



# Allentown

435 Hamilton Street  
Allentown, Pa. 18101

## Minutes - Final

### City Council

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Wednesday, May 15, 2019

7:00 PM

Council Chambers

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#### Invocation: Councilperson Hendricks

#### Pledge to the Flag

#### Roll Call

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

#### Courtesy of the Floor

#### Courtesy and Privilege of the Floor Rules

Ms. Janet Keshl, W. Wabash Street, stated that last year before she got sick she came to Council and questioned the person that took over for Phyllis Alexander. Ismael Arcelay used to go to presidents' council and crime watch groups. He has yet to attend. He still has not shown up. She asked about the Parking Authority and the meters not being fed. Can we park there?

Mr. Roger MacLean stated that after 5:00 PM on nonevent nights it is free. You can come down more often.

Mr. Courtney Robinson asked Ms. Affa and Mr. Hendricks if tonight will be an event night since there is a LCCC graduation.

Mr. Roger MacLean stated that he would hope that they wouldn't.

Ms. Cynthia Mota asked if they can address for Ismael Arcelay.

Mr. Roger MacLean stated that the Mayor is writing it down.

Mayor Ray O'Connell stated that Phyllis Alexander was the Weed and Seed officer years ago and when that position was eliminated no one replaced Phyllis. Ismael Arcelay is the Special Assistant of the Mayor. His job is not to go to block watches or crime watches.

Mr. Roger MacClean stated that the whole Weed and Seed program went by the waist-side.

Ms. Cynthia Mota thanked Mayor O'Connell for addressing that.

Mr. David Keshl, Wabash Street, thanked Mayor O'Connell for the beautiful talk for the police today. They city uses Great Western for their street repair. Is it a protocol to repair or fill a hole? Fillmore Street was a disaster all winter.

Mr. Craig Messinger stated that Great Western works for UGI, not the city. We tried to stay on them as much as possible. They have not done their best. We are taking over and repaving with UGI funding.

Mr. Roger MacLean stated that it was the same issue on Walnut Street and it finally got paved.

Mr. James Whitney, 924 W. Walnut Street, stated that he appreciates law enforcement. Over the weekend him and Shelby went to see The Avengers End Game. It was so awesome. We love superheros and there are superheroes in our community and our country. We appreciate our retired police officers as well, including the one on City Council.

Mr. Roger MacLean stated that it is usually harder on the families then the officers because the officer is busy at work. He asked if there were any other comments for Courtesy of the Floor.

### **Approval of Minutes:**

### **Old Business**

### **Communications**

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

The Committee has not met since the last council meeting; the next meeting is scheduled for June 5.

**Community and Economic Development: Chair Robinson, Guridy, Affa**

The Committee met this evening; the next meeting is scheduled for June 5.

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

The Committee has not met since the last council meeting; there are no future meetings scheduled.

**Parks and Recreation: Chair Mota, Robinson, MacLean**

The Committee has not met since the last council meeting; there are no future meetings scheduled.

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

The Committee has not met since the last council meeting; there are no future meetings scheduled.

**Public Works: Chair Zucal, Hendricks, Robinson**

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

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

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

**Controllers Report**

Mr. Jeff Glazier stated that the Accounts Payable Weekly Check Review from March 30 to May 3. During that time period they reviewed 481 checks for \$4.8 million, 19 wires for \$3.5 million. They had one duplicate wire for the amount of \$123,000. The same invoice was entered twice. The wire was rejected. We had a CDL reimburse for a pending retiree. The reimbursement was withdrawn. The shoe reimbursement exceeds the allotted shoe allowance. Two checks that had incorrect payees. They came up with the proper form. Four invoices that had incorrect charges expensed. There were eight checks that were late. They had one invoice that lacked documentation. About 14 months they did an unclaimed property audit. The state was holding \$128,353.70 of the city's money. The state finally received those checks. The Fire Pension Fund received a check for \$41,687.62. The Police Fund got a check for \$54,897.78 and the General Fund got a check for \$31,768.30. They will claim unclaimed property again in July.

Ms. Candida Affa stated that she had to pay for her safety shoes full price three years ago.

## Administration Report

Mayor Ray O'Connell stated that they had the Police Commendation Ceremony. He stated that 50 of the officers and seven civilians were honored. It was followed by an excellent memorial observance for seven retired officers and one reserve officer that past away over the last 12 months. Our Lively Lunch began 2019 season on Tuesday, May 7th. It runs every Tuesday and Friday from noon to 1:00 PM. Parks and Recreation is selling season swim passes which is good for the four city pools. Cedar Beach pool will open next Saturday, May 25th. We will be fully opened and fully staffed in Cedar Beach. The Cinco De Mayo celebration on May 5 was a huge success. Tacos Y Taquila's owner Romero Bravo estimated that 3,000 attended the party held on Hamilton Street from 5th through 7th Streets despite a dreary, rainy afternoon and evening.

