



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

City Council

Wednesday, April 26, 2023

6:00 PM

Council Chambers

Special Meeting

Roll Call

Present: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, Natalie Santos, and Santo Napoli

15-5801

Bill 30 Forwarded with the recommendation to remove the provision that allows parking in alleys.

Amending the Chapter 615, Vehicles and Code, of the City of Allentown Code by increasing the distance a car can be parked from a curb from 6 to 9 inches, allow council by resolution to provide an exemption to parking in front of a private driveway or alongside any street or highway excavation or obstruction, or opposite the same under certain conditions, allowing parking in alleys that are less than 20 feet wide provided there is a 12 foot passage and the car is not parked on the sidewalk, allowing impounded vehicles to be released if the owner is in compliance with a payment plan and re-moving all imprisonment penalties.

Sponsors: Affa, Gerlach, Hendricks, Napoli, Mota and Mr. Zucal

Attachments: [Bill 30 Parking Bill](#)

[Council Proposals APA](#)

[APA Response to Council Sidewalk-Alley Issues](#)

[Allentown Parking Authority Legislative and Policy Recommendations](#)

[Councilor Suggestions/Questions](#)

[Letter to Honorable City Counsel of Allentown - 3.22.23](#)

[Allentown Parking Authority Code](#)

[An Ordinance](#)

[Ordinance #15898](#)

Mr. Daryl Hendricks stated that he will allow the chairman of the board of the Parking Authority to speak first this evening. He will be presenting some information from today's meeting and the action that the board has undertaken and voted to approve.

Mr. Ted Zeller stated that he does not have any additional legislative updates. They had Resolutions that will be in the discussions. Mr. Napoli

introduced a Resolution that the Parking Authority provides free parking for all Council meetings. They will try to work out the logistics. They are going to maintain 24/7 dispatch for residents. The March dispatch went up to over 1,300 complaints that the Parking Authority received and responded to. They may get 18,000 calls this year. Last year, it was over 15,000 calls. They are no longer going to do open patrols at 10:00 PM. The only difference would be a PPL event and they will stop a half hour at the conclusion of that event. If they see a safety violation and they are on their way from a dispatch event, they will still be able to ticket for hydrants, blocking the street, double parking, parking too close to the corner, and blatant no parking. The Parking Authority heard about certain types of violations with frequency being complaints.

Mr. Daryl Hendricks asked Mr. Zeller to address Sunday enforcement. Sunday will be suspended for now.

Mr. Ted Zeller stated that they are not adding that to the list. They are not sending patrols out without a Sweeper. He stated that and on major holidays.

Mr. Daryl Hendricks asked if any of his clients had any questions from Mr. Zeller.

Mr. Ed Zucal asked if that will start immediately. He asked if they can do this on a 90 - day trial period. When does the hours for the Parking employees state at 8:00 or 7:00.

Mr. Ted Zeller stated yes. Not tonight, but as soon as practical. The policies will serve Council and the residents need. He stated that 7:00 is first shift. It gives flexibility. What Allentown is going to look like in five or 10 years.

Mr. Daryl Hendricks stated that he would allow comments, but wants to make a motion on a 12-foot width and bring it to the full Council next week at the regularly scheduled meeting.

Ms. Natalie Santos as is there a discussion permitted on this.

Mayor Matt Tuerk stated to correct him if he is wrong. This is in fact a City Council meeting.

Ms. Ce Ce Gerlach stated that it is a Special Meeting.

Ms. Candida Affa stated that it is a Special Meeting.

Mayor Matt Tuerk stated that you can take action.

Ms. Natalie Santos asked the reasoning why they are taking the section out.

Mr. Daryl Hendricks stated that the evidence presented by our Fire Chief to reduce from the current 20 foot wide will cause possibility of further damage or safety to the public. He is opposed to that and does not want to put the citizens in any danger that they already are.

