



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

City Council

Tuesday, November 21, 2017

6:00 PM

Council Chambers

Budget Session - Community and Economic Development

Call to Order: Chairperson McGuire

Present: 5 - Ray O'Connell, Daryl Hendricks, Candida Affa, Roger MacLean, and David McGuire

Excused: 2 - Julio Guridy, and Cynthia Mota

Community and Economic Development

DCED Administration, Planning and Zoning, Building Standards and Safety, Health

Dr. David McGuire welcomed Mr. Lightner and his staff to go over the budget that is being proposed for the department.

Mr. Leonard Lightner thanked his team. He stated that understanding the CEDC team is looking into the future and making critical investments for Community and Economic Development. There may be tough choices and decisions we have to make or personnel, positions, or dollar amounts to the budget. With all the economic development going on in the city, we need to keep pace with that and take advantage of it.

Mr. Ray O'Connell asked Mr. Lightner to talk about Planning and Zoning, Community and Economic Development and Health all in one package.

Dr. David McGuire asked how many vacant positions do you currently have. Can you generally describe them?

Mr. Leonard Lightner stated that we have eight vacant positions.

Mr. Brent Hartzell stated that the budget book will show the positions and how much they are being compensated for. He stated that he could bring down the October Monthly Report and find out what positions are currently vacant.

Mr. Ray O'Connell stated that we can go through each page and say filled or unfilled.

Mr. Roger MacLean stated that this is the October Report.

Mr. Brent Hartzell stated to look at the ones with no hiring dates because the ones with a hiring date have been filled.

Mr. Roger MacLean stated that we have a Community and Economic Development HUD Grant Accountant, and HUD Grant Director.

Mr. Leonard Lightner stated that position is still vacant. We have not filled the position. We are not sure if we are going to fill that position or not. It is in next year's budget, but listed as a \$1.

Mr. Ray O'Connell asked about the CD Operations Manager.

Mr. Leonard Lightner stated that has not been filled. I interviewed a few people, but it was not filled yet.

Dr. David McGuire asked in generally how many positions do you have filled vacant that you have budgeted for. How many vacant positions you have budgeted for?

Mr. Brent Hartzell stated that when the Vacancy Report comes down he can identify by position which ones are vacant and I can tell you if we have them budgeted.

Dr. David McGuire asked if Mr. Lightner was experiencing any types of issues in filling the positions across several bureaus.

Mr. Leonard Lightner stated that yes, we are. We can go right down to vacancy.

Mr. Brent Hartzell stated that the first position is 118-002 HUD Grants Accountant. What you seeing is a position in a different category. It is being funded 40 percent out of the Director's office. He stated 30 percent out of HUD Program Administration. It is split between two programs. Position 065-001 CD Operations Manager.

Mr. Leonard Lightner stated that the CD Operations Manager we are interviewing currently.

Mr. Ray O'Connell asked if you have good vibes with the people being interviewed.

Mr. Leonard Lightner stated that the selection we have, no. We have a few after the holiday. We are looking for a qualified individual that will have the background, the skillset and some type of experience in the position. We are looking for someone that will be long-term. We are trying to find

stability within the department. We are making sure we are hiring the right person.

Mr. Roger MacLean asked when did we start interviewing and when did we start advertising for the Senior Planner. It's been open since April 24, 2017.

Mr. Leonard Lightner stated that he is interviewing for the Operations Manager. He stated that he took the position in February. At that point, I was Interim Director. The department needs to move forward. I posted the job in August for the Operations Manager. We interviewed about 15 candidates for the Senior Planner position.

Dr. David McGuire stated that you interviewed a person and they didn't meet your standards and other the applied that you did not bring them for an interview.

Mr. Leonard Lightner stated correct. Mr. Doug Stewart that is our Planning Director, when we were interviewing for a Senior Planner, there was Mr. Stewart and another young lady that was our final two. Looking at Mr. Stewart's skillset for a Director. We offered the Senior Planner position to our second choice candidate and she turned the position down because she got a better offer in Montgomery County. One candidate did not have their green card, they had a working visa.

Dr. David McGuire stated that in advertising for vacancies are you getting any kind of feedback. I understand your needs in terms of quality.

Mr. Leonard Lightner stated that the one candidate got a better offer in Montgomery County. I did not counter and did not ask because at that point in time we offered midrange.

Mr. Ray O'Connell stated that asked about Page 192 - Contracted Services, \$800,000. He asked for a quick explanation. He asked about Page 247.

