



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

City Council

Wednesday, June 21, 2017

7:00 PM

Council Chambers

Invocation: David McGuire

Pledge to the Flag

Roll Call

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

Excused: 1 - Cynthia Mota

Courtesy of the Floor**Courtesy and Privilege of the Floor Rules**

Mr. Lou Hershman, 405 N. Gilmore Street, stated that he sent a memorandum with a couple of attachments included a Right to Know about the 2017 Budget. They balanced the budget with the \$3.6 million from the city cash reserves. They did creative financing to do it. Now, we have an \$8 million deficit and when you add this together I don't know where we are going. I don't know where we are going. The Mayor campaigned that he didn't raise taxes in 12 years. He asked City Council to either ask the Securities and Exchange Commission that audits municipalities. Has the Mayor committed a fraud, I don't know. Are we going to leave this type of accounting continuing in Allentown. The Controller hasn't completed a vehicle policy yet. He commended Mr. Ray O'Connell on raising the issue on public safety and why are we so many policemen short. We need firemen and EMS.

Mr. Ray O'Connell stated that it is an Ordinance, only so many cars can go home.

Ms. Janet Keshl, W. Wabash Street, talked about the city parks with so much trash and litter. It is consideration and cleanliness. How can the public help?

Mr. Ray O'Connell stated that he sees it also. He sees people walking down the street and it's a trash can right there and they will take a soda can and empty potato chip bag and they will just throw it. It is how you are brought up. You can't force manners and proper etiquette. It is the job of our Sweep Department and our Police Department if they see littering to cite that individual.

Mr. Glenn Hunsicker, South Allentown, stated the he wanted to follow up on Mr. Hershman's discussion. Read the Wall Street Journal. There are some parallels to Allentown here. There should be some forensic audits. What they are doing to balance the budget and Council is involved in this. Where it says transfers from reserves, the Reserve Fund is not identified anywhere. Council has to get going on this. It has been five years looking at this money from the \$220 million, down to \$211 million that the city got. In five years, the budget went from \$88 million to \$105 million. There is a \$17 million difference. Where did that money come from? The Mayor said no taxes, but you did have taxes. You had EIT and all the other money. At this rate, you are going to need another bond this Fall and another EIT go up two percent. We are not getting enough information. Maybe it starts with the Finance Committee. Mr. Julio Guridy should come out. He is running for re-election and now is the time to come up and say or come forward with some transparency. You have been here for 10 - 12 years, do

something.

Mr. Ray O'Connell stated that he sees the transfer from reserves \$3.2 million. He asked Mr. Guridy for Budget and Finance to look into that.

Mr. Julio Guridy stated that when Mr. Hartzell is here, we will talk about it and look into it. The Budget Book has been out since last November.

Mr. Glenn Hunsicker stated that you guys have seen this number before. If the Solicitor's office sees some wrong-doing, do they have the legal authority to stop this.

Mr. Julio Guridy stated that the city has a Controller, a whole Financial department, and we have you that is looking at it all the time.

Mr. Ray O'Connell stated that Council will get an explanation of the \$3.2 million.

Ms. Debi Bowman stated that right now we are in the middle of audit. We do an annual audit every year. They are here for months and they do a full audit of our funds and transactions which will be coming out next week.

Mr. Julio Guridy stated that he had a meeting of the audit group and they did not point out anything like that. He stated to Mr. Hunsicker, if you have that information, they will be here next month.

Mr. Ray O'Connell stated that we don't get all the answer either.

Mr. Glenn Hunsicker stated that we should subpoena these people and put them under oath.

Mr. Ray O'Connell stated that maybe the FBI is doing that right now.

Ms. Debi Bowman stated that the Report is issued and the Report is filed. When they do their presentation when they get on the calendar with Council.

Mr. David Keshl, president of Mountainville 30 Crime Watch, thanked all the Councilmembers that participated in the Leonard Buck Banquet back in April. Now, that school is out and his business is in Sixth Ward. Stop signs don't exist. I would like to see the police to a blitz of the First and Sixth Ward.

Mr. Ray O'Connell asked for specific areas and stated by Harrison Morton.

