



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

City Council

Wednesday, September 18, 2019

7:00 PM

Council Chambers

Invocation: Councilperson Hendricks

Pledge to the Flag

Roll Call

Present: 6 - Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Excused: 1 - Candida Affa

Courtesy of the Floor

Courtesy and Privilege of the Floor Rules

Mr. Lou Hershman stated he is here about the eastside of Allentown. He asked Mr. Guridy about the Management Letter from the Audit. The eastside of Allentown is an island that has one way to get to it. People are screaming about what is happening over there. He stated that maybe Mr. Messinger can speed up the bridge. You read about what's happening in downtown Allentown, but nothing on the eastside of Allentown. The poorest areas of Allentown will get a lift. We asked where is this \$2.5 million to help the City of Allentown other than Center City. Where is the money?

Mr. Mike Hanlon stated the Single Audit is on the Budget and Finance Committee Agenda and on the website.

Mr. Roger MacLean stated that he counts two bridges going on the eastside, Hamilton Street Bridge and American Parkway. The Mayor has an answer.

Mayor Ray O'Connell stated that the Tilghman Street Bridge is another year off until completion. The \$2.1 million that the former Mayor promised for housing was never appropriated. The money was not there. It was a verbal situation. The money was never put in the budget, and never appropriated. It was just a statement that he made.

Mr. Lou Hershman stated that American Parkway is a bypass on the eastside.

Mr. Roger MacLean stated that it is still a bridge to get you to one part of

town from another. The bridge has to get fixed and it's the state that is fixing it.

Mr. Joseph Hoffman, Saint John Street, talked about the first meeting since the release of Vision 2030 on Sixth and Linden. There are nine meetings coming up on Vision 2030. You have a really qualified person in Hannah Clark that runs the meeting great. If you are a member of the new Allentown majority this Plan is for you. They took extra care to make sure the Latino community will be involved. He urged everyone to attend the meetings.

Ms. Angela Vullo, DC Area - National Coalition for a National Infrastructure Bank, stated that they are here to put pressure on the US Congress to get a Bill in Congress. They got Resolutions filed in 17 states. There is one circulating in the Legislature in Harrisburg. Three states passed Resolutions: Illinois, Alabama, and South Carolina and two City Councils' Trenton and Akron. They are proposing a type of a new deal using a model of the bank called the Reconstruction Finance Corporation. This will direct federal funds into the states and city to build infrastructure. It has been done four times in US history. She urged Council to pass a Resolution.

Mr. Stan Forstick, Retired Executive from Amtrak, stated that they stopped here to introduce themselves. They were in Harrisburg speaking on the issue of infrastructure and the infrastructure bank. There are cities that have water supply problems, gas distribution problems, no broadband, no high-speed rail in this country. There is a crisis in the United States for infrastructure. They are going around with a grassroots movement to start legislation for a National Infrastructure to be funded to the point of \$4 trillion. They would like to come back and discuss on a one to one basis and give a brief conference on all the points of the bank because they want endorsements.

Mr. Courtney Robinson stated that he would have an interest and hope that his colleagues on the Community and Economic Development Committee would have an interest to invite them back to discuss this and look at the possibility of doing a Resolution before the end of the year. He stated that he will have the Clerk, Mike Hanlon reach out once they have something scheduled in the next few weeks.

Ms. Brenda Fernandez, 1243 S. Jefferson Street, thanked the city and thanked Mr. Messinger for the stop sign on 12th and Jefferson Streets. She asked Parks and Recreation for speed bumps at Trout Park.

Mr. Rick Holtzman asked if she was asking for speed bumps in the park.

Ms. Brenda Fernandez stated going through it.

Mr. Craig Messinger stated that is something they will be looking at and Lehigh Parkway for traffic calming in that area. They collect liquid fuels money for it.

Mr. Dave Harrington, Candidate for Lehigh County Commissioner, stated that he works at 609 Hamilton Street and introduced himself. He stated that if they have any questions regarding the county he would hope they will look to him for a resource.

