



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

City Council

Wednesday, January 18, 2017

7:00 PM

Council Chambers

Invocation: Roger MacLean

Pledge to the Flag

Roll Call

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

Courtesy of the Floor

Courtesy and Privilege of the Floor Rules

Mr. David Keshl, 119 W. Wabash Street - president Mountainville 30 Crime Watch, thanked Mr. Hendricks regarding a problem on Filmore Street.

Mr. Lou Hershman, 405 N. Gilmore Street, stated that his concern is the 2017 Budget and cash reserves. He asked that Mr. Hartzell identify the cash reserves.

Mr. Brent Hartzell stated that he would be glad to land on a certain number once he sees what is coming in on the final revenues and expenditures. When we do the monthly reports, we identify the particular funds that are there, the balances and if there are dollar amounts tied to an obligation.

Mr. Ray O'Connell stated when the Budget and Finance Committee meeting you will have more accurate numbers and it will be stated that night.

Mr. Julio Guridy stated that our meeting on the 25th we will be providing a lot more details.

Mr. Dennis Pearson, 942 E. Tilghman Street, stated that on the eastside they have been putting in disabled curbs from funds of the City of Allentown. Some neighbors expressed concerns about the sidewalks, especially on Union Boulevard. He talked about Oswego Street off of Hanover Avenue where you have the shopping center and allowing for parking causes a dangerous situation. On the eastside, we do want a new flag pole.

Mr. Kenneth Heffentrager, 214 N. Saint Cloud Street - Allentown Tenants

Association, stated that the US metro areas have been hit hardest by rising eviction rates. The place hit hardest is Allentown, PA. We are number 1. He talked about banks and foreclosures. The housing issue is downright annoying.

Mr. Ray O'Connell thanked Mr. Heffentrager and stated that many of us on Council, if not all of us did see the report. That report is alarming.

Ms. Kari Holmes, 1137 E. Marks Street - Allentown and Ami Ritter, 549 Elm Street - Emmaus, stated that many of you have been kind enough to reply to the Black and African Heritage Celebration Committee. She stated that Saturday, February 25 from 2:00 PM - 4:00 PM Youth Empowerment Summit and 6:00 PM - 9:00 PM with the evening celebration. there is a committee of 15 people. We ask City Council for your financial support. We will forward our budget request in and think and hope that we have been responsible in terms of what we prepared. We want to educate and empower.

Mr. Ray O'Connell thanked Ms. Holmes and all members of City Council support your efforts. He asked Mr. Hanlon to look at City Council's line item budget. He asked anyone else for courtesy of the floor.

Approval of Minutes: NONE

Old Business: NONE

Communications: NONE

REPORTS FROM COMMITTEES:**Committee of the Whole**

Council will have a Special meeting on Wednesday, January 25 at 6 PM to review Bill 5, which proposes that a referendum be placed before the citizens of Allentown limiting the terms of the office of Mayor to two terms; and on Monday, January 30th at 6 PM to review a proposed candidate for the position of Managing Director.

Budget and Finance: Chair Guridy, Hendricks, Mota

The Committee has not met since the last meeting; the next meeting is tentatively scheduled for February 1st at 5:30PM.

Community and Economic Development: Chair McGuire, Guridy, Mota

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

Public Works: Chair MacLean, McGuire, O'Connell

The Committee met this evening; a future meeting has been scheduled for February 1 at 5 PM to review Bill 4 which would delegate the authority to LCA to administer the Industrial Waste Program per the Lease Concession agreement.

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

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

City Controller's Report

Mr. Jeff Glazier stated that he does not have a Report, but will have one the first meeting in February.

APPOINTMENTS

[15-1315](#) Appointment to the Human Relations Commission.

Name	Authority/Board/Commission	Term to Expire
Donna Forrester	Human Relations Commission	12/31/2019

Attachments: [Memo from Mayor Pawlowski Human Relations Commission - Donna Forrester](#)

Enactment No: 29382

[15-1319](#)

Appointment to the Human Relations Commission.

Name	Authority/Board/Commission	Term to Expire
Pastor Abolade Akomolede	Human Relations Commission	1/1/20

Attachments: [Memo from Mayor Pawlowski Human Relations Commission - Pastor Abolade Akomolede](#)

Mr. Ray O'Connell asked any comments from his colleagues Ms. Donna Forrester or Pastor Abolade Akomolede. Any comments from the public?

Enactment No: 29383

APPOINTMENTS:

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

ORDINANCES FOR FINAL PASSAGE (To be Voted On):

[15-1305](#)

Bill 1

Amending the Article 123.09, Appointments by the Mayor, by establishing the same residency requirements for the position of the Managing Director that apply to Department Directors under the provisions of the Home Rule Charter. The Managing Director does not need to be a resident of the City at the time of appointment, but after appointment shall reside in the City. City residency shall be required within twelve (12) months of being appointed.