## APPOINTMENTS:

[15-2943](#) Candida Affa, Nuisance Abatement Appeal Board, 12/31/2021

**Attachments:** [Resolution #29810](#)

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

Mr. James Whitney thanked Ms. Affa for how committed she is in the role on the Nuisance Abatement Board. She has been a champion of the Hamilton gateway into the city as we deal with after hours club. She has been a vocal advocate for decency and civility in Allentown.

Ms. Candida Affa 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: 29810

[15-2944](#) Courtney Robinson, Alternate - Nuisance Abatement Appeal Board, 12/31/2021

**Attachments:** [29811 Reappointment to the Nuisance Abatement Board of Appeals - Courtney Robinson](#)

Ms. Candida Affa stated that sometimes she has to recuse herself. She stated that he will be her replacement.

Mr. Courtney Robinson stated that this should show as an alternate since he will be an alternate.

Mr. Julio Guridy stated that is what he was thinking.

Mr Mike Hanlon stated that it should.

Mr. Courtney Robinson asked Ms. Fruhwirth if he can vote for himself since there is no enumeration.

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

Mr. James Whitney stated great job.

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

Enactment No: 29811

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

#### [15-2910](#)

Bill 30 Public Works, this evening  
Amending the 2019 Capital Fund Budget by transferring from Capital Project 1282 – Hamilton Street Safety Improvements from 10th Street, Capital Project 1283 – Hamilton Street Safety Improvements from 4th Street and Mack Boulevard Traffic Calming Improvements into Capital Project 1803 Bridge Repairs for a total transfer amount of Sixty-Nine Thousand Five Hundred Ninety-Seven Dollars and Ninety Cents (\$69,597.90).

**Attachments:** [Bill 30 Bridge Repairs Capital Transfer](#)  
[Ordinance #15539](#)

Mr. Ed Zucal stated that it was recommended favorably to Council.

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

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

Enactment No: 15539

#### [15-2918](#)

Bill 31 CEDC, this evening  
Amending the 2019 General Fund and 2019 Equipment Fund Budget by transferring Six Thousand (\$6,000) Dollars from the Health Bureau operating budget to the 2019 Equipment Fund for the purchase of a vehicle.

**Attachments:** [Bill 31 Health Bureau Vehicle Transfer](#)  
[Ordinance #15540](#)

Mr. Roger MacLean asked if there were any questions from the

administration, Council, or the public.

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

Enactment No: 15540

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

[15-2913](#)

R36 Rules, this evening

Amends Council rules by adopting a rule change requiring bills on introduction to be referred to committee for public comment and discussion when vested interests and staff have been notified and certain personnel have been requested to attend.

**Sponsors:** Guridy and MacLean

**Attachments:** [R36 - Amendment to Council Rules](#)

Mr. Roger MacLean stated that this was in the Rules, Chambers, Intergovernmental Relations and Strategy. It was recommended 2 -1 with no recommendation. He asked if there were any comments from Council.

Mr. Courtney Robinson stated that it has been extensive discussions on this. He asked Council to vote no on it. He stated the 17 months that he served on Council it has only been used twice. Once to argue against this Resolution. It is a small price to pay for greater transparency.

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

Mr. James Whitney, 924 W. Walnut Street, stated that this Resolution is not formed to stifle public comments on Resolutions. Mr. Guridy is in favor of opening up Courtesy of Floor for people in the public to speak on whatever they want. Mr. Guridy obvious values transparency in government. When a committee meeting falls on the same day of Council when that Bill or Resolution is up for final passage. It can effectively remove public comment from every one of those 14 days of consideration. This will be a great day for the Council to say they are not going to sacrifice transparency for efficiency. We should vote this Bill down with a clean 7 - 0 vote.

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

Mr. Roger MacLean stated that he doesn't think it does anything for transparency, but let's take it to the vote.

**Yes:** 1 - Roger MacLean

**No:** 6 - Candida Affa, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

[15-2941](#)

R39

Certificates of Appropriateness for work in the Historic District: 223 N 11th Street

**Attachments:** [R39 223 N 11th Street Resolution - May 2019 HARB cases](#)  
[223 N 11th St Final Review](#)  
[Resolution #29808](#)

Mr. David Kimmerly stated that this is a HARB case that was recommended favorably to Council for 223 N. 11th Street to build a deck on the second floor. The applicant is

Mr. David Kimmerly stated that this is a HARB case that was recommended favorably to Council for 223 N. 11th Street to build a deck on the back of the second floor of a building. The applicant is familiar with working in the historic district and he is comfortable was recommending that this be approved.