Mr. Luis Acevedo, Baker Drive, stated he is here to speak on behalf of T Y Herbert owner of the Brookdale Gardens Apartment. He reached out about the issues going on behind the parking lot. That actually belongs to the Mountainville Association. One is being used and activity happening at night time. He thinks is it drugs happening there. Somehow they got power in the shed. There is problems with weed growing in that backyard. He got a citation, fought it and won it. He has problems with cats. He caught 18 cats and now there are mice. It is a health issue.

Mr. Whitney Kemmerer, Southside, talked about a program that's going on federally targeting citizens of the United States worldwide.

Approval of Minutes:

[15-3157](#) September 4, 2019 City Council Meeting Minutes

Attachments: [September 4, 2019 City Council Meeting Minutes](#)

Yes: 6 - Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Absent: 1 - Candida Affa

Old Business

Mr. Courtney Robinson stated that there was a little bit of passion exhibited at a meeting previously this evening. He stated to Mr. MacLean for the remark he made previously he would like to offer an apology and stated that they are all caring and passionate about the issues and citizens of Allentown. Civility and deportment at the meetings is of the utmost importance.

Mr. Roger MacLean stated to Mr. Robinson that he did come up to me during the break and stated that he appreciates that.

Communications:**Hunger Free America Proclamation**

Executive Session Announcement: City Council held an Executive Session with the City Solicitor this evening, September 18th, at 5 pm to discuss the payment of invoices for professional engineering services related to the Cedar Beach Pool renovations. Discussion regarding potential litigation is an exception to the open meeting requirement under the Sunshine Law.

MMO Calculations - Council has received them, they are on the website and part of this agenda.

[15-3158](#) MMO Calculations
Police \$7.9 M
Fire \$4M
PMRS \$3.3M
O and E \$230,000

Attachments: [MMO Police](#)
[MMO Firemen](#)
[MMO O&E](#)
[MMO PMRS](#)

Mr. Mike Hanlon stated that Council received the MMO calculations from the administration. Copies are on the website and attached to the agenda. They are part of the budget next year.

Police: \$7.9 Million
Fire: \$4 Million
PMRS: \$3.3 Million
O and E: \$230,000

REPORTS FROM COMMITTEES:**Budget and Finance: Chair Guridy, Hendricks, Mota**

The Committee has not met since the last Council meeting; the next meeting is scheduled for September 25 at 6 PM; the agenda items include a discussion of the single audit, finance reports, P cards, and a draft amendment related to the budget process.

Community and Economic Development: Chair Robinson, Guridy, Affa

The Committee met last Wednesday and received an update on the comprehensive plan; the next meeting is not yet scheduled.

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

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

Parks and Recreation: Chair Mota, Robinson, MacLean

The Committee met this evening; the next meeting is not scheduled.

Public Safety: Chair Hendricks, Affa, Zucal

The Committee has not met since the last council meeting; the next meeting is scheduled prior to the October 2 council meeting.

Public Works: Chair Zucal, Hendricks, Robinson

The Committee met this evening; 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

Mr. Jeff Glazier stated that the Accounts Payable Weekly Check Review for the period of 6/29/2019 to 8/02/2019. The date of the report is August 26. They reviewed 765 checks for the period for a little bit over \$10 million. They did 19 wires for \$1.9 million. They have one duplicate payment and the department was advised and the check was voided. They had four wires that were rejected. Two wires were duplicates and one wire was a vendor rebate that was entered as a debit when it should have been entered as a credit. One wire supporting documentation that does not include the whole invoice. Only a portion of the invoice. Corrections and/or voids were made to all of those as needed. They identified an expense for the citywide event/family health event at Bucky Boyle that was sponsored by HR, but other departments kicked in from their budget for some of those expenses. It is the Controller's opinion that each department should cover their own expenses. There were a number of invoices not attached in Eden. They identified four invoices that were charged the incorrect expense accounts. Corrections were made. There were 21 invoices that were paid in a timely manner.

