



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

City Council

Wednesday, November 7, 2018

7:00 PM

Council Chambers

Invocation: Councilperson Hendricks

Pledge to the Flag

Roll Call

Present: 6 - Candida Affa, Roger MacLean, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Excused: 1 - Courtney Robinson

Courtesy of the Floor

Courtesy and Privilege of the Floor Rules

Proclamation for Amber Clark

Ms. Amber Clark, Allentown, thanked Council and stated that Bill SB1098 was passed and signed by the Governor on October 24th. It takes effect official six months from October 24th. PennDot has already heard from me a couple of times. In light of recent events across the country in Indiana, Georgia, and Tampa. In five states, there were some tragedies with some children deaths with school bus passing laws. She stated that her next project will be awareness around it. She thanked Council and appreciates it. She stated local government works.

Mr. Lou Hershman, 405 N. Gilmore Street, stated he would thank Council if they cut his taxes. He stated that they have to cut the budget. People can't afford this budget. The Mayor said he would look at amnesty and sail the lane and it should help cut the cost of the budget and he hopes Council approves it. He stated that there are other ways to cut costs. City employees receive longevity and pay grade increases. Get back to merit increases. The city is bypassing merit increases. He suggested to delay the increase and give the employees an IOU and give the money the following year. He talked about the Bond Issue. He thought they were going to bring the 2006 Bond Issue forward.

Mr. Julio Guridy stated that they were going to bring up the financial analysis of what the Bond looks like now.

Mayor Ray O'Connell stated that it is not on the agenda. He stated that

they were talking about 2004, 2006 and 2009 perimeters.

Mr. Joe Tominak stated that he owns a business at 112 S. Eighth Street - AAA 1 Professional Lock Company. He stated that he's been there for 40 years and a locksmith for 44 years. He can't park in his own shop. He can't go to the grocery store or the barbershop. He stated from the west side of where his business is located, the city took down from the alley all the parking meters on the left side and put up no parking signs. He stated that he has to deal with a financial crisis for six months. He stated that he went to the Allentown Parking Authority.

Mr. Daryl Hendricks stated that it is absolutely necessary for that building to go up there. It is a temporary inconvenience for a permit improvement of the area.

Mr. Julio Guridy asked Mr. Tomick can he park in the garage on Ninth Street.

Mr. Joe Tominak stated two blocks away. He stated that used to be able to park in front of his shop. He stated that he understands that the City of Allentown wants to get something right, but not at the expense of business taxpayers. He you three businesses that have been in business for 40 years.

Mr. Roger MacLean asked Mayor O'Connell to check it out next week.

Mayor Ray O'Connell stated that he will check with the Parking Authority. He stated that he doesn't have an answer tonight.

Mr. Don Ringer, 1801 Liberty Street, stated to Mr. Glazier his hat is off to him. He stated that he does this every meeting, every time the three H's will have nothing to do back there. He stated that the city can't afford to give the city employees a three percent raise. There are people leaving the city left and right. He asked Ms. Affa when she was in business she couldn't give a raise if she was going broke. He stated that he can't either. He has to physically manage his business. He stated that the city of Allentown handled it grossly wrong on how they treated Mr. Hyman. This could have been avoided with a little conversation.

Ms. Candida Affa stated she never called Mr. Hyman a liar. She stated that she was not able to get a hold of him on those numbers. He corrected me and called me. She stated that she will make a public apology that she did have the wrong number. Mr. Hyman and I settled that.

Mr. Don Ringer stated that the damage was done. It was in the newspaper.

Mr Hyman is a developer here in the city that has developed a lot of properties and put them back on the tax rolls. If Mr. Reilly had a fire, he would not have been treated the same way as Mr. Hyman. He asked where is this \$1.25 million that we needed.

Mayor Ray O'Connell stated that it is on Bill 74 and we will be talking about it tonight.

Mr. Don Ringer stated that he believes the situation was grossly mishandled by Allentown.

Mr. John Ingram stated that it is extreme important. He believes that all the elected officials should go to the Pension Board meetings on November 20th at 9:00 AM. He stated that he appeared before City Council in July and then the Pension Board meeting on August 21st to talk about helping the city avoid a potential financial crisis. He stated that the country just went through a nine and half year bull market in the stock market. Many stocks have tripled in volume. He stated 68 percent combined Pension Fund - Police, Fire and other municipal workers are currently invested in the stock market. In the next bear market which will happen and could take 1 1/2 to 4 years the market value could drop 50 percent or more. A 50 percent drop would translate into the combine pension fund value, dropping one third in value or \$100 million. Once this happens, you can't assume that the stock market will quickly recover from its bear market bottom. The city will be forced dramatically increase taxes or lay off workers. The city is already not competitive with the surrounding communities in terms of the local EIT and the Allentown School District property tax rate which is significantly higher than the same priced home. There will be no water/sewer lease to bail out the city.

Mr. Roger MacLean stated that the proper place to address this is at the Pension Board meeting. Council does not decide where the money gets invested, the Pension Board does.

Mr. John Ingram stated that they need to be there to help make the decisions.

Mr. Glenn Hunsicker asked for a clarification on the \$30 million Bond proposal. He asked if they will resubmit it with details so they can go over the new numbers.

Mr. Brent Hartzell stated that if we are proceeding with the question, he will defer to Mr. Holbert.

Mr. Scott Holbert asked if there is a specific question from Council.

Mr. Roger MacLean stated that it is more to the administration.

Mr. Julio Guridy stated that the clarification is if the Bond analysis that was presented for four bonds and we are now doing two. If that Resolution would be sufficient to change the actual amount that we initially approved or if we need a new resolution.

Mr. Glenn Hunsicker stated that it is not just the Bond amount it is the percentages in that Bond.

