



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

City Council

Wednesday, May 17, 2017

7:00 PM

Council Chambers

Invocation: Council President Ray O'Connell

Pledge to the Flag

Roll Call

Present: 6 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, and Roger MacLean

Excused: 1 - David McGuire

Courtesy of the Floor

Courtesy and Privilege of the Floor Rules

Mr. Harry Crapser, 1522 1/2 Chew Street, stated that on behalf of the Homeless House at 15th and Chew would like to request a security camera at 15th and Chew, 15th and Turner and 15th and Gordon. There has been five car accidents.

Mr. Ray O'Connell asked if a request was asked before. He stated that the West Park Civic Association does a great job.

Ms. Candida Affa asked when was this accident.

Mr. Harry Crapser stated that it was the night of May 6 and the morning of May 7.

Mr. Joseph Hilliard, 2819 Ronda Lane, stated that yesterday the voters spoke and 3 out of 10 have made the selection which will most likely will be ratified in November. Seven out of 10 voters wanted another choice. He encouraged by the leadership of this Council to push through and lead even more. How do we go forward, educating citizen on what is going on and you need information. He stated that he has three Right to Know Requests. He asked for all paramedic and EMTs personnel records including paid benefits and overtime cost for 2016 through April 2017, bank statements at the end of each fiscal year for 2001 and 2016, and a check registry.

Mr. Julio Guridy asked Mr. Hilliard to let him know when he is completing the audit.

Mr. Joseph Hilliard stated that he would not call it an audit, but a common sense review.

Mr. Ray O'Connell thanked Mr. Hilliard.

Mr. Joe Tobnick, 3220 Governor's Road and a business at 112 S. Eighth Street, stated that he is handicapped. The last three years himself and four other handicapped people were given the right to drive their vehicles to the gravel path to go fishing. This year, it is all changed. He tried to make an appointment for the Mayor. They took away our privilege to fish in the parkway.

Mr. Ray O'Connell asked in past years were you able to fish where you wanted to fish.

Mr. Tobnick stated that they gave me a permit on April 7. I went to use it and found a yellow baluster in the middle with a padlock on it.

Mr. Ray O'Connell asked Mr. Hanlon to setup an appointment with Mr. Tobnick, himself, Mr. Hendricks and Ms. Mota.

Mr. Lou Hershman, 405 N. Gilmore Street, stated that he is sure that the city Controller submitted the report on the vehicle policy. The vehicle policy is being abused.

He asked about an Engagement Letter in regards to Play to Pay. Are we keeping somebody on a retainer.

Mr. Ray O'Connell stated to Mr. Hershman to stick to the facts. If your question is to review the fleet going home, we will review the fleet going home. He stated that when the FBI comes in for an investigation our Solicitor's office cooperate fully with the FBI.

Mr. Dennis Pearson, 942 E. Tighman Street, stated that when Council was passing another grant request another individual was holding a neighborhood meeting about this. He stated that somebody running for office holds a political neighborhood meeting. Any issues about Andre Reed Park goes to the main neighborhood and just not to the block that I live. He stated that he and the Eastside Rittersville Neighborhood Association was not invited to the meeting.

Mr. Ray O'Connell stated that if there are any concerns about the neighborhood or park you call the nonemergency number or call Mr. Hanlon to take care of it.

Mr. Glenn Hunsicker, 844 S. 11th Street, stated that he spoke to Mr.

Messinger and wants him to comment on the trucks. There is a tractor over a month and a garbage truck that needs to be delivered to the city. He asked if the two trucks are under the Solid Waste Fund. Is there a reason why the Solid Waste Fund did not pay these out of its millions of dollars of cash that they are holding in that account.

Mr. Craig Messinger stated that there are two pieces of equipment a tractor and a garbage truck for the recycling department. There were questions about the insurance for the Lease. There was some further information and insurance requirements. They have all the insurance requirements that they need. They are reviewing the two leases. They will be finalizing the Lease shortly. We usually do a lease/purchase.

Mr. Jeff Glazier stated that when you make a statement about the lease/purchase whether it is a three year agreement or a five year agreement we are essentially purchasing the equipment after three or five years. This is how we purchased equipment in the past whether it be fire engines or dump trucks.

Mr. Tom Hahn asked about the maintenance on these trucks where we contract out and use an extended warranty for three to five years. We need a report on how the savings is going on that the Leaser repairs the truck. It should be explained so that the taxpayers know why we are doing this.