Administration Report

Mayor Ray O'Connell stated that they have an Anti Hunger Grant. He thanked Mr. Hendricks for his service on the committee representing the City Council members. Part of the grant requirements is that we read a Proclamation to Council and the public at a City Council meeting. He read the Anti-Hunger Proclamation.

Mr. Daryl Hendricks stated that among the many things they have done is the Summer Playground Program, providing all the meals for the children. They formed a taskforce and members of the community have joined to help out. Firehouse Fridays utilizing Hibernia Fire Station on Fridays from 3:00 PM - 4:00 PM and children come there for meals throughout the school year and the summer months. The Lehigh Valley has extended through this grant and the efforts of everybody, some areas have doubled the amount of meals they serve. The city stands alone in that throughout the state.

Mayor Ray O'Connell stated that the city is a model, not just at the state, but on a national level. He asked Mr. Hendricks to tell them about the PML conference he is going to.

Mr. Daryl Hendricks stated that the Pennsylvania Municipal League holds a conference every year and will be held on October 2 in Gettysburg. He stated that they have been invited along with the Health Bureau, Tina Amato; the Mayor will be presenting there at one of the workshops speaking about speaking about the efforts in the city.

Proclamation given to Nicos C. Elias Funeral Home Inc.

Mr. Nicos C. Elias stated that it caught him by surprise and thanked City Council and the Mayor for the Proclamation. He stated that he does the luncheons because he cares about the public servants of Allentown and includes Lehigh County Dispatchers, the Coroners office and Sheriffs. He stated that he wants them to know they are appreciated and want them to know that the other businesses in the city that there are businesses in the city supporting them. He stated that he could not do it without some people in the audience. He stated his mother and father, the Elias' are here. They are Greek immigrants and without their help he couldn't have owned the business. His assistants Jeff Burns, and Jenny Perez, his girlfriend without them he could not do the luncheons. He stated that he worked for the city's comm center for a few years. Since then he knows that Allentown has a very fine police force. He stated that he appreciates everything they do.

Mr. Ed Zucal stated that he has known Nic for quite a while now and he has always been very generous. He stated that he can guarantee that this is not the only thing Nic does for the public.

Mr. Roger MacLean stated that he cannot go without recognizing Bob Burns either.

Mr. Courtney Robinson stated that he wants to mention something tagged to the administration's report. He offered congratulations and thanks to the administration, but to the Allentown Police Department, specially the District Attorney's office. While we were here in the meeting we received a Press Release from the District Attorney's office talking about charges that are being filed in the Church Street homicide from July 12. He thanked the men and women from the APD, specially Detective Eric Stauffer who worked on the case. He thanked the District Attorney's office specifically for the homicide taskforce which was a creation of District Attorney Martin a few years ago which has been instrumental in helping us with that, and Detective James Bruchak. It has been a difficult summer and as much time we spent on dealing with the problems of it. He stated that when they do move forward with something he thinks that not only should they address that, but most importantly thank the men and women who are out there every day and every night trying to solve these crimes and keep us safe. He thanked the three members of Council who did that as well.

Mr. Roger MacLean stated that Detective Stauffer is the second generation APD and Detective Brushak retired from the State Police and working with the District Attorney.

Mr. Courtney Robinson stated that it seems like we have a lot of great second generation APD.

APPOINTMENTS: None

ORDINANCES FOR FINAL PASSAGE (To be Voted On):

[15-3022](#)

Bill 41 CEDC, Forwarded Favorably (3-0)
Rezones former incinerator site at Basin Street and MLK BLVD from BL-I
Business Light Industrial to I-3 General Industrial

Attachments: [Bill 41 Basin St and MLK BLVD \(former incinerator site\) ORDINANCE](#)
[Basin Street - Attachment A](#)
[Basin Street - ACPC recommendation](#)
[Basin Street \(Former Incinerator\) Mailing Labels](#)
[20190730 Allentown - BL-I to I-3](#)
[Letter from Irene Woodward from the Planning Department regarding Rezoning Former City Incinerator Site at Basin Street BLI to I3](#)
[Notice - Former Incinerator Site At Basin Street and MLK Blvd from BLI to I3](#)
[Ordinance #15559](#)

Mr. Courtney Robinson stated that it was the July meeting. It was forwarded favorably from the committee with a 3- 0 vote. It takes a property that is sitting unused and given a great opportunity. He thanked Mr. Unger for his continued work on this property to try to maximize it and working with every department in the city, not just the Community and Economic Development, but the Parks Department as well to try to make sure this property can be utilized. He thanked the Planning and Zoning office for their work on this issue.

