



# Allentown

435 Hamilton Street  
Allentown, Pa. 18101

## Minutes - Final

### City Council

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Wednesday, June 5, 2019

7:00 PM

Council Chambers

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This meeting is being live streamed and recorded. The video will be posted on the city website. Remember your manners, exhibit good behavior and smile.

#### Invocation: President MacLean

#### Pledge to the Flag

#### Roll Call

**Present:** 5 - Candida Affa, Roger MacLean, Cynthia Mota, Daryl Hendricks, and Ed Zucal

**Excused:** 2 - Courtney Robinson, and Julio Gurdy

#### Courtesy of the Floor

#### Courtesy and Privilege of the Floor Rules

Mr. Lou Hershman, 405 N. Gilmore Street, asked about the State Hospital and if the Council or the Mayor will appoint someone for the State Hospital. He stated that they should appoint Nat Hyman or Don Ringer. He stated that Mr. Reilly was here and he is glad Mr. Reilly is in Allentown. He spoke about the LST tax, \$52 tax to pay for public safety for police and fire to offset the cost. The voters of Allentown approved this tax. It takes four votes, not three votes. He suggested to look at Charter or Ordinance to pass legislation.

Mr. Edward John White, 1922 W. Highland Street, stated that we have a lot of upcoming activity that shows collaborating and diversity of our city. He spoke about the Blues, Brews, and BBQ. The next Saturday, it is Art in the Park in West Park. It is a collaborative effort. June 18, 2019 Allentown Vision 2030 Program. He stated that he is pleased to be in Chambers to collaborate with Ms. Mota, and Promise Neighborhoods of the Lehigh Valley to create an Allentown Family Day on Saturday, June 22nd at Allentown Arts Park.

Mr. Ken Heffentrager, 1824 Pennsylvania Street - Allentown Tenants Association, stated that they had in the last two months they received a huge spike on the Allentown Housing Authority. Millions was dumped into Cumberland Gardens. There are mold issues, leaking water issues, at Gross Towers, Tower East, Wall and Manor, Union Terrace, Lawrence

Court with no heat in the buildings. Mr. Guridy was contacted with no response. He stated 13th Street from 17th Street with lot more properties being tagged. He hopes the city is following up. The haunted house looks incredible. It looks fantastic.

Ms. Candida Affa asked Mr. Heffentrager about 13th to 17th Streets.

Mr. Roger MacLean stated that fact that they are tagged shows the city is doing something.

Mayor Ray O'Connell responded about the Allentown Housing Authority.

Mr. Leonard Lightner stated that the Housing Authority is exempt under the Ordinance. The Code Enforcement Officers don't inspect those properties. They have their own Code Inspections. He will have a conversation with the Executive Director.

Mr. Roger MacLean asked Mr. Heffentrager to get the list of complaints to Mr. Lightner.

Ms. Cecelia Gerlach, 109 S. Ninth Street, talked about the business owners reaching out to her about the demolition on 9th and Hamilton Streets. She shared the business owners concerns. The areas of concerns are public notification (at least 10 days before demolition), it is not a community friendly policy, and other areas put stickers put on doors regarding demolition and transparent. Environmental concerns, specifically the small businesses and vibration concerns. There are no monitoring.

Ms. Sally Harris, Garden Gate, stated that the communication deficiency. Let customers know in advance. She stated that they found out last minute by a certified letter. They did not know what to expect. She talked about the air quality, safety and health hazards. The trucks are emitted black smoke.

Mr. Roger MacLean stated to Mr. Lightner that he is sure all the proper permits were issued.

Mr. Andy Sterner, Peace Incorporated, stated that they have been working in the city, on the towers and worked for City Center for a week and after a week their services were terminated. There has been studies done that over time the perimeters are not that safe on the walter commercial for purifier. The vibration have not been so bad. With the noise they had 131 decibels and are allowed 133.

Mr. Rich Seymour, Garden Gate, stated that he took the liberty to take

some of Allentown, Philadelphia, New York and some from Detroit and asked them to look at the information. They went through five demolitions and never experienced the quickness, ramifications, and inflexibility. The engine in the catapillar is an older engine and emits a lot of smoke. He asked them to take a look at it and they will be shocked. The pictures show very simple things. It shows people on the site with one place that has hard hats, no safety glasses, sneakers, shorts, and no hard hats physically walking on. They let the water flow down Maple, Ninth Streets and right into the stormsewer. That is a PA violation. People have to open their eyes.