Sponsors: Hendricks, Mota, MacLean, Affa, O'Connell, Guridy and McGuire

Attachments: [Bill 1 Residency Requirement for Managing Director](#)
[Mayor's Memo - MD and residency](#)
[Residency Overview](#)

Mr. Ray O'Connell stated that was in the Committee of the Whole last week. This is the second highest position in city government, we feel that person should be a resident of Allentown. He asked any comments from my colleagues about Bill 1 or the public.

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

Enactment No: 15342

[15-1295](#)

Bill 2

Amending the 2017 General Fund, Liquid Fuels, Trexler, Risk Management, Solid Waste, Golf Course and 911 Fund budgets to include the contractual obligations recently agreed upon with SEIU and agreement made with MESA and provides for the Medical Opt-Out benefit by placing those funds into a new account entitled Employee-Health Insurance Opt Out resulting in the Permanent Wage Account showing only actual wages.

Attachments: [Bill 2 2017 Budget Amd - SEIU MESA Opt Out](#)
[Bill 2 Memo](#)

Mr. Ray O'Connell stated that we discussed this at the Committee of the Whole meeting. He 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: 15343

15-1308

Bill 3

Amending the 2017 Budget, adopted on December 7, 2016 to implement various budgetary changes related to salaries, salary ranges, executive positions, premium pay and account 46.

Sponsors: Guridy, Mota, Affa, O'Connell and Hendricks

Attachments: [Bill 3 Budget Amendment](#)
[Agreement](#)
[Bill 3 Memo](#)

Mr. Ray O'Connell stated that this was discussed at Committee of the Whole. Bill #3 is where we had the most discussion on. We came to a compromise and Bill 3 talked about the whole package on the compromise. He asked any comments from my colleagues.

Mr. Roger MacLean stated that we are going to vote on Bill 3 tonight. It is not in effect. Why are we already taking the increase of the EIT out in people's paycheck from the beginning of the year, if this has not been voted on yet.

Mr. Brent Hartzell stated because Bill 76 was passed into law in December which has the increase at 1.975 percent. That was already on the books prior to the 1st of January.

Mr. Ray O'Connell asked was that Bill 76, the General Fund.

Mr. Brent Hartzell stated that one was the General Fund and the other was EIT. The EIT Bill did pass on December 7th.

Mr. Julio Guridy asked about the position that we did not fund. We funded it at a \$1. In the Agreement, there was discussion on that position? He asked about excluding that position from Bill 3 until we found out what is going on.

Mr. Ray O'Connell stated that he understands and it is a little late. We did

fund the Managing Director, the Director of Community and Economic Development and Operation's Manager at \$1. Part of that compromise that we would re-fund those positions that were reduce to a \$1 to its full budgeted allocation.

Ms. Shawn Dethlefsen stated that form a position on whether or not a suit is going to be filed or is it going to be litigation on the issue. It is speculation at best.

Mr. Ray O'Connell stated that he feels that way and personally feel that his colleagues can defer. We do need to vote on Bill 3. We compromised and we have an Agreement.

Mr. Julio Guridy asked if they were voting on Bill 3 as a package.

Mr. Daryl Hendricks stated that is his understanding and that was the intent for tonight. We can't act on speculation.

Mr. Julio Guridy stated that he agrees, but wants to ensure that they clarify that issue.

Mr. Ray O'Connell stated that you make a very good point. He asked any other comments about Bill 3 or the public.

Mr. Lou Hershman, 405 N. Gilmore Street, stated that when he reads Ms. Opilo's column, it say we are \$370,000 short to pay for all these benefits that you negotiated.

Mr. Ray O'Connell stated that we have a balanced budget and that is why we took money out of the reserves.

Mr. Brent Hartzell stated that the Bill specifies that what ever the deficit is it is to funded out of the General Fund reserve. We do include the Stabilization Fund which is listed in the non-pooled cash as 2006 loan.

Mr. Julio Guridy stated that Mr. Hershman may have a point regarding the transfer of funds.

Mr. Brent Hartzell stated that the total budget of Bill 3 because all the things that we were working out in detail we did not have identified to the penny in terms of the Bill, but will based upon what has passed come up to a grand total of \$105,044,333 with an anticipated deficit of \$3,558,116. The reason that we don't have to touch that \$5.2 million is because we have stated repeatedly that we opened 2016 with about a \$10.3 million - \$10.5 million unreserved balance.

Mr. Lou Hershman stated that Mr. Hartzell is saying that you have no balanced budget that you adopted back in December.

Mr. Glenn Hunsicker, 844 S. 11th Street, stated that the Stabilization money, he has to come to you to get that money. He talked about Bill 3. You are presenting this and I think if you are going to attach all these details, you have to print them and say you are approving this kind of money.

Mr. Ray O'Connell asked anyone else from the public on Bill 3. He asked his colleagues, Mr. MacLean and Dr. McGuire why they voted no.