Mr. David Keshl stated by Harrison Morton, Sheridan School, Liberty and Second Streets and Liberty and Allen Streets. It is rampant.

Mr. Ray O'Connell asked Mr. Messinger to let Chief Dorney know that.

Mr. Hollis Perry, NAACP, asked about the Parks and Recreation Capital Improvements. He stated as far as he could get was 2015. He could not get any information. He was looking to see if Valania Park was on the list.

Mr. Ray O'Connell stated that Ms. Taylor is here from Parks and Recreation, but they are working on a Master Plan for Valania Park right now.

Ms. Lindsay Taylor stated that we are in the midst of the Master Planning process. We had so far two pretty successful public meetings. By the end of the year, we will have a Master Plan for the park and we will request a page in the CIP for funding improvements including going after some grants.

Mr. Hollis Perry asked if the Parks and Recreation department will make it available for the public to view on the website.

Ms. Lindsay Taylor stated absolutely. There will be a public process before it is adopted to make sure the public is involved in the process. You are on the list for notifications, so you will know when these meetings will be held.

Pastor Steve Shussett, Acting Vice Chair of the Allentown Human Relations Commission, we are a group of people committed to seeing that the city's ordinance protecting against discrimination in its many forms is upheld. If we ought to be the city that we aspire to be we need all hands on deck. The Commission plans an important role in making sure that residents and employees get a fair shake regardless of race, color, religion, national origin, ancestry or place of birth, sex, gender identity, sexual orientation, marital status, family status or handicap or disability. Regrettably, our efforts to do this very thing are being hamstrung by vacancies that are not being filled despite qualified candidates. Some of these vacancies are due to natural attrition, and some are due to political dynamics that are beyond our control. But in no case do these vacancies serve the commissions work or the people or the principles that we are here to defend. What I might say if I was at my day job as the pastor of St. Paul's Lutheran Church just down the street, the harvest is plentiful, but the laborers are few. Except in this case, laborers have stepped forward. There are people that have submitted their names and have to the best of our knowledge have been approved by other powers, but they are awaiting your seal of approval. The Allentown Human Relations Commission has a

meet and greet scheduled on Wednesday, July 26th at St. Lutheran Church. We will be meeting from 8:30 AM - 10:00 AM. We need more people to help us work against discrimination and to investigate claims that are brought to our attention. We need more people. Candidate should step forward on behalf of the Allentown Human Relations Commission, I ask you to let them step through. It would be helpful to fill our mandate to know some things from you. We have some members that departed the Commission for different reasons, but they have not been officially been released.

Mr. Ray O'Connell asked how many vacancies are there. Give me their names? He asked how many openings do you have.

Pastor Steve Shussett stated that he is aware of three. There may be more. He stated Adam Marles, Sherri Brokopp Binder, Eugene McDuffie, Chante Johnson. He asked if Council had a sense where things are in formally dismissing them so that their seats can be filled.

Mr. Ray O'Connell stated that he can only speak to two or three. Mr. McDuffie resigned, Adam Marles and Sherri Brokopp Binder term expired, and Chante Johnson resigned. The process of the resignation goes to the Mayor's office. Mr. McDuffie sent his resignation to City Council, Jessica Ortiz asked for a copy of the resignation and that resignation was forwarded to Ms. Ortiz.

Ms. Jessica Ortiz stated that we need you to remove the four Commissioners to allow to have new. Their positions are not officially vacant according to the information that we received.

Mr. Ray O'Connell stated that we don't do that. That is the Mayor's office. The Mayor's office does that. When we get an appointment, there are going to be two appointments on for tonight. There is one for the Plumber's Examining Board and one for the Ethics Board. When we get that on the docket, we get recommendations and Ms. Affa is the Chair of our Human Resources and Administration and Appointments Committee. For any Commission, Board or Authority, we review that and then we say yes, put that on the agenda, we have concerns so don't put on the agenda, and then when it does get on the agenda we say yes, we approve or no, we don't approve.

Mr. Roger MacLean stated that he believes they just approved someone for the Human Relations Commission at the last meeting.

