



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

City Council

Wednesday, February 5, 2020

7:00 PM

Council Chambers

Invocation: Councilperson Guridy

Pledge to the Flag

Roll Call

Present: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Excused: 1 - Candida Affa

Courtesy of the Floor

Courtesy and Privilege of the Floor Rules

Mr. Louis Hershman, 405 N. Gilmore Street, spoke about the Parking Authority and the bad press. Keep the Parking Authority for the parking deck and the enforcement under the Police Chief. The Parking Authority stiffed the city for \$700,000.

Mr. Glenn Hunsicker, South Allentown, thanked Mr. Brent Hartzell and the Mayor for allowing him to meet with Mr. Hartzell. They have 18 months of data. It will be up to Council to look at it. He stated that Council should do what Mitt Romney did, put country first. The city has to survive. He stated that H3 is working with Mr. Glazier. PMRS has been hitting him for a long time. The city spends millions of dollars in PMRS. He asked for an active lists of all the contracts in the city of Allentown and the true cost.

Mr. Julio Guridy thanked Mr. Hunsicker for doing the work he does. You have been able to work at the city's finances and understand them.

Ms. Cheryl Batrilo, president of Animal Defender, spoke about the organization and supporters for an ordinance to be enacted banning traveling acts using wild and exotic animals in the city of Allentown. She stated that they ask City Council to add to their next agenda a proposal to ban the use of wild and exotic animals in traveling shows in Allentown, PA. There are 90 local governments and 32 states that have taken action to restrict the use of wild animals in traveling circuses.

Ms. Ce-Ce Gerlach asked if they can have someone look into if Council can do that.

Mr. Daryl Hendricks stated sure. He asked if there were any other comments under Courtesy of the Floor.

Notes:

1. If you are here for Resolution 17 on the blighted property, that will be referred to the Community and Economic Development Committee which will meet February 12 at 6 PM.

2. The Chair will entertain a motion to request suspension of the rules and take Resolution 15 out of order and vote on it.

A motion was made by Julio Guridy, seconded by Cynthia Mota, that Council Suspend The Rules and review Resolution 15. The motion carried by the following vote:

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

[15-3420](#)

R15

Supports Disaster Aid Package for Puerto Rico

Sponsors: Guridy, Mota, Mr. Zucal, Mr. Siegel, Hendricks and Affa

Attachments: [R15 PR Aid](#)

[Resolution #29934](#)

Mayor Ray O'Connell stated that the administration would like to sign on to the Resolution.

Ms. Cynthia Mota stated as a caring and loving city, our heart goes out to those that are currently suffering due to another natural disaster. When people are suffering, it is up to those that can be a blessing, to be a blessing. She stated that she was honored to go with a group of caring people to Puerto Rico. Today, they decided to do a resolution to extend their continued service and support. She thanked City Council and the administration. Puerto Rico is still waiting for funds for Hurricane Maria. Today, Puerto Rico has felt 22 earthquakes and this is a daily basis and has been happening since December 28.

Mr. Julio Guridy thanked Ms. Mota, Ms. Negron, Mr. Martinez. He stated that he went to Puerto Rico and it was a lot of devastation there. One of the reason to do this Resolution is to bring awareness. He stated that he talked to Ms. Kistler and they talked about anything the city can do to support. The city helps people that come from Puerto Rico. He stated that it is done through the Housing Authority and Casa Guadalupe.

Ms. Cynthia Mota asked if Mr. Martinez can have one minute. He is the one that got them together and was able to collect \$28,000 and he gave it

to the Red Cross.

Mr. Victor Martinez thanked Ms. Mota, Mr. Guridy, City Council, the Mayor for this Resolution. All the attention that Puerto Rico can get right now is much needed. He stated that the President took six days to sign a Declaration of Devastation for Puerto Rico.