Ms. Candida Affa stated that she happened to be one of the first people at the fire on Allen Street near Henry Salt of the Sea. She immediately made a right hand turn by Henry Salt of the Sea and went down the alley. There were two homes in flames and out of control. It was scary. There were no cars in the alley and she went around the block and checked out the fire hydrant. This is before the Fire Department got there. She stated that it scared her. She asked Chief Agosto if it is true that the Fire Department got the fire out in 30 minutes.

Chief Efrain Agosto stated that it took about a half an hour.

Ms. Candida Affa asked if the fire truck in the alley.

Chief Efrain Agosto stated that is correct. There was a truck in the alleyway that was able to establish a water supply. They used a fire hydrant that was down further on the block. They were able to get a hose line to the back of the structure.

Ms. Candida Affa asked if there were cars parked in the alley, in your opinion do you think that fire truck would have had access to the back of those buildings.

Chief Efrain Agosto stated not the size of that alleyway.

Ms. Candida Affa stated that she is running for reelection and is willing to give up her seat before she will allow an ordinance or law that would allow an entire city to park in these alleys. The entire city of Allentown is going to be able to park in alleys at 20 feet or less. She will not be responsible for a law that would allow this to happen for a convenience of some and risking the lives and homes of other people and our firemen.

Ms. Ce Ce Gerlach asked about the process on the amendment. Everything, other than that red portion will move forward. At the regular Council meeting that red portion which is concerning the alleys will be discussed at the Council meeting and voted on. Since the amendment

involves the rest of Bill 30, she has another clarifying question. The handling the hold delivery issue where they were going to give people three or five minutes to deliver, drop-off. Is that included in this?

Mr. Michael Hanlon stated that like the Mayor was saying you could act on things. Your thought process is that you will treat this like a committee meeting and forward the Bill with a recommendation and amendment at the full Council meeting. In the packet, the second amendment is on the delivery option.

Mr. Daryl Hendricks asked if there were any other questions or comments from his colleague.

Mr. Santo Napoli stated that really wrestled and the intent was really good for what they were trying to do with the alleys. What they learned talking about this is obviously how all of this is not created equal. We have all shapes and sizes in the city. He does not think an ordinance could be a blanket ordinance at this point to meet the needs of our public safety folks and residents being served. He suggested a case-by-case basis.

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

Mayor Matt Tuerk gave an observation based on what Mr. Napoli is offering.

Mayor Matt Tuerk gave an observation based on what Mr. Napoli is offering with the number of miles of streets that we have in the city. It is one thing to say we will treat each alley on a case-by-case basis. If you are in fact considering that you need to give the administration the resources to make that happen.

Mr. Santo Napoli stated absolutely. The Parking Authority will be involved with that. It will be a coordination between the Parking Authority and the Street Department. It would be unfair to dump it on streets.

Ms. Betty Cauler, 2212 W. Tilghman Street, stated that it clearly says in the red letters the streets with less than 20 feet except for streets controlled by parking signs. Her block has no, no parking signs.

Chief Efrain Agosto stated to Ms. Cauler if she has parking all the way down that alleyway then the Fire Department has no means to operate according. The truck is eight feet wide and when you open the doors it is three feet on either side. Once he hooks up a hose line on the back, it is still going to take up the space.

Ms. Candida Affa asked why would we allow the alleys also to impede them even more.

Ms. Susan York, 532 N. Brooks Street, stated that cars should not be on alleys and she is glad that Council is eliminating that from something you will vote on. She asked from what she gathered from the newspapers. People don't want to move their cars during street cleaning.

Mr. Daryl Hendricks stated no, not about the alley.

Mr. James Spang, 435 Ridge Avenue, stated that he represents the Riverfront Civic Association. His neighborhood was built for horse and buggy. The alleys down in the ward are really tight. You put a car in those alleys and have a fire late at night, somebody is going to die. The Parking Authority has so many misconceptions on the internet and the media. The Parking Authority is a not-for-profit business. It is an Authority. He talked about the Vehicle Code and how the laws are there to be consistent. He stated that we have to work together.