Mr. Ray O'Connell stated that at the last meeting we approved Inga Williams for the Human Relations Commission.

Pastor Steve Shussett stated that this is very helpful. One of my questions was could you just explain the process of how the Mayor's office and the City Council work to fill these positions.

Ms. Candida Affa stated that the Mayor will submit names to Council. We vet it, we talk about it, we decide. There are times that we will be in favor. All of us will be in favor so we have to do any interviewing. In some situations we will. I just had an interview for the Ethics Board. I bring it forth to the Council and that is how the procedure goes.

Mr. Ray O'Connell stated that Ms. Affa is the Chair, and Mr. MacLean and Dr. McGuire is on the committee.

Mr. Julio Guridy stated we as Council may also submit names of some individual that would like to participate. If you have somebody and the Mayor is not submitting the name, and you can bring it to us and bring it to Ms. Affa and we can look at it.

Pastor Steve Shussett stated that they had a number of members attend our meeting, Dr. McGuire is one of those, but there is a lack of clarity to who is our actual City Council Representative to the Human Relations Commission is.

Mr. Ray O'Connell stated it is Ms. Mota. Ms. Mota is our representative from City Council for the Human Relations Commission.

Pastor Steve Shussett asked is there a particular reason that the Reports from Committees, the Human Relations Commission is not listed.

Mr. Ray O'Connell stated that it is not a specific committee. It is under the Human Resources, Administration and Appointments. It is an umbrella under that.

Mr. Roger MacLean stated to Pastor Shussett that a number of people resigned, and he is hoping that the Commission is working through that. Hopefully we get a good dynamic in there so that we don't get all these resignations.

Pastor Steve Shussett stated that the core that is there now is a good functioning team.

Mr. Ray O'Connell stated that over the course of years there have been some committee members on that Human Relations Commission that have done a nice job and tried to bring the Commission forward, but some

people did not like how they were bringing the Commission forward and once their term expired they were said goodbye. My address is to the Commission, but it should be addressed to the Mayor.

Pastor Steve Shussett stated that he only has been on the Commission since October so no, I do not have any answer.

Mr. Julio Guridy stated that Adrian Shanker was on the Commission and I think you were the chair at one-time.

Mr. Adrian Shanker stated for three years. He stated that he moved out of Allentown, but many long-time Commissioners terms were not renewed.

Pastor Steve Shussett stated that he looks forward to City Council restoring that budget line so that we can have those sorts of people back again. Until then, we will continue to do the best we can.

Mr. Ray O'Connell stated that it has to be submitted by the Mayor in his annual budget first. He recommended Mr. Shussett to talk to the Mayor.

Dr. David McGuire stated that a city employee who works closely with the Mayor, Mr. Arcelay is at all your meetings. It would seem so logical since all these things flow through the Mayor by Ordinance that several of the matters you brought up tonight are especially in the purview of the Mayor's office. It should be brought to the Mayor's attention through Mr. Arcelay at the minimum.

Ms. Jessica Ortiz stated that they decided as a Commission to come and represent so we can put politics aside because we too have a conflict. Mr. Arcelay is in the room so there are certain things you may not discuss politically and otherwise. It is just a reality of life in the city. I have been communicating with Ms. Bradbury who has been one of the longest members of the Human Relations Commission to figure out her ways and the ways that she has done it so that we can get back to having the gala. We had to first figure out what is going on with City Council holding up application so we can figure out how we can handle it. Ms. Mota has not be present at the meeting. She attended two, one with Dr. McGuire and one with Ms. Affa.

Mr. Daryl Hendricks stated that he will add that at anytime you could have contacted our City Clerk that would have filled you in on what you are asking tonight. It seems a little strange that you are coming with the questions and Mr. Arcelay knows that. He has been around long enough. He should be able to answer any of the questions you had tonight.

Mr. Julio Guridy stated that you are welcome to come anytime.

Ms. Jessica Ortiz stated that they were supposed to communicate with Mr. Juan Camacho. We are supposed to use Mr. Camacho.

Mr. Ray O'Connell stated that he believes he is on leave. He stated that his door is always open, Mr. Hendricks as vice president of Council and Ms. Affa as the chair of the Committee.