Mr. Leonard Lightner stated that the increase in contract services is the Zonar. We are anticipating new vehicles. When we get new inspectors, the Zonars are old and outdated. We are looking at our copy machine and printers. Our lease has expired. We are re-negotiating the contracts.

Mr. Brent Hartzell stated that the Lead Grant entered the budget for 2018.

Mr. Daryl Hendricks asked how many new vehicles.

Mr. Leonard Lightner stated that we put in about five new vehicles.

Mr. Brent Hartzell stated whatever we included in 2018 in the first year or the five year Fleet Plan is what we intended to be spent.

Mr. Daryl Hendricks stated that it is a large amount of money. He asked he have printing and printers. He asked if the Zonars track the inspectors and where they are at.

Mr. Leonard Lightner stated and the Lead Grant.

Mr. Ray O'Connell asked about Page 247 - Housing Inspectors. You had 11 in 2017 and you still have 11. You went with two bilingual inspectors. He asked about Page 255 - Health. Clerk III, three in 2017, and four in 2018. He asked if that is about the workload. Give me your wish list. What do you need?

Mr. Ray O'Connell asked above and beyond the vacant positions.

Mr. Leonard Lightner stated above and beyond the vacant position. When we are talking about the issuing about the Inspections. He stated that if he could get 10 personnel, but I would need to divide them amongst the department. Planning and Zoning needs to be equipment, Health -Inspectors. He stated people and equipment to support the people.

Mr. Ray O'Connell asked what is the average Building Inspector workload in a day.

Mr. Leonard Lightner stated that it is a big misconception. When we talk about compliance and blighted properties. We are dealing with economics and people's financial situation. We inspect the properties and give them a list of their violations. Financially, they may not be able to do it. To get houses to comply it could take months or years. it is not an overnight thing.

Mr. Roger MacLean stated that he sees a vacancy from June 5, 2017. Someone can bid or transfer.

Mr. Leonard Lightner stated that was Bob Sandt's position. We just filled that position yesterday. They have to take a test.

Dr. David McGuire asked about the Municipal Planning Code. The city is subjected to that by the state. When was the last time we actually had such a document. He asked about the target date. He asked is there a full salary for a qualified person. There is a several year need. You should be hiring five qualified persons. Do we have that kind of number to make the

investment to achieve the important goal. He asked what is the number you have for the consultant.

Mr. Leonard Lightner stated the Comprehensive Plan was done in 2009. We do have some money set aside for a consultant. We would like to do it in-house. Our plan is to start working on it at the end of this year. We have to have it completed for the end of 2019. This is a Comprehensive Program that needs a team. No, we will not have that included in there. We are realistic and when setting the position. We try to plan according within our means. If the wish list is available, could we use two people that could be a long-term benefit, yes. We did not put that into the budget. Our Plan B is to have funds to hire consultants.

Mr. Brent Hartzell stated that they budgeted for the Consultant \$40,000 for 2018. That is for the first year.

Mr. Leonard Lightner stated that we are trying to be good stewards of the funds. If I can have the wish list, I would put that in there. Right now, it is based on our parameters and our Plan B.

Mr. Roger MacLean asked about Page 192 - Permanent Wages. We are going up considerably. He asked how many positions did you have in 2017.

Mr. Brent Hartzell stated that there are several new positions that are intended to get to the point of getting a more Comprehensive job.

Mr. Leonard Lightner stated that currently in the Budget we were allotted seven new positions and that's where our salaries have gone up.

Dr. David McGuire asked when you say new is it already existing positions that became an empty one.

Mr. Leonard Lightner stated that they are new positions.

Mr. Daryl Hendricks asked about Page 192 and Page 194 and 214 - Mileage reimbursement. What is the mileage reimbursement utilized for. He asked about training and professional development.

Mr. Leonard Lightner stated that with our Health Department there is a lot of traveling. It is increased because he personally feels that we lost a lot of institutional knowledge. We have qualified individuals that are here and as laws change and the legislation changes and when you talk to UCC, Code Enforcement, and Inspectors they have to stay on their CEUs. I want our management team and our employees to be up to date on all these new

changes. With the publications they are trying to stay up to date on what is happening.

Ms. Vicky Kistler stated our Community Health Staff. Only our Sanitarians have cars. Every other health person uses a personal vehicle. They submit mileage at a state rate. Most is reimbursed by the state grants. We have two shared cars for 20 plus staff.