Mr. Shane Fillman, 120 S. 22nd Street, stated for almost three years and prior to this address he was a downtown resident for 30 years and owned several properties in Old Allentown and other neighboring communities. He thanked the Parking Authority and the Parking Authority board for multiple concessions. He discussed the many concessions. He believes enforcement should be seven days a week. He stated that he is opposed to parking in any alley because of safety. He talked about painting lines in the street.

Mr. Michael Hanlon stated that the Motion on the floor is a recommendation to remove the alley parking proposal in Bill 30.

Mr. Daryl Hendricks asked if anybody else wants to speak to that subject.

Ms. Ce Ce Gerlach stated that Council will be voting on that red section. She stated that about Mr. Napoli's idea of having a case by case basis situation. She asked prior to the meeting to have some initial idea about what the feasibility of that.

Mayor Matt Tuerk stated that the GIS capabilities are there. A lot of the data. They appreciate the capacity from the city to answer questions like that has not been fully developed. How many on street parking spaces we have in the city of Allentown. Unfortunately, we can't answer that question. They can endeavor to have that reporting at a later date.

Ms. Ce Ce Gerlach stated that potentially on the 3rd, if Council was to table that red section so that it won't be voted down, they would wait until the administration could maybe get Council answers. The answer is signage.

Mayor Matt Tuerk stated to Ms. Gerlach that the administration can give a responsible estimate on the delivery date.

Ms. Ce Ce Gerlach stated that for people that are parking in alleys and there are no signs, then the Parking Authority should not be giving them tickets, especially if they are being thrown out in court.

Mr. Ted Zeller stated that flips to discretionary items that they are trying to get better training of that. On the flip side of it, it is tough to walk away from this meeting if the alley Ordinance does not get passed that the Parking Authority should not be issuing tickets. He is not the advocate of this. He is just a civil servant hearing the complaints of citizens and putting together what he thought would be a potential fix. He is not going to be hurt if it is not enacted. It makes it real tough on them.

Ms. Candida Affa stated wasn't it a \$20,000 grant given to consultants to study this entire problem in alleys. She stated that the Parking Authority requested \$10,000 and the city gave them \$20,000. If the city has any RFPs and if we don't she doesn't understand why they will make decisions and vote on something that they are spending \$20,000 on a consultant.

Mayor Matt Tuerk stated that it is issued. It will be open and will receive proposals through May 22. He doesn't expect the time to prepare the report will be much longer than that. The city is asking the respondents to evaluate the options for the city of Allentown. This is legislation and the work of City Council. These decisions are up to you as legislators.

Ms. Candida Affa asked if there were any input from the administration. She asked what is the Mayor's take on this. As a City Council person that has to make these decisions, would it be smart to wait for the \$20,000 to get a consultant to help us inform us on what to do.

Mayor Matt Tuerk stated that the department heads speak on behalf of the administration. These guys are the experts.

Mr. Ed Zucal stated that the purpose of the RFP and the \$20,000 for the study was to find out whether or not what the ramifications were taking over the Parking Authority. Taking over the entire Parking Authority and bringing it back to the city. Have the police enforce it or have a separate or another internal department. What they are discussing are options and request from the Parking Authority and from Council.

Mayor Matt Tuerk stated that it is a fiscal analysis. The RFP is posted to the City of Allentown website, and you can read the work scope. It is a fiscal analysis.

Ms. Katie Rosario wanted to express her concern on parking in the alley. Emergency response team, citizens in a burning house and no Sunday enforcement. It will put more burden on the Police Department.

Mr. Ted Zeller stated that the Parking Authority will have enforcement on Sundays. It will just be by dispatch.

Mr. James Whitney encouraged the administration to tone down the language. One of the kids that is a Parking Authority officer who is in the video of Channel 6 ABC Philadelphia News Coverage he just after he finished had a conversation with him. He said that he is educating the public. He said he can save 10 people from getting tickets, but he still has people scream at him that are not getting tickets. The training is on what the laws are. The discretion comes with experience. The Parking Authority needs to do better, but we need to do better as a city as well. He had a conversation with a city inspector and housing inspector.