Dr. David McGuire asked if the Allentown Human Relations Commission has their own Solicitor or has access to the city's Solicitor.

Mr. Ray O'Connell stated no. He stated absolutely. If they have a legal question or question protocol or procedure they can go to the Solicitor at any time.

Mr. Don Ringer, 1801 Liberty Street, stated that the West End Alliance led by Scott Smith and Steve Robauch planted 80 trees on the West End on Allen Street and had great help from the city. He asked for Council to give the people that helped a shout out. The volunteers gave their time to put these trees in. He stated his hat is off to Ms. Affa for all the years that she has been in business. She succeeded in a tough business. We talk about this audit. I think Mr. Hunsicker and Mr. Hershman know more about the finances of the city than the people that are running the city. Someone should look into it. He talked about a forensic audit.

Mr. Ray O'Connell stated to Mr. Ringer that we said many times believe it or not believe it the FBI has done a thorough forensic audit of everything of this city.

Mr. Severin Freeman, 1825 Wacken Street - Bethlehem, stated that the improvements that he saw under Keith Morris as Chief of Police has totally vanished. We have seen scary situations arise with police going as far as with a Sergeant and two rookie officers saying it was ok to rough up a citizen journalist. They turned their backs and looked away while the person assaulted the journalist.

Mr. Ray O'Connell asked in Allentown.

Mr. Julio Guridy asked if the journalist filed a police report.

Mr. Severin Freeman stated that he is trying to get a hold of professional standards and was unable to reach out. He suggested that Council view the videos on his channel the Freedom Paradox.

Ms. Candida Affa asked how many did you film in Easton, and Bethlehem. Do you go to all of these places, also to Emmaus? Do you hit all these police officers with cameras and watch them day in and day out.

Mr. Severin Freeman stated that he has dozens of videos. He asked how much money has been spent on police misconduct, lawsuits for the City of Allentown in the last fiscal year.

Mr. Ray O'Connell asked lawsuits or settlements. We probably can get that for you. That is public knowledge.

Mr. Daryl Hendricks asked Severin Freeman if he filed a complaint with the professional ethics board.

Mr. Severin Freeman stated that they filed numerous complaints.

Mr. Daryl Hendricks suggested that Severin Freeman wait to get an answer from them and if the answer is not satisfactory at that point in time you can dialog with us.

Approval of Minutes: None

Old Business: NONE

Communications: NONE

REPORTS FROM COMMITTEES:**Committee of the Whole:**

The Committee of the Whole will meet on Wednesday, July 12 at 6 PM to review Bill 40 which is being introduced this evening.

Budget and Finance: Chair Guridy, Hendricks, Mota

The Committee met on June 14th and forwarded Bill 37 – favorably – which is on tonight’s agenda; there are no future meetings scheduled.

Community and Economic Development: Chair McGuire, Guridy, Mota

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

Public Safety: Chair Hendricks, MacLean, Affa

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

Public Works: Chair MacLean, McGuire, O’Connell

The Committee met this evening; a future meeting is scheduled for July 19 to discuss a resolution introduced this evening supporting a carbon fee and dividend.

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 met and is in the process of drafting its findings.

City Controller’s Report

Mr. Ray O’Connell stated that Mr. Glazier is not here. He is excused.

APPOINTMENTS:

[15-1688](#)

Memo from Mayor Pawlowski regarding Reappointment to the Plumbers Examining Board - William Gibisser, Jr.

Name	Authority/Board/Commission	Term to Expire
William Gibisser, Jr.	Plumbers Examining Board	05/01/2019

Attachments: [Memo from Mayor Pawlowski regarding Reappointment to the Plumbers Examining Board - William Gibisser, Jr.](#)

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

Mr. Ray O'Connell asked if Mr. Gibisser present, he is not.

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

Absent: 1 - Cynthia Mota

Enactment No: 29509

[15-1578](#)

Memo from Mayor Pawlowski approving an appointment to the Ethics Board for City Council's consideration.

