



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

City Council

Wednesday, August 15, 2018

7:00 PM

Council Chambers

Invocation: Councilperson Mota

Present: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Pledge to the Flag

Roll Call

Courtesy of the Floor

Courtesy and Privilege of the Floor Rules

Mr. Randy Beitler, 905 S. Poplar Street, stated that he has new neighbors that live beside him that put a fence up and it appears to be on my property. He stated that he went to Zoning and they gave him block plans. I went to Engineering and they gave him block plans. He stated that he hired a lawyer and he was looking for hundreds and hundreds of dollars. I went to have my property surveyed and I know for sure this fence is on my property and I want to remove it. I want to make sure that I am doing the right thing. I proved to my neighbors that this fence is on his property. Whose fence is it? Do I take it down? The fence is definitely on my property.

Mr. Roger MacLean asked the solicitor.

Ms. Candida Affa asked if Zoning needed to approve the fencing.

Mr. Randy Beitler stated that they do not need a permit for a six foot fence from back step to end of the property line and three feet in front of your house.

Ms. Fran Fruhwirth asked for Mr. Beitler information and the Solicitor's office will research it.

Ms. Janet Keshl, Wabash Street, stated that like Mr. Beitler people are having trouble with new neighbors moving into the neighborhood. She stated that her brother lives on Halstead Street and lived there for 35 years. He has his house up for sale because of the new neighbors. The police has been called and as soon as the police leave it's back to the same crap. My other neighbor on Armour Street is putting their house up for sale. She

stated that she and David are considering it. She has been complaining about 134 W. Montgomery Street for months. It is a rental and the owner lives in New Jersey. These people work on cars continuously.

Ms. Candida Affa asked if it was a rental.

Ms. Janet Keshl stated no, he owns the home and he has friends that come from New York.

Mr. Ed Zucal suggested that she buy a drone and fly it at night so they can see it at their house and they will move out.

Mr. Lou Hershman, 405 Gilmore Street, asked about the Police contract and the raise. When will the money be transferred to the permanent wage account. He stated that Mr. Hartzell was going to check on the bonding to pay for city employees. He asked for an update on Cedar Beach. Are we going to sue anybody? We have to wait.

Mr. Roger MacLean stated that they have to pay them retroactively.

Mr. Brent Hartzell stated that he will look in the documentation, but anytime anything is passed by Council we wait the 10 day period before it becomes an ordinance and make the transfers appropriately. He stated that it was paid six months ago.

Mayor Ray O'Connell stated that he cannot address pending litigation at this time. In the future, I will.

Mr. Roger MacLean stated that sometimes I think we do. When it comes to litigation, yes.

Mr. Glenn Hunsicker, South Allentown, stated that they asked for a special audit and we had considerations presented to the city. He asked for a report where we stand on this.

Mr. Julio Guridy stated that we will have a meeting on Tuesday with the Finance Committee, Mr. Hartzell and Mr. Beckett.

Mr. Don Ringer stated that he stood up here many times and asked for some kind of berm to put around the pool. Everybody ignored it and here we are again where the pool is not operatable. Why can't people listen on City Council or city government listen to logic.

Mr. Julio Guridy stated that he felt very strongly that we should not have spent that money in a 500 year floodplain. However, they assured me they

would put trenches around it. They did.

Mr. Don Ringer, West Allentown, asked why didn't City Council object to the pool. We were building a pool in the flood zone. Why didn't we move it?

Mr. Roger MacLean stated that pool was started before most of us were on City Council and we were past the point of no return when we were hit with changes. We had to authorize the changes.

Ms. Grace Shawood, Allentown, stated that the basic promise of our legal system is equal justice under the law. Those four words are engraved above the doors of the United States Supreme Court and they are not to be taken lightly. She stated that she stands before them as a law student in her last year at Temple University and is dismayed that an attorney should be dismissed for the actions however abhorrent.

Mr. Roger MacLean stated that this will be on the agenda tonight so you will have a chance to speak.

Mr. Louis Holzman, Allentown, thanked Council for the trash can he requested. He bought the property on S. 8th Street and got a certificate of occupancy provided by the city. He stated that he is speaking with Paul Bogart and there are three expired permits on the property. A clear CO was put through. What the inspector said versus what you have on file don't match up.

Mr. Joseph McMahon asked for the address.

Mr. Louis Holzman stated 1001 S. 8th Street.

Mr. Kenneth Laudenslager, 721 W. Cumberland Street, stated that the problem with Cedar Beach Pool is where it is located. They built the pool in 1957 and raised Ott Street. There is a small dike between Ott Street and the pool. The easiest way is to raise that dike as the same level of Ott Street and extend it.

Approval of Minutes:

May 16, 2018 City Council Contract Meeting Minutes

July 18, 2018 City Council Contract Meeting Minutes

August 1, 2018 City Council Contract Meeting Minutes

August 1, 2018 City Council Meeting Minutes

August 1, 2018 Confirmation Hearing - Director of Community and Economic Development (Leonard Lightner)

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

OLD BUSINESS

A motion was made by Courtney Robinson, seconded by Ed Zucal, to Suspend The Rules and bring New Business forward on the Agenda. The motion carried by the following vote:

Mr. Courtney Robinson made the following motion under New Business Pursuant to the authority granted to City Council in the city Charter Section 211 B. Council, hereby removes Tom Traud from the position of City Solicitor.

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal.