Mr. Scott Holbert stated that this is an Ordinance. It was a funding Ordinance and called a perimeters ordinance. The perimeters ordinance sets maximum rates. He stated with this Ordinance each approval going forward was meant to be separate. It is not a package deal. The recommendations are made once that is done. This ordinance anticipated there might not be that savings. It anticipating that savings may not been gotten yet. The fact that they have not proceeded on the funding projects, it doesn't mean that it is not going to get done. This ordinance set the perimeters for the administration to completed the funding to make sure you get the interest rates needed as well as the savings guaranteed. No further approval was necessary that was delegated to the Mayor.

Mr. Brent Hartzell stated that it was at least five percent. He stated that the city did not go that high with the 2006 issue.

Mr. Tom Hahn stated that he has a copy of 2013 Budget and it had the citizens of Allentown having enough money to pay down the debt. If the citizens can't pay it off, then it is a bankruptcy. He asked about the ratio from debt to budget to pay off additional bonds. There is no money to pay down the debt. He stated that he doesn't think they should vote on it until they have the answer.

Mr. Julio Guridy asked Mr. Hahn if he is talking about the debt.

Mr. Tom Hahn stated whatever we are indebted to whether it is capital or bonds.

Mr. Brent Hartzell stated that you have to assume we are paying \$100 million debt service in one year to cover \$100 million in revenues which is not true. It also assumes that we are just paying interest and that is also not true.

Mr. Roger MacLean stated that Mr. Hartzell explained it and it is in black and white.

Mr. James Whitney, 1122 Hamilton Street, stated that the tax increase wasn't so dramatic. It will be a little bit of a stretch for us to cover the increase. The idea we can have a city with these parks and with these services that's this beautiful and for 13 years not have any tax hike on property tax. He stated that he thinks the city is living in a fantasy world. it is a good wake up call to get this tax increase. He suggested that they focus on getting the message out a little bit better. Not every house in Allentown is worth \$150,000. These tax increases should have been happening over a large period of time. With our property tax increases, an increase in a quality of life. We want to be able to tax bad behavior.

Approval of Minutes:

Yes: 6 - Candida Affa, Roger MacLean, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Absent: 1 - Courtney Robinson

[15-2584](#) October 3, 2018 Confirmation Hearing for Director of Parks and Recreation - Karen El-Chaar

Attachments: [October 3, 2018 Confirmation Hearing for Director of Parks and Recreation - Karen El-Chaar](#)

[15-2585](#) October 3, 2018 City Council Contract Approval Meeting Minutes

Attachments: [October 3, 2018 City Council Contract Approval Meeting Minutes](#)

[15-2597](#) October 3, 2018 City Council Meeting Minutes

Attachments: [October 3, 2018 City Council Meeting Minutes](#)
[Letter from the Allentown Housing Authority - Reconsider The Appointment of Alan Jennings to the Allentown Housing Authority - October 3, 2018](#)

[15-2610](#) October 17, 2018 City Council Contract Approval Meeting Minutes

Attachments: [October 17, 2018 City Council Contract Approval Meeting Minutes](#)

Old Business: NONE

Communications

Proclamation for Daryl C. Nerl

REPORTS FROM COMMITTEES:

Special Budget Meeting: The next budget meeting will take place on Wednesday, November 14th - Human Resources and the Non-Departmental offices will be reviewed along with the General and Civic Budget.

Budget and Finance: Chair Guridy, Hendricks, Mota
The Committee met on October 24th and forwarded an item on tonight's agenda; the next meeting is not yet scheduled.

Community and Economic Development: Chair Robinson, Guridy, Affa
The Committee met on Monday; the next meeting has not been scheduled.

Human Resources, Administration and Appointments: Chair Affa, Zucal, Mota
The Committee has not met since the last Council meeting; the next meeting has not been scheduled.

Parks and Recreation: Chair Mota, Robinson, MacLean
The Committee has not met since the last council meeting; the next meeting has not been scheduled.

Public Safety: Chair Hendricks, Affa, Zucal
The Committee met this evening; the next meeting has not been scheduled.

Public Works: Chair Zucal, Hendricks, Robinson
The Committee met this evening; no future meetings are scheduled at this time.

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.

CONTROLLER'S REPORT

Mr. Jeffrey Glazier stated that he has three audits and in the interest of time he will do two. The August Bank Reconciliation was done in a hair over 60 days. He commended finance for making good progress. We are certainly getting into the pink. There are a couple of checks not voided on the banks void check list which is ARP. He talked about the Blanket Purchase Order Compliance Audit. It makes it easy for the department to get what they need in small dollar amounts. Those kinds of purchase orders all a thing of the past. The Treasury and Finance has instituted a P Card program which will do away with much of that. There are also Blanket Purchase Orders over \$3,999 that are not going away. Those Purchase Orders need

to have price agreements with them. Per the Codified Ordinance, all contracts, change orders and leases should be on file in the office of the City Controller. Their findings were that they review 103 blank purchase orders over the \$3,999.99 and noted that 58 of them or 56.3 percent had no evidence of contract or purchase agreement. Of the 58, 51.7 percent referenced the price agreement, but no price agreement will be located in Eden or the Controller's files. We recommend that all the blank purchase orders over that dollar amount have contracts or price agreements as required. The administration agrees with the findings. In 2019, the Purchasing Department made sure that all the Price Agreements for quotes and bids were documented in the standard format. The Blanket Purchase order will specifically reference the Pricing Agreement and the Pricing Agreement will be attached as back up to all Blanket Purchase Orders. He stated that 89.3 percent were not available in the Controller's files. He recommended that all of them be forwarded to the Controller's office as required by the Codified Ordinance. The administration is in agreement with the findings.

ADMINISTRATION REPORT

Mayor Ray O'Connell stated that Veteran's Day is our annual opportunity to thank Veterans for their service. At observances across the country Americans will acknowledge that the contributions of veterans to our national security are very appreciated. He stated that he attended a veterans ceremony at Mosser Elementary School. The kids were fantastic and had 25 veterans that they honored and see the pride in their eyes. It was a great ceremony. The touching moment was when two gold star mothers came up and gave their message to the children. They sacrifice and have done their duty. We pray for the safety of our troops every day. We pray that our leaders make the right decisions for our national security. He saluted all the veterans in Allentown and all over the nation.