Name	Authority/Board/Commission	Term to Expire
Joseph L. Stolfi	Ethics Board	01/15/2019

Attachments: [Memo from Mayor Pawlowski Approving Appointment to Ethics Board - Joseph L. Stolfi](#)

Ms. Candida Affa stated that she did interview Mr. Stolfi and thought that he was a good candidate. She asked if there were any comments from her colleagues.

Mr. Ray O'Connell stated that this will now bring the Ethics Board into the correct numeration, three democrats and two republicans. He is replacing Hugh Gallagher.

Ms. Candida Affa stated exactly. She asked if there were any other comments from her colleagues.

Mr. Daryl Hendricks asked if Council confirm that in fact that he is a republican.

Mr. Ray O'Connell stated yes, we did.

Ms. Candida Affa stated that was her first question. She asked if there were any comments from the public.

Mr. Ray O'Connell asked if Mr. Stolfi was here, he is not.

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

Absent: 1 - Cynthia Mota

Enactment No: 29510

ORDINANCES FOR FINAL PASSAGE (To be Voted On):

[15-1641](#)

Bill 35 Public Works, this evening
Amending article 507 (Traffic Control Maps) of the Codified Ordinances of the City of Allentown.

Attachments: [Bill 35 Traffic Control Maps](#)
[5-25-17 Traffic Memo](#)

Mr. Roger MacLean stated that basically what it does is does some housecleaning to the Traffic Control Maps. Mr. Messinger is here, but I don't think there is a reason to question him, unless someone wants to. It was recommended favorably, unanimously.

Mr. Ray O'Connell stated that it was 3 - 0. He asked if there were any comments from his colleagues or comments from the public.

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

Absent: 1 - Cynthia Mota

Enactment No: 15378

[15-1649](#)

Bill 36 Parks and Rec, this evening
Amending the 2017 Capital Fund Budget by transferring the available balance from Capital Project 2200 – Alton Park Improvements to Capital Project 2209 – Mack Pool Improvements in the amount of One Hundred Thousand (\$100,000) Dollars to repair the pool house roof.

Attachments: [Bill 36 Mack Pool Improvements](#)
[Picture](#)

Mr. Ray O'Connell stated that was in Ms. Mota's committee. However, Ms. Mota is not here tonight. I chaired the committee along with Ms. Affa. The vote was favorably 2 - 0 approved Bill 36. He asked if there were any comments from my colleagues or comments from the public.

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

Absent: 1 - Cynthia Mota

Enactment No: 15379

[15-1650](#)

Bill 37 Budget and Finance, Forwarded Favorably
Amending the 2017 General Fund Budget by appropriating funds from the unappropriated balance of the General Fund in the amount of Two Hundred Twenty-Five Thousand (\$225,000) Dollars for property tax refunds.

Attachments: [Bill 37 Property Tax Refunds](#)

Mr. Julio Guridy stated that it was basically to pay for some taxes were erroneously reassessed and it was a rebate on that. We are basically doing a transfer of some of the money about \$125,000 and there will be more coming. We approved it unanimously and forwarded to Council for approval.

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

Mr. Robert Trotner, 1920 Whitehall Street, clarified that this was a result of the amendments of the Act that Senator Pat Browne passed specifically to recompute the real estate liability for the last four years for J B Reilly and two others in this specifically to help them get money for them.

Mr. Seth O'Neil, Revenue and Audit Bureau, stated that while he understands that there was such a provision, the Solicitor's office informed us that these reassessment were in align with settlements that have been made in cases in the past and essentially these properties used exercised their privilege to appeal their assessments and settlements were made via our Solicitor's office and third attorneys. Mainly concerning the school district's assessments and the parties agreed on the settlement numbers and some of the taxes that have been paid in the previous years were reassessed downward. We had to give some of that money back which sort of absorbed the balances of the account.

Mr. Robert Trotner stated that this was a result of appeals of assessments, and not the result of the State Statutes.

Mr. Seth O'Neil stated that it was a result of appeals that the City Center properties.

Mr. Ray O'Connell stated that it wasn't anything to do with Pat Browne. Anybody could ask for a reassessment of property and that is what this was. He asked if there were any other comments from the public on Bill 37.