Mr. Jeff Glazier talked about arts and economic development. In 2017, Budget significant money was allocated for that. he asked about plans the department has to use that money. In 2018, I don't see any vehicles budgeted for your department. My understanding that is some of those will be replaced vehicles that have been taken out of service. He is not sure if the fleet of vehicles as I understand at the moment would expand. He talked about buying cars that come off of a lease so that the depreciation taken and they are a great value for the city. They are generally low mileage and reasonable features.

Mr. Dan Diaz stated last week we approved \$9,000 to go towards the management arts based economic development program, the Cultural Coalition of Allentown. We expect the program will have many components to have arts in the community, in schools and getting residents involved. It might translate to murals, dance and academies.

Mr. Brent Hartzell stated that he has to talk to Mr. Tretter to be sure. It sounds plausible.

Mr. Leonard Lightner stated that two of the vehicles are being paid out of CDBG and through the Lead Grant.

Mr. Brent Hartzell stated as Ms. Wagenhurst just reminded me so we can spend the entirety of the \$6 million short-term loan that we had over the three year period. There was enough money freed up in previous years and we are making those Fleet purchases out of the equipment fund.

Mr. Ray O'Connell asked that the detail book Page 116 Residential Façade Program. He asked about North Star going through the community, the public and CEO. He never saw a final report. What happened?

Mr. Leonard Lightner stated that the Façade Program with Upside Allentown and setting aside funds to do more facades in other areas. He stated it is still here.

Mr. Dan Diaz stated that they completed Phase I and did not get the

findings. We implemented a marketing strategy. We do consider the possibly to preceding with North Star with Phase II.

Dr. David McGuire stated even if you don't go ahead, please show the work product. He asked about a grant for the amount of \$50,000 for housing for artists. What is the status?

Mr. Leonard Lightner stated that is the Artists in Residents Program that Dan spoke about. It was not able to get off the ground. The funds were there, but it never got off the ground. We took the \$9,000 to at least get them setup with their program.

Dr. David McGuire stated that the program is still alive and the money was never used.

Mr. Leonard Lightner stated that we have it budgeted for 2018. They don't have the other \$40,000.

Mr. Brent Hartzell stated that the General Fund appropriation that are operational lapse at the end of the year unless there is a encumbrance tied to them.

Mr. Leonard Lightner stated that they are working with them to make sure it gets going this year.

Mr. Lou Hershman, 405 N. Gilmore Street, stated that he is a property owner in Allentown for 51 years and he used to be the City Controller and a Councilman. He stated that he understands the budget. No one questioned why there is a \$2 million increase in their budgeting. The president of City Council wants to spend more. Where are we getting this money?

Mr. Ray O'Connell stated that we didn't ask directly the \$9.1 to the \$11.5, but we asked indirectly.

Mr. Lou Hershman stated that Allentown homeowners can't afford that. The Director states that he takes cars out of Account 46. He stated that he never heard that you can take Other Contracts and Services and buy cars. We are losing accountability. He stated that he is going to try to get the Rainwater tax back into the Stormwater Fund - General Fund. What will the cost of the Rainwater Tax be to this bureau?

Mr. Brent Hartzell stated that at a previous meeting the city has to charge itself and take money from the General Fund. We have to have a certainty of how that distribution will be done.

Mr. Lou Hershman stated that he would put this back into the General Fund and get rid of the Stormwater Budget. You are going to tax the Rescue Mission. They sell meatball to make money to house and feed people. The Salvation Army is ringing bells for money to buy presents for the kids on Christmas.

Mr. Ray O'Connell stated that they sold meatballs and rung bells way before the Stormwater fee and they will do it long after the Stormwater fee. It is apples and oranges.

Mr. Lou Hershman asked Council to get rid of the Stormwater Fund and put it back to the General Fund.

Mr. Ray O'Connell stated that there are ways that these nonprofits can decrease the Stormwater Fee.

Dr. David McGuire stated to Mr. Hershman that he respects his interest in the Stormwater Fee. We are at a Budget meeting for this department.

Mr. Brent Hartzell stated that he would point out that the additional positions would enable us to collect far more revenue compared to before. Those positions are more than paid for with additional revenue that comes in.

Mr. Lou Hershman stated that if this thing passes it could be a petition drive.

Ms. Patricia Jackson, 2215 W. Gordon Street, stated that she sits on the Upside Allentown Steering Committee and she is a little confused why money is going back to the Artists and Residents program when it did not get off the ground when there is a fully functioning one within Upside Allentown. Why we don't join forces instead of recreating something that's already functioning.