NEW BUSINESS

Mr. Courtney Robinson stated that there are several passages from the public record of the Grand Jury Report that he would like to report onto the Record because he thinks it is relevant from our discussion. From page 25 of the Grand Jury Report, on September 3, 2002, a fax was sent to Monsignors Schlert and Gobitas. The fax bore the timestamp of 09:55 AM from Traud Law Offices. After some discussion regarding an attempt to schedule a meeting with Julianne, Traud reported that he had received information from a relative of Monsignor Leo Fink. This informant told the Diocese that she had been the closest of friends with Julianne in high school and that they shared every secret. She reported that Julianne had once danced as a go-go dancer in the 1960s and that she believed her to be sexually active. Traud's informant stated that she believed it possible that Julianne was one of the girls who had an affair with a coach at Central Catholic. The informant reported that Julianne also had a family member once go to prison. Traud reported all of this to the Dioceses, specifically to Schlert and Gobitas. He went on to note that he knew his informant well and that she had been "so candid and honest." Having received a report that one of their priests had violated children, the Diocese and its attorney immediately began to exchange information meant to discredit the victim with unrelated and irrelevant attacks on her and her family. Moreover, the fact that information that a Central Catholic coach may have been sexually abusing students was used as evidence against the victim. In reality, it is the report of yet another crime not reported to the police. He stated from Page 28, on September 16, 2002, at 2:48 pm, a fax was sent from Traud Law Offices to Schlert and Gobitas. The message contained impressions of the meeting on September 10th. Among other things, the memo noted that Tom Traud found Julianne to be "overly dramatic in the there were some times she was crying in the meeting" and that "this woman made an awful amount of assumptions that just were unwarranted." This pattern of investigating the victim continued through 2004 in letters from Traud dated January 22, 2004, and April 12, 2002. In the first letter to Gobitas and Schlert, Traud noted that Julianne was recently in the news and was

pursuing her lawsuit and that he received information from a local attorney. The attorney told Traud that Julianne's daughter was a witness for the Commonwealth in a murder case. Traud noted that, because Julianne became involved, she could either be "a mother looking out for her child; or maybe this a woman who repeatedly wants her fifteen minutes of fame." In the second letter, Traud informed the Diocese that Julianne's husband was associated with the Christian Motorcyclists Association which Traud labeled the husband's brainchild. This was in reference to Father Fromholzer with Central Catholic and what has been in the news with Julianne Bortz as the victim. He stated from Page 374, and an issue regarding Father Soderlund in 1987. Soderlund continued to minister even after the latest complaint. On April 28, 1987, the Good Samaritan Hospital administrator contacted the Diocese, advising them that Soderlund was spending a lot of time with an eight-year old boy. Soderlund had spend an hour talking to the boy on the telephone, saying that he wanted to take the boy on a trip to a museum. Good Samaritan officials wanted Soderlund to be fired. An excerpt taken from a transcription of a handwritten report from Muntone stated the following: I related all of the above to [the Diocesan attorney] and asked for his recommendation. Much to my surprise, he recommended that the chaplain at Sacred Heart Hospital and Soderlund trade places. I tried to explain to him that that was not exactly the way things worked, that the chaplains are employees of the hospital, etc. He said, that however that may be, Good Samaritan Hospital contributed significantly to Soderlund's problems. He said they should have structured his day more fully, and seen to it that his living accommodations were better supervised, etc. Muntone added that, if Soderlund lived at the rectory at Sacred Heart and "the hospital held him more accountable for his time, there shouldn't be any problems." Muntone responded to Traud's advice by telling the Bishop, "Also if we do manage to place Soderlund after being fired by Good Samaritan we will have an even harder time convincing the others we have no place for them." He stated that this was in reference to a priest that seven years earlier the Diocese had found two photographic albums containing him and two separate underage boys engaged in sexual acts. Seven years prior to this. He stated that the last thing he would like to read into the read into the record is from Council's minutes from our Confirmation Hearing of Mr. Traud on May 2, 2018 at 5:00 PM. Mr. Courtney Robinson thanked Mr. O'Connell and Attorney Traud for being here this evening and thanked Attorney Traud for taking the time to speak to him earlier today. He asked Attorney Traud for a basic rundown of some of the work he had done for the Diocese. Attorney Traud stated that like most lawyers the older you get, the more of an office practice you develop. He stated that once a upon a time he did litigation work and that was gone by the year 2000. At that point, we had attorney now Judge Leeson representing the Diocese for litigation matters going on currently and because our minutes are not a true reflection of what it exactly

says I went back and observed the video and at time stamped 9:30 PM, the exact quote was that was really all gone by the year 2000. At that point we had J Leeson, now Leeson representing the Diocese. As you can see from what was previously read into the record as part of the Grand Jury Report, in 2002 and 2004 Attorney Traud was still doing litigation work concerning sexual assault issues in the Diocese contrary from what he told this body at the Confirmation Hearing. This is not a decision that I taken lightly to bring this forward. I am a practicing Catholic and I am disgusted and appalled of what was done in the name of my faith and here now first and foremost as a Catholic and as an elected official I feel it necessary to apologize to every victim of this and to state that the unimaginable pain and sorrow that you are going through is only compounded from this and I apologize to all of you for that. As someone who is a member of the church that did this to you. I think that needs to be said over and over and over. But, most importantly in result to the business in front of this Council tonight and taking this unprecedented action. Who we choose to have work for us is the statement of the values and the ideals that we hold and for myself as a member of this body and most importantly as a citizen of Allentown, I do not believe that the words that were attributed by Attorney Traud in those faxes and the conversation from Monsignor Muntone represent anything that I as a citizen or a member of this body want our attorney and legal advisor to represent. In that vein I would ask all of my colleagues to please vote yes on this motion and let's finally move beyond the last several years on this city and how it runs. Let's make a statement in saying that we have a new day in Allentown and something like this on top of what we just went through with the corruption trial of the Mayor and his associates will not be stood for. Please vote yes.