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

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

Absent: 1 - Cynthia Mota

Absent: 1 - Cynthia Mota

Enactment No: 15380

[15-1676](#)

Bill 39 Parks and Rec, this evening
Amending the 2017 Capital Fund Budget by transferring available funds from Capital Project 1806 – Emergency Sewer Repairs and Capital Project 1743 – Mechanical Renovations Waste Water Plant to Capital Project 2201 – Pool and Spray Parks in the amount of Five Hundred Thousand (\$500,000.00) Dollars for the renovations to Cedar Beach Pool.

Attachments: [Bill 39 Cedar Pool.doc](#)

Mr. Ray O'Connell stated that this was in the Parks and Recreation meeting with myself and Ms. Affa and was approved 2 - 0. He asked if there were any comments from his colleagues about Bill 39 or any comments from the public.

Enactment No: 15381

RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):

[15-1695](#)

R129
Overrides Mayors Veto of Bill 5 which establishes a referendum regarding term limits for the office of Mayor.

Attachments: [R129 Bill 5 - Term Limits Veto Override](#)
[Term Limits Veto with attachments](#)

Mr. Ray O'Connell stated that this is the override of the Mayor's veto. He asked if there were any comments from my colleagues or comments from the public on R129. A yes vote means that we override the Mayor's veto. A no vote means that we do not override the Mayor's veto.

Mr. Ray O'Connell stated that the Mayor's veto is overridden by City Council.

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

Absent: 1 - Cynthia Mota

Enactment No: 29511

[15-1306](#) Bill 5 Committee of Whole, forwarded favorably with amendments
DIRECTING THE LEHIGH COUNTY BOARD OF ELECTIONS TO PLACE
A REFERENDUM QUESTION BEFORE THE CITY OF ALLENTOWN
VOTERS ON THE MAY 16, 2017 PRIMARY ELECTION BALLOT TO
AMEND THE CITY OF ALLENTOWN HOME RULE CHARTER TO LIMIT
THE TERM OF THE OFFICE OF MAYOR TO TWO (2) TERMS

Sponsors: Mota, MacLean, Hendricks, Affa, O'Connell, Guridy and McGuire

Attachments: [Bill 5 Mayor Term Limits](#)
[Amended Bill 5 - Term Limits](#)
[Bill 5 - Optional Amendments](#)
[Solicitor Memo - Charter Amendment](#)
[Memo from Mayor Pawlowski regarding Amended Bill No. 5-2017 -
Mayor Term Limits](#)

Enactment No: 15377

[15-1687](#) R130
Certificates of Appropriateness for work in the Historic Districts: 223 N.
11th Street and 963 North Street

Attachments: [R130 HARB Approval](#)
[HARB Cases](#)

Mr. Ray O'Connell asked if there were comments from my colleagues on
R130 and any comments from the public.

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

Absent: 1 - Cynthia Mota

Enactment No: 29512

[15-1681](#) R131 Cancels July 5th Council Meeting

Attachments: [R131 Cancels July 5th Council Meeting](#)

Mr. Ray O'Connell stated that past precedence said we already canceled
whenever July 4th follows. He asked if there were any comments from his
colleagues or any comments from the public on canceling the July 5
Council meeting.

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

Absent: 1 - Cynthia Mota

Enactment No: 29513

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

[15-1668](#)

Bill 40 Committee of the Whole, forwarded favorably Amending Part III, Business Regulation and Taxation Code, Title One Businesses and Licensing Code, of the City of Allentown Code by Creating Article 320, Appropriate Mental Health Services, which would prohibit licensed professionals from engaging in counseling, practices, or treatments that seek to change a minor's sexual orientation or gender identity.

AMENDMENT: Add a new section 320.04 entitled: Enforcement: Investigation of Complaints of Violation, Notice and Hearing to read as follows and lettering the current existing paragraph d (copies of the amended version are at the back of the room and on the website).

(a) There is hereby established a Complaint Administrator to investigate complaints for the violation of Section 320.02 of this Ordinance. A Licensed Mental Health Professional shall be nominated by the Mayor and confirmed by City Council to serve in this capacity.

