments:
 Request for Council Approval - Construction Master Services, LLC -Bid No. 2016-22 ADA Pedestrian Ramp Program (Various Locations)

 7-13-16 R124 Construction Masters Systems

> Bid Tabulation - Construction Master Services LLC - Bid No. 2016-22 ADA Pedestrian Ramp Program (Various Locations) - Bid Tabulation

Enactment No: 29287

Ms. Beth Ann Strohl stated that this was an official invitation to bid and was released in April and it did come back in May. It is being funded by CDBG funds. This particular contractor was the low bid of the four bids received.

Mr. Ray O'Connell asked if these are the handicaps at the curbs. He asked if Roebock bidded. he asked where is this company from.

Ms. Beth Ann Strohl stated Roebock did not bid. She stated that they are from Reading.

Mr. Ray O'Connell asked any comments from my colleagues or questions.

Mr. Roger MacLean asked how many ramps do we get for \$596,000.

Mr. Craig Messinger stated unfortunately only about 150. They are about \$4,000 a piece. It depends on the slope.

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

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

Enactment No: 29287

15-959R125 Kobalt ConstructionAuthorization for Contract with Kobalt Construction, Inc. in the amount of
\$448,930 for Arts District Streetscape Improvements - low bid, 3 bids

<u>Sponsors:</u> Administration

Attachments: R125 Kobalt Construction

Request for Council Approval - Kobalt Construction - Bid No. 2016-03 -Arts District Phase 1 - 6th & Court Street Improvements 7-13-16 Request for Council Approval - Kobalt Construction - Bid No. 2016-03 -Arts District Phase 1 - 6th & Court Street Improvements - Bid Tabulation

Ms. Beth Ann Strohl stated that this was an official invitation to bid. This was advertised in May and it was opened in June. They were the low bid of three bidders.

Mr. Ray O'Connell asked what are they going to do.

Ms. Beth Ann Strohl stated that it is the improvements for the Arts District on Sixth and Court Streets.

Mr. Ray O'Connell stated that it is not a really big area.

Mr. Craig Messinger stated that the project includes lighting, street grates, handicap ramps, and widening the sidewalk. It is part of the safety beatification.

Mr. Ray O'Connell asked so why did we do it.

Mr. Craig Messinger stated that we are working on lighting projects, not only here, but in residential areas. It is part safety and to beautify the area.

Mr. Julio Guridy asked where was Kobalt Construction from. Anyone that bid was from Allentown?

Ms. Beth Ann Strohl stated that Kobalt is from Swiftwater, PA.

Mr. Craig Messinger stated that they have to go through the bidding

process.

Mr. Ray O'Connell thanked Mr. Guridy and asked any other comments from my colleagues or the public.

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

Enactment No: 29288

 15-960
 R126 Omnivent-UUU

 Authorization for Engagement of Professional Services with Omnivent in the amount of \$2,800 for July 4th Entertainment – UUU Performance

Sponsors: Administration

Attachments: R126 Omnivent

Request for Council Approval - Omnivent - July 4th Performance

Ms. Beth Ann Strohl stated that this was for the July 4th celebration that was brought to us late.

Mr. Ray O'Connell asked what if we don't pay it.

Ms. Beth Ann Strohl stated that she has to check with the Solicitor's office.

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

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

Enactment No: 29289

15-961R127 Royal Square Development
Authorization for Engagement of Professional Services with Josh Hankey,
Royal Square Development and Construction in the amount of \$1,700 for
HARB Training and Outreach – 1 quote required

Sponsors: Administration

Attachments: R127 Royal Square Resolution

Request for Council Approval - Royal Square Development & Construction - HARB Training and Outreach 7-13-16

Mr. David Kimmerly stated that this is a \$1,700 grant from Pennsylvania Historical Museum Commission to provide some training and outreach for the Historical Architectural Review Board.

Mr. Ray O'Connell stated good idea. Did you check them out?

Mr. David Kimmerly stated yes. I've seen him speak. He is really good.

Mr. Ray O'Connell asked any comments from my colleagues.

Mr. Roger MacLean asked if the \$1,7000 was from a grant somewhere.

Mr. David Kimmerly stated that it is from the Pennsylvania Historical Museum Commission.

Mr. Ray O'Connell asked if his colleagues had any comments or the public.

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

Enactment No: 29290

15-962R128 Buckno Lisicky and Company
Authorization for Contract with Buckno, Lisicky and Company for \$3,900 for
Pa. Grant Audit – 1 bidder

Sponsors: Administration

Attachments: R128 Buckno, Lisicky, & Company

Request for Council Approval - Buckno Lisicky - Grant Audit

Ms. Beth Ann Strohl stated that it is \$3,900. This is to get a consultant on board to audit the department of Economic Development for the Hamilton Main Street Program.