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

Yes: 6 - Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Absent: 1 - Candida Affa

Enactment No: 15559

15-3061

Bill 48 CEDC, Forwarded Favorably, 2-1
Amending the Zoning Code, Article 1327 of the Codified Ordinances of the City of Allentown, Re: Additional Requirements for Specific Uses by reducing the amount of storage required in new multi-family dwelling units.

Attachments: [Bill 48 Storage Space Ordinance](#)

[Letter from Irene Woodward from Planning Department regarding Amending the Zoning Code - Storage Area](#)
[Referral Letter from Mike Hanlon regarding Bill 48 Amending the Zoning Code Additional Requirements for Specific Uses by reducing the amount of storage required](#)
[Letter from Mike Hanlon regarding Rezoning on Multi-Family Dwellings Storage Space](#)
[Letter from Irene Woodward from the Planning Department Storage Area Contained Inside Multi Family Business Dwelling Units Ordinance #15560](#)

Mr. Courtney Robinson stated that with this they had a lengthy discussion and it was forwarded favorably to Council by a 2 - 1 vote.

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

Mr. Courtney Robinson asked Mr. McCarthy about a statement made that there are 80 - 85 percent of the building that is the goal for rentable square footage. He stated that he lived at the P&P Mill building on 3rd Street for about seven years and the majority of the apartments in that building had storage units which were the 35 square feet or more and they charged for access. Why is it not something that could be a remedy included in the square footage of the department itself.

Mr. Dennis McCarthy stated that the current wording of Ordinance requires a storage locker outside the unit. He stated that they believe with the units that Center City develops and any unit that has over 700 square feet it will have within it sufficient storage space. The answer to the question is if the unit has enough storage space you would not need an outside storage locker. Unfortunately, the Zoning Ordinance requires an outside storage locker which creates that issue.

Mr. Courtney Robinson asked why not amend the Zoning Ordinance to

allow it to be included in the apartment as opposed to eliminating it to any apartment over 701 square feet. He stated that his concern is not with City Center. He knows that a premium has been placed on all of your buildings.

Mr. Dennis McCarthy stated that he understands Mr. Robinson's point, but storage within a unit are closets and linen closets which are already there. He stated that they stayed away from the calculation of storage space within the unit. He deferred to Planning on it. That would be a burdensome calculation to calculate storage space in each unit. That's why they opted for a gross square footage as a metric.

Mr. Courtney Robinson stated that he is on the opposite side of the issue. You have a reputation for always being very thoughtful and trying to do what you think is not only best for your client's, but the best interest as you see it for the entire municipality that you are working with. He stated that he appreciates the time and work that Mr. McCarthy has put in it specifically. Even though they are on the opposite side of it, he does respect that he really tried to find the best way to do this to recommend what is good for your client and in general. Even though they disagree.

Mr. Julio Guridy asked about the 700 square feet, would they have any other areas to store bicycle? He stated that his only concern is on other developers that may be in the NIZ. Will they also be concerned as you are in providing that kind of space for the people.

Mr. Dennis McCarthy stated in the City Center buildings they do. In the City Center buildings that are being developed there are bike storage rooms in various sizes, depending on the number of units. He stated 40, 50, 60 bikes can be stored there. That is not required, City Center has opted to do it because that's what the tenants demand. They want to have a place to put their bikes. It is an accommodation and a reaction to the marketplace. It is not required, but it is the right thing to do and good business because that is what our tenants demand. City Center is an excellent developer. The market will answer it. It is up to the landlords to provide those amenities, bike storage, the conference rooms, or the gym. Storage space is an amenity like everything else.