(b) Neither the Complaint Administrator nor the Appropriate Mental Health Services Appeals Board, established under Section 320.05 of this Ordinance, shall have the ability to compel the production of records or any materials that are made confidential by federal or state law or that are protected from disclosure by a lawful privilege, unless a valid waiver of the privilege is made.

(c) The Complaint Administrator and the Appropriate Mental Health Services Appeals Board, established under Section 320.05 of this Ordinance, shall not divulge confidential or privileged information that is disclosed during the Enforcement process under this Section 320.04 to anyone outside the Enforcement process.

(d) Notice of the hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of complaint and the time and place of hearing conducted by an appeals board. The notice shall be mailed, postage prepaid, to the licensee at the licensee's last known address at least five days prior to the date set for hearing.

Attachments: [Bill 40 Appropriate Mental Health Ordinance](#)

[Bill 40 - Amended Version](#)

[Legal Memo Bill 40](#)

[LRS 2017-045 Continuation- Explanation for Need of Amendments](#)

[National Task Force Letter to Legislators on FTC Complaint - June 5, 2017](#)

[Letter-Pennsylvania Psychiatric Society](#)

[Letter- KidsPeace](#)

Mr. Ray O'Connell asked if there were any comments from my colleagues about Bill 40.

Ms. Candida Affa stated that she is in full support of this Bill. It is a well-known fact that I am gay. All of my life I had to deal with things that were difficult when I was younger. Thank God I had a family that didn't care. They didn't ask me questions, they didn't wonder why I didn't bring a boy home. I was fortunate, but I also know many people, especially owning a gay bar, I know customer young and these were adults that were pressured to go to counseling or whatever and many times the counselor would say to the parents that you need to go to counseling. I believe at the age of 11, 12 or 13 years old if you are forced to go especially if you are forced to go to a doctor or therapist someone who is licensed at that age you trust and they try to change your beliefs or how you feel. It can be very dangerous. I know that there are questions when you are young. You wonder why and you work through it, but if you have someone that is going to tell you that this is wrong it is so detrimental to the health of all these young people. Especially young people. Not only that, it has been taken off the books as a mental illness for 30 years now. But, if there is a therapist, especially in the medical profession, religion is a different thing, but when a parent will send a child to a medical doctor, to a psychiatrist, to a therapist this will confuse them to the point of no return. I am in full favor of this Bill.

Mr. Ray O'Connell thanked Ms. Affa and asked if there any other comments from my colleagues or comments from the public.

Mr. Adrian Shanker, Executive Director of the Bradbury Sullivan LGBT Community Center, 522 W. Maple Street, thanked Council for considering this Bill and introducing it. We are really pleased that this Ordinance is being introduced. This would be the second Ordinance related to banning conversion therapy which is a harmful and unscientific medical practice. Only the second Ordinance in Pennsylvania. The first one is in Pittsburgh. This Ordinance is a model Ordinance that we are hoping to see passed across Pennsylvania because LGBT youth should not be subjected to unscientific and harmful practices that have been debunked science by every mental health and physical health organization that has credibility to do accreditation within their own profession. This is a really important stand that you, as Councilmembers are able to take and we are looking forward to being able to provide information if you need it, but also and more importantly in witnessing your vote to make Allentown make history as the first Third Class City and first municipality in the state to ban this harmful practice and to send a message frankly to some people in Washington and the current presidential administration who are seemingly the only people right now in the country that hold positions of power that seems to think that this might be a good practice. We have a Secretary

and Health and Human Services that is questioning if Conversion Therapy is a good practice, even when every mental health and physical health organization says it is junk science. We have a Secretary of Education who has funded organizations that provide Conversion Therapy. She has given over a half of a million dollars in one year, and \$700,000 in another year to fund camps that tries to change people sexual orientation. We need to make sure that LGBT youth in Allentown that come to Bradbury Sullivan LGBT Community Center for services everyday after school that they know that they live in a city where if they are going to a doctor or a therapist or social worker that they are going to be provided with only appropriate mental health services and that is what this Ordinance is for. We commend you for introducing it and working toward its passage.