Ms. Bernadette DeBais stated that the funding is already paid for through the grant. Pennsylvania is funding the grant.

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

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

Enactment No: 29291

15-955R129 All City Management
Authorization for Contract with All City Management Services in the
estimated amount of \$433,026 to establish and operate Crossing Guard
Services - 2 proposals

Sponsors: Administration

Attachments: R129 All City Management Services Resolution

 Request for Council Approval - All City Management Services - RFP

 No. 2016-17 Crossing Guard Services 7-13-16

 Narrative - Chief of Police - Keith Morris

 RFP- 2016-17 COA School Crossing Guards Service (Revised

<u>RFP- 2016-17 COA School Crossing Guards Service (Revised</u> <u>5-26-16)</u> <u>Addendum No_1</u> Ms. Beth Ann Strohl stated that they officially solicited for companies to submit proposals for Crossing Guard Services.

Assistant Chief Ms. Gail Struss stated that the police department is responsible to provide Crossing Guard Services. We train, perform background checks and we are struggling to man all the corners. There are 52 intersections. The new Act in the state requires for an extensive background check. We were taking police officers off the streets to man the crossing guard positions. We could not hire the guards soon enough. We cannot manage this anymore ourselves. We put out an RFP. We got two responses back and went with All City Management Services.

Mr. Ray O'Connell asked what was the cost.

Assistant Chief Gail Struss stated \$324,000 is what I estimated this year. We went to the school district before we put out this RFP. We are working with the school district to get them to contribute money towards this contract.

Mr. Ray O'Connell asked what was our fill ratio on any given day. He asked about the current crossing guards. He asked if it is a performance objective. He stated that he is fully in favor of this. His bottom-line is safety. This money is well spent. One accident will cost more than \$324,000.

Assistant Gail Struss stated on average there were about 10 positions that were not filled. Fourteen percent of those positions were not filled every day. The new company will take as many of our crossing guards as they can. She stated that they would have 100 percent fill rate. There were three committee members and one from the school district that was not a voting member.

Mr. Daryl Hendricks asked the demographics of York or Elizabethtown. He stated that safety of the children and service to the community is important.

Assistant Gail Struss stated that she did not know. The number of crossing guards in York is 26 crossing guards.

Mr. Ray O'Connell stated that there is some clarification York, Easton, and Bethlehem are considered busing school districts and the City of Allentown is a non-busing school district.

Mr. Julio Guridy stated that he supports this proposal. He thought that there were meetings before where the school district was going to give more than that. He asked about the company's insurance. What is the liability that we may incur?

Mr. Ray O'Connell stated that he only has been in one meeting and that was in late September or early October. It is a joint effort.

Mr. Brent Hartzell stated that the school district providing \$100,000 to subsidize the expense.

Mr. John Marchetto stated two points that the City and the School District's liability will be under the protection under the Tort Claims Act for Crossing Guards. We do not have Tort liability if we have an incident or accident with the crossing of the kids. This company has to provide workmen's compensation insurance for the Crossing Guards and that will protect the city as well.

Mr. Julio Guridy asked that \$433,000 covers the insurance. Do you know the total insurance the company will have? People like to sue. If we hire the company they would want to sue us as well.

Assistant Chief Gail Struss stated that the certificate is for \$1 million.

Mr. John Marchetto asked Mr. Guridy if he is saying the company All City Management will sue the city. There is no more risk.

Mr. Julio Guridy stated anybody. What type of liability are we incurring?

Assistant Chief Gail Struss stated according to the RFP, it says the General Liability Policy should have a minimum of \$1 million per occurrence.

Mr. John Marchetto stated that it is a million per occurrence. That is a lot of insurance per occurrence.

Mr. Roger MacLean stated that he would love to see the check from the school district because for years we were trying to get them to kick the pay in. Are we going to get some type of written understanding with the school district that they are continuing to pay.

Mr. Brent Hartzell stated that he can attest to its existence.

Assistant Chief Gail Struss stated that she would like that. She doesn't know if they will get that. It is between \$9.00 - \$9.75 per hour.

Ms. Candida Affa stated that she thinks they are getting the bang for the buck. They have their guards covered. It sounds good, but we need the money from the School District.

Ms. Cynthia Mota stated that she agrees. Maybe they will pay more money in the hiring process. She hopes that they hire within the Allentown District.

Assistant Chief Gail Struss stated that they are plan in to recruit in the city, specifically from the neighborhoods where the schools are located.

Dr. David McGuire stated that the police department had to put out \$325,000 this past year because of the vacancies. How much did you receive last year. The cost to the city was \$224,000.

Mr. Roger MacLean stated that was for the Crossing Guards for the year.

Assistant Chief Gail Struss stated \$100,000.

Mr. Brent Hartzell stated that the \$100,000 would have been given against the overall cost of \$323,000.