Mr. Ed Zucal stated that as elected officials we have an obligation to the citizens that we represent. Recently, there was a committee formed to explore and update the Ethics Code that exist within the city. By us not taking a positive affirmative action tonight just simply downgrades that if we do not do that. This is about ethics as well as about protections and about honesty and integrity. We have an obligation as elected officials to carry out that obligation to the citizens. I would echo Mr. Robinson's comments to vote yes to terminate him.

Ms. Cynthia Mota stated that the abuse has to stop and we do have to take a stand. We have to protect our children. It is a shame that this happened. I vote yes.

Mr. Julio Guridy stated that he feels the same sentiment that Mr. Zucal, Ms. Mota and Mr. Robinson expressed earlier. I am not going to be redundant, but I also as a member of Council and a practicing Catholic, apologize to the public, everybody, all the victims ad their family and friends that have

been suffering on the actions of some very bad people. I don't condone having people who are related to those issues in one way or another, trying to defend the Diocese or not to be associated to defend us or represent us in City Council and in the city. Mr. Zucal talked about integrity and honesty and I will stand with that as well. It is directly affecting us and would recommend my colleagues think about that and to vote yes on this motion that was brought forward.

Mr. Daryl Hendricks stated that he did not have an opportunity to read all the comments and the report. As a father of two sons and having four grandchildren there is nothing more important that we can do, but protect our children. Unfortunately, that has not happened here. He stated that he finds it particularly disturbing.

Ms. Candida Affa stated that she understands the law states that an attorney must do his best to defend his clients, but I am sure everyone of us has experienced a bad taste in our mouth sometimes. The way they do it, there is a line that you cross. Having our Solicitor in the crosshairs of this is not good for the city of Allentown. Especially since everything we have gone through for the past three years. I think it is in the best interest to vote yes, to remove him.

Mr. Roger MacLean stated that he is expecting the young lady from Temple to elaborate on some of the stuff that has been said here. In the 40 years on the Police Department I dealt with a lot of attorneys, prosecution attorneys. Some I got along with and some I didn't. Some we argued and there are a lot of people that get arrested that we may feel deep down inside that they don't deserve an attorney or their day in court, but the fact is that they do. That is part of what makes this country great. We don't always agree with those attorneys, but their job is to run the most rigorous defense that they can for the defendant. I am in no way shape or form sticking up for anybody that is accused of molesting any of these children or young people that were involved in this incident. I am saying that I believe Mr. Traud did what he felt that he had to do to represent his client which was the Diocese of Allentown. Whether we agree or we don't that's what attorneys do. He stated that he is not defending the clergy that perpetrated any of these acts. He stated that a lot of them are gone, but thinks those that are not it is just a shame that a lot of them can't be prosecuted, but he wishes that they could. He opened the discussion up to the public.

Mayor Ray O'Connell stated that Mr. Traud was acting in his role as Counsel for the Diocese. Like it or not his concern was for his client. I expect that he laid out all of the facts as he saw them and presented his clients with the best possible courses of action. Some attorneys do

criminal defense work and defend bad people. That does not make them a bad person. That is our system of justice. They listen to their clients and craft the best defense. In my opinion, and only in my opinion this is a rush to judgement in my view. I know Tom Traud is a very good attorney. A very ethical and moral individual and that he has represented this city well. He stated that he understands that Council had to do what you have to do, but Tom Traud is a very good, solid man. A good ethical man. A man of integrity. A man of character. We are very fortunate to have Mr. Traud with us for the short-term if you choose to terminate him. He stated that he wishes they not terminate Mr. Traud. This is a rush to judgement, but you have to do what you have to do and would respect Council's decision.

Mr. Courtney Robinson stated that when he contemplated doing this this morning it was solely based off of what was stated in the Grand Jury Report. However, upon further investigation today another reason came up and it is the last thing I read into the record that Attorney Traud stated to us that he discontinued litigation work for the Diocese in the year 2000. Yet, the Grand Jury has documented proof that he was working with them on litigation matters in 2002 and 2004. Quite frankly, whether it was an intentional lie or not, it was a lie to this body during the Confirmation Hearing and I don't think it was wise for us to continue with legal representation when we are not getting all of the facts straight forward and clearly from that attorney regardless of the other issues in the Grand Jury Report.

Ms. Candida Affa stated that she agrees with Mr. Robinson. Council just had a Confirmation Hearing this evening. Before Mr. Traud was up for Confirmation, it was brought up. What happens if there is any dirt that comes out from this Grand Jury investigation. We confirm or hire this man and after the investigation if there is anything that comes out and if there is any dirt out there or anyway he could be a deterrent to our city because he was involved in it. When we have these Confirmation Hearings whether we ask the questions here or we ask the questions personally while we are interviewing someone it is important for them to tell us the truth. This was something that was heavily discussed if he was involved in this. He lied to us and said no. He said that he hadn't done any ligation after 2000. When we interview people and we ask the question and with all the people out there we have to make the decision whether to hire them or not for the better of Allentown. So when they lie to us and we do confirm them and something like this comes up, it comes back at us and that is why it is so important that when we have the hearings that they tell us the truth.

Mr. Roger MacLean stated that he is hearing everybody. Why don't we do what Mayor said and not rush to judgement here and get Mr. Traud in and ask him what happened there.

Mr. Ed Zucal stated whether he did not tell us all the facts or not, the bottom-line is that he was part of a Grand Jury investigation that probably will result in some guilty pleas.