Ms. Jessica Ortiz, 523 Tilghman Street, stated that she appreciates what he said. A lot of people are going to be really upset, but since January the Parking Authority if they say it is a problem, they tried to create a solution. He did not talk tonight about one of the positions that they did vote on tonight which is going to be key to all these conversations which is a community person and a marketing person. That person can siphon out who has a alley and who does not have an alley.

Mr. Greenburg Lumus, owner of the Mexican Restaurant up the street, supported what Ms. Ortiz stated. He has been seeing that too. He saw one guy almost punch a Parking Authority officer because he was getting a ticket. They should have better training.

Mr. Daryl Hendricks stated that while he appreciates his colleagues comments, Mr. Napoli about the alleys can relate to this. He thinks that they have to be really careful not to micromanage our alleys which are in fact streets. The 20 feet width clearly states where you can park.

Mr. Michael Hanlon stated that the next one you wanted to vet is language that would provide an exemption to vehicles to make deliveries versus Option 2 which is the Siren Pilot Program.

No Vehicle should stop, park or leave standing any vehicle whether

attended or unattended upon the roadway except for disabled vehicles only when it is impossible to avoid stopping because of the condition of the vehicle. The driver has to remove the vehicle promptly. Public transit vehicles from picking up or dropping off passengers at a marked stop. Garbage and recycling trucks when picking up garbage or recycling, municipal or public safety vehicles, vehicles in the process of making a delivery or dropping off or picking up individuals within a five minute timeframe.

Mr. Michael Hanlon stated that the proposal from the Parking Authority says that Option 2 would have the siren and you would Pilot the siren approach and then come back.

Mr. Daryl Hendricks stated that it is his understanding that all the Parking Authority vehicles now have the siren onboard and they have been utilizing. It is new and will take time to incorporate it.

Ms. Ce Ce Gerlach stated that it is the same outcome. The Parking Authority approaches someone that is actively doing their delivery and they put on their siren to let them know they have to hurry up and do their delivery and how long do they have to do their delivery or is it up to the Parking Authority. She stated to Mr. Zeller that they are too young.

Mr. Daryl Hendricks stated that provided that they move, they won't be ticketed.

Mr. Ted Zeller stated that they are not too young. They have to be trained. They talked about 90 seconds. He would like to see if the siren approach works. A five minutes time limit is a long time for an enforcement officer to be sitting on the road waiting for somebody.

Ms. Ce Ce Gerlach stated that they do it. When she was at a Black History event, she emailed somebody at the Parking Authority and copied some members of Council. There was an elderly lady getting out and it took a minute.

Mr. Ted Zeller stated that sometimes they will illuminate to help a person. He would like to see the siren approach and revisit that. He stated that Mr. Zucal mentioned about revisiting all types of things. They commissioned a study with 20 - 30 cameras that they are going to be videotaping all the parking spots to see how frequently they turnover for better delivery options. It is awful right now.

Mr. Santo Napoli stated that if you couple that with multiple people doing it. The devil is in the details. We have some work to do on Hamilton Street.

On a training standpoint, there could be some discretion.

Mr. Ted Zeller stated that some companies are a lot better than others.

Ms. Cynthia Mota stated that it is up to their discretion. We don't know if it is going to be five minutes. She suggested three minutes.

Mr. Daryl Hendricks stated that five minutes is a lot. He does not think they should put a time limit on it. It is up to the officers discretion.

Ms. Cynthia Mota asked how would it look like.

Mr. Ted Zeller stated that they are not going to remove the sirens after six months. They want to see how it works after six months.

Mr. Daryl Hendricks stated that they are going to stay on unless it does not work at all.

Ms. Cynthia Mota stated that if it is more problems, instead of six months, can it be less. If there are more issues, can they revise this, the six months.

Mr. Michael Hanlon stated that he thinks Mr. Zeller is proposing is that you do it for six months and then come back and depending on the issue, then you go back and look at this language. This language is not in there.