Mr. Roger MacLean thanked Mayor O'Connell and stated agreed by all.

APPOINTMENTS:

15-2624	Cheryl Johnson (Watts)	Human Relations Commission	12/31/2019
	Julio Guridy	Allentown Housing Authority	11/05/2023

Attachments: [Cheryl Johnson Watts](#)
[Julio Guridy](#)

Ms. Candida Affa asked if there were any comments from her colleagues.

Ms. Cynthia Mota stated that she sees Ms. Watts at many events. She is everywhere and a great asset to the community. She stated that she loves children and happy that she is serving.

Mr. Daryl Hendricks stated that she has great patience. She has been here since the beginning of the meeting.

Mayor Ray O'Connell stated that he has known Cheryl Johnson Watts over the last several years. She is a well respected person in Allentown and a great asset to the Allentown School Board. She is at everything. She will be the Allentown School Board members that will represent the Human Relations Commission.

Mr. Julio Guridy echoed Mayor O'Connell's comments. She is a very smart person and easy going. She can take a problem and find a solution.

Ms. Candida Affa echoed everyone else.

Ms. Cheryl Johnson Watts stated good evening to everyone. She thanked Mayor O'Connell and her colleagues on the Allentown School Board as well as each and every one of you who voted for her confirmation. She thanked Ismael Arcelay for the education of what it means to be a part of the Human Relations Commission. She stated that she is honored for the opportunity to serve in this capacity. There is nothing greater than restoring human dignity for whatever reason it needs to be restored.

Ms. Candida Affa asked if there were any comments from her colleagues or the public.

Mayor Ray O'Connell asked Mr. Guridy how long has he been on the Housing Authority.

Mr. Julio Guridy stated that he is not sure.

Mayor Ray O'Connell stated pretty long and this is a reappointment. He stated that Julio does a great job on the Housing Authority and hopes he gets approved.

Mr. James Whitney thanked Cheryl Johnson Watts and Julio for their service. He stated that it has been a total pleasure getting to know Julio. He and Cheryl Johnson Watts had that much interaction with her and it is enough to get it. It is not about being at every event, it's about what she brings to every event. It is potent and palpable. He stated that there are a lot of people like himself who would like to serve their community in a better capacity. He stated that he would love to do that.

Ms. Candida Affa stated just apply.

Mr. Julio Guridy stated that they just need his resume.

Mayor Ray O'Connell stated to Mr. Whitney that one of the commitments that he made since the city had so many vacancies and openings on authorities, boards and commissions that his first task when he became Mayor was to start filling those.

Mr. Glenn Hunsicker, 19th and Highland Streets, stated that in the future because we have too much complacency. We need term limits on some boards and authorities. The directors of these agencies get complacent. He stated that once again, you might get confirmed Julio, but wants to talk to him offline.

Yes: 6 - Candida Affa, Roger MacLean, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Absent: 1 - Courtney Robinson

Enactment No: 29724 - Cheryl Johnson Watts (Human Relations Commission)
29725 - Julio Guridy (Allentown Housing Authority)

Julio Guridy Allentown Housing Authority 11/05/2023

Yes: 6 - Candida Affa, Roger MacLean, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Excused: 1 - Courtney Robinson

ORDINANCES FOR FINAL PASSAGE (To be Voted On):

[15-2594](#)

Bill 72

Amending Article 507 (Traffic control Maps) of the Codified Ordinances of the City of Allentown. The request is from the Administration. The Administration is authorized to establish and evaluate traffic regulations for a temporary period not to exceed 90 days. This legislation makes the temporary changes permanent.

Attachments: [Bill 72 Traffic Control Maps](#)
[Traffic Regulations Oct 2017-2018](#)
[Traffic New Installs Removal Signs Oct 2017-2018 \(Revised\)](#)
[Ordinance #15491](#)

Mr. Roger MacLean stated to Mr. Zucal he believes this was in his committee and recommended favorably.

Mr. Ed Zucal stated yes.

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

Yes: 6 - Candida Affa, Roger MacLean, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Absent: 1 - Courtney Robinson

Enactment No: 15491

[15-2593](#)

Bill 73

Amending the 2018 General Fund Budget and the 2018 Equipment Fund Budget to provide for a supplemental appropriation of Five Hundred Thousand Dollars (\$500,000) as a result from a grant from the Commonwealth of Pennsylvania Department of Community & Economic Development (PA DCED) Initiative Program, to the Allentown Fire Department to provide for a Hazmat First Responder Truck and Hazmat Chemical ID Analyzer. The grant funds will then be transferred from the General Fund to the Equipment Fund for proper distribution.

Attachments: [Bill 73 Direct Deposit for Hazmat Truck](#)

[Ordinance #15492](#)

Mr. Daryl Hendricks stated that this was an unanimous vote to go to the full board.

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

Yes: 6 - Candida Affa, Roger MacLean, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Absent: 1 - Courtney Robinson

Enactment No: 15492

[15-2596](#)

Bill 74

Amending the 2018 General Fund Budget by transferring Eight Hundred Eighty-Four Thousand (\$884,000) Dollars from various accounts within the General Fund and amending the 2018 Risk Fund by transferring Three Hundred Sixty-Six Thousand (\$366,000) Dollars from the unappropriated balance for the emergency demolition of 418 North Franklin Street. Total amount for both transfers equals One Million Two Hundred Fifty Thousand (\$1,250,000) Dollars.