Mr. Julio Guridy stated that it is a competitive market out there even if it has to do with renting apartment units.

Mr. Roger MacLean asked if there were any other questions before he returns to Mr. Robinson.

Mr. Daryl Hendricks stated that people have a choice here. When you are talking about amenities, if somebody doesn't feel that it is enough storage

space in a place, they are not being forced to rent any place. There are many units available in the city for rent. Sometimes we regulate too many things as a government. The less regulation we do, except for safety the far better we are. He stated that he is certainly in favor of it and will be voting in favor of it.

Ms. Cynthia Mota agreed with Mr. Hendricks 100 percent. She stated that she is in favor of this. If they start regulating a lot of developers are not going to come to the city. We tend to regulate a lot of stuff. Why regulate if you do have a choice to go elsewhere a get a bigger apartment with more storage.

Mr. Roger MacLean stated that he agrees with the choice too because some people might want a swimming pool and other people don't.

Mr. Courtney Robinson stated that they need to understand. A few members have implied that would be starting to have this. It is not starting. This is something that the city had for so many years that no one here can remember when it was passed. This is not something where we are saying we want to add storage. It is something where we are now saying we don't. He stated that he takes exception with a few things. We had this in place and it did not stop City Center from developing nine apartment buildings. They sought a Zoning variance and was awarded each time. They were awarded a Zoning variance because they were providing some level of storage. It wasn't that they were providing no storage. He stated that he has no doubt in his mind that City Center is going to provide additional storage. As they said, it is their market philosophy. The market does not fix all evils. If it did, we wouldn't have the highest rent to income ratio in the United States of America in the City of Allentown. The market would have corrected that well before we got here. The purpose of government is to regulate the market. He stated that he is not wild about making a citywide Zoning change when just today the Comprehensive Plan became available to look at. There was a suggestion made at the hearing in July by a member of the administration who is not here this evening that if people wanted more storage they can just rent a storage space from any one of the myriad of storage facilities we have in the city. That is a ridiculously flip statement to make. When someone is renting a 700 square apartment it is not just because they want to live in something small. At lot people are renting it because that's the best that they can afford. The initial report that was given to the Community and Economic Development committee last week talks about just how large our poverty problem is in this city. He stated that he feels that they can't do this. He stated that it is their job to not just serve the business, but to serve the residents of the city. He asked his colleagues to please vote no on this Bill.

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

Mr. Whitney Kemmerer asked how do you know what the citizens are choosing to do with their space. Is someone going in there and actually inspecting the place?

Mr. Roger MacLean stated that rental units get inspected, but what they store in their storage space is up to them. He stated five units or more. He asked if there were any other comments from the public.

Mr. Courtney Robinson asked when they do rental inspections, when there is storage space associated with the unit, do we inspect that as well or just the unit.

Mr. David Kimmerly stated that he doesn't typically do rental inspections, but he knows one of the issues with this storage space and Mr. McCarthy is correct that this storage unit that is required by this Ordinance has to be outside this unit. They would be able to be inspected by a Zoning Officer to make sure that its present at the time the building is constructed or just after it is constructed. In terms of inspecting anything in an apartment itself that would not fall under the Zoning Officers purview. It would fall under a rental inspection. Inside the unit itself there is no requirement that there will be a specific storage set aside.

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

Yes: 5 - Roger MacLean, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

No: 1 - Courtney Robinson

Absent: 1 - Candida Affa

Enactment No: 15560

[15-3138](#)

Bill 55 Public Works, this evening
Amending the 2019 Capital Fund Budget to provide for a supplemental appropriation of Seven Hundred Seventy-Four Thousand Three Hundred Seventy-Eight (\$774,378) Dollars. This was the result of a Green Light Go grant from the Pennsylvania Department of Transportation for the Lehigh Street Corridor System Management and Mobility Project.

Attachments: [Bill 55 Green Light Go Grant - Lehigh Street](#)
[Ordinance #15561](#)

Mr. Ed Zucal stated that it was voted favorably to send to Council. It is a supplemental.