Mr. Daryl Hendricks stated that in some small way the Resolution will find its way there and makes a difference.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 29934

Approval of Minutes:

[15-3393](#) December 17, 2019 City Council Meeting Minutes

Attachments: [December 17, 2019 City Council Meeting Minutes](#)

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

[15-3416](#) January 6, 2020 Organizational Meeting Minutes

Attachments: [January 6, 2020 Organizational Meeting Minutes](#)

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

[15-3419](#) January 15, 2020 City Council Contract Approval Meeting Minutes

Attachments: [January 15, 2020 City Council Contract Approval Meeting Minutes](#)

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Old Business

Communications

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

The committee met on January 22 and forwarded one item on tonight's agenda; the next meeting is tentatively scheduled for February 22 and we will review a draft of legislation relating to responsible contractors, the monthly financials that are to be delivered on the 15th and any additional items or legislation the committee is interested in.

CEDC: Chair Guridy, Gerlach, Affa

The committee met on January 29; the next meeting is scheduled for February 12th at 6 PM to review Bill 6 - grant relating to opioids - and Resolution 17 - on blighted properties - being introduced this evening .

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

The committee met on January 22 and discussed a bill that is being introduced this evening; we will formally review the bill February 12th at 5:30.

Parks and Recreation: Chair Mota, Gerlach, Siegel

The committee has not met since the last council meeting; there is nothing scheduled at this time.

Public Safety: Chair Affa, Hendricks, Zucal

The committee met this evening; next meeting is scheduled for February 19, time to be determined to discuss a resolution relating to enforcement of the noise exemption.

Public Works: Chair Zucal, Affa, Siegel

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

Rules, Chambers, Intergovernmental Relations and Strategy: Chair Hendricks, Guridy, Gerlach

The committee has not met since the last council meeting; there is nothing scheduled at this time.

City Controller

Mr. Jeff Glazier stated that there is a new development. All the Controller's Reports are put on Granicus and on the Controller's website. There was a comment about PMRS. PMRS reports are out once a year. It is part of the CAFR. The Controller's Monthly Pension are quarterly Pension Reports Police, Fire, and O&E Pension Funds that the city takes care of. It is also in Granicus. There is a Pension meeting on February 20. The Fourth Quarter Report will come out. He went over two audits: P-Card Review for the month of November and December. The Controller's Department went to complete reviewing things in Eden. They do not review things

on paper anymore.

Mr. Daryl Hendricks asked if there were any other questions.

Administration

Mayor Ray O'Connell stated that Mr. Brent Hartzell is moving on to the County of Galveston, Texas. He has been an outstanding director of Finance. It will be a huge loss for the City of Allentown. He wished him good luck, good health and God speed. He stated that they will miss Mr. Hartzell.

Mr. Daryl Hendricks stated as one who was critical of his predecessor, likewise he will miss Mr. Hartzell. He stated that Mr. Hartzell has been a real asset to the city under extremely difficult times and circumstances and stated that he far outworked their expectations.

Mr. Julio Guridy stated that he worked very close with Mr. Hartzell. He stated he was chair of Budget and Finance committee while Mr. Hartzell was the Director of Finance. He stated that he is an honest man and a very critical effort to turn the city finances around and give the right information.

Ms. Cynthia Mota thanked Mr. Hartzell patience and all he has done for the city. She stated that he will be missed.

Mr. Ed Zucal stated that he appreciates everything Mr. Hartzell did for Council. He never sugar-coated anything. In life that is important. He stated that Mr. Hartzell will do a great job where he is going and they are very lucky.

Mayor Ray O'Connell stated that Mr. Hartzell never missed a Council meeting, never ducked a question. Always gave you an answer.

Mr. Daryl Hendricks stated that he will ask Mr. Hanlon to hold on to some of the videos perhaps for the next incoming Finance Director so he or she can see how Mr. Hartzell operated and can learn from it.

[15-3417](#)

Controllers Reports

Attachments: [3rd QUARTER 2019 Pension Cash Flows](#)

[PCard CL - Dec](#)

[PCard Dec Report](#)

[PCard CL Nov](#)

[PCard - Nov](#)

[BR Cover Letter](#)

[Bank Rec](#)

APPOINTMENTS:

[15-3344](#) Jennifer Swann, Environmental Advisory Council, 01/01/2023
(Reappointment)

Attachments: [Jennifer Swann](#)

Mr. Daryl Hendricks asked if there were any comments from his colleagues or the public.