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

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

Enactment No: 29808

[15-2942](#)

R40

Supports Restore Pennsylvania - \$4.5 billion Infrastructure Improvement Plan

**Sponsors:** Mr. Robinson, Guridy and Affa

**Attachments:** [R40 Restore PA Resolution 2](#)  
[Resolution #29809](#)

Mr. Roger MacLean asked Mr. Robinson for comment.

Mr. Courtney Robinson stated that this is simply a Resolution in support of the Governor's Restore Pennsylvania Program. Mr. Guridy was at a Press Conference in Harrisburg with Governor Wolf in support of this Program. It will invest in all of Pennsylvania. it will invest in green space, infrastructure improvements for roads, pathways such as trails and bike trails. It will create investment in broadband infrastructure as well as giving cities the resources they need to combat blighted property. It will be a boom for Allentown. He asked his colleagues to vote yes to this Resolution and asked the Mayor to add the administration as a co-sponsor to this

Resolution.

Mr. Julio Guridy stated that Mr. Robinson touch on the most important points. This is part of the Stormwater Preparedness and Disaster Recovery. It talks about stormwater infrastructure. We talked about having a stormwater management fee. This bill is a \$4.5 billion for four years. We can get grants back from the state. There were a lot of people and he was honored to be one of the speakers. He introduced the new Lieutenant Governor Fetterman. It is not a shoe in. We need this in our city and in our state. We are one of a few states that don't have an infrastructure bill like this.

Mr. Roger MacLean thanked Mr. Guridy and asked if there were any other comments from Council or the public. He hopes the when the legislature talks about spending \$4.5 billion that they do give it some thought.

Ms. Sharon Billington, 1509 Chew Street, stated that she had the privilege and pleasure to represent the Allentown School District when the governor came to town a couple weeks ago regarding. This will help the city and our children and the dilapidated school. The Allentown school District is broke We cannot repair the schools. Most of the schools asbestos problems and lead problems and any work we do disturb that. The Restore Pennsylvania will help with those costs and make it a little bit easier to take care of our children. This specifically can benefit all of us.

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: 29809

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

[15-2940](#)

Bill 32 Refer to CEDC

Amending the Property Rehabilitation and Maintenance Code, Article 1747, SAFE AND SANITARY MAINTENANCE, by requiring landlords to install Window Guards in all windows if a child 10 years or younger lives in the rental unit, or spends considerable time in the unit.

**Sponsors:** Mota, Mr. Zucal, Guridy, Administration and Affa

**Attachments:** [Bill 32 Window Guards](#)

[Bill Window Guards](#)

Ms. Cynthia Mota thanked the Mayor and the administration for working with Council on Bill 32 which requires window guards on rental units. We



were not able to find any legislation dealing with this issue in any locality in our state. We used regulations from New York as our initial model. She stated that it is her hope that this model will not prevent tragedies from occurring in the city, but serve as a model for other municipalities to borrow and use. She encourage Council to vote yes.

Mr. Roger Maclean thanked Ms. Mota asked asked if there were any other comments from Council.

Mr. Roger MacLean stated that it does say in the printed text that the tenants written request delivered to the landlord.

Ms. Candida Affa asked if this is compliance with the fire department and the Solicitor's office.

Mr. Mike Hanlon stated that they all reviewed it. Everybody reviewed it.

Ms. Cynthia Mota stated everyone did.

Mr. Courtney Robinson asked if Mr. Lightner's office can supply examples of what the window guards will look like to be attached on all information on the Bill. There will be a Hearing on June 5th.

Mr. Roger MacLean asked is it second, floor, first floor or no floor.

Mr. Mike Hanlon stated that it is no requirement.

Mr. Courtney Robinson stated that the description is says requiring landlords to install window guards in all windows if a children 10 or younger lives in the rental unit or spends considerably time in the unit. His understanding is it is at the request of the tenant.

Mr. Mike Hanlon stated that he read the title and read it at the end.

Mr. Julio Guridy stated that he wants to make sure his colleagues support this Bill and we study it well. It is needed in our city. He tried sponsoring this years ago because two girls fell fell on Seventh and Turner Streets. We had another tragedy. It is time to do something about it. Ms. Cynthia stated that this is the beginning because we don't have anything like this in the state.

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

REFERRED TO COMMUNITY AND ECONOMIC DEVELOPMENT  
COMMITTEE

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

**NEW BUSINESS: NONE**

**GOOD AND WELFARE: NONE**

**ADJOURNED: 7:34 PM**