Mr. Roger MacLean stated that he understands that, but let's put things in proper context. He was representing the Dioceses. He was not involved in this in any way shape or form other than he was their attorney giving them the best advice that he could at the time.

Mr. Courtney Robinson stated that we have seen politician, movie stars, and business leaders be held accountable for actions and word that they stated to demean women 15 - 20 years ago over the past year. We have seen that happen, finally, thankfully. There is no dispute and I would argue that Attorney Traud would not dispute that he wrote these documents. These were sentiments that were said about a potential victim. In the 1980s he took crystal clear evidence that the Diocese possessed that a priest was guilty of crimes previously and there was a chance that he could commit those crimes again. He recommended instead of dealing with that priest appropriately just move them to one church to another. I don't necessarily think that you, Mr. Hendricks or Mr. Zucal would have said that about a child rapist when you were on the force and I certainly don't think that you would want a City Solicitor who would have said that to you when you were on the force. At the end of the day, I just believe that this is not the person that I want to represent me as a member of City Council. I don't want to receive legal advice on Lehigh County Authority and how we can embarrass them into settling. I don't want to receive legal advice with the Airport Authority on how we can embarrass them into settling. I want someone who represents the best of what we can achieve not the worst. That's why I think we need to vote on this tonight and send a clear message that this is not something that this body will tolerate.

Mr. Julio Guridy stated that in light of what Mr. Robinson said I thought of the same things that you said earlier. We have attorneys are they are supposed to represent their clients. You can kill somebody and you need an attorney to represent them. I started reading everything you just read, and I said to myself that I really don't feel comfortable having this person representing us. Child abuse is the most heinous crime you can see and to have graphically what the State Attorney General describes one child and what they did to them. I wouldn't want to represent or justify those issues to get someone out of jail. I just don't feel comfortable beyond that. The other issue is that Mr. Traud has an opportunity to come over here and defend himself. He is not here tonight. He knew we had a meeting and he knew we were going to talk about this. He chose not to come.

Ms. Cynthia Mota stated that as a mother of three this is horrible. I was a social worker in Reading and I had to deal with predators and to be honest with you I only lasted a week. I couldn't. We all have a moral responsibility. You have to know who you are representing and stand for something. Knowing that his clients actually did it and put other clients in danger. This is a no brainer. I think we should vote right now and vote yes.

Mr. Roger MacLean stated that unfortunately we have to open it up to the public. I want to make sure we finish with Council before we did it. He reiterated that Mr. Traud was the attorney that was defending them and as deplorable as the acts were, attorneys do defend people that do deplorable acts.

Ms. Cynthia Mota stated that they have a moral responsibility of also declining and who they choose to defend.

Mr. Roger MacLean asked if there were any comments from the public.

Ms. Grace Shawood stated that no child should ever sustain abuse. I am also a mother and advocate for children. The sentiments here are misdirected. As attorneys, and I am not one yet, but I am in my fourth year our duty is zealous advocacy for our client whoever that client is. We can't judge the person, the men and women who took positions in the public defender's office to defend child rapists, killers and drug dealers. We can't judge them for the actions of their clients. You are right, he could have declined defending or taking the Diocese as their client, but it is our duty as attorneys and advocates to make sure that everyone has equal justice and equal access to the law. Justice is blind. Everyone has the opportunity to defend themselves. Our constitution gives us the right to Counsel. That's freedom. That's liberty, justice. Attorney's should never be judged for deeds of their clients. I believe Mr. Traud and I read the entire Report and I was hurt and distraught by some of the things in that Report, but Mr. Traud was doing his job and no attorney should ever be judged for the deeds of their clients. The justice system has never worked this way and it shouldn't here tonight.

Mr. Don Ringer stated spoke about sexual abuse 60 years ago and still thinks about it every day. He stated that he was personal friends with Bishop Schlert and it's saddens me to see what happened. I took the Bishop's picture this morning and tore it up because I am so disgusted over this. Your City Solicitor Mr. Traud still should have his day that you can ask him questions.

Mr. Courtney Robinson stated that the young lady has some relevant points and is correct in a lot of ways. However, while I agree with you 100 percent

that the Constitution guarantees you the right for everyone to have an attorney. It also guarantees any client the right to hire that attorney for a reason that they feel is appropriate which is exactly what I am recommending tonight. I am not holding Mr. Traud responsible for the actions of his clients. I am holding him responsible for the words that he put down in defense of those clients, his actions. I am sitting here and hope that my fellow members of Council state this as well that those actions are unacceptable and this is not a person that I choose to represent me so I want this relationship to be terminated.

Mr. Roger MacLean asked Mr. Robinson to put things in proper perspective. He was brought up as representing the Diocese. He stated that he has six kids too and two grandchildren and I spent 40 years on the Police Department and I saw child molesters and saw people do despicable things and I always questioned how can somebody represent that person, but that's what makes our country great. The fact that they do have the representation. I had cases with Mr. Traud and he was always above board and a gentleman.

Ms. Candida Affa stated that she knows several women who have been raped and had to go to court. It is not the fact that the attorney is defending them, but disparaging the person that is there because it is the old, her skirt was short what does she expect. This is exactly what Mr. Traud was saying. She was a go-go girl. She was sexually active. Well, how many boys were molested and never once it was every brought up that he was sexually active. Being a woman, I don't feel comfortable with someone, even in the defense with an attorney that has to do, I still think that there is a line that you cross and there are so many women out there that are even afraid to go to court because what these defense attorneys will say and put them through.

Ms. Cynthia Mota stated victimizing the victim all over and over and over again. We need to take a stand. We are dealing with children.

Mr. Roger MacLean stated that he understands and agrees with that.