Mr. Leonard Lightner stated that the Façade Program has been operational for 40 years. When they created Upside Allentown, they created this program a few years ago. He talked to Mr. Jennings and his staff and discussed about the Façade Program to join forces. The Façade Program is for Upside Allentown. It is one square mile. He stated that when he was in the Housing Department in 2008 - 2011, they did Façade Programs. We worked closely to Peter Lewnes on Seventh Street. We are not opposed to working with Upside Allentown. From a Community and Economic Development standpoint we have an entire city that we have to look out for.

Mr. Roger MacLean asked about the increase in permanent wages. You said that you were budget for seven new positions this year.

Mr. Roger MacLean asked about the increase in permanent wages. You said that you were budget for seven new positions this year. He stated that he doesn't see seven new positions.

Mr. Brent Hartzell stated that keep in mind that several positions are being shifted to the Stormwater Fund. I think all the HUD positions are funded out of the director's office. They are all out of the General Fund and then get reimbursements.

Mr. Roger MacLean asked for the list of the seven new positions that are budgeted for.

Ordinances for Discussion: Fee increases that are part of the budget.

[15-1986](#)

Bill 84

Amending Article 1760.99 – Buyer Notification Inspection of Residential Properties and Units Fees, proposing that the \$100 fee include up to three units, adding a \$25 per unit fee for each unit over three, increasing the presale re-inspection fee from \$35 to \$75 and establishing a \$150 per unit fee for the third and subsequent re-inspection.

Attachments: [Bill 84 Pre-Sale Inspection Fee Increase](#)
[Ordinance #15404](#)

Mr. Leonard Lightner stated that he will make a general statement for Bill 84, 85, and 86. The amount of time and effort we are putting into this in order for us to do these positions correctly and the fees have to balance and coordinate with what we are doing. We are adjusting the fees to make sure that they are comparable to the work that is being done by the individuals. He stated that after checking with other municipalities we are not the highest or the lowest. This fee is for right now. We can monitor the work we are doing.

Dr. David McGuire asked if Council wants to talk about that individually.

Mr. Jeff Glazier asked about the one that adjusts the Zoning and Planning Fee, Bill 86. Often, but not always when people come in front of the Planning Commission they get a preliminary final plan from them. I will be interested to know if the propose changes is \$1,000 for base and \$50 per lot and the final plan is half the cost of the Preliminary Plan. When they do and only make one appearance before the Planning Commission how are they going to be charged.

Mr. Doug Stewart stated that is very true and he has handed out a

spreadsheet. On the second page, under minor Subdivision there is Preliminary/Final and that establishes a base of \$250 and \$50 per lot. The minor subdivisions are much simpler than the major subdivision. The fee is a onetime fee.

Mr. Ray O'Connell asked Mr. Hanlon to read Bill 85 for the record.

Enactment No: 15404

[15-1987](#)

Bill 85

Amending Article 1741.99 – Property Rehabilitation and Maintenance Code Penalty, by increasing violation ticket fines and penalties from \$25 to \$100.

Attachments: [Bill 85 Rental Code Fees](#)
[Ordinance #15405](#)

Enactment No: 15405

[15-1992](#)

Bill 86

An Ordinance of the City of Allentown, County of Lehigh and Commonwealth of Pennsylvania, revising Article 395 Community and Economic Development Fees by increasing a number of fees to capture the cost of providing the service.

Attachments: [Bill 86 Planning Zoning Fees](#)

Mr. Ray O'Connell asked if you look past 2017 and 2018 with these increased fees, what do you foresee the increased revenue for 2018.

Mr. Leonard Lightner stated the Presales - Bill 84 for 2017 we did 1,600 inspections and we are 1,674 for the year. We collected \$160,000 which is over budget. With the presale inspections with this year. In 2016, we had 1,400 inspections. The market changes and we get more presales. We are being proactive and working with real estate agents.

Mr. Ray O'Connell asked who may the chart, Mr. Stewart. It is good information.

Mr. Daryl Hendricks asked about the second page of the chart and the preliminary plans. We are going for \$290 to \$1,000. The only one I see in the cluster is Pittsburgh and they are \$200 short.

Mr. Doug Stewart stated that when he first began here he took a look at the people that participated in analyzing a plan. The amount of time it takes to process a preliminary plan is extraordinary. Even at \$1,000 it would not cover the cost of personnel that gets involved with that process. The base fee \$290 plus \$40 per lot is extraordinary low.