The bill was forward favorably contingent upon the following amendment that needs to be adopted this evening:

I move to make the following motion:

1. That the transfer and payment for the demolition cost not exceed \$200,000.

2. That the money be transferred from the following accounts:

000 02 06 02 0001 90 - Refunds - \$150,000

000 02 06 02 0003 50 - Other Services and Charges - \$50,000

3. That the title of the bill be changed and all other accounts be removed from the bill and are restored accordingly.

4. Amend SECTION SIX to read: SECTION SIX: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency. Ordinance 15484 is hereby repealed in its entirety.

Attachments: [Bill 74 Emergency Demolition of 418 Forth Franklin Street](#)
[Ordinance #15493](#)

Mr. Roger MacLean asked for a clarification from the Solicitor. He stated that they have a motion to be made on this. Should this be made at this point in time and we go from there?

Mr. Scott Holbert stated if that person wants to make the motion.

Mr. Julio Guridy stated that he thought they stated that they would restore that to the unappropriated fund.

Mr. Mike Hanlon stated that is the Council's call, but the administration didn't want to do that.

Mr. Julio Guridy stated that it is not the administration's bill. It is Council's bill. We talked about that with Mr. Hartzell.

Mr. Mike Hanlon stated that if Mr. Guridy wants to do that they can add an amendment to this section that doesn't restore the accounts to the original accounts. It restores it to the unappropriated balance.

Mr. Julio Guridy stated that he initially wanted to put it in the Risk Management Fund hoping that the city's bond would go back up. He stated that he was advised by Mr. Hartzell that the bonds would go back up and be more beneficial to put it in the General Fund.

Mr. Brent Hartzell stated that they spoke exactly to that point. This afternoon or this morning when they were communicating to Mr. Hanlon on how exactly to best to do this. There were a couple of approaches to take and we are certainly amenable to doing it in more detail. He stated that the way that the amendment is currently drafted, they would take two particular items that are in the Finance Department's budget and would use that appropriation to pay for the demolition. The remainder of the amendment as it is currently set up would return all of the other monies back not only to the Risk Management Fund, but to the individual accounts in the General Fund that voluntarily gave those up. There is a need in half of the cases to still utilize that money. It is very likely that even if those monies are coming back to the General Fund to the individual categories there is a good chance that most of that is not going to get spent. The departments have been clear about what items they really still need out of that. He doesn't

expect that they will spend in many of those cases the appropriations that they have. He stated that Council's intentions will be achieved. He stated that they were looking for a simple way to achieve what Mr. Guridy was aiming to do, but can do it in a more detailed fashion.

Mr. Julio Guridy stated that the reason he wanted to do that is that they committed to giving out this extra money that they probably didn't need or if they needed it, they were going to live without it. He stated that they reason he wanted to do that is because they already committed to give out this funding or extra money they probably didn't need. If they needed it, they were going to live without it. He stated that he would like to save money.

Mr. Brent Hartzell stated that it is not his expectation that it would be. He has examples from his department. They took out several thousand dollars when they were hastily trying to put this together. Monies that they would have been using to put liens on property before the year is over which are intending to generate additional revenue from.

Mr. Julio Guridy stated that they have money for that.

Mr. Brent Hartzell stated no. We unintentionally took extra from that particular category and we did not leave us enough to do the remainder of the lien filing. Yes, they voluntarily gave that up in the expectation that we were dealing with \$1.25 million issue. In about \$400,000 worth of cases, the departments do have a use for that money for the remainder of the year and would benefit from being able to carryout the responsibilities. It was volunetary, but with gritted teeth.

Mr. Julio Guridy stated that his goal is to save as much money as they can. He stated that we did not have enough reserve.

Mr. Joseph McMahon stated that the structural imbalance was the biggest issue with the Bonding Agencies.

Mr. Brent Hartzell stated that they should return back is \$400,000. He stated that they will still spend \$200,000 for the demolition and what is left over out of the \$884,000 which is \$284,000 will go to the cash balance we will put back in the unencumbered balance in the General Fund. We will make the Risk Management Fund whole.

Mr. Roger MacLean asked Mr. Guridy is he ok with the way the amendment is.

Mr. Mike Hanlon stated that he thinks that the administration is going to give Council some accounts to transfer the money to the unappropriated

balance.

Mr. Brent Hartzell stated that he actually has the detail and where it will be coming from and where it will be returning to right here.

Ms. Candida Affa stated that now Mr. Guridy agrees with the amendment she was going to argue the point and agrees with Mr. Hartzell.

Ms. Cynthia Mota stated that she is confused. She asked if they are having an amendment, yes or no.

Mr. Scott Holbert stated that there is an amendment as written here on the agenda. The motion was made by Mr. Hendricks and seconded by Ms. Affa. There are no further request for an amendment.

Mr. Roger MacLean stated that it has been seconded and open for discussion.

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

Mr. Ed Zucal stated that on October 10th Council was approached with a Bill for \$1.25 million to tear down someone else's property. The same paper that Mr. Hartzell is talking about involved 48 accounts, ranging \$1,000 to \$150,000, totaling the \$884,000. He stated that the other \$366,000 was from the Risk Fund. We were questioned about it and not quite given answers as far as ultimate bids. This was the amount that was given. Obviously, it was the amount it was agreed upon because they went to the extreme to gather this money to pay for the \$125 million. He stated that Mr. Guridy offered to have us except \$884,000 at the time and it was a big outcry, no we need the \$1.25 million. We voted and they got the \$1.25 million. On October 17, Mr. Hyman appeared here for a check for \$217,325 offering to take the whole issue off our hands. No more \$1.25 million and taxpayers don't have to pay anything. On October 19, there is a meeting with some of the administrators and some of City Council, not all of City Council, but we were asked to vote on the \$1.25 million. In fact, Mr. Guridy was in charge of Budget and Finance and asked were you there?

Mr. Julio Guridy stated that he did not know about it.