Mr. Craig Messinger stated that when we say lease, I say lease/purchase. It is split between paying for that piece of equipment and we bought it. At certain times we get an extended warranty. When it is a brand new piece of equipment that we never had before.

Approval of Minutes: None

A motion was made by Ray O'Connell that this be approved. The motion carried by the following vote:

Yes: 7 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, Roger MacLean, and David McGuire

Old Business: NONE

Communications

- **Proclamation for Mountainville Lions Club/Alton Park Lions Club – 65th Anniversary Celebration**
- **RK&K Presentation of the Replacement of the West Gordon Street Bridge over the Jordan Creek**

Rev. John Hoff stated that as members of community service outreach goal and we like to extend an opportunity if there are any service projects that the City of Allentown needs that our volunteer work can help with we like you to get in contact with us and tell us how we can help.

Mr. Ray O'Connell thanked the Mountainville Lions Club/Alton Park Lions Club and asked them to keep up the good work. We look forward to your 70th, 75th and 80th.

Ms. Cynthia Mota stated that she is also a Lions Club member and it is a great organization. They do a lot for the community.

Mr. Craig Messinger stated that it is a short presentation of the Gordon Street replacement. We are lucky enough to seek this as a project for full replacement. Don Lurch and David Klyce will be giving the presentation.

Mr. David Klyce gave the presentation on the Gordon Street Bridge. He stated that the bridge is on Gordon Street between 4th and American Parkway. It is posted for a seven ton weight restriction. It is a source of maintenance for the city. During construction it will be done in stages. The first stage will remove as much as the bridge as we can. The existing sidewalk on both sides are not 13 feet. The proposed bridge will have a sidewalks that are with compliance with standards. There will be some utility relocation. He talked about the sanitary storm which is on the western approach will be relocated. In order to do the sewage construction for the drainage on northwest and south there be some sloping and light pink shading. There will be some temporary construction. Any hazardous materials will be taken out and remediated. The anticipated beginning of construction will be Spring of 2019. There are additional comments sheets for the public.

Mr. Julio Guridy asked about the traffic pattern. He asked if they did a traffic study.

Mr. David Klyce stated that vehicles will not be crossing the bridge during construction. The vehicles on Gordon Street coming from the east will go down 4th Street to Hamilton and will have a detour. The ones goes west will turn left of American Parkway. With the final design they will make sure that there are traffic operations.

Mr. Don Lurch stated that one of the things that we are going to do is put a special provision in the contract to monitor the traffic movements.

Ms. Cynthia Mota asked how long do you foresee this taking.

Mr. David Klyce stated that they anticipate in the construction in the beginning of the spring of 2019. About eight months.

Ms. Candida Affa stated that this will be extended. The bridge will be

longer. She asked if there is lighting.

Mr. David Klyce stated that this orange is a footprint of the existing bridge. This yellow is the extension. He showed Ms. Affa the existing bridge.

Mr. Don Lurch stated that there is lighting on the existing utility pole. We won't be adding any additional lighting.

Mr. Daryl Hendricks asked if this work be strictly done in the day time. He was hoping that they could expedite it by working two shifts.

Mr. Don Lurch stated that they can put restrictions in the contract to eliminate. We do not anticipate putting any restrictions on the work particular since it is under a detour. We will put it in the contract that we must comply with the municipality's noise ordinance.

Mr. Craig Messinger stated that will be a requirement from 7:00 AM to 9:00 PM.

Mr. Ray O'Connell opened up the questions and comments to the public.

Mr. Lou Shupe, 625 N. 6th Street, asked if you have the eastbound traffic going on 4th Street down to Hamilton that is going to cause a problem for Central Catholic High School when they unload buses in the morning and afternoon. The traffic should be diverted on 5th Street instead.

Mr. Julio Guridy stated that is a good idea.

Mr. Ray O'Connell stated that is a good suggestion. It is a nightmare.

Mr. Ken Laudenslager, 721 Cumberland Street, echoed what Lupe Shupe said and he stated that he knows Mr. MacLean has been down there as Police Chief and Mr. Hendricks. It is a nightmare and if you are going to try to put traffic, especially truck traffic it is not going to happen. Use 5th Street for eastbound. I would use 6th Street because of Central Catholic, Sacred Heart and the hospital.

Mr. Ray O'Connell stated that is a good comment. The gentlemen are hearing and they will take it under advisement.