Ms. Jennifer Swann stated thank you. She stated that she enjoys working with the group. They are doing some nice stuff.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 29932

[15-3345](#) Dr. Paul K. Gross, Health Board, 01/01/2025 (Reappointment)

Attachments: [Dr. Paul K. Gross](#)

Mr. Daryl Hendricks asked if there were any comments from his colleagues.

Mayor Ray O'Connell stated that he personally knows Dr. Gross and he is an outstanding man and does a great job with Vicky and the Health Bureau.

Mr. Daryl Hendricks asked if there were any comments from the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 29933

[15-3349](#) John D. Stanley, Allentown Neighborhood Improvement Zone Development Authority, 01/01/2025 (Reappointment)

Attachments: [Allentown Neighborhood Improvement Zone Development Authority - John D. Stanley](#)

Mr. Daryl Hendricks asked if there were any comments from his colleagues.

Ms. Ce-Ce Gerlach stated that she will be voting no on this not because Mr. Stanley is a horrible human being, she reached out and haven't gotten some answers to some of the questions. Without knowing enough about Mr. Stanley and this is an incredibly important board. It is overlooked a lot.

The ANIZDA board is kind of the first stop for a lot of major projects in this downtown and down at the Waterfront. She stated without fully understand where he stands on certain issues, she can't support him.

Mr. Julio Guridy stated that if the chair of the committee is still unsure if Council should be voting for Mr. Stanley, you thinks it will be proper to table this appointment until the chair gets to speak to the gentleman.

Mayor Ray O'Connell stated that this is a reappointment. Each individual should think and vote for themselves.

Mr. Julio Guridy stated to Mayor O'Connell with all due respect this is Council Rules.

Mayor Ray O'Connell stated that he is giving input.

Mr. Julio Guridy stated that he doesn't remember asking for input.

Mayor Ray O'Connell stated that he has every right to raise his hand and be acknowledged by Council. Mr. Stanley is a reappointment by State Senator Pat Browne.

Mr. Julio Guridy suggested that Ms. Gerlach speaks to Mr. Stanley and bring Council some information.

Mr. Daryl Hendricks asked when will Mr. Stanley's term expire.

Mr. Matt Kloiber stated that if he not appointed, he would not be in a position to serve in that particular capacity.

Mr. Julio Guridy stated that he is being reappointed. Is his term over now.

Ms. Ce-Ce Gerlach stated that this is out of order because Council does not supposed to have a discussion on a Motion to Table. She stated that her intention was not any of this. She stated that she emailed him and she believes he is out of state. She didn't feel comfortable voting on someone that she just doesn't know.

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

Yes: 5 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, and Joshua Siegel

No: 1 - Ce-Ce Gerlach

Absent: 1 - Candida Affa

ORDINANCES FOR FINAL PASSAGE (To be Voted On):

[15-3375](#)

Bill 1 Public Works, this evening
Providing for the vacation of a portion of Ruhr Street from the centerline of Spring Street to the centerline of vacated Hickory Street in the Eighteenth Ward of the City of Allentown.

Attachments: [Bill 1 Ruhr Street - Vacation](#)

[Ruhr Street Staff Report](#)

[Letter from Mike Hanlon regarding S. Ruhr Street from Hickory Street to Spring Street - Street Vacation](#)

[Letter from Irene Woodward from the Planning Department regarding Vacation of Ruhr Street from Hickory Street to Spring Street](#)

[Letter from Michael Donchez from the Lehigh Valley Planning Commission regarding South Ruhr Street from Hickory to Spring Street - Street Vacation](#)

[S. Ruhr Street from Hickory Street to Spring Street - Street Vacation Map](#)

[S. Ruhr Street from Hickory Street to Spring Street - Street Vacation Documents](#)

[Ruhr Street Vacation Labels](#)

[Ordinance #15590](#)

Mr. Ed Zucal stated that it was voted on favorably by the committee to send to full Council for a positive vote.

Mr. Daryl Hendricks asked if there were any comments from his colleagues.

Mr. Ed Zucal stated that the administration notes that all the proper channels and applications have been done.