[15-2488](#) May 16, 2018 City Council Contract Approval Meeting Minutes

Attachments: [May 16, 2018 City Council Contract Approval Meeting Minutes](#)

[15-2472](#) July 18, 2018 City Council Contract Approval Meeting Minutes

Attachments: [July 18, 2018 City Council Contract Approval Meeting Minutes](#)

[15-2473](#) August 1, 2018 City Council Contract Approval Meeting Minutes

Attachments: [August 1, 2018 City Council Contract Approval Meeting Minutes](#)

[15-2480](#) August 1, 2018 City Council Meeting Minutes

Attachments: [August 1, 2018 City Council Meeting Minutes](#)

[15-2487](#) August 1, 2018 City Council - Confirmation Hearing Meeting Minutes
(Leonard Lightner - Director of Community and Economic Development)

Attachments: [August 1, 2018 City Council - Confirmation Hearing Meeting Minutes
\(Leonard Lightner - Director of Community and Economic
Development\)](#)

Old Business: NONE

Communications

Proclamations

Sinar Bitar (Valedictorian)

Yanar Bitar

Claudia Rabih (Salutatorian)

Mr. Michael Makhoul, Assistant Principal - Louis E. Dieruff High School, thanked Mr. Zucal for bringing this forward and the rest of you for supporting it. He said that he is a very proud Assistant Principal tonight. He stated that he is proud of the young ladies sitting here and their families. As a Syrian - American from Second Street in Allentown, born and raised that amplifies my pride tonight in these young ladies. I want to recognize and promote the need for continued and strong partnerships between the Allentown School District and the City of Allentown because we are producing productive future civic leaders. The fact that these three young ladies are going to Princeton University from one high school is a statistical anomaly. I challenge any one to find a single high school in the Lehigh Valley or even in the region who has three students accepted to a prestigious high institution like Princeton University. An ivy league school. From one single school. It doesn't happen. It can't happen. Dieruff High School in the Allentown School District is making things happen despite what popular beliefs may be. We are producing students who will give back to their community. Who will come back to their community. Be civic leaders and contributing members of our society which is what we need. With that, I ask you to consider continuing promoting the partnership with you and our city government and also with our community business partners to give our students more opportunities to achieve and to showcase their talents. These young ladies have exceeded all expectations and they grew up right down the street. This type of stuff doesn't get enough press so I really want to highlight their accomplishments. They have taken advantage of the dual enrollment partnership that we have with LCCC, and with other universities. They have

scored fives and fours on AP exams. They have taken and maximized the amount of AP courses that they can take because they aspired to be leaders amongst their peers and within their communities. I thank you for this acknowledgement, this achievement and beyond anything else I congratulate Sinar, Yanar and Claudia. You are beautiful inside and out. I look forward to this just being the beginning in your future success. Congratulations and thank you again.

Mr. Ed Zucal stated that is one of the first things that I brought to President MacLean's attention and his words were immediate. You always hear about the bad things about the students, but you don't always hear all the good things. This was our opportunity to award these young ladies. I don't want to forget mom and dad because it starts with mom and dad. I am sure you guys were pretty tough to get them to that grade level.

Mr. Aziz Wehbey- President of the Syrian Arab American Charity Society stated that it is a great comment to see three young ladies or three students from the Syrian -American community making it to top universities in the United States. It is a great job by the City Council to recognize and support the students. I think that is how we make America great again and that's how we make Allentown great again by supporting the students. May God bless you and continue the good job.

REPORTS FROM COMMITTEES:

Budget and Finance: Chair Guridy, Hendricks, Mota

The Committee met this evening; the next meeting is not yet scheduled.

Community and Economic Development: Chair Robinson, Guridy, Affa

The Committee met this evening; the next meeting is not yet scheduled.

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

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

Parks and Recreation: Chair Mota, Robinson, MacLean

The Committee met this evening; the next meeting is not scheduled.

Public Safety: Chair Hendricks, Affa, Zucal

The Committee met this evening; the next meeting is not yet scheduled.

Public Works: Chair Zucal, Hendricks, Robinson

The Committee met this evening; the next meeting is not yet scheduled.

Rules, Chambers, Intergovernmental Relations and Strategy: Chair MacLean, Affa, Guridy

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

Controllers Report**Administration Report**

Mr. Jeffrey Glazier stated that he will not have a Report this evening. He stated at the next Council meeting he will have the Process Flow Audit Report and one or two others done.

Mayor Ray O'Connell stated that he doesn't have a Report this evening.

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

[15-2399](#)

Bill 43 Parks and Recreation, this evening
Amending the 2018 Capital Fund Budget to provide for a supplemental appropriation of Seven Thousand Five Hundred (\$7,500) Dollars from the Iron Pigs Charities to the City to assist with the completion of the Skate Park at Keck Park.

Attachments: [Bill 43 Iron Pigs Donation for Skate Park](#)
[Ordinance #15470](#)

Mr. Courtney Robinson asked if Council needs to make it a formal amendment Ms. Fruhwirth.

Mr. Michael Hanlon stated that it is a change to the title. He stated that he is just making a change to the title.

Mr. Roger MacLean asked if there were any comments to the public.

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Enactment No: 15470

[15-2449](#)

Bill 46 CEDC, this evening
Amending the 2018 General Fund budget by deleting a Clerk III position (8M) in the Bureau of Health and creating a Community Health Specialist (bilingual Spanish required) position (12M).

Attachments: [Bill 46 Community Health Specialist](#)
[Ordinance #15471](#)

Mr. Roger MacLean asked if there were any comments from Council.

