



# Allentown

435 Hamilton Street  
Allentown, Pa. 18101

## Minutes - Final

### City Council

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Wednesday, February 1, 2017

7:00 PM

Council Chambers

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#### Invocation: Councilperson Mota

#### Pledge to the Flag

#### Roll Call

Rollcall

**Present:** 6 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, and Roger MacLean

**Absent:** 1 - David McGuire

#### Courtesy of the Floor

#### Courtesy and Privilege of the Floor Rules

Mr. Lou Hershman, 405 N. Gilmore Street, stated that he is looking at the Agreement between Council and the Mayor and the Mayor failed to submit legislation that he signed to it. this should be done by Ordinance, not by mouth. In 2016 we had to borrow and in 2017 we had to take money from cash reserves. Are we kicking the can down the road?

Mr. Brent Hartzell stated that when City Council approved the three percent across the board pay increase it was applicable regardless of the fund people were being paid out of. There were four individuals that had the five percent increase. All the other three percent increases were baked in without any forgetting about the funds. He stated that Mr. Hershman doesn't understand correctly.

Mr. Ray O'Connell stated that we gave the non-bargaining people the original budget was 1.5 percent and we gave all non-bargaining people three percent. The Fire Chief went from two percent, to five percent, the Police Chief went from three percent, to five percent.

Mr. Brent Hartzell stated that the three percent was all in that you requested to put in the December 7 version that you passed on December 13.

Mr. Julio Guridy stated that is what he was going to say. The three percent was already included. He stated that is why we lowered the EIT increase.

Mr. Ray O'Connell stated by 10 percent. He asked anybody else for Courtesy of the Floor.

Mr. Hendrad Boloni 409 Ridge Street, stated that he permission to the Redevelopment Authority on December 15, 2014 to do the work at 411 - 413 Ridge Avenue. They demolished the building and they said they would leave the property in a better condition. They damaged the sidewalk and the property and refuses to cooperate.

Mr. Ray O'Connell asked Mr. Boloni if he paid it. Are you looking for resolve her or are you going through litigation.

Mr. Boloni stated that he has not hired attorney. He wants Council's help. He spoke to Pennoni and Associates.

Mr. Scott Holbert stated that he spoke to Mr. Boloni stating that this was a Redevelopment Authority decision. I want to re-invite you to the Board meeting that is next Wednesday at 3:00 PM at City Hall in the 5th Floor.

Mr. Boloni stated that when I spoke to you and Tom Brodhead I did not have a lot of hope to help me with the situation.

Mr. Ray O'Connell asked Mr. Boloni does he plan on attending the meeting next week.

Mr. Roger MacLean stated that he is looking at Page 3, a letter dated January 30th where it says they have agreed to replace 35 linear feet of sidewalk, including 14 linear feet that was not there before. He asked what every happened to this letter.

Mr. Boloni stated that they agreed to do it, but they never did it.

Mr. Ray O'Connell asked anyone else for Courtesy of the Floor.

**Approval of Minutes: NONE**

**Old Business: NONE**

**Communications**

Proclamations for Central Catholic High School Volleyball Team (Vikettes)

Mr. Ray O'Connell stated that we could not be prouder to bring the State Championship to Allentown, 4th and Chew. He asked the parents to stand.

Mr. Julio Guridy congratulated the Vikettes and said that Council is proud of you. He stated that his son went to Central Catholic and graduated in 2012. I went to see a couple of games back in his era and I was always proud of everybody in every sport. You guys to well and congratulations.

Mr. Daryl Hendricks stated by virtue of our job and position here too often we are dealing with a lot of the negatives and it always bring great personal pleasure to be able to honor our schools, especially you four times. He looks forward to next year honoring you again.

Ms. Cynthia Mota stated that you guys put a smile on my face. I am glad and they are female....Yes. Go, girls! Congrats!

Mr. Roger MacLean stated that he is a man of few words, congratulations!

Ms. Candida Affa stated every time we have the youth here and are able to do this for the young people in our city. We are so proud!

Mr. Jeff Glazier stated that as it is said with the prior comments, we are all very proud. Congratulation's, and we will see you next year.

Mr. Ray O'Connell thanked them for coming. Great job, and great season!

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

The Committee met on January 25th and reviewed monthly finances, Account 46 and capital projects reports. The next meeting is scheduled for February 22, after the Parks and Recreation Meeting.

**Community and Economic Development: Chair McGuire, Guridy, Mota**

The Committee has not met since the last council meeting; the next council meeting is scheduled for February 15th at 5:15 PM.

**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 is scheduled for February 22 at 5 PM to review Bill 6 and get updates of some park projects.