Mr. Roger MacLean stated that one thing we negotiated a deal that it is costing the taxpayers more than the original budget. There are people every week or every pay are still looking for a couple extra dollars to pay their bills. People are trying to make ends meet every pay.

Mr. Ray O'Connell stated that he heard that last week and respect and thank you for saying that.

Dr. David McGuire stated that this was an agreement that was worked out by the president and the vice president and was given to me to be signed yes or no. I did not sign it at the time. Nobody ever came to me and ask me what was the problem.

Yes: 5 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, and Candida Affa

No: 2 - Roger MacLean, and David McGuire

Enactment No: 15344

Mr. Ray O'Connell made a Motion to Suspend the Rules, seconded by Daryl Hendricks to introduce Bill 61.

[15-1434](#)

Bill 61

Amending Articles 533, Parking Meters the City of Allentown by changing the hours of operation of on street parking meters from 8:00 AM to 9:00 PM (rather than 10PM) in the central business district; and from 8:00 AM to 6:00 PM (rather than 10:00 PM) in areas outside the business district.

Mr. Ray O'Connell made a Motion to Suspend the Rules, seconded by Daryl Hendricks to introduce Bill 61.

Mr. Roger MacLean stated that we are going to reduce the hours that the parking meters are going to be enforced. It was in front of the committee tonight and it was passed to full Council, 3 - 0.

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

Mr. Julio Guridy thanked Council for entertaining this Bill. One of the things that happened is that a year and a half ago we agreed to increase the hours on the meters from 6:00 PM to 10:00 PM. That created a lot of discomfort and we compromised on a lot of things, including getting rid of some of the meters throughout the city and was able to give some of the residents that resided by a meter an opportunity to get a permit for \$20 a year.

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

RESOLUTIONS FOR FINAL PASSAGE (To be Voted On): None

[15-1316](#)

R11

Authorizes Submission of a Pass-through Redevelopment Assistance Capital Grant for the Allentown School District Building 21 Project

Attachments: [R11 BUILDING 21.doc](#)

Mr. Ray O'Connell stated that it is a \$1 million pass through that would help Building 21 and the Allentown School District. We are approving the grant application tonight. He 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: 29384

[15-1318](#)

R12

Authorizes Submission of a Pass-through Redevelopment Assistance Capital Grant for Carpenters Training Center at 1818 Vultee Street

Attachments: [R12 CARPENTERS JAC.doc](#)

Mr. Ray O'Connell stated that is a pass through grant for \$2 million. He asked any comments from his colleagues regarding the pass through grant.

Mr. Ray O'Connell stated that is a pass through grant for \$2 million. He asked any comments from his colleagues regarding the pass through grant.

Mr. Julio Guridy asked why we don't put the amount of the grant here.

Mr. Ray O'Connell stated that is a good question. He stated that it is on the iPad, but it is a fair question.

Mr. Roger MacLean stated that other than the personnel/accounting administrating of these grants, we don't have any cost out to the city.

Mr. Brent Hartzell stated that if this is generally a pass through, the answer to that is that we don't have any costs.

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: 29385

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

[15-1317](#)

Bill 4

Amending Article 941, the Sewage and Industrial Waste Ordinance, to bring it into compliance with the Concession Lease Agreement between LCA and the City by delegating the authority to LCA to administer the Industrial Waste Program.

Attachments: [Bill 4 ARTICLE 941 Amendments](#)
[ARTICLE 941 Amendments Final for Council Approval.docx](#)

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

Enactment No: 15346

[15-1306](#)

Bill 5

DIRECTING THE LEHIGH COUNTY BOARD OF ELECTIONS TO PLACE A REFERENDUM QUESTION BEFORE THE CITY OF ALLENTOWN VOTERS ON THE MAY 16, 2017 PRIMARY ELECTION BALLOT TO AMEND THE CITY OF ALLENTOWN HOME RULE CHARTER TO LIMIT THE TERM OF THE OFFICE OF MAYOR TO TWO (2) TERMS

Sponsors: Mota, MacLean, Hendricks, Affa, O'Connell, Guridy and McGuire

Attachments: [Bill 5 Mayor Term Limits](#)

Mr. Ray O'Connell asked any comments from my colleagues. All seven members of Council were on board with the sponsorship. He asked any comments from the public.

Mr. Lou Shupe, 625 N. 6th Street, asked if this will be retroactive.

Mr. Ray O'Connell stated no.

Mr. Dennis Pearson, 942 E. Tilghman Street, stated that he agrees with this Bill to have a referendum on the two terms. He asked that they also include a Home Rule Charter on making district representation for districts.

Mr. Ray O'Connell stated that he assumes Mr. Pearson is saying for Council seats. He asked any other comments on Bill 5.

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

NEW BUSINESS: NONE

GOOD AND WELFARE: NONE

ADJOURNED: 8:03 PM