Mr. Courtney Robinson stated that it was in the Community and Economic Development Committee meeting this evening. Ms. Kistler stated that among the benefits of this, it will bring the number of Bilingual Speaking Community Specialists up to a percentage of our bilingual population. By changing this position from a Clerk position to a Community Health Specialist, clerical work can be given to the Community Health Specialist, but a Clerk cannot be asked to do a Community Health Specialist work. This will also improve the efficiency in the Health Bureau. It was forwarded favorably, 2 - 0.

Mr. Julio Guridy stated that he was not at the meeting, but fully supports it.

Mr. Ed Zucal stated that Ms. Kistler said that instead of it being approximately \$7,000 due to the positioning of the positions, it will actually cost about \$4,000.

Mr. Roger MacLean asked if there were any other comments from Council.

Ms. Cynthia Mota stated that it is worth it. It is to serve the community. It is for safety reasons. They really have to understand what they have to do. It is needed. It is important to communicate, especially in their own language. We have to think about the children that they are serving.

Mr. Roger MacLean asked if there were any other comments from Council or the public.

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Enactment No: 15471

[15-2445](#)

Bill 47 Public Safety, this evening
Amending the 2018 General Fund Budget for a supplemental appropriation of Two Thousand Five Hundred Twenty-Five Dollars and Eighty-Five Cents (\$2,525.85) as a result of a disbursement from the Pennsylvania Emergency Medical Services Council from the State EMS Operating Fund (EMSOF) for medical equipment.

Attachments: [Bill 47 EMSOF Disbursement](#)
[15472 Bill 47 EMSOF Disbursement](#)

Mr. Roger MacLean asked if there were any comments.

Mr. Daryl Hendricks stated that this was before the Public Safety Committee this evening and moved with a unanimous favorable recommendation. This is for money received from tickets issued from the EMS \$10 fee which all tickets receive.

Mr. Roger MacLean asked if there were any other comments from Council or the public.

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Enactment No: 15472

[15-2442](#)

Bill 49 Human Resources, Administration and Appointments - Forwarded with provision that the salary remain at \$103,350.

Amending the 2018 General Fund budget deleting the position of Deputy Director – HR (21N) budgeted at a salary of One Hundred Three Thousand Three Hundred Fifty (\$103,350) Dollars and adding the position of Director – HR (21A) at an annual salary of One Hundred Seven Thousand Five Hundred (\$107,500) Dollars.

I move to amend the bill to read as follows:

Amending the 2018 General Fund budget by reallocating the salary of the Deputy Director – HR (21N) at One Hundred Three Thousand Three Hundred Fifty (\$103,350) Dollars to the new position of Director – HR (21A).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That page 159 of the General Fund budget be amended by deleting the position of Deputy Director – HR (21N) and reallocating the the salary of One Hundred Three Thousand Three Hundred Fifty (\$103,350) Dollars and to the position of Director – HR (21A) at

SECTION TWO: That this Ordinance will take effect on August 20, 2018.

SECTION THREE: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

Attachments: [Bill 49 HR Director Increase](#)
[Ordinance #15473](#)

Mr. Roger MacLean asked if there were any other comments from Council or the public.

A motion was made by Ed Zucal, seconded by Julio Guridy, that this Ordinance be amended in the 2018 General Fund budget deleting the position of Deputy Director - HR (21N) budgeted at a salary of One Hundred Three Thousand Three Hundred Fifty (\$103,350) Dollars and adding the position of Director - HR (21A) at an annual salary of One Hundred Seven Thousand Five Hundred (\$107,500) Dollars.

The motion carried by the following vote:

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Enactment No: 15473

A motion was made by Roger J. MacLean that an AMENDMENT TO THE 2018 GENERAL FUND BUDGET BY REALLOCATING THE SALARY OF THE DEPUTY DIRECTOR – HR (21N) AT ONE HUNDRED THREE THOUSAND THREE HUNDRED FIFTY (\$103,350) DOLLARS TO THE NEW POSITION OF DIRECTOR – HR (21A) PASSED, 7 – 0 be approved. The motion carried by the following vote:

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Enactment No: 15473

[15-2450](#)

Bill 50 Public Safety, this evening
Establishes Article 712, titled Consumer Fireworks, placing restrictions and regulations on Fireworks between the hours of 11 PM and 7 AM.

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

Attachments: [Bill 50 Fireworks Ordinance](#)
[Ordinance #15474](#)

Mr. Roger MacLean asked if there were any comments from Council on the amendments or from the public.

A motion was made by Roger J. MacLean, seconded by Courtney Robinson, that this Ordinance be amended to change the time from 11:00 PM to 10:00 PM which coincides with the state law which prohibits fireworks within 150 feet requirement of a residential area and 150 feet of an occupied structure any time of the day.

The motion carried by the following vote:

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Enactment No: 15474

Mr. Courtney Robinson stated that he would like to echo the sentiments that he made during the Public Safety Committee meeting. He stated that the reasons he sponsored it were self-explanatory. Just because we are passing this Bill tonight, I don't want anyone that won't be a continuous problem. This is a tool that we are giving to the Police Department to utilize to help in addition to the state law. There are two parts to that: Number 1, we stated about the 150 foot Rule. Currently, you can't set off fireworks within 150 feet of an occupied structure at anytime of the day. In reality that is an issue. This is giving an additional tool to the Police Department to use at night.

Mr. Roger MacLean thanked Mr. Robinson and asked if there were any other comments from Council or the public.

Mr. Glenn Keller, 2726 Fernor Street, stated that he doesn't have any complaints on the Bill. He asked for a point of information with the 150 foot requirements giving the construction and occupancy rates positions in the city. How much does it leave available for the use of fireworks and how does this Ordinance dovetail with the existing Noise Ordinance which has time provisions and decibel levels which I think most fireworks would probably violate.