**Public Safety: Chair Hendricks, MacLean, Affa**

The Committee has not met since the last council meeting; a future meeting is scheduled for February 15th at 6:30 PM to consider Bill 7.

**Public Works: Chair MacLean, McGuire, O'Connell**

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

**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 has two audits that he would like to report on this evening. The first one is the Accounts Payable Weekly Check Review for the time period December 31, 2016 to January 27, 2017. We reviewed 518 checks and the total amount of checks review is \$43,60,000. We did 10 wires for about \$1.1 million. The findings is that we have a continuing issue of untimely payment of invoices. There were 10 checks that fell in this category and we continue work Treasury, Account Payable and departments to pay a little bit more timely. There were some late fees that paid this time. There were three checks with a total of \$38 in late fees. Sales tax is paid on one invoice. The issue is reported. A credit will be issued for an overpayment in the future. There were three instances where the incorrect date had been entered in Eden. That is important for the audit trail. He reported on a bank reconciliation for the month of July 2016. It has been a continuing issue that bank reconciliation is not as current as they should be. They will get caught up in anticipation of the CAFR. The Controller's office did 24 bank reconciliations with a total amount of \$58 million. There was one finding today. There was a posting error in the curb and sidewalk register.

**APPOINTMENTS:**[15-1361](#)

Mayor Pawlowski has approved the following appointment for City Council's consideration.

Name	Authority/Board/Commission	Term to Expire
John D. Stanley	ANIZDA	01/01/2019

**Attachments:** [Appointment to ANIZDA - John D. Stanley](#)

Mr. Ray O'Connell stated Mr. John Stanley is Senator Pat Browne's appointment. He is the Chair of the Lehigh Valley Health Network Board of Trustees. He asked any comments from my colleagues.

Mr. Julio Guridy stated that he read the resume this morning. What a resume? This gentleman would be a great addition to the NIZ board. He is replacing Bob Lovett from Air Products and so is this gentleman.

Mr. Ray O'Connell asked any other comments.

Ms. Candida Affa asked any comments from the public.

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

Mr. Roger MacLean stated that he would be remissed if he didn't announce in the Public Works meeting that the city has an electronics recycling this Saturday, the 4th from 10:00 AM - 12:00 Noon at the Yard Waste Site.

Ms. Cynthia Mota stated and plastic bags, leaves.

Mr. Julio Guridy stated that he has a couple of bags of leaves and asked about Home Depot bags.

Mr. Craig Messinger stated that you can, but we are running into when we take it to different places, they look at it as garage, not bags.

[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. Roger MacLean stated that it is housekeeping and bringing the Ordinance to coincide with the Lease Agreement.

Mr. Ray O'Connell asked any comments from my colleagues on Bill 4 or the public.

**Yes:** 6 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, and Roger MacLean

**Absent:** 1 - David McGuire

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

[15-1341](#)

R17

Sewage Planning Module for Turkey Hill, L.P. – 1500 Sumner Avenue - acknowledges that City has sewer capacity for this parcel pursuant to requirement by the state.

**Attachments:** [R17 Sewage Planning Module - Turkey Hill - Sumner Avenue](#)  
[Sewage Planning Module - Turkey Hill, L.P.](#)  
[Sanitary Sewer Mains - Turkey Hill](#)  
[Turkey Hill - Sumner Avenue Map](#)

Mr. Ray O'Connell asked Mr. Messinger if the city has the capacity.

Mr. Craig Messinger stated yes, we do. They are only looking for about 4100 gallons per day.

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

Mr. Daryl Hendricks asked what their targeted opening date for Turkey Hill.

Mr. Craig Messinger stated that he doesn't have an exact date. They wanted to get it enclosed by the end of the year and they did. It will be a few months yet. They are moving along.

Mr. Jeff Glazier asked if they are doing a car wash there too. That was in the original plans.

Mr. Craig Messinger stated that he does not believe a car wash. They are doing a full-service in terms of the fuel aisles, but the car wash did not end up on the final.

Mr. Daryl Hendricks stated that he could be wrong, but believes that there is a car wash in there. There is a separate building going in, off to the eastside of the building.

Mr. Jeff Glazier stated that it would have been to the south end of the property.

Mr. Julio Guridy asked do we have any plans/renderings for this.

Mr. Craig Messinger stated yes. That's why I know they don't have the car wash on it anymore. They originally thought about it, but it did not make it to the final rendition.

Mr. Ray O'Connell asked anyone else or comments from the public.