Mr. Tom Hahn stated that he did not hear anything about weight restriction on the bridge. Is American Parkway a part of another expressway?

Mr. David Klyce stated that it would for current standards.

Mr. Craig Messinger stated that there will be no restrictions on the bridge. Now it is seven tons. Obviously, you have to be legally weighted to be on the roads in Pennsylvania.

Mr. Ray O'Connell thanked the presenters.

[15-1620](#)

RK&K Presentation - Gordon Street Bridge

Attachments: [RK&K Presentation - Gordon Street](#)

REPORTS FROM COMMITTEES:

Committee of the Whole:

A Committee of the Whole is scheduled for Wednesday, May 31st at 6:30 PM to discuss Bill 5, a proposal for a charter amendment that would ask voters to weigh in on proposed term limits for the Mayor.

Budget and Finance: Chair Guridy, Hendricks, Mota

The Committee has not met since the last Council Meeting; the next meeting is scheduled for Wednesday, May 31st at 5:30 PM.

Community and Economic Development: Chair McGuire, Guridy, Mota

The Committee met this evening; a future meeting has not yet scheduled.

Human Resources, Administration and Appointments: Chair Affa, MacLean, McGuire

The Committee has not met since the last council meeting; a future meeting has not yet been scheduled.

Parks and Recreation: Chair Mota, Affa, O'Connell

The Committee met this evening; a future meeting is not yet scheduled.

Public Safety: Chair Hendricks, MacLean, Affa

The Committee has not met since the last council meeting; the next meeting is scheduled on Wednesday, June 7th at 6:45 PM.

Public Works: Chair MacLean, McGuire, O'Connell

The Committee has not met since the last council meeting; the next meeting is scheduled on Tuesday, May 23rd at 6 PM to review two proposed street vacations.

Rules, Chambers, Intergovernmental Relations and Strategy: Chair O'Connell, Hendricks, Guridy

The Committee has not met since the last council meeting; a future meeting has not yet been scheduled.

Ad Hoc Committee on Inclusionary Zoning: Co- Chairs Guridy and McGuire

The Committee has received the White Paper on inclusionary zoning and we are reviewing it; we will meet within a few weeks to review the report.

Water and Sewer (Lease and Operations) Compliance Review Board: Chair MacLean

The committee is scheduled to meet on Tuesday, May 23 at 5 PM.

City Controller's Report

Mr. Jeff Glazier stated that they finished the fleet management and maintenance audit. This is probably the biggest thing that we have done even before my time. We looked not only at the maintenance contract, we looked at most of the AIM the affects fleet and I would like to say that the

cooperation that we received from Mr. Messinger and his folks was very good. I spent four years in a production auto shop repairing vehicles. Allentown's fleet is comprised of vehicles and equipment that owns and uses for various activities. The job of maintaining the fleet is critical. Failure to have fleet maintenance and all its aspects can result in necessary loss of city services. The city's fleet management is outsourced for the purpose of providing maintenance for all city vehicles. The original contract was with all star fleet for a three year term with two, three year extensions. The contract and terms and extensions terminated on 12/31/2017. We made suggestions the Purchasing department and some will be incorporated in the RFP going forward so that in 2019 who ever is Controller can take a look at it again. The contract focuses on targeted and non-targeted services. The objection of the review is to determine whether the payments made for fleet vendor for fees made in compliance of the contract, to determine whether the invoices are properly categorized for billing purposes, to determine whether the controls maintained over issuance removal and classification of fleet vehicles are adequate, and to determine compliance with the AIMS. The period we selected for testing was August 2015 to September 2016. Contract renewal rate weakness: The contract period should be for three years following the execution of the contract, with renewal options for two or three year options. The contract begins at the beginning of the respected year. There is no evidence of review of renewal rates from Finance or Treasury. With the next contract the changes will come before Council because Council changed the contract approval process. It could hit the 10 percent threshold like a Change Order. Future contracts should address deficiencies. There are some city made purchases through Centerra. The purchases had sales tax on them. We are sales tax exempt. City invoices should be paid by the city and not processed through a third party. The administrations response is that all purchases will follow required purchasing procedures. There is a lack of IRS reporting on fringe benefits. You need to report that as a benefit if everybody is taking a car home. In the future the city will make sure that all city employees fringe benefits are classified appropriately. No compliance with the name. One department took 28 days to report an accident. The bureau should comply with the AIM. On non-targeted invoices there was a charge and it should be for the actual cost of doing things. The bench charge was for \$4.25 and it was for miscellaneous things. The cost for billing the individual items would be a significant amount of time. There is an opportunity to consolidate services. Towing services are contracted by the city Ross Body and Framework. Centerra also use Ross to tow vehicles. The towing services with Centarra are a little bit higher than those of the city of under Allentown contract. The administration should consider incorporating the services into the raw spotty and frameworks contract. The administration stated that they will discuss with the police and Public Works department. We reviewed the