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

Mr. Tommy Hahn stated that you argued about the money. Why we don't use the same tactics to solve the Crossing Guards.

Mr. Ray O'Connell stated that is speculation. They tried.

Mr. Dennis Pearson, 942 E. Tilghman Street, stated that \$325,000 was in the budget last year and that covered salaries and benefits of the Crossing Guards. He sees \$100,000 more to manage the account. Somewhere we had to have a cost in the system to make it profitable for you to do it.

Mr. Roger MacLean stated that you can easily figure an officer salary. When you are figuring salaries and benefits, you are close to that \$100,000.

Mr. Brent Hartzell stated that Mr. Pearson makes a good point. However, half of this contract happens in 2017 and we will make sure there is ample budgeted in 2017 to cover it.

Ms. Candida Affa stated that we are talking about a lot of figures and budgets and we are not remembering in the beginning of Chief Strauss' plea was the safety of the children.

Mr. Daryl Hendricks stated that the number of officers and hours they are taking away from other duties they can be performing. He thinks it is well

worth it for one year.

Mr. Kenneth Laudenslager stated that he is not sure if York is a busing school district or not. He knows for a fact it is Lancaster County. If they don't have enough substitute guards and a corner is empty, are they still coming to the Allentown Police Department to fill that.

Assistant Chief Gail Struss stated that they do not supposed to rely on us to cover the corners. That is their responsibility.

Mr. Ray O'Connell stated that he can't give that.

Mr. Julio Guridy stated that it would be conflicting in contempt of the contract.

Mr. Roger MacLean stated that it goes to his question as to is it some kind of penalty. Do we dock them \$500 for the day?

Dr. David McGuire stated if there is a vacancy, the Police Department will cover it. We will cover our people. With regards to the point that Mr. Hahn brought up, why can't we find someone in Allentown to do it. There is a business already, in practice doing it.

Mr. Ray O'Connell thanked Dr. McGuire and asked anyone from the public.

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

Enactment No: 29292

Bill 35

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

<u>15-947</u>

AN ORDINANCE OF THE COUNCIL OF THE CITY OF ALLENTOWN, LEHIGH COUNTY, PENNSYLVANIA, AUTHORIZING THE ISSUANCE OF A SPECIAL REVENUE NOTE (THE "NOTE") IN THE PRINCIPAL AGGREGATE AMOUNT NOT TO EXCEED \$2,500,000; SETTING FORTH THE PURPOSE OF THE ISSUANCE OF THE NOTE, TO FUND CERTAIN CAPITAL PROJECTS OF THE CITY OF ALLENTOWN PURSUANT TO THE LOCAL GOVERNMENT UNIT DEBT ACT; DETERMINING THAT THE NOTE SHALL BE SOLD AT PRIVATE SALE; DETERMINING THE PROJECTS AND ESTABLISHING THEIR USEFUL LIFE; DETERMINING THAT THE DEBT EVIDENCED BY THE NOTE SHALL BE NONELECTORAL DEBT; SETTING FORTH THE INTEREST RATES, INTEREST AND PRINCIPAL PAYMENT DATES AND FINAL MATURITY OF THE NOTE AND THE PREPAYMENT PRIVILEGES; ACCEPTING A PROPOSAL FOR THE PURCHASE OF THE NOTE; DESIGNATING A PAYING AGENT FOR THE NOTE: SETTING FORTH THE METHOD AND PLACE OF PAYMENT OF THE NOTE; APPROVING THE FORM OF THE NOTE; AUTHORIZING THE EXECUTION OF THE NOTE; ENTERING INTO A COVENANT WITH RESPECT TO THE NOTE AND PLEDGING PAYMENTS RECEIVED BY THE CITY FROM THE LEHIGH COUNTY AUTHORITY ("LCA") DERIVED FROM SERVICE CHARGES ALLOCABLE TO DEBT SERVICE ON THE CITY'S ADMINISTRATIVE ORDER BONDS UNDER SECTION 4.16(b) OF A CERTAIN CONCESSION LEASE AGREEMENT BETWEEN THE CITY AND LCA, AND ESTABLISHING A SINKING FUND FOR THE NOTE; DESIGNATING A SINKING FUND DEPOSITORY; SETTING FORTH CERTAIN ADDITIONAL TERMS WITH RESPECT TO THE NOTE; AUTHORIZING APPROPRIATE OFFICERS TO FILE UNDER SECTION 8110 OF THE LOCAL GOVERNMENT UNIT DEBT ACT WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT. INCLUDING PROCEEDINGS UNDER SECTION 8024 OR 8026 OF THE ACT MAKING CERTAIN FEDERAL TAX COVENANTS AND DECLARING THE NOTE TO BE QUALIFIED TAX-EXEMPT OBLIGATIONS: DECLARING THE DEBT EVIDENCED BY THE NOTE TO BE WITHIN THE LIMITATIONS OF THE LOCAL GOVERNMENT UNIT DEBT ACT; AUTHORIZING DELIVERY OF THE NOTE; AUTHORIZING INVESTMENT OF THE PROCEEDS OF THE NOTE; PROVIDING FOR SEVERABILITY OF PROVISIONS OF THE ORDINANCE: PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES SO FAR AS THE SAME SHALL BE INCONSISTENT; PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