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

Yes: 6 - Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Absent: 1 - Candida Affa

Enactment No: 15561

[15-3142](#)

Bill 56 Public Works, this evening
Amending the 2019 Capital Fund Budget by transferring from One Hundred Thousand (\$100,000) Dollars from Capital Project 2026 – MLK Drive and Lehigh Street to Capital Project 2023 – Pedestrian Safety and Signal Improvement to place the city match and Federal Grant funds in one account.

Sponsors: Administration

Attachments: [Bill 56 Capital Transfer](#)
[Ordinance #15562](#)

Mr. Ed Zucal stated that this is a transfer from one account to another account to make sure that it is in the proper account before they do the work.

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

Yes: 6 - Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Absent: 1 - Candida Affa

Enactment No: 15562

[15-3143](#)

Bill 57 Parks and Rec, this evening
Amending the 2019 Capital Fund Budget by transferring Fifty-Four Thousand Nine Hundred Fifty-Nine Dollars and Twenty-Three Cents (\$54,959.23) from different capital projects for the final payment to Keystone Consulting Engineers for the work performed for Cedar Pool.

Sponsors: Administration

Attachments: [Bill 57 Keystone Consulting Pay](#)
[Ordinance #15563](#)

Ms. Cynthia Mota stated that it was passed favorably 3 - 0. She stated that it is for \$54,959.23 that needs to be paid because work was done.

Mr. Roger MacLean stated that it is a Bill we owe. He asked if there were any comments from Council or the public.

Yes: 6 - Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Absent: 1 - Candida Affa

Enactment No: 15563

[15-3144](#)

Bill 58 Parks and Recreation, this evening
Amending the 2019 Trexler Fund Budget to provide for a supplemental appropriation of One Hundred Thirty-Seven Thousand Seven Hundred Fifty (\$137,750) Dollars from the Trexler Trust as the balance of the 2019 contribution per General Trexler's will.

Sponsors: Administration

Attachments: [Bill 58 Trexler Appropriation](#)
[Ordinance #15564](#)

Ms. Cynthia Mota stated that this was passed favorably 3 - 0. It is money that the city get every year. It was appropriated.

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

Yes: 6 - Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Absent: 1 - Candida Affa

Enactment No: 15564

[15-3147](#)

Bill 59 Parks and Recreation, this evening
Amending the 2019 Capital Projects Fund to provide for a supplemental appropriation of One Hundred Ninety-Three Thousand Seven Hundred Seventy-Five Dollars (\$193,775) as a result of the annual receipt of capital improvement funds from the Trexler Trust as designated by the Court Order.

Sponsors: Administration

Attachments: [Bill 59 Trexler Capital Appropriation](#)
[Ordinance #15565](#)

Ms. Cynthia Mota stated that this was passed favorably, 3 - 0. It is Trexler Funds that the city needs to spend for Capital Projects.

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

Yes: 6 - Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Absent: 1 - Candida Affa

Enactment No: 15565

RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):

[15-3151](#)

R71

September 2019 HARB Cases: 130 N 15th St., 621 Gordon St.

Attachments: [R71 Resolution - September 2019 HARB cases](#)

[621 Gordon St Final Review](#)

[130 N 15th St Final Review](#)

[Resolution #29855](#)

Mr. David Kimmerly stated that 621 Gordon Street is a complete exterior rehabilitation of the building front and back. It includes reconstruction of an addition on the rear and major work on the front including doors, windows, brick work, etc. It is a Redevelopment Authority Project. It is going to transform this building. It is highly recommended for approval by HARB. The other case is 130 N. 15th Street in the West Park Historic District. That is an installation of solar panels. There is a little bit of a conditional issue with this. Typically, we don't allow solar panels on the front of the building. In this case, we are allowing it because the way the roof is shaped and the property owner was willing to make a compromise to remove some of the solar panels in the back of the roof. It was deemed to meet the standards. It was recommended favorably for approval as well.

Mr. Julio Guridy asked even if you move it to the back they will still be able to get all the sun necessary?