Mr. Don Ringer, 1801 Liberty Street, congratulated the voters of Allentown on removing one of the City Council members. We have three excellent candidates running for City Council and we need help on City Council. He stated that the State Hospital is a travesty. The city should have the guts and courage to stand up for what the people want and the eastside people of what they deserve. He stated that he and Mr. Hyman would volunteer for that committee.

Mr. Ken Laudenslager, 721 W. Cumberland Street, stated there was a no response by city staff on quality of life issues being presented to them. Whether it is high grass, illegal dumping or a house with debris all over it. he stated that they make complaints and get no responses and that is a travesty. Earlier this year he talked about the southside and eastside. If there is no trash pickup on a Friday night there is no recourse. There is no reason why someone from Recycling is there on Saturday morning to take their phone calls. When it is going to be rectified.

Mayor Ray O'Connell stated that he takes exception to Quality of Life issues. If you have a concern email him directly 24/7. It will be addressed immediately.

Mr. Glenn Hunsicker stated that he would have submitted this to the Finance Committee. He is part of the H Team and Mr. Hartzell has been helpful. He asked the administration to create two new banking accounts. The proprietary fund should be by itself. It enhances to keep track of the money going out. You should not show in the monthly report negative balances. He stated that he talked to Mr. Glazier about the City Pension Reports. The city should provide a written report within 30 days. The PMRS system is not reported. They are working with the city with the TD Bank money. He wants this to move ahead. This information will be helpful.

Mr. Daryl Hendricks stated that it will be on the 12th.

Mr. Roger MacLean stated that at the quaterly pension meeting they give

out booklets. Is it online?

Mr. Brent Hartzell stated that the funds that are under the city's direct control Police, Fire and O&E are what they talk about in the Aggregate Pension Board meetings. There is separate Allentown City fund that is controlled under the Pennsylvania Municipal Retirement System for anybody that doesn't fall under that category. There is a fund balance that's part of that and an overall status of where appropriate funding is. It is a good idea that we can clear and make obvious to the public of what is going on with the PMRS fund.

Mr. Glenn Hunsicker stated that the city contributes about \$3.5 million a year. We have to know where it is. That is the main reason for doing it. The MMO which the city pays we are trying to maintain a 85 percent ratio. Just paying the minimum number is not good enough.

Mr. James Whitney, Walnut Street, stated that he owns a business right near where the Conference Center connected to the Holiday Inn is being demolished. It is incredible peaceful. He stated that they are super excited for apartments to go up there that can buy his products.

Mr. Eric Trimmer, 1324 S. 12th Street - Lehigh Valley Tea Part, provided a personal invitation to their August meeting. The meeting main topic is firearms. They are inviting state lawmakers and thought since Council passed Resolution 36 they can talk about why they passed it or voted against it.

Mr. Luis Acevedo, 2106 Baker Drive, talked about the smell of urine in an apartment in the 900 Block of S. 10th Street. The house number is 937 S. 10th Street. The smell is coming through the walls. They called the Humane Society. He talked about Fairview Cemetary says it is permanently closed. Who owns Fairview Cemetary.

Mayor Ray O'Connell stated that the city does not own the cemetary. It is owned by a private industry. We will check on it.

Mr. Roger MacLean stated that they can send Code out.

### **Communications:**

#### **William Allen Student Proclamations**

**Pursuant to the requirements of the code, copies of transfers approved by council are on the website and the table in the back of chambers.**

Mayor Ray O'Connell congratulated the students. He stated that he worked in the Allentown School District for 38 years. He is very proud of the Allentown kids. He thanked Hashaan Batts and Cynthia Mota. There are

so many good things happening in the city. He thanked Mr. Kinney for his leadership as Assistant Principal.

Ms. Candida Affa stated that they should give a hand to the parents that raised these wonderful children.