Attachments: Bill 35 Ordinance Issuing Debt Supported by LCA Service Charges

Series of 2016

EPA AO Bond City Council Commitee meeting 7 20 2016 Proposed Amendments at Final Passage (00328575xB1AD4) City of Allentown - Bond Sale Document Special Revenue Note,

Mr. Ray O'Connell stated that just so the public knows, next week at 5:30 PM we will have a Committee of the Whole to discuss the CAFT and Bill 35.

Mr. Brent Hartzell stated that the Concession Lease Agreement that the city has with the Lehigh County Authority has a provision that requires for things that are tied to the Administrative Order for Capital Improvements such as that there will be a fund that is supported by bond debt that is backed up by revenues that come from the rate payers. The Agreement asked that the city be the ones to approve this and service the conduit to create the bond. The bank account where we are already receiving fees for a little more than \$30,000 a month has been established at Wells Fargo. The account is already in place to take care of the debt payments. Ms. Jenna McKenna stated that the purpose of the money, the \$2.5 million this bond is covering will cover the costs of the projects that we are already doing. Two projects: one is to line the manholes, and shoring up the frames and collars. The remaining money is to help with engineering for projects which we will consider as Phase I. This money is for on-going proejcts and the balance for engineering.

Mr. Ray O'Connell asked if the city incurs any costs.

Mr. Brent Hartzell stated that the city incurs no costs. We setup as part of the structure of this a separate account at Wells Fargo. It is used as the backing to pay off the debt.

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

Mr. Roger MacLean asked where is LCA getting the money from.

Mr. Brent Hartzell stated from the ratepayers and from signatories.

Mr. Ray O'Connell asked any other comments from my colleagues.

Mr. Glenn Hunsicker asked if they will follow it with the Monthly Report. Are we going to keep track of it on a monthly basis or be reported once a year in a CAFR report? He asked if LCA provided them with the list of Capital Projects. Was that in the original budget for 2016 for LCA? He asked about if it would towards a pumping station.

Mr. Brent Hartzell stated that he can report this as often as people want. We are the conduit. There are no city dollars involved.

Ms. Jenna McKenna stated that these are part of the Capital Projects that LCA submits to us. The Lease requires us to manage them. She knows that it is part of their Capital Plan. They will only be paying for the infrastructure that affects the ratepayers. The signatories will be paying for their piece.

Mr. Brent Hartzell stated to Mr. Hunsicker that his questions are quite valid and we are gearing up for next week to be able to answer them.

Mr. Ray O'Connell thanked Mr. Hunsicker and asked anyone else from the public. Again, the Committee of the Whole next week we will discuss Bill 35.

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

15-941R130 EncroachmentEncroachment for 326 North Jefferson Street

Sponsors: Administration

 Attachments:
 326 N Jefferson Encroachment Appl

 R130 Encroachment for 326 North Jefferson Street

 326 N Jefferson Photos

 Leg. Template-handicap ramp 326 n Jefferson

Mr. Ray O'Connell stated that Encroachments happen all the time. This is for introduction. Any comments from my colleagues or the public.

REFERRED TO PUBLIC WORKS

Dr. David McGuire stated that on Monday in The Morning Call newspaper there was an announcement of an LCA meeting that evening which I went to. I did not see any face there representing from the City of Allentown. Was there an official person from Allentown at this meeting?

Ms. Jenna McKenna stated that she believes that was a meeting specifically about the Western Lehigh Sewer Partnership and not having to do with the city's section.

Dr. David McGuire stated no. The reason is in this plan that was outlines which was extensive and very well done. As projected, over 20 - 30 years, the total cost is \$430 - \$500 million of which Allentown is sort of marked for about \$100 million. Did LCA include you well in advance?

Mr. Craig Messinger stated yes, we are. We have been meeting almost monthly with all the signatories from South Whitehall, Emmaus, Western Sewer of Lehigh Partner Authorities. We been actually working on the EPA AO as a team.

Dr. David McGuire asked if any of his colleagues aware of this meeting and its contents. The presentation was excellent and they gave an overview.

Mr. Roger MacLean stated that he heard about the group meeting here.

Mr. Ray O'Connell agreed with Dr. McGuire and thanked him for attending that meeting.

Mr. Craig Messinger stated that was within our plan. We were going to sit with the Public Works Committee and go over that.

Enactment No: 29294

ADJOURNED: 7:25 PM