credit card list and two employee credit cards were terminated. Fleet credit card should be deactivated upon termination of the city. Employees must complete the driver's history form Appendix B and thereby provide signed permission form the city or its designator to receive motor vehicle records as a condition of employment and for the purpose of random checks. The recommendation is the it should be verified by Finance and submitted to the Controller's office to ensure compliance with the AIM. In regards to cars going home, the AIMS that I find is that 20 vehicles are allowed to go home and it has a 1999 date. He doesn't know if it has been updated. It still retains Water Resources vehicles on that list which of course, we don't have anymore. We had a total list of vehicles and made sure that each vehicle is used by the person or department in which they were assigned. For the most part he doesn't think it is being abused. We might expand the scope. This was a complicated subject. We did a good job on it.

Mr. Ray O'Connell stated that was a very thorough report. He asked for a total list of vehicles that they have and a list of the people that are taking them home.

Mr. Daryl Hendricks stated that it is his understanding this contract was not before us for our preview.

Mr. Jeff Glazier stated that the contract is in its ninth and final year. Council didn't approve contracts back the, Council will approve Change Orders 10 percent greater than the initial contract.

Mr. Craig Messinger stated that the RFP is just about completed. He stated that the majority of the bench doc was for when the body man was doing repairs to the vehicles. It was not delineated in the RFP, but will be in the next one. To make it worthwhile for any other companies to come in and try to take over the contract, you have to make it long enough and enough of an incentive to make it worth their while.

Mr. Daryl Hendricks asked if the city already gone out for contracts. He asked about the Fleet credit cards that were not returned. Was there any evidence that they were used after the termination of employee.

Mr. Craig Messinger stated no, the final RFP is still in the works. We wanted to see what the responses where coming back.

Mr. Jeff Glazier stated not that he is aware of. He doesn't believe they were.

Mr. Craig Messinger stated that they weren't and they were fuel cards. The

grinder for the trees uses premium fuel. Some of the engines require it.

Mr. Ray O'Connell stated that the total of vehicles, who is taking them home and the destinations.

Mr. Jeff Glazier stated that the Controller's department is the smallest department in the city and I am lucky and the city is lucky we have an exceptional auditor in Jacqui Moore and she and I collaborated on this a lot, but she did the lion share of the work. I think it is a very good audit and she certainly is due the complements on it.

Mr. Ray O'Connell asked Mr. Glazier to send Ms. Moore Council's thanks. It is very comprehensive and very complete. He asked if there were any other comments from his colleagues from Mr. Glazier's report.

Present: 7 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, Roger MacLean, and David McGuire

APPOINTMENTS: None

ORDINANCES FOR FINAL PASSAGE (To be Voted On):

[15-1587](#)

Bill 33 Parks and Recreation, this evening.
Amending the 2017 Capital Fund Budget to provide for a supplemental appropriation of One Hundred Fifty Thousand (\$150,000) Dollars as a result of a grant from the Pennsylvania Department of Conservation and Natural Resources for the for payment of professional services to design, complete construction documents, provide bid assistance and build a portion of the Allentown section of the Jordan Creek Greenway Trail that will ultimately run from Turner St. to Jordan Park and MacArthur Rd.

Attachments: [Bill 33 JORDAN CREEK GREENWAY TRAIL DCNR GRANT.docx](#)

Ms. Cynthia Mota stated that it was passed favorably, 3 - 0.

Mr. Ray O'Connell asked if there were any comments from my colleagues.

Mr. Roger MacLean asked hoe much construction are we getting out of that.

Ms. Lindsay Taylor stated that the actual construction is a small segment from Turner Street along the creek to Jordan.

Mr. Ray O'Connell asked if there were any other comments from my colleagues or the public.