Mr. Roger MacLean stated that the 150 feet was added by amendment to the Ordinance to coincide with the state law. You are right. Basically you can't shoot them off anywhere in the city. The Noise Ordinance is another beast that needs to be tackled.

Mr. Courtney Robinson asked Ms. Fran Fruhwirth and Chief Tony Alsleben if this needs to be added to the Disruptive Conduct Report or do we need to make additional language in the Bill.

Chief Tony Alsleben deferred to Council.

Ms. Fran Fruhwirth stated that she doesn't have that information right now.

Mr. Roger MacLean stated that if someone is drunk and disorderly at a

rental unit, it is automatic so I would think yes.

Mr. Courtney Robinson stated that he agrees with President MacLean, but wants to make sure. Obviously, we want this to be used for DCR issues.

Ms. Candida Affa stated that several years ago they were setting off fireworks on 12th and Chew Streets and I called the police and I requested a DCR and they gave them a DCR.

Mr. Roger MacLean asked if there were any other comments from the public.

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Enactment No: 15474

[15-2459](#)

Bill 52 Public Works, this evening
Amending the 2018 General Fund Budget and the 2018 Risk Management Fund Budget to provide for a transfer to the 2018 Capital Fund for repairs to the road and parking lot of the Police Academy.

Attachments: [Bill 52 Transfer for Police Academy Road](#)

[Ordinance #15475](#)

Mr. Ed Zucal stated that it was sent favorably to the full Council.

Mr. Roger MacLean asked if there were any comments from Council or the public.

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Enactment No: 15475

[15-2462](#)

Bill 54 HR, Administration and Appointments - forwarded favorably with the recommendation to transfer an additional \$100,000. Someone will need to make this amendment.

Amending the 2018 Risk Management Fund budget by transferring Five Hundred Thousand (\$500,000) from the unappropriated balance into Account 44 to pay for legal fees and settlements that were not budgeted at the time the 2018 budget was prepared.

Attachments: [Bill 54 Legal Fees](#)

[Ordinance #15476](#)

Mr. Roger MacLean asked if there were any comments from Council.

Mr. Julio Guridy asked how much money do we have in the unappropriated

balance.

Mr. Brent Hartzell stated that as of the end of 2017 within the CAFR, the available balance in the Risk Management Fund was under \$2.7 million. That is available to be spent.

Mr. Roger MacLean asked where are we today. Are we still the same?

Mr. Brent Hartzell stated that there is one obvious Risk area which is that is the fund in which health insurance costs are made. We have been spending at a higher rate to this point then that. I believe at least one of you asked me about this about whether I thought that we could be risking the balance by going with this particular Bill. I think it is \$600,000 and I am not concerned about that given the other trends at this point.

Mr. Julio Guridy stated that the reason he asked that questions because we have a couple of litigation and grievance suits. In the past, the unappropriated balance was not always the Risk Fund Balance. They were two different funds.

Mr. Michael Hanlon stated that is going a long time back when the Risk Fund was in a separate fund.

Mr. Roger MacLean asked if there were any other comments from Council or the public.

A motion was made by Ed Zucal, seconded by Courtney Robinson, that the 2018 Risk Management Fund budget be amended by transferring Five Hundred Thousand (\$500,000) from the unappropriated balance into Account 44 to pay for legal fees and settlements that were not budgeted at the time the 2018 budget was prepared.

The motion carried by the following vote:

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Enactment No: 15476

Mr. Roger MacLean asked if there were any comments from Council or the public.

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Enactment No: 15476

RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):

[15-2486](#)

R96

Certificates of Appropriateness for work in the Historic Districts:

233 N 11th Street, 229 N 11th Street, 1601 W Turner Street, 1106 W Liberty Street, 43 N 17th Street

Attachments: [R96 HARB - 233 N 11th St, 229 N 11th St, 1601 W Turner St, 1106 W Liberty St, 43 N 17th St](#)
[233 N 11th St FINAL REVIEW SHEET](#)
[229 N 11th St FINAL REVIEW SHEET](#)
[1601 Turner St FINAL REVIEW SHEET](#)
[43 N 17th St FINAL REVIEW SHEET](#)
[1106 Liberty St FINAL REVIEW SHEET](#)
[Resolution #29690](#)

Mr. Roger MacLean asked if there were any comments from Council or the public.

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Enactment No: 29690

[15-2493](#)

R97

Authorizes the sale of Police K9 Fedor to his handler Police Officer David Howells III

Attachments: [R97 K9 Sale Howells and Fedor](#)
[David Howells - Fedor - 2018](#)
[Resolution #29691](#)

Mr. Roger MacLean asked if there were any comments from Council.

Mr. Ed Zucal asked what is the fee involved in that.

Chief Tony Alseben stated \$1.

Ms. Candida Affa asked where are the dogs, especially Judge.

Chief Lee Laubach stated that Judge will be at the Press Conference tomorrow.

Mr. Roger MacLean asked if there were any other comments from Council or the public.

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Enactment No: 29691

[15-2492](#)

R97A

Authorizes the sale of Police K9 Canto to his handler Police Officer Charles Roca

Attachments: [R97a K9 Sale Roca and Canto](#)
[Charles Roca - Canto - 2018](#)
[Resolution #29692](#)

Mr. Roger MacLean asked if there were any comments from Council.

Mr. Ed Zucal stated it is Roca.

Mr. Roger MacLean asked is there anything from the public.