Mr. Ed Zucal stated that as you saw in the paper, the city agreed to continue tearing the building down after the owner of the property said he would take the responsibility. The city said that they would continue to tear it down. When Mr. Hyman appeared here on October 17th, he gave us the actual plan, the cost to do that job to his property, not the city's. Apparently, no one could get a hold off him. With Mr. MacLean's permission he asked

can he call Mr. Hyman. He said yes, you may. He stated that he was able to get a hold of him. No one ever called him. He stated that he was told that there were some emails. Negotiations 101, if you want to communicate with someone talk to them. He stated that he spoke to Mr. Hyman today and he advised him that he is now gotten it down through the same contractor that was going to cost us \$1.25 million down to \$150,000 and he will pay the additional clean up fee. He advised him to advise the taxpayers in this city, will pay zero as they were offered zero on October 17.

Mr. Roger MacLean thanked Mr. Zucal and clarified that he did come in with the check and was told that this is not the proper way to do it. He knew how to do that.

Mayor Ray O'Connell stated that he did not catch the total of the last statement about the \$150,000.

Mr. Ed Zucal stated that he called him today because apparently no one wants to talk to him. It's going to cost him \$150,000 from the same contractor, Empire and approximately another \$35,000 for the clean up fee which is already completed. When he gave us the original agreement, he stated that he read it and it was going to take 14 days from start to finish. We are way beyond that now.

Mayor Ray O'Connell stated that Mr. Lightner from Community and Economic Development has been on top of this. He asked Mr. Lightner to point out the administration's perspective on this whole issue.

Mr. Leonard Lightner stated that when they talk about demolition they talk a different language. When the public talks about demolitikon or we talk about demolition we need to udnerstand the terminology that we use differs. When the city by code deals with the demoliton we have to do it completely. When we talk about tearing down the walls. If there is a basement, a foundation, we cave in the actually basement itself. We backfill. Not to exclude the disconnection of utilities which again, may not be an actual cost. Once we do that demolition if there are hazardous materials in there, the disposal and removal of the hazardousmaterials. That is a base demolition for us. The base demolition if we were to knock that building down that would be over \$330,000. When we do that demolition that debris has to go somewhere. We have to backfill and that is an additional cost. We have to then separate the material. If there are hazardous materials: metals, bricks or wood. We separate that into piles because when we have to dispose of that it is easier for us to transport that debris. That's another cost. Once we dispose of it and send it out again, that is an additional cost. Once the actual lot is safe, not to count that we have to secure it with the fencing, and once everything is removed we have

to backfill and do top soil. That is another cost. When we do a complete demolition we look at making the entire area safe and we can come back later and if there needs to be development, we could develop or move forward. He stated that they put everything on the table and broke it down by every item. With Mr. Hyman, we don't know what he broke down. He stated that they never saw what Mr. Zucal has in front of him. We already knocked down the building. We already have the equipment out to the site. That is another cost. He is picking up something that we already started. We can't really compare apples to apples. When we haul away debris, there is another cost to that. He stated that the city doesn't know how Mr. Hyman is hauling away his debris or if he is taking it to which landfills or how he is breaking it up. We can't really compare his cost to our costs.

Mr. Joseph McMahon stated that he may be actually recycling some of those materials.

Mr. Julio Guridy stated that Mr. Zucal spoke to him. Has the administration been speaking to him?

Mr. Leonard Lightner stated that Mr. Wojacyk was out on site that night and when we started the demolition. Mr. Hyman came and stood right next to Mr. Wojacyk while we were demolishing the property. It is not like he did not know what we doing. At that time, he could have offered or said something, but he did not say a word. He stated that Mr. Hyman was in communication with us through this entire demolition project on another property at 333 N. Court Street. He had the opportunity to talk to us and we actually communicated through our legal department because he is an LLC and he was going to have his attorneys. He stated that they as the administration doesn't talk directly with them if they have a legal counsel.

Mr. Julio Guridy asked if the city's legal counsel speak to his legal counsel.

Mr. Leonard Lightner stated yes. Several times.

Mayor Ray O'Connell stated several times. We have the email trail.

Mr. Julio Guridy stated that it sounds like no one has spoken to him, but that's not true.

Mayor Ray O'Connell stated that the city's legal department was advised through Mr. Hyman that his attorney would be in contact. He stated that the legal team has been in contact with his legal person.

Mr. Roger MacLean stated lawyers were talking to lawyers. It is not like it was all done in a vacuum.

Mr. Leonard Lightner stated that Mr. Lightner has been on site a few times while Mr. Wojacyk was out there doing demolition. Standing right next to him, while the building was being demolished.

Ms. Candida Affa stated that Mr. Hyman has gotten a hold of her more than once. The administration known about this. She stated that when she was on vacation, Mr. Hyman emailed her. She responded by saying that she talked to legal and this is not a City Council matter. She stated that she has nothing to say about this and there are no negotiations with her. She stated that she held true to that. She stated that she thinks the administration and what Mr. Zucal were trying to do is getting Councilpeople to go along and try to negotiate where this has nothing to do with Council and she stated that she kept directing him. The fact that he called her, texted her, mailed her and it was the same thing with Mr. Zucal. She stated that she thinks she understands the communication part. She did tell him that she will address it. As far as Council is concerned, she doesn't believe they have anything to do with it.

Mr. Roger MacLean stated that other than appropriating the money to pay for it.

Mr. Lou Hershman stated that the questions that are raised on the \$1.2 million if it was concrete and you said it could go higher. Mr. Lightner from Community and Economic Development gave us a breakdown of the cost. What are the costs based on the contract we received. He stated that it should be spelled out to Council and Ms. Affa it is your responsibility because you budget the money. If you budget the money you have to find out how it is going to be spent.

Mr. Roger MacLean stated that what Ms. Affa was saying is that it is not our responsibility to do the negotiation with Mr. Hyman.

Mr. Lou Hershman stated that all of this has to be done. He stated that Julio sponsored an amendment that was seconded that we should not spend more than \$200,000. Mr. Hyman said he could do it for \$200,000. We should thank him and not criticize him. We were on the hook and budgeted the money for \$1.2 million. Maybe we moved too fast.