### Approval of Minutes:

[15-2953](#) April 17, 2019 City Council Meeting Minutes

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

**Yes:** Candida Affa, Roger MacLean, Cynthia Mota, Daryl Hendricks, and Ed Zucal

**Excused:** Courtney Robinson, and Julio Guridy

[15-2954](#) May 1, 2019 Public Hearing 1811 S. Glenwood Street Minutes

**Attachments:** [May 1, 2019 Public Hearing 1811 S. Glenwood Street Minutes](#)

**Yes:** Candida Affa, Roger MacLean, Cynthia Mota, Daryl Hendricks, and Ed Zucal

**Excused:** Courtney Robinson, and Julio Guridy

[15-2955](#) May 1, 2019 City Council Contract Approval Meeting Minutes

**Attachments:** [May 1, 2019 City Council Contract Approval Meeting Minutes](#)

**Yes:** Candida Affa, Roger MacLean, Cynthia Mota, Daryl Hendricks, and Ed Zucal

**Excused:** Courtney Robinson, and Julio Guridy

[15-2974](#) May 1, 2019 City Council Meeting Minutes

**Attachments:** [May 1, 2019 City Council Meeting Minutes](#)

**Yes:** Candida Affa, Roger MacLean, Cynthia Mota, Daryl Hendricks, and Ed Zucal

**Excused:** Courtney Robinson, and Julio Guridy

[15-2956](#) May 15, 2019 City Council Contract Approval Meeting Minutes

**Attachments:** [May 15, 2019 City Council Contract Approval Meeting Minutes](#)

**Yes:** Candida Affa, Roger MacLean, Cynthia Mota, Daryl Hendricks, and

Ed Zucal

**Excused:** Courtney Robinson, and Julio Guridy

[15-2965](#)

May 15, 2019 City Council Meeting Minutes

**Attachments:** [May 15, 2019 City Council Meeting Minutes](#)

**Yes:** Candida Affa, Roger MacLean, Cynthia Mota, Daryl Hendricks, and Ed Zucal

**Excused:** Courtney Robinson, and Julio Guridy

**Old Business**

NONE

**REPORTS FROM COMMITTEES:****Special Meeting: President MacLean**

There will be a special meeting on June 19th at 6:30 PM to review legislation creating a full time solicitor and to consider the Mayor's candidate for the position.

**Budget and Finance: Chair Guridy, Hendricks, Mota**

The Committee has not met since the last council meeting; the next meeting is scheduled for June 12 at 6:30 PM.

**Community and Economic Development: Chair Robinson, Guridy, Affa**

The Committee has not met since the last council meeting; the next meeting is scheduled for June 12 at 5:30. PM

**Human Resources, Administration and Appointments: Chair Affa, Zucal, Mota**

The Committee has not met since the last council meeting; there are no future meetings scheduled.

**Parks and Recreation: Chair Mota, Robinson, MacLean**

The Committee has not met since the last council meeting; there are no future meetings scheduled.

**Public Safety: Chair Hendricks, Affa, Zucal**

The Committee has not met since the last council meeting; there are no future meetings scheduled.

**Public Works: Chair Zucal, Hendricks, Robinson**

The Committee has not met since the last; there are no future meetings scheduled at this time.

**Rules, Chambers, Intergovernmental Relations and Strategy: Chair MacLean, Affa, Guridy**

The Committee has not met since the last council meeting; there are no future meetings scheduled.

**Controllers Report**

NONE

**Administration Report**

Mayor Ray O'Connell stated that tomorrow morning at 11:30 AM they scheduled a Push In Ceremony at Mack South Fire Station. This Saturday from noon to 10:00 Blues, Brews and Barbeque. The attendance is estimated at 25,000. On Friday morning the Mayor's Charity Golf Classic at Allentown Municipal Golf Course, will

benefit the Lehigh Valley Active Life. There are about 90 golfers lined up and hoping to raise \$12,000 - \$16,000.

Ms. Candida Affa stated that she drove by the Chew Street fire station to thank them for their support. They showed her every gadget.

Mayor Ray O'Connell stated that the city is building the fleet up.