Mr. Daryl Hendricks asked if there were comments from the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 15590

[15-3372](#)

Bill 2 Budget and Finance, forwarded favorably
Amending the 2020 Grant Fund Budget to provide for a supplemental appropriation of One Hundred Forty-Nine Thousand Eight Hundred Thirty-Six (\$149,836.00) Dollars from the Pennsylvania Commission on Crime and Delinquency (PCCD) Gun Violence Reduction Initiative Grant to the City of Allentown as a pass-through grant to Promise Neighborhoods of the Lehigh Valley toward the implementation of Allentown Zero Youth Violence Program.

Sponsors: Administration

Attachments: [Bill 2 Zero Youth Violence Grant](#)
[Ordinance #15591](#)

Mr. Daryl Hendricks asked if there were any comments from his colleagues.

Mr. Joshua Siegel stated that it was forwarded positively from Budget and Finance. The administration was in full support. It is sorely needed by the city as well. It is an extraordinary source of money.

Mr. Daryl Hendricks asked if there were any other comments from his colleagues or the public.

Yes: 5 - Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Recused: 1 - Cynthia Mota

Enactment No: 15591

[15-3378](#)

Bill 3 Public Works, this evening
Providing for the vacation of a portion of Lawn Street SW from the centerline of Alton Avenue to the centerline of unopened Ruby Street in the Twelfth Ward of the City of Allentown:

Attachments: [Bill 3 Lawn Street SW](#)
[Allentown Planning Commission Approval - Lawn Street SW](#)
[Report - Lawn Street SW](#)
[Letter from David Kimmerly regarding Vacation of Lawn Street SW from Alton to Ruby - Allentown City Planning Commission Approval](#)
[Street Vacation](#)
[Letter from Douglas Stewart regarding Vacation of Lawn Street SW from Alton Avenue to Ruby Street](#)
[Lawn Street from Alton Avenue to Ruby Street - Labels](#)
[Letter from the Lehigh Valley Planning Commission regarding Lawn Street SW from Alton Avenue to Ruby Street](#)
[Lawn Street from Alton Avenue to Ruby Street](#)
[Letter from Mike Hanlon regarding Lawn Street from Alton Avenue to Ruby Street](#)
[Ordinance #15592](#)

Mr. Daryl Hendricks stated that this was in Mr. Zucal's committee.

Mr. Ed Zucal stated that this was also sent to Council favorably for a positive vote. All the proper channels and requirements have been met.

Mr. Daryl Hendricks thanked Mr. Zucal and asked was it any further comments from any other Councilmembers or the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 15592

[15-3370](#)

Bill 5 Public Safety, this evening
Amending the 2020 General Fund Budget to provide for a supplemental appropriation of Fifty-Two Thousand Four Hundred Eighty-Two (\$52,482.00) Dollars from the United States Department of Justice Byrne JAG Grant to the City of Allentown as a pass-through grant to the County of Lehigh toward the Lehigh County Regional Intelligence and Investigation Center (RIIC).

Sponsors: Administration

Attachments: [RIIC JAG Grant](#)
[Ordinance #15593](#)

Mr. Ed Zucal stated that the RIIC Center is a Center that deals with criminal justice and it is instituted via the District Attorney's office. It is public police agency throughout the county or sometimes throughout the country. It is a supplemental appropriation and cost nothing to the city or the county.

Mr. Daryl Hendricks asked if there were any other comments from his colleagues or the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 15593

RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):

[15-3414](#)

R16
Approval of Transfers: \$51,395.08 in Public Works/Recycling & Solid Waste to cover Year End Negative Balance in Wage Related Accounts; \$21,008.92 in Public Works/Streets to Cover Year End Negative Balance in Wage Related Accounts; \$17,000.00 in Public Works – Engineering – To Pay Final 2019 Invoice for Street Lights.