Mr. Daryl Hendricks stated with all due respect Mr. Hershman. We had a building that was still burning for several days. He stated that Mr. Hyman was well aware of it. He was there the night it was burning and standing beside our fire chief who told him that the building had to be demolished.

Mr. Lou Hershman stated that he agrees. Did you talk to him? Mr. Zucal

talked to him.

Mr. Roger MacLean stated that when legal counsel from the city is dealing with legal counsel from them we are not going to get involved. We cannot get involved.

Mr. Scott Holbert stated that it is not if you can or can't. It's not prudent to get involved.

Mr. Don Ringer stated that he agrees with Mr. Zucal and stated that he had the same conversation with Mr. Hyman. He initially had a higher price to do this 150 job and he got it down to \$150,000. He stated that the city went too fast on this. Instead we should have had a conversation between Mr. Hyman and the administration. Mr. Hyman was available to talk to them. The city has handled this totally wrong.

Mr. Joseph McMahon stated he can't dial a phone.

Mr. Don Ringer stated that he came in here to Council. He asked if this was such an emergency why was the building still standing one week later.

Mr. Joseph McMahon stated that it was actively being demolished.

Mr. Tom Hahn stated that he has a solution to the problem. He stated that the money that was appropriated that is not being used should go to the taxpayers and not increase the taxes. Tax relief for the residents. There is the money.

Mr. James Whitney echoed what Mr. Hendricks was saying. The building was on fire. Get in a car accident on the freeway. You can Monday morning quarterback. It's 20/20 hindsight and go, who we could have gotten a cheaper tow truck to take my car to a tow yard that's way closer to my house and for that matter we didn't have to use that many flares. He asked do you know what happens when someone tries to help at an accident and they are not a professional. A woman tried that this week on halloween and she was hit and killed. The city has to do a little bit differently from the average Joe. It doesn't absolve Mr. Hyman from the responsibility. Did he insure that building, maybe not. Did he have to have no electricity and therefore no alarms on that building. No he is not absolved from that. IT was a tragedy. We are not going to go back to the explosion that rocked our community and monday morning quarterback that. Agologies will be made when it is appropriate time to make them. Let's stop dragging each other. The building was on fire. It was not properly secured.

Mr. Roger MacLean asked if there were any other comments from the public on Bill 74.

Mr. Leonard Lightner stated that he wants everyone even in the audience to understand that the city has entrusted them and they do have the best interest in mind. He stated that everytime he makes a decision it's about saving money. It's about the safety of the people. When we made this decision it was about an immediate hazard that they had to take care of. He stated that they are always looking at the best way to save money. He stated that they are not trying to go out here and find the most expensive person. He stated that \$1.25 million according to our current demolition contractor came to us in earnest and honesty and said that if he was to do this project it would cost the city \$1.25 million based off the current contract because of demolition by square footage. He stated that the contractor even help the city by stating the he would help them find another demolition contractor. We looked for other demolition contractors that had the equipment that is needed. We are talking the crane, for them to get onsite in 24 hours because the fire is still active. These are things that Mr. Hyman has not taken into account that when you need something on an emergency and you have to bring heavy equipment from Reading or Philadelphia that is another cost that is involved. We did what we can. Not even utilizing our current contractor because he said that it is out of his scope and he doesn't want to charge the city more money than needed. Let me help you find someone else. That's what we did. If anyone is out there saying we didn't take the time or we rushed into this. We did not. For the future, we always try to find the best solution to the problem.

Mr. Joseph McMahon stated that at the fire Steve Strapus, the contractor he just mentioned told me he could not do the building. He said he would get on the phone while the building was burning that night and start to call contractors in Philadelphia and other places.

Mr. Roger MacLean asked if there were any other comments from the public on Bill 74.

Mr. Julio Moreno stated that he has been living in Allentown for 20 years. His father was living here for 40 years and gave him the same knowledge of living in this country. He has been helping different communities of different countries in sports. He stated that Mr. Hyman has different properties and he wants a property too.

Mr. Julio Guridy stated that Mr. Moreno is talking about something totally different. He stated that he should have spoken under courtesy of the floor. It is totally different.

Mr. Roger MacLean asked if there were any other comments from the public about Bill 74 as amended.

Mr. Scott Holbert stated that it has not been amended. You have to vote on the amendment.

Mr. Mike Hanlon stated that the administration was going to restore some accounts and restore other accounts into the unappropriated balance. That could amend this amendment. They can tell you what accounts.

Mr. Julio Guridy stated that \$400,000 that is restored to those accounts.

Mr. Brent Hartzell stated that \$415,000 will be restored to the departments.

Mr. Scott Holbert read the list of the accounts.

Mr. Julio Guridy stated that totals up to \$415,000.

Mr. Roger MacLean stated that we are back to the amendment. He read it into the record.

A motion was made by Daryl Hendricks, and seconded by Candida Affa that this bill is forwarded favorably contingent upon the following amendment that needs to be adopted this evening:

I move to make the following motion:

1. That the transfer and payment for the demolition cost not exceed \$200,000.

2. That the money be transferred from the following accounts:

000 02 06 02 0001 90 - Refunds - \$150,000

000 02 06 02 0003 50 - Other Services and Charges - \$50,000

3. That the title of the bill be changed and all other accounts be removed from the bill and are restored accordingly.

4. Amend SECTION SIX to read: SECTION SIX: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

Ordinance 15484 is hereby repealed in its entirety.