#### APPOINTMENTS:

[15-2946](#) Joseph Peterson, Zoning Hearing Board, 11/04/2022 (Alternate)

**Attachments:** [Zoning Hearing Board - Joseph Peterson](#)

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

**Yes:** Candida Affa, Roger MacLean, Cynthia Mota, Daryl Hendricks, and Ed Zucal

**Excused:** Courtney Robinson, and Julio Guridy

Mr. Joseph Peterson thanked City Council members for their vote of confidence and Al Salinger. He thanked Mayor Ray O'Connell and stated that he is looking forward to serving and confident that he can add something position to the board.

Enactment No: 29817

[15-2947](#) Mark J. Buchvalt, Planning Commission, 06/03/2022 (Reappointment)

**Attachments:** [Planning Commission - Mark J. Buckvalt](#)

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

**Yes:** Candida Affa, Roger MacLean, Cynthia Mota, Daryl Hendricks, and Ed Zucal

**Excused:** Courtney Robinson, and Julio Guridy

Enactment No: 29818

[15-2983](#) Rosalie A. DeSilva, Nuisance Abatement Board of Appeals - 7/19/2023 (Reappointment)

**Attachments:** [Nuisance Abatement Board of Appeals - Rosalie A. DeSilva](#)

Ms. Candida Affa asked if there were any comments from her colleagues.



She stated that Ms. DeSilva was on the Nuisance Abatement Board of Appeals. She was there during the creation of this law. She knows a lot about it and will be a fair and honest citizen.

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

Mr. James Whitney, Walnut Street, stated that as someone who owns a property on Hamilton Street directly across from Ms. DeSilva. Knowing someone in the neighborhood, let alone across the street that has a keen eye on the community and is looking out for those Quality of Life Issues in the city. He thanked her for her service.

Ms. Candida Affa asked if there were any other comments.

**Yes:** Candida Affa, Roger MacLean, Cynthia Mota, Daryl Hendricks, and Ed Zucal

**Excused:** Courtney Robinson, and Julio Guridy

Ms. Rosalie DeSilva thanked Mayor O'Connell and City Council for voting her on the board. She firmly believes that Allentown is a revitalized city and coming back. Businesses and residents need to work together to co-exist in our neighborhoods to make a very strong, healthy and viable inner city. She stated that she knows the Ordinance is working.

Enactment No: 29819

**ORDINANCES FOR FINAL PASSAGE (To be Voted On): NONE**

**RESOLUTIONS FOR FINAL PASSAGE (To be Voted On): NONE**

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

[15-2975](#)

Bill 33 Budget and Finance, Forwarded Favorably with the caveat the legislation goes into effect next year.

DIRECTING THE LEHIGH COUNTY BOARD OF ELECTIONS TO PLACE A REFERENDUM QUESTION BEFORE THE CITY OF ALLENTOWN VOTERS ON THE NOVEMBER 5, 2019 GENERAL ELECTION BALLOT TO AMEND THE CITY OF ALLENTOWN HOME RULE CHARTER TO CHANGE THE DATE BY WHICH THE MAYOR SHALL SUBMIT A BALANCED BUDGET AND CAPITAL PROGRAM TO CITY COUNCIL FOR THE ENSUING FISCAL YEAR TO OCTOBER 15

**Sponsors:** Affa, Guridy, MacLean and Mr. Zucal

**Attachments:** [Bill 33 CA Budget Intro](#)  
[Bill 33 Amended](#)

Mr. Roger MacLean encouraged all Councilmembers to come to the meeting and asked if there were any comments from Council.

REFERRED TO BUDGET AND FINANCE COMMITTEE

Mr. Roger MacLean asked if there were any comments from the public.

Enactment No: 15543

[15-2976](#)

Bill 34 Budget and Finance, Forwarded Favorably with an amendment DIRECTING THE LEHIGH COUNTY BOARD OF ELECTIONS TO PLACE A REFERENDUM QUESTION BEFORE THE CITY OF ALLENTOWN VOTERS ON THE NOVEMBER 5, 2019 GENERAL ELECTION BALLOT TO AMEND THE CITY OF ALLENTOWN HOME RULE CHARTER TO CHANGE PROHIBIT A TAX INCREASE FROM GOING INTO EFFECT BY DEFAULT .