Mayor Matt Tuerk stated that Ms. Mota is correct. If Council determines that given them six months now, but if you see an issue in 90 days, Council can act. Granting the Parking Authority some time to evaluate this and Ms. Gerlach suggested waiting for another item and this item as well. If the Parking Authority does not amend its ways, then you can and should leaping into action more quickly.

Ms. Ce Ce Gerlach asked what is the metrics of success. Are you going to be collecting data so when the siren goes off is that captured somewhere. How many times has the siren goes off. How long the siren is on for. What were the circumstances that led the siren to be on. Will that data be captured somewhere so we know that it is working.

Mr. Ted Zeller stated that the Parking Authority will hear from the public.

Ms. Ce Ce Gerlach stated so no data.

Mr. Daryl Hendricks stated that the results of enforcement will shell that out. One Seventh Street, the keep records of how many vehicles are tickets for double parking.

Ms. Ce Ce Gerlach stated that unless there is data that is captured they won't fully know if it is successful. We need hard numbers.

Mr. Ted Zeller stated that he does not disagree with her on that point versus siren used and it worked or it did not work.

Mr. Daryl Hendricks stated that if the numbers are going up, obviously the sirens are not working or we have a lot more people who are choosing to double park.

Ms. Cynthia Mota stated that the positive things is that we have a community that understands what is going on and a community that has been affected. If the Siren Pilot approach works that is good too.

Mr. Ted Zeller stated that the best time to do it is at the end of September. That will give them two big Parking Forums.

Mr. Santo Napoli stated that one of the biggest complaints they heard as a board was folks getting double parking tickets without knowing they were getting double parking tickets. The solution from the board was mandating the Parking Authority buy these sirens so they can give the drivers they were here. They were giving 90 seconds and now they were aware. All the vehicles have the sirens and they are using them.

Mr. Ted Zeller stated that Ms. Gerlach's point is fair and the Parking Authority needs to inform enforcement.

Ms. Cynthia Mota asked about the 31 staff members and if they speak different languages.

Mr. Ted Zeller stated yes. They just reviewed the data today and pretty confident that the fabric of their enforcement officers matches the fabric of our city.

Mr. Daryl Hendricks stated without questions.

Mr. Santo Napoli stated that there was one Arab, 12 African Americans, Latinos and six Whites Enforcement Officers.

Ms. Natalie Santos asked about the Siren Pilot study. How do they know they have 90 seconds after the horn. Are enforcement officers telling them

that?

Mr. Ted Zeller stated that the horn may foster a conversation. A lot of times folks are double parking and no one is in the vehicle. Is it possible that someone is assisting an elderly relative into the house? That is usual the exception as opposed to the norm. The horns seems to be the best practices in the industry.

Ms. Ce Ce Gerlach stated since many are leaning towards Option #2 and the Parking Authority prefers that with discretion. What does the training look like for Parking Authority Enforcement.

Mr. Ted Zeller stated that he would have to report that separately to them. He stated that there is almost like a situation where they are out in tandem and there is someone new in addition to in person training and a low level supervisor that is solely responsible for training. They are also paired with more senior enforcement officers.

Ms. Ce Ce Gerlach stated that is helpful to know. She stated enforcement and anti-bias training.

Mr. Ted Zeller stated that it is definitely deescalating training. These changes are fairly manageable to integrate.

Ms. Candida Affa asked how many officers are accosted, how many officers that are hurt, or beat-up, slapped or spit at. We are talking about training here.

Mr. Ted Zeller stated that hasn't been an officer that has been accosted, and doubt that there is an officer who hasn't been spit at. Not everyone has been beat up, but they do have those issues. The job is not for everybody.

Ms. Christina (did not give her last name) stated that about two weeks ago she dropped her mom off at Fifth and Gordon. She appeared to have a broken foot. She carried her into the house. It was three minutes tops. She got out her car and the Parking Authority officer sat there and when she got to the driver side of the car, the Parking Authority officer said do you want this ticket. She told the officers that she physical saw her carry someone into the house that could not walk. She was vulgar. She appealed the tickets and got another bill in the mail. How she acted was very unprofessional.