Enactment No: 15493

Mayor

000-01-0201-0001-46 Other Contract Services \$ 3,000

Return

Law

000-01-0501-0001-50 Other Services and Charges \$28,000

Return

General/Civic

000-01-0609-0001-50 Other Services and Charges \$15,000

Keep

Finance

000-02-0602-0001-26 Printing 6,000

Keep

000-02-0602-0001-46	Other Contract Services	5,000
Return		
000-02-0602-0001-50	Other Services and Charges	15,000
Return		
000-02-0602-0003-90	Refunds	150,000
Keep		
000-02-0602-0003-46	Other Contract Services	75,000
Return		
000-02-0602-0004-26	Printing	2,000
Return		
000-02-0602-0005-26	Printing	2,000
Keep		
000-02-0602-0006-24	Postage	6,000
Keep		
000-02-0602-0006-26	Printing	3,000
Keep		
000-02-0602-0006-68	Operating Materials & Supp.	15,000
Keep		
Public Works		
000-03-0702-0001-32	Publications & Memberships	1,000
Keep		
000-03-0702-0001-34	Training and Prof. Dev.	2,000
Return		
000-03-0702-0001-46	Other Contract Services	25,000
Return		
000-03-0702-0001-56	Uniforms	1,000
Keep		
000-03-0702-0001-04	Temporary Wages	5,000
Keep		
000-03-0702-0001-04	Temporary Wages	1,000
Keep		
000-03-0702-0001-34	Training and Prof. Dev.	1,000
Return		
000-03-0702-0001-46	Other Contract Services	3,000
Return		
000-03-0702-0001-04	Temporary Wages	15,000
Keep		
000-03-0702-0001-34	Training and Prof. Dev.	3,500
Keep		
000-03-0702-0001-46	Other Contract Services	6,500
Keep		
000-03-0702-0001-34	Training and Prof. Dev.	5,000
Keep		
Police		
000-04-0802-0001-26	Printing	15,000
Keep		
000-04-0802-0001-34	Training and Prof. Dev.	10,000
Return		
000-04-0802-0001-34	Training and Prof. Dev.	12,500
Keep		
000-04-0802-0001-56	Uniforms	10,000

Return		
000-04-0802-0001-56	Uniforms	10,000
Keep		
000-04-0802-0004-90	Refunds	6,000
Return		
Fire		
000-02-0605-0003-34	Training and Prof. Dev.	3,000
Keep		
000-05-0803-0002-68	Operating Materials & Supp.	5,000
Keep		
000-05-0803-0002-66	Chemicals	3,500
Keep		
Human Resources		
000-06-0603-0001-32	Publications & Membership	2,000
Return		
000-06-0603-0001-34	Training and Prof. Dev.	8,500
Return		
000-06-0603-0001-72	Equipment	1,500
Return		
Information Technology		
000-07-0604-0001-34	Training and Prof. Dev.	28,000
Keep		
000-07-0604-0001-42	Repairs and Maintenance	25,000
Return		
000-07-0601-0001-46	Other Contract Services	125,000
Return		
000-07-0604-0001-50	Other Services and Charges	50,000
Keep		
Park		
000-08-0709-0001-66	Chemicals	15,000
000-08-0906-0001-04	Temporary Wages	32,000
Comm. Development		
000-09-0901-0001-26	Printing	10,000
Keep		
000-09-0901-0001-40	Rentals	5,000
Return		
000-09-0902-0001-40	Civic Expenses	50,000
Return		
000-09-0902-0001-46	Other Contract Services	10,000
Return		
000-09-0902-0003-34	Training and Prof. Dev.	3,000
Return		
Motion to fix the amendment		

[15-2596](#)**Bill 74**

Amending the 2018 General Fund Budget by transferring Eight Hundred Eighty-Four Thousand (\$884,000) Dollars from various accounts within the General Fund and amending the 2018 Risk Fund by transferring Three Hundred Sixty-Six Thousand (\$366,000) Dollars from the unappropriated

balance for the emergency demolition of 418 North Franklin Street. Total amount for both transfers equals One Million Two Hundred Fifty Thousand (\$1,250,000) Dollars.

The bill was forward favorably contingent upon the following amendment that needs to be adopted this evening:

I move to make the following motion:

1. That the transfer and payment for the demolition cost not exceed \$200,000.
2. That the money be transferred from the following accounts:
000 02 06 02 0001 90 - Refunds - \$150,000
000 02 06 02 0003 50 - Other Services and Charges - \$50,000
3. That the title of the bill be changed and all other accounts be removed from the bill and are restored accordingly.
4. Amend SECTION SIX to read: SECTION SIX: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency. Ordinance 15484 is hereby repealed in its entirety.

Attachments: [Bill 74 Emergency Demolition of 418 Forth Franklin Street](#)
[Ordinance #15493](#)

A motion was made by Cynthia Mota, seconded by Julio Guridy, that this motion be approved. The motion carried by the following vote:

Yes: 6 - Candida Affa, Roger MacLean, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Absent: 1 - Courtney Robinson

Enactment No: 15493

Yes: 5 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

No: 1 - Roger MacLean

Absent: 1 - Courtney Robinson

Enactment No: 15493

RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):

[15-2603](#)

R126

Sewage Planning Module for Southside Homes at Harrison by Smart Living at Harrison Street & S. Fourth Street

Attachments: [R126 Sewage Planning Module - Smart Living Barber Street LLC - Southside Homes at Harrison by Smart Living](#)
[Smart Living Barber Street LLC - Southside Homes at Harrison by Smart Living Sewage Planning Module Documents](#)
[Smart Living Barber Street LLC - Southside Homes at Harrison by Smart Living Sewage Planning Module Map](#)
[Resolution #29726](#)

Mr. Roger MacLean asked Mr. Messinger if the city has capacity.

Mr. Craig Messinger stated yes, we have capacity.

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

Yes: 6 - Candida Affa, Roger MacLean, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Absent: 1 - Courtney Robinson

Enactment No: 29726

[15-2629](#)

R127

Adopts the Lehigh Valley 2018 Hazard Mitigation Plan Update

Attachments: [R127 HM Adoption Reslution.Municipal Resolution #29727](#)

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

Mr. Julio Guridy asked where is the Plan.

Mr. Roger MacLean stated that it is a renewal.

Mr. Julio Guridy stated that he doesn't know what it is or what he is voting on.