Mr. David Kimmerly stated yes. There was a discussion of possibly putting them on a garage in the back. That was a location where it was shaded and that couldn't happen. All of them could be moved to the back somewhere.

Mr. Roger MacLean asked Mr. Kimmerly about a handicapped issue at one of these buildings and asked if it was this one. It is the one next door?

Mr. David Kimmerly stated that it is the one next to 130 N. 15th Street.

Mr. Courtney Robinson stated that in reading the supporting documents, he noticed that the Solar Panel provider was Tesla. He asked about the newer shingle like Solar Panels that Tesla is going to be releasing soon. In term of if there might be something that could be considered more historically appropriate if we look at a building that has similar roof-line or similar issues.

Mr. David Kimmerly stated that it was brought up briefly in the initial

discussion when the Tesla Representative was not there. Those individual roof tiles are extremely expensive in comparison of doing the larger panels. He stated that they do need to look at their Design Guidelines and possibly make some amendments to it to accommodate for those shingles and to recommend and encourage those.

Mr. Courtney Robinson stated that the hope is that as they become second and third generation and easier to produce that the price would significantly drop. The discussion on this was really good based on the minutes. He thanked Mr. Kimmerly and the HARB members. He asked about the guidelines about Solar Panels specifically.

Mr. David Kimmerly stated yes, there is a section on Solar Panels and there is a recommendation that they need to be, especially if it is a gable roof that is sloped towards the streets needs to be in the back or on a flat roof. It could be an installation that is stand alone in the backyard. In this particular case there was an exception because of the shape of the roof.

Mr. Courtney Robinson asked what is the position of HARB because technically if something could be seen from the alley it is considered street view. Is it something where because it is the alley we give a little bit more leniency or is it a preference of trying to contain it in an area that could not be seen from the front and couldn't have been seen from an alley as easily?

Mr. David Kimmerly stated that there is some exception for electronic devices such as satellite dishes. Satellite dishes can be on the back of the property even if it is visible from an alley. Solar Panels could be regulated to the point that even if you see them from the alley that they couldn't be installed. However, in the interest of encouraging sustainable energy, our design guidelines are a little bit more flexible in the installation in the back.

Mr. Courtney Robinson stated that as stated by Mr. Hubert in the minutes this is going to be something that they deal with a lot more. Being careful about setting a precedent is important. This was a very good compromise and very well done. He complimented Mr. Kimmerly and the board on this.

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

Yes: 6 - Roger MacLean, Courtney Robinson, Cynthia Mota, Daryl Hendricks, Julio Guridy, and Ed Zucal

Absent: 1 - Candida Affa

Enactment No: 29855

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

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

Ms. Cynthia Mota thanked Christy and Lucinda for doing such a good job with the Hispanic Heritage Month Celebration. She thanked the administration and City Council. It was a great day on Sunday.

Mr. Julio Guridy stated that there were a lot of events going on. Many were ethnic related events. He thanked the Mayor, administration and Council for attending the Casa Guadeloupe 50th Anniversary. He stated that Councilwoman Cynthia Mota got an award for being a Casa Guadeloupe kid when she was younger. He stated that the Sheriff who is a former Chief of Police got an award. He stated that he has been on the Board of Directors for Casa Guadeloupe for more than 20 years. Alan Jennings got an award for providing a lot of service to the community. The Secretary of Aging came from Harrisburg and was the Keynote Speaker.

Mayor Ray O'Connell asked about the Latino Convention.

Mr. Julio Guridy stated that the Latino Convention is coming and it is the second year they are working on it. They had one in Lancaster last year. This is the only Hispanic Convention across the state. This year it will be at the Bethlehem Hotel. It is the Lehigh Valley Convention. They tried to have it in Allentown, but couldn't get the space. Mayor O'Connell will be presenting. Mayor Panto and Mayor Donchez will be at the event. There will be people coming from all over the state. The event will be on the 27th through the 31st.

GOOD AND WELFARE: NONE**ADJOURNED: 8:18 PM**