**Yes:** 6 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, and Roger MacLean

**Absent:** 1 - David McGuire

15-1362

R33

S Jefferson Street Corridor Grant Multimodal Transportation Fund

**Attachments:** [R33 S Jefferson Street Corridor Grant Multimodal Transportation Fund](#)  
[Jefferson St MM REVISED Grant Request City Council](#)

Mr. Roger MacLean stated that this is a housekeeping to make the final price in-line with the paperwork that is in front of the state.

Mr. Craig Messinger stated that we got the Resolution prior and they were still doing work on the final pricing on what it was going to be and they adjusted the cost a little bit. You already approved \$967,610.15. It ended up that the final price was \$969,000. They actually looked at our submission and they are interested in our submission, but need our dollar amount to be to the penny. We are changing it up \$1,300 from what it was. We needed it officially done on a Resolution to give to Multimodule.

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

Mr. Daryl Hendricks asked is this by the confluence there by the intersection by South Jefferson by Jefferson Park. Who does the design work?

Mr. Craig Messinger stated that this is for the whole corridor from 15th and Elm Street, going across the bridge all the way to Wyoming. If we are lucky to receive the grant, we will be able to hire a consultant to do the work for it. We have a preliminary design, but we need to hire someone for a final design.

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

**Yes:** 6 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, and Roger MacLean

**Absent:** 1 - David McGuire

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

[15-1343](#) Bill 6 Parks and Recreation, Recommended Favorably  
Amending the 2017 Capital Fund to provide for a supplemental appropriation of Eighty-Five Thousand (\$85,000.00) Dollars reflecting receipt of a grant from the Pennsylvania Department of Community and Economic Development for the planning and development of a park along Basin Street.

**Attachments:** [Bill 6 Basin Street Park Development.doc](#)

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

REFERRED TO PARKS AND RECREATION

[15-1344](#) Bill 7  
An ordinance of the City Council of the City of Allentown, Pennsylvania, amending Part Seven (General Offenses Code), Article 730 of the Codified Ordinances by adding section 730.99.1 to establish guidelines for police officers to follow when effectuating warrantless arrests when the conduct constitutes a summary offense pursuant to Title 42 (Judiciary and Judicial procedure), Part viii (Criminal Proceedings), Chapter 89 (commencement of proceedings), Subchapter a (general provisions) of the Pennsylvania consolidated statutes.

**Attachments:** [Bill 7 Warrantless Arrests for Summary Offenses.doc](#)

[Warrantless Arrests Legal opinionh.pdf](#)

[Warrantless Arrests PLEAC Standard.pdf](#)

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

REFERRED TO PUBLIC SAFETY

[15-1345](#) Bill 8  
Amending the 2017 Capital Fund and the 2017 General Fund to provide for a transfer in the amount of One Hundred Forty-One Thousand Dollars (\$141,000) from the Capital Fund Project Blight Removal and Remediation to the Planning Program of the General Fund for the in-take and community outreach of the Upside Allentown Housing Rehabilitation Program.

**Attachments:** [Bill 8 IN-TAKE AND COMMUNITY OUTREACH TRANSFER.doc](#)

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

REFERRED TO COMMUNITY AND ECONOMIC DEVELOPMENT  
COMMITTEE

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



[15-1342](#)

R18

Authorizes the Administration to Enter into a Land Swap Agreement with Brewers Hill Development Group for real estate along the Lehigh River Waterfront for the construction of Riverside Drive.

Attachments: [R17 Brewers Hill Development Group Land Swap.doc](#)  
[BHDG Land Swap Details](#)

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

REFERRED TO COMMUNITY AND ECONOMIC DEVELOPMENT  
COMMITTEE

[15-1360](#)

R19

Authorization for Contract with Community Action Committee of the Lehigh Valley in the amount of \$140,624.00 to offer a housing rehabilitation program to income-eligible property owners or property owners with income-eligible tenants within the Upside Allentown geographic boundaries (see Attached A for the Upside Allentown map). The program goal is to improve the quality of housing within the Upside Allentown area.

Attachments: [R19 Request for Council Approval - Housing Rehab In-Take and Community Outreach Prgm Svs- RFP No. 2016-35-CACLV](#)  
[Sole Source Documentation Chamber of Commerce 2017 Final](#)

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

REFERRED TO COMMUNITY AND ECONOMIC DEVELOPMENT  
COMMITTEE

**NEW BUSINESS: NONE**

**GOOD AND WELFARE**

Mr. Julio Guridy thanked the Controller, Mr. Glazier about the report. He stated that he got to learn a little bit more about AP.

Mr. Jeff Glazier thanked Mr. Guridy and stated that he is fortunate and the city is fortunate that we have a very good, dedicated and knowledgeable staff.

**ADJOURNED: 7:49 PM**