**Sponsors:** Gurdy, MacLean and Mr. Zucal

**Attachments:** [Bill 34 Default Budget - CA](#)

[Amd Prepared for June 12 Budget Adoption by 12.31- Eliminate](#)

[Budget by Default- 4 Votes - Effective Date \(Veto\) 6.12.19](#)

[Bill 34 Amended](#)

[Bill 34 Clean Bill](#)

[2005 Ord 14354 Tax Charter Question](#)

[2006 Ord 14359 - May to Nov ballot](#)

[2006 Ord 11464 - Repeal 14359](#)

Mr. Roger MacLean encouraged all Councilmembers to come to the meeting. He asked if there were any comments from Council.

Mayor Ray O'Connell asked if there was a date and time for the Budget and Finance Committee meeting.

Mr. Mike Hanlon stated June 12th at 6:30 PM.

Mr. Roger MacLean asked if there were any comments from the public.

REFERRED TO BUDGET AND FINANCE COMMITTEE

Enactment No: 15544

[15-2984](#)

Bill 35 CEDC, Forwarded Favorably  
An Ordinance providing for the expenditure of certain monies received by the City of Allentown under Title I of the Housing and Community Development Act of 1975, as amended; The Homeless Emergency

Assistance and Rapid Transition to Housing Act of 2009; and Title II of the National Affordable Housing Act of 1990, as amended, for the purpose of undertaking programs of housing and community development within the City.

**Attachments:** [Bill 35 CDBG NEW ACCOUNT SETUP 2019](#)

Mr. Roger MacLean asked if there were any comments from Council or public.

REFERRED TO COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

Enactment No: 15545

[15-2986](#)

Bill 36 Parks and Recreation, Forwarded Favorably Amending the 2019 General Fund Budget to provide for a supplemental appropriation of One Thousand (\$1,000) Dollars from an anonymous donor to purchase a Dogwood tree in memory of Grace Packer.

**Attachments:** [Bill 36 Grace Packer Memorial](#)

Mr. Roger MacLean asked if there were any comments from Council or public.

REFERRED TO PARKS AND RECREATION COMMITTEE

Enactment No: 15547

[15-2988](#)

Bill 37 Amending the 2019 General Fund budget to allow for a change in the Solicitor's Office changing the part-time City Solicitor position to a full time position.

**Attachments:** [Bill 37 Solicitor's Office](#)

[Bill 37 Amended](#)

REFERRED TO SPECIAL MEETING ON JUNE 19TH AT 6:30 PM

Mr. Roger MacLean asked if there were any comments from Council or public.

Mr. Ed White asked the amount of the change that is in the budget from part-time to full-time.

Mr. Mike Hanlon stated that it is \$105,000 and no net impact on the budget.

Mayor Ray O'Connell stated that it was the following words, no need for additional funds. It is cost neutral.

Mr. Roger MacLean asked if there were any other comments.

Enactment No: 15541

[15-2989](#)

Bill 38

Amending the 2019 Risk Fund Budget by transferring One Million Five Hundred Thousand (\$1,500,000) Dollars from the unappropriated balance of the Risk Fund for Employee Health Benefits.

**Attachments:** [Bill 38 Risk Transfer for Health Insurance](#)

Mr. Roger MacLean asked if there were any comments from Council or public.

REFERRED TO HUMAN RESOURCES, ADMINISTRATION AND APPOINTMENTS COMMITTEE

Enactment No: 15549

[15-2990](#)

Bill 39 Budget and Finance, Forwarded Favorably

Amending the 2019 Solid Waste Fund Budget by transferring Six Hundred Forty-Two Thousand Eight Hundred Fifty-Seven (\$642,857) Dollars from the 2019 General Fund to the 2019 Solid Waste Fund for the third loan payment.

**Attachments:** [Bill 39 Solid Waste Loan Payment](#)

[Bill 39 Amended](#)

Mr. Roger MacLean asked if there were any comments from Council or public.

REFERRED TO THE BUDGET AND FINANCE COMMITTEE

Enactment No: 15547

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

[15-2985](#)

R46 CEDC, Recommended Favorably

Approves the Submission of the Action Plan to the United States Department of Housing and Urban Development.