Attachments: [R16 Approval of a Transfers](#)

[Cover Year End Negative Balance in Wage Related Accounts Position](#)
[Distribution for an E02 moved into account due to Light Duty Status](#)
[Cover Year End Negative Balance Related Accounts Retirement](#)
[Payout in 2019 and Partial Year Payment for Replacement and 4th](#)
[Sweep Officer](#)
[To Pay Final 2019 Invoice for Street Lights and LED Savings Not Fully](#)
[Realized Due to Delay in PPL Rebates](#)
[Resolution #29935](#)

Ms. Casandra Magliane stated that the transfers were needed. At the end of the year we run into negative balances when it comes to the Recycling one that went in. It was for the fourth Sweep Officer. When it was budgeted in 2018, Public Works takes a representative sample. It was budgeted in mid-range. The person who ended up taking the position and in the union for a long-time so they came in a higher rate. She stated that they also had a retirement, Tom Harper. Public Works had to pay him out for the year and filling in his position for the remainder of the year. It contributed to that \$51,000 to Transfer. The one for the Streets Department, Public Works had an employee on light duty that employee is paid out of the liquid fuels fund. Unfortunately, when employees are on liquid fuels they are not allowed to be paid from the fund. They are not working on the streets. Public Works had to move the employee into the General Fund. That is where that negative balance came from and the Street Lighting with installing the LEDs with getting the Report over to PPL with the contract that they have for the rebates, Public Works have not receive them all in a timely manner.

Mayor Ray O'Connell stated remember we used to pass the folder around. On the advice of Council and the Solicitor's office. This is for full transparency that it is done in public.

Mr. Daryl Hendricks stated that this is something that they have changed for that purpose to remain transparent as possible. He asked if there were any questions from his colleagues. He asked if there were any questions or comments from the public.

Yes: 6 - Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Absent: 1 - Candida Affa

Enactment No: 29935

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

[15-3406](#)

Bill 6 CEDC, Recommended Favorably
Amending the 2020 General Fund Budget to provide for a supplemental appropriation of Thirty-Nine Thousand Ninety-Six Dollars (\$39,096) from

the Pennsylvania Department of Health, Bureau of Public Health Preparedness and Response to expand Opioid awareness and education activities in the Public Health Emergency Preparedness Grant.

Attachments: [Bill 6 Opioid Awareness Grant](#)

Mr. Daryl Hendricks asked if there were any comments from his colleagues or the public.

REFERRED TO THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[15-3415](#) Bill 7 Public Safety, this evening
Amending the 2020 Grant Fund Budget and the 2020 General Fund to provide for a transfer of Three Thousand Three Hundred Sixty-Eight (\$3,368) Dollars from the Grant Fund to the General Fund to cover administration fees as a result of a previous grant.

Attachments: [Bill 7 JAG Grant Transfer](#)

Mr. Daryl Hendricks asked if there were any comments from his colleagues or the public.

REFERRED TO THE PUBLIC SAFETY COMMITTEE

[15-3392](#) Bill 8 HR, Admin and Appts - this evening
Establishing a Homeless Commission

Sponsors: Gerlach, Guridy, Mota, Mr. Siegel and Administration

Attachments: [Bill 8 Homeless Commission](#)

Mr. Daryl Hendricks asked if there were any comments from his colleagues or the public.

REFERRED TO HUMAN RESOURCES, ADMINISTRATION, AND APPOINTMENTS COMMITTEE

[15-3421](#) Bill 9 Parks and Rec, this evening
Amends the COY legislation by refining the composition of the membership

Attachments: [Bill 9 COY Amendment](#)

Mr. Daryl Hendricks asked if there were any comments from his colleagues or the public.

REFERRED TO THE PARKS AND RECREATION COMMITTEE

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

[15-3407](#) R17

Property to Be Acquired by Eminent Domain by the Redevelopment Authority of the City of Allentown

Attachments: [R17 Blighted Properties](#)

REFERRED TO COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

NEW BUSINESS: NONE

GOOD AND WELFARE

Mr. Julio Guridy stated that he meant to say this when Mr. Hershman came on the Allentown Parking Authority that the cars are facing the wall. He asked Mr. Hendricks is he still on the committee.

Mr. Daryl Hendricks stated that Mr. Hershman did not specifically speak on that.

Mr. Julio Guridy stated that he got a few calls and asked if they are enforcing that Rule.

Mr. Daryl Hendricks stated that they have been. They made it more clearly noted by greater signage and also they are handing out little card instructing them how to park.

Mr. Julio Guridy stated that it not something that City Council did, or the city. It is the Parking Authority. It is not something that we are mandating in the city.

Mr. Daryl Hendricks stated that the spaces are angled and that is the reason. He asked if there were any other comments.

ADJOURNED: 8:01 PM