Mr. Ray O'Connell thanked Mr. Shanker and asked if anyone else from the public wanted to make a comment.

Mr. Julio Guridy stated that when this was brought to me I wanted to find out and to be sure of what it was said like I always do for other very important Bills that we bring here. I spoke to several of my friends that are psychiatrists or psychologists and they had no qualm of me voting on this. They actually recommended that I vote on it. Things that I read in the media actual sustained everything that Mr. Shanker just said. I am very happy to vote on this and feel comfortable with it.

Mr. Ray O'Connell thanked Mr. Guridy and asked anyone else from Council.

Ms. Candida Affa stated that this therapy cannot be used because there is nothing wrong with the person. You are using therapy on somebody that doesn't have any problems. This is another reason they don't use it and they need to revoke licenses on anyone who practices it.

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

REFERRED TO THE COMMITTEE OF THE WHOLE

Enactment No: 15382

[15-1696](#)

Bill 41 Community and Economic Development Committee, this evening Amending the 2017 General Fund Health Budget to provide for a supplemental appropriation of Fifteen Thousand Seven Hundred (\$15,700) Dollars as a result of a grant from the Pennsylvania Department of Health, Bureau of Public Health Preparedness for preparedness and response activities.

Attachments: [Bill 41 Emergency Preparedness Grant](#)

Mr. Ray O'Connell asked if there were any comments from my colleagues on Bill 41 or comments from the public.

REFERRED TO COMMUNITY AND ECONOMIC DEVELOPMENT
COMMITTEE

Enactment No: 15383

[15-1697](#)

Bill 42 Public Works, this evening
Amending the 2017 Capital Fund Budget to provide for a supplemental appropriation of Nineteen Thousand Eight Hundred Ninety (\$19,890) Dollars as a result of a grant from the Pennsylvania Department of Conservation and Natural Resources (DCNR) for the students of Penn State to conduct an inventory off all the street trees within the City.

Attachments: [DCNR STREET TREE INVENTORY GRANT.docx](#)

[DCNR Final check.pdf](#)

[DCNR final payment letter.pdf](#)

Mr. Ray O'Connell asked if they can have a game on how many or an estimate on how many marbles in the barrel.

Mr. Craig Messinger stated that the study was already done. This is just the second payment part of it. That was all done this past summer and we have a lot of tree out there. It is about 13,000. It is sad to say, but at one point in time we were close to 20,000. We have a lot of work to do, but right now this year we are on track to plant about 505 trees. Mr. Ray O'Connell thanked Mr. Messinger and asked if there were any comments from my colleagues.

Mr. Julio Guridy stated that this is a good job recording the trees throughout the city. People have always been asking me why are they cutting all these trees and I think the response will be that we are planting a lot more.

Mr. Craig Messinger stated that in areas like the Turner Street area that we are doing the project on right now, I believe there were about 30 trees. We are putting in about 85. We are actually putting them in the spacing of what it is for the area of town, but we are trying to take a look in our inventory all different areas. We are trying to help out different groups while still doing our projects. There is a lot of watering going on right now.

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

Dr. David McGuire asked Mr. Messinger did I hear you said you were planting pine trees. What species that you mentioned earlier.

Mr. Craig Messinger stated not pine trees. There is a whole list of different species depending on where it is and how much room there is from the curb to the house. There is a whole list of trees. Actually, it is on our website. We have on there the list of trees that we are putting in.

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

REFERRED TO PUBLIC WORKS.

Enactment No: 15384

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

[15-1694](#)

R132 Public Works, this evening
Recommends Congress support a Carbon Fee and Dividend to Address
Climate Change

Attachments: [R132 Calling for the United States Congress to Address Climate
Change](#)

Mr. Ray O'Connell stated that we met with the Citizens Climate Lobby
yesterday and we have a sample Resolution. He asked if there were any
comments from his colleagues or comments from the public.

REFERRED TO PUBLIC WORKS

Enactment No: 29527

NEW BUSINESS: NONE

GOOD AND WELFARE: NONE

ADJOURNED: 8:17 PM