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Enactment No: 29692

[15-2496](#)

R97B
K9 Sale Leebach and Judge

Attachments: [R97B K9 Sale Leebach and Judge](#)
[Purchase Agreement for Arson Dog Judge](#)
[Resolution #29693](#)

Mr. Roger MacLean asked if there were any comments from Council.

Mr. Courtney Robinson thanked Chief Laubach for all his years of service with his retirement coming up. Especially, the work that you did in the past few years with Judge. It has been a great thing for Allentown and I know you had an unbelievable record solving arson cases and your community involvement in teaches kids about fire safety.

Mr. Ed Zucal stated that the arson rate went down because of the program.

Fire Chief Lee Laubach said by 66 percent.

Mr. Roger MacLean echoed the sentiments.

Ms. Candida Affa stated to Fire Chief Lee Laubach he will be missed.

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Enactment No: 29693

[15-2470](#)

R98
Sewage Planning Module - Allentown School District New Elementary School

Attachments: [R98 Sewage Planning Module - Allentown School District New Elementary School](#)
[Sewage Planning Module - Allentown School District New Elementary School](#)
[Resolution #29694](#)

Mr. Roger MacLean asked if there were any comments from Council or the public.

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Enactment No: 29694

[15-2471](#)

R99

Approves State Early Intervention Program Application

Sponsors: Hendricks, Guridy, Mr. Zucal and Administration

Attachments: [R99 Approves State Early Intervention Program Application](#)
[Resolution #29695](#)

Mr. Roger MacLean asked if there were any comments from Council or the public.

Mr. Glenn Keller, 2726 Fernor Street, asked for an amendment to the Resolution requiring public notification or publication of the Report within 30 days after it's completion.

Mr. Michael Hanlon stated that an RFP is included in this. The RFP includes public comment and a public presentation. It is more than just making it public.

Mr. Roger MacLean stated that we don't need an amendment. It is already a part of it.

Mr. Michael Hanlon stated that it is all part of the RFP.

Mr. Roger MacLean asked if there were any comments from Council or the public.

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Enactment No: 29695

[15-2494](#)

R101

Authorizes Submission of an Application to the United State Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG) Program for a Grant of Fifty-Five Thousand Seven Hundred Dollars (\$55,700.00) that can be used to support equipment, supplies, contractual support,

training, technical assistance, and information systems for criminal justice.

Attachments: [R101 JAG Grant](#)
[Resolution #29696](#)

Mr. Roger MacLean asked if there were any comments from Council or the public.

Mr. Eric Eshner asked how can we have any kind of transparency on any of the spending.

Mr. Roger MacLean stated that this is a discussion on Resolution 101 - The Byrne Grant.

Mr. Julio Guridy stated that it is to submit to it. We are not spending. We are trying to get the money.

Mr. Daryl Hendricks stated that we are applying for a grant.

Mr. Eric Echner stated that this was a Report put out from President Obama regarding the Ferguson incident. It was a Presidential Order between fiscal year 2009 and Fiscal 2014. The federal government provided nearly \$18 billion for federal funds and resources to support programs that provide equipment and tactical resources to state and local law enforcement agencies. These multiple grant programs transfers in excess of equipment for the law enforcement agencies to obtain new equipment at a discounted price. He suggested the public read this stuff. The federal government is funding so much towards the police departments in order to militarize them. When I see proposals for spending that's being put out here, I am going to question it. He encouraged the public to do their research and demand transparency.

Mr. Roger MacLean asked if there were any other comments from the public.

Yes: 7 - Candida Affa, Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Enactment No: 29696

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

[15-2475](#)

Bill 55 Human Resources, this evening
Amending the 2018 Risk Management Fund budget by transferring One Hundred Thirty Thousand (\$130,000) Dollars from the unappropriated balance into Account 80 – Self-Insured Losses to pay for damage caused by the recent flooding and to continue to fix property damages through our self-insurance program.

Attachments: [Bill 55 Risk Fund Transfer](#)
[Ordinance #15479](#)

REFERRED TO HUMAN RESOURCES, ADMINISTRATION AND
APPOINTMENTS COMMITTEE

Enactment No: 15479

[15-2476](#)

Bill 56 Public Safety, this evening
Amending the Civil Service Board (CSB) Rules for Police Officers that
were adopted pursuant to the provisions of Article 155 of the Codified
Ordinances by revising the rules for application and qualifications for
appointment of Police Officers and Fire Fighters.

Attachments: [Bill 56 Civil Service Rule Changes](#)

REFERRED TO PUBLIC SAFETY COMMITTEE

Mr. Roger MacLean asked if there were any comments on either Bill.

Mr. Julio Guridy asked about Bill 55 and the unappropriated balance for
self-insured losses. What is the rationale going to the Human Resources,
Administration and Appointments Committee.

Mr. Michael Hanlon stated that it is coming from someone in the Human
Resources department. It comes from Mr. Nelson. He is in the Human
Resources Department.

Mr. Roger MacLean asked if there were any comments from the public.

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

GOOD AND WELFARE

Ms. Cynthia Mota stated that the Promise Neighborhood of the Lehigh
Valley is having a back to school event on August 25, 2018 from 12:00
Noon to 5:00 PM at 1114 Hamilton Street. There will be free book bags
given to kids, free food, games and activities. She urged everyone to try to
be there to support our community.

Mr. Julio Guridy asked if Pastor Dejesus' event is on the same day.

Ms. Cynthia Mota stated that she has no idea. She knows that hers is on
August 25th.

Ms. Candida Affa stated that the Gay Pride Festival has changed to the
JCC Center because Cedar Beach has been flooded. The festivities start

at 12:00 Noon - 6:00 PM.

ADJOURNED: 8:48 PM