**Attachments:** [R46 CDBG Action Plan Resolution](#)

Mr. Roger MacLean asked if there were any comments from Council or public.

REFERRED TO THE COMMUNITY AND ECONOMIC DEVELOPMENT  
COMMITTEE

Enactment No: 29825

**NEW BUSINESS: NONE****GOOD AND WELFARE:**

Mr. Daryl Hendricks stated that in light of the recent incident in Virginia Beach. It made him think a lot of how often and he knows that his colleagues agree with this that we take for granted our city employees. He stated that sometimes he becomes a little short. He gets many complaints that he forwards to many different bureaus and employees. For the most part they do a super job. Being a city employee and working for the public is not an easy job and all too often we expect a lot more from them then we would from public sector employees. We truly appreciate the job they do and too often we don't express that.

Mr. Roger MacLean stated that he agrees. He asked his colleagues did anyone else have anything for Good and Welfare.

**ADJOURNED: 8:08 PM**[15-2987](#)

Signed Transfers: January 9, 2019 - May 31, 2019

**Attachments:** [Granicus Encoder Replacement for Council Chambers \\$4,500](#)  
[Funds In Order to Pay the Waste Management December 2018 \\$22,000](#)  
[To Cover Credit Card Fees That Were Not Allocated for 2018 Budget Due To Not Having a Firm Idea of Costs Prior to Budget Planning \\$8,363.84](#)  
[7th Street Pedestrian Lights - Public Improvement Allotted for this Funding \\$226,000](#)  
[Funds Needed for 2019 Lease Payments - OCE Plotter Lease Payments \\$14,000](#)  
[Auto Loss Expenses Were Less Than Anticipated Due to Employees Transferring In Mid-Year, Wages Were Underbudgeted \\$7,359.65](#)  
[City Internet Service was Paid out of Account 46 Incorrectly and Should Be Under Account 22 \\$70,000](#)  
[OCE Plotter Lease Payments Funds Needed for 2019 Lease Payment \\$14,000](#)  
[To Purchase A HoverJack Air Patient Life To Transport Bariatric Patients \\$7,900.00](#)  
[To Purchase 3 Unimac Commercial Washing Machines In Fire Houses \\$8,800.00](#)  
[CAD Maintenance Agreement - It Was Not Realized Until After the Budget Was Already Approved \\$48,403.79](#)  
[\\$20,000 Was Budgeted In Account 46 for Contract Services and For Agencies To Initiate and Expand Youth Feeding and Meal and Programs Anti-Hunger \\$20,000.00](#)  
[911 Employees That Went Over to the Lehigh County \\$33,462.85](#)  
  
[CAD Maintenance Agreement - It Was Not Realized Until After The Budget Was Already Approved That It Was Changed from the 42 Account \\$10,727.33](#)  
[To Purchase Lighting Fixtures and Poles for Use in the Twins at Devonshire Subdivision \\$11,000](#)  
[Correct End of Year Negative Balance Created by the Cost for 2018 OPEB Valuation \\$14,949.56](#)  
[Correct End of Year Negative Balance in Fire Department Due to the Franklin Street Fire \\$560,696.14](#)  
[Correct End of Year Negative Balance for Law Office \\$7,034.11](#)  
  
[For Equipment Needed for the 10th Street Police Station \(Radio Fiber Conversion Cabinet\) \\$10,000](#)  
[To Pay Lehigh County Filing Fee for Curbing and Sidewalk Invoices That Need to Be Liened \\$11,000](#)  
[To Pay Lehigh County Filing Fee for Curbing and Sidewalk Invoices That Need to Be Liened \\$1,000](#)  
[Correct End of Year Negative Balance Created by the Cost for Parking to the Allentown Parking Authority \\$19,323.53](#)  
[Correct 2018 Negative Account Balances - Finance \\$17,707.94](#)  
  
[Heating Costs for 2018 Ended Costing Less Than Budgeted - Correct End of year Negative Balance \\$9,631.35](#)  
[Due To The Deteriorating Condition Of The Building at 2100 Linden Street, The Property Needed to Be Demolished \\$97,000](#)

[15-382](#)

Council Rules and HR Charter

**Attachments:** [HOMERULE March 2018](#)  
[Council Rules April 2018](#)