Mr. Lee Laubuch stated that he worked on the Plan. It is a renewal of what we did five years prior and five years prior to that. It has been publicized on LehighValleyPlanningCommission.com with a hazardous analysis. It is a basis for us to get grants from Hazardous Mitigation. He stated that they added opioid crisis as well as inspect borne illnesses with tick borne illnesses. He stated that they can apply for grant funded to actually help the community and the preparedness part of it to get funding as well to do that.

Mr. Julio Guridy stated that it is to get funding and we are not committing any funding ourselves.

Mr. Joseph McMahon stated that literally we can lose this if we don't pass this.

Mr. Lee Laubuch stated right.

Mr. Roger MacLean stated that this is done every five years. Julio you should have approved four before.

Mr. Lee Laubach stated that the updating part of it was adding the opioid as well as some of the others.

Yes: 6 - Candida Affa, Roger MacLean, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Absent: 1 - Courtney Robinson

Enactment No: 29727

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

[15-2621](#) Bill 75 Public Works, forwarded favorably
Providing for the vacation of a portion of East Hedge Street along the Northern portion of East Hedge Street and along the length of the Southern boundary of 1047-1051 North Irving Street containing 1,312 square feet more or less being located in the Fifteenth Ward of the City of Allentown:

Attachments: [Bill 75 Hedge Street Portion of East Hedge Street - East of North Irving Street from E. Hedge Street from North Irving Street Staff Report](#)
[Allentown City Planning Commission Meeting Minutes - August 14, 2018](#)
[Letter from Doug Stewart from the Planning Department regarding East Hedge Street - Street Vacation](#)
[Letter from Lehigh Valley Planning Commission regarding Street Vacation of E. Hedge to N. Irving Street](#)
[Portion of East Hedge Street from North Irving Street Map](#)
[Letter from Mike Hanlon regarding the Street Vacation - A portion of East Hedge Street](#)
[Letter from Mike Hanlon regarding Street Vacation - Portion of Hedge Street to N Irving Street](#)
[Correspondence regarding E. Hedge Street to N. Irving Street](#)
[E. Hedge Street - Street Vacation Labels](#)

REFERRED TO PUBLIC WORKS

[15-2623](#) Bill 76 Public Works, forwarded favorably
Renaming a portion of the Law Street between Hamilton and Walnut Street Bayard Rustin Way

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

Attachments: [Bill 76 Renaming a portion of the Law Street between Hamilton and Walnut Street Bayard Rustin Way](#)

REFERRED TO PUBLIC WORKS

The budget bills will be taken up during our review of the budget.

[15-2632](#) Bill 77
An Ordinance of the City of Allentown, County of Lehigh and

Commonwealth of Pennsylvania, establishing the General Fund, Administrative Order Fund, Risk Management Fund, Debt Service Fund, Equipment Fund and Golf Fund Budgets for 2019

Attachments: [Bill 77 2019 GENERAL FUND ORD](#)

REFERRED TO THE COMMITTEE OF THE WHOLE

[15-2633](#)

Bill 78

An Ordinance of the City of Allentown, County of Lehigh and Commonwealth of Pennsylvania, adopting the Liquid Fuels Fund Budget for 2019

Attachments: [Bill 78 LIQUID FUELS ORD](#)

REFERRED TO THE COMMITTEE OF THE WHOLE

[15-2634](#)

Bill 79

An Ordinance of the City of Allentown, County of Lehigh and Commonwealth of Pennsylvania, adopting the E 9-1-1 Fund Budget for 2019.

Attachments: [Bill 79 E911 ORD](#)

REFERRED TO THE COMMITTEE OF THE WHOLE

[15-2635](#)

Bill 80

An Ordinance of the City of Allentown, County of Lehigh and Commonwealth of Pennsylvania, adopting the Trexler Fund Budget for 2019.

Attachments: [Bill 80 TREXLER FUND ORD](#)

REFERRED TO THE COMMITTEE OF THE WHOLE

[15-2636](#)

Bill 81

An Ordinance of the City of Allentown, County of Lehigh and Commonwealth of Pennsylvania, establishing and adopting the Solid Waste Enterprise Fund Budget for 2019 and amending Article 1131, Municipal Waste Storage, Collection and Disposal by maintaining the Solid Waste Fee at Three Hundred and Seventy-Five (\$375) Dollars.

Attachments: [Bill 81 Solid Waste Fund and Fee Ord](#)

REFERRED TO THE COMMITTEE OF THE WHOLE

[15-2637](#)

Bill 82

An Ordinance of the City of Allentown, County of Lehigh and Commonwealth of Pennsylvania, establishing and adopting the Stormwater Fund Budget for 2019 and amending Article 951 – Stormwater Utility Fee by setting the Stormwater Utility Fee at Twenty (\$20) Dollars per Five

Hundred (500) square feet of impervious surface.

Attachments: [Bill 82 STORMWATER FUND AND FEE ORD](#)

REFERRED TO THE COMMITTEE OF THE WHOLE

[15-2641](#)

Bill 83

An Ordinance of the City of Allentown, County of Lehigh and Commonwealth of Pennsylvania, revising Article 400 Department of Parks and Recreation Fees.

Attachments: [Bill 83 Golf Rec Fee Changes](#)

REFERRED TO THE PARKS AND RECREATION COMMITTEE

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

[15-2631](#)

R128

Adoption of the Capital Improvement Program for 2019 - 2023

Attachments: [R128 Approves Capital Plan](#)
[Capital Improvements 2019-2023](#)

REFERRED TO THE COMMITTEE OF THE WHOLE

NEW BUSINESS

Mr. Roger MacLean stated that Monday night he asked for some dollar figures on the positions and a PowerPoint. He asked if Council could get them before next Wednesday.

Mayor Ray O'Connell stated absolutely.

GOOD AND WELFARE: NONE

ADJOURNed: 8:53 pm