A motion was made by Ray O'Connell that this Ordinance be approved. The

motion carried by the following vote:

Yes: 6 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, and Roger MacLean

Absent: 1 - David McGuire

Enactment No: 15371

[15-1586](#)

Bill 34 Community and Economic Development, this evening.
Amending the 2017 General Fund Budget to provide for a supplemental appropriation of Twelve Thousand (\$12,000) Dollars as a result of a grant from the Pennsylvania Historical and Museum Commission (PHMC) to fund a Historical Preservation Specialist Consultant to assist the City's Historic Architectural Review Board (HARB). The grant requires a 5//50 match.

Attachments: [Bill 34 PHMC HARB Grant.docx](#)

Mr. Julio Guridy stated that it is a pass through grant and is a supplemental appropriation supported by a job Mr. David Kimmerly is doing. There are no matching grants needed.

Mr. Ray O'Connell asked if there were any comments from my colleagues or the public.

A motion was made by Ray O'Connell that this Ordinance be approved. The motion carried by the following vote:

Yes: 6 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, and Roger MacLean

Absent: 1 - David McGuire

Enactment No: 15372

RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):[15-1609](#)

R112 To Be Introduced and Voted On - May 31st deadline
Authorization for Greenways, Trails, and Recreation Program (GTRP) grant of \$250,000 from the Department of Community and Economic Development to be used for MLK Parkway Trail planning project.

Attachments: [R112 MLK Greenway Trail Grant](#)

Ms. Lindsay Taylor stated that in 2014 walking was considered the most popular outdoor activity in the state of Pennsylvania. In 2015, walking, hiking, bike riding and fishing all popular activities in the city was the top four of seven activities participated nationwide. We are committed to getting a trail system that gets the inner city Allentown on to our parks. We received a DCED Grant Application last year for Auburn Trails. It will be our Trail Hub for our city. This grant application is for the next segment for the MLK Trail. It is an 85 percent grant with a 15 percent city match. We are requesting approval for a \$250,000 grant submission for

planning a design of the trail.

Mr. Roger MacLean asked is this the one that we have to go and apply for another grant to do the actual construction.

Ms. Lindsay Taylor stated yes, that is correct. Then we will be considered shovel ready.

Mr. Roger MacLean asked is this the one that we have to go and apply for another grant to do the actual construction.

Ms. Lindsay Taylor stated yes, that is correct. Then we will be considered shovel ready. This is a tough grant to get. There are a lot of competition because it is such a great match. It is 85 percent.

Mr. Ray O'Connell asked if there are any other comments from my colleagues or the public.

A motion was made by Ray O'Connell that this Resolution be approved. The motion carried by the following vote:

Yes: 6 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, and Roger MacLean

Absent: 1 - David McGuire

Enactment No: 29493

[15-1626](#)

R112B To be Introduced and Voted On
Approves the Granting of a Certificate of Appropriateness for Work at 223 N. 11th Street by the Allentown Historical Architectural Review Board

Attachments: [R112B - HARB Approval, 223 N. 11th Street](#)
[FINAL REVIEW SHEET amended](#)

Mr. Ray O'Connell stated that it is a typical work of appropriation. He stated that it is routine. He asked if there were any comments from my colleagues or the public.

A motion was made by Ray O'Connell that this Resolution be approved. The motion carried by the following vote:

Yes: 6 - Ray O'Connell, Julio Guridy, Daryl Hendricks, Cynthia Mota, Candida Affa, and Roger MacLean

Absent: 1 - David McGuire

Enactment No: 29494

ORDINANCES FOR INTRODUCTION (To be referred to Committee with public comment prior to referral): NONE

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

Mr. Julio Guridy stated that earlier when he did his report for the Inclusionary Zoning, he mentioned that they were still waiting for the White Paper. We did get that White Paper already. We just have to review it. The meetings will be scheduled within a few weeks.

Mr. Ray O'Connell asked if there was anything else for new business.

Mr. Daryl Hendricks stated that as this is Police Memorial Week, I had the honor today along with my colleague former Chief Roger MacLean as well as Dr. David McGuire to attend the commendation ceremony at the Scottish Rite Cathedral. A number of our officers were awarded and presented with awards for going above and beyond. He asked the public to keep in mind the great job our police department does and keep them in your prayers.

GOOD AND WELFARE: NONE**ADJOURNED: 8:24 PM**

[15-382](#) Council Rules

Attachments: [Council Rules](#)

[15-617](#) Home Rule Charter

Attachments: [HOMERULE 2014](#)