Mr. Daryl Hendricks stated that there is nobody here today to question these speaks to that very thing.

Mr. Doug Stewart stated that most of the work that is done is at the preliminary plan stage.

Mr. Daryl Hendricks asked about the third time for inspections. How many of those do we end up doing, that increase is going up to \$100?

Mr. Leonard Lightner stated that 90 percent plus we go back a third time, fourth, fifth and sixth time. Every time we go back it is added to the inspectors workload.

Mr. Roger MacLean asked about the preliminary plans and the \$1,000. Would this be passed to the people that are purchasing these in some way share or form? Would it get passed on to the customer?

Mr. Doug Stewart stated that it would get passed on to the consumer. That is just land development economics? He stated that he believes it would be more appropriate to be passed on to the ultimate consumer than to have the general citizenry of the city to fund the effort.

Mr. Roger MacLean asked about Bill 84 - Inspections, \$100 fee and \$25 for anything over three. It says residential units. Does it include apartment complexes?

Mr. Paul Bogart stated that it is roughly 24 multi units within the city. We recently had a large scale apartment building in the city with 135 units. If the new fee schedule would have been in effect, we would have collected \$10,875. For the inspectors to get the inspections done and the paperwork and staff time it took three weeks to complete.

Mr. Roger MacLean stated that he understands it takes time, but it seems like a lot of money. The management company will say, I am not paying this we can just pass it on in the rent.

Mr. Paul Bogart stated that Bethlehem for a four unit building is charging \$600, 10 unit is \$1,500 and we are charging a flat fee. We don't have an escalating fee at this time. We are well below the area municipalities. Philadelphia charges \$110 per unit.

Mr. Ray O'Connell stated that we are going from \$75 to \$100 per unit.

Mr. Leonard Lightner stated that it is justifiable. We are not doing anything

that is out of the ordinary. We are aligning the rental department in the way it should go. With this new budget and the way it is structured now people that are in the rental department are only doing rental inspections.

Mr. Michael Hanlon stated that on the rezoning change, you are going from \$300 to \$1,000. We are also charging a person to pay for the legal ad. We are going to end up charging a person \$1,600 for the rezoning.

Mr. Doug Stewart stated that he went through an analysis of the amount of time that was spent on a recent application. The \$1,00 would be spent just on getting to the Planning Commission for its recommendation. Once you add in benefits, it's well over the \$1,000 fee and adding the City Clerk's time. He stated that he can defend that very easily.

Mr. Jeff Glazier stated that it would help to understand between a major subdivision and a minor subdivision and major land development.

Mr. Doug Stewart stated that a minor subdivision and a minor land development is exactly as they sound. Someone wanted to build a 12 unit apartment building. At first glance it looked like a simple procedure and could have said it was a minor subdivision, but when I reviewed the plans for an hour I realized that were not shown on the plans that I needed to talk to the developer about and get more information. It was more complexed. A major subdivision, like a City Center application. It brings up planning issues and zoning questions. We have to study the plan and look at traffic.

Dr. David McGuire asked Mr. O'Connell asked if it will be assigned to committees.

Mr. Ray O'Connell stated that it is one big package.

Resolution for Discussion:

[15-1971](#) R182 Approves Capital Improvements Program 2018 - 2022.

Attachments: [R182 Approves Capital Plan](#)
[2018-2022 November Capital](#)

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

Enactment No: 29580

[15-1962](#) Bill 72 Equipment Fund

Attachments: [Bill 72 2018 Equipment Fund](#)
[Ordinance #15415](#)

Enactment No: 15415

[15-1958](#) Bill 76 Capital Projects Fund

Attachments: [Bill 76 2018 Capital Projects Fund](#)
[Ordinance #15416](#)

Enactment No: 15416

[15-1961](#) Bill 77 EIT Tax Rate

Attachments: [Bill 77 2018 EIT TAX RATE.docx](#)
[Ordinance #15419](#)

Enactment No: 15419

[15-1956](#) Bill 78 General Fund

Attachments: [Bill 78 2018 General Fund](#)
[Ordinance #15418.5](#)

Enactment No: 15418.5

[15-1969](#) Bill 79 Tax Rate

Attachments: [Bill 79 2018 Tax Rate](#)
[Ordinance #15420](#)

Enactment No: 15420

ADJOURNED: 7:32 PM