Mr. Ted Zeller stated that the appeals have been effective in reducing 53 percent of the tickets issued from warnings for flat out no violations.

Mr. Santo Napoli stated before she leaves if she can leave her information with Clerk Mike Hanlon. He stated that he would like to get the Violation #.

Ms. Christina (did not give her last name) stated that she has the actual ticket with her.

Mr. Ted Zeller asked if she had it right there and if he can take a picture of it.

Mr. Daryl Hendricks stated that someone will get back to you. He asked if there was anybody else.

Ms. Becky Kiss stated at the last Parking Authority meeting, Mr. Morgan brought up the fact that there was no loading on Hamilton Street. When he said that he mentioned Hamilton Mall. She knows that Mayor Tuerk stated that all the language is being removed referring to the mall because the mall is no longer. She stated that she could not find any Ordinances referring to loading zones on Hamilton Street that references the mall. She asked where that ordinances.

Mr. Daryl Hendricks stated that he does not believe the Hamilton Mall Ordinance is still in effect, but he could be wrong. However, there are Rules and Regulations that are still in effect.

Mr. Santo Napoli stated that what he heard from management there is no ability to put a delivery zone on a commercial zone.

Mr. Daryl Hendricks stated that it is because of the design of it. There is very limited parking for customers.

Mr. Santo Napoli stated to Mr. Zeller to ask management to find the Ordinance and get better details.

Mr. Michael Hanlon asked Ms. Christina if she used the new code and could not find it.

Ms. Christina (did not give her last name) stated that she is pretty good with Googling and did look a bunch of places and was not able to find it.

Mr. Ted Zeller stated that they found a number of irregularities that was not codified.

Mr. Santo Napoli stated that they need to work on delivery zones. They are active as a board and working on it. At the last meeting, they got sidetracked on other concerns and issues.

Mr. Dominguez (sp), stated that his question is about the parking. This afternoon they had a meeting at the Americus Hotel. A customer of his dropped off his mom and sister to come into the restaurant to eat. The mother can barely walk. They were waiting on the sidewalk. It was less than a minute and they got a \$100 ticket. They need more time to pick up persons on Hamilton Street. He stated that what they are trying to do is great. This morning, they talked about the parking, the pick up and drop off. This afternoon they told him if he pays for the sign to be in front of his restaurant the pick up and drop off, he can put it there. He asked what is the price for that and they told him he probably won't like the price. He doesn't like tickets.

Mr. Daryl Hendricks suggested he do that. This will give you as much time you need for the customer.

Mr. Ted Zeller stated that the Parking Authority allows pick up, drop off areas if you pay to take the meters out. If the Parking Authority is going to see it parked all day, they are still going to ticket it.

Mr. Daryl Hendricks stated that they explained numerous times his options, if he chooses to exercise on it or not that's on him. He asked if there was anybody else.

Mr. Michael Hanlon stated that the Bill will be on the May 3rd Agenda with your recommendation to take action on deleted that section on parking in alleys.

Mr. Daryl Hendricks stated that they will be meeting next Wednesday, May 3rd at the regular Council meeting.

A motion was made by Daryl Hendricks, seconded by Candida Affa, that this Bill be amended to DELETE SECTION § 615-48 BLOCKING GARAGE ENTRANCE THAT READS FOR STREETS WITH WIDTHS LESS THAN 20 FEET, EXCEPT FOR STREETS CONTROLLED BY PARKING SIGNS, A VEHICLE MAY PARK ON A PORTION OF THE STREET AS LONG AS THERE REMAINS A 12 FOOT PASSAGE WAY FOR VEHICULAR TRAFFIC AND THE VEHICLE IS NOT ON A SIDEWALK WITH A CONTINUOUS RUN OF CONCRETE, MACADAM OR OTHER IMPERVIOUS SURFACE FROM STREET TO STREET, WHICH BIND THE STREET UPON WHICH THE VEHICLE IS PARKED.

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, Natalie Santos, and Santo Napoli

ADJOURNED: 7:30 PM