



Minutes - Final

Public Safety Committee

Wednesday, February 19, 2020

6:15 PM

Roll Call: Chair Affa, Hendricks, Zucal

[15-3294](#)

R115

Authorizes the City Solicitor's Office to file a petition with the Pennsylvania Liquor Control Board to exempt a specific area of the City of Allentown, described herein, from the Pennsylvania Liquor Control Boards regulations regarding amplified music being heard off the licensed premises in favor of enforcing the city's own previously adopted Noise Ordinance, Article 710, of the City of Allentown's Codified Ordinances.

Sponsors: Administration, Affa and MacLean

Attachments: [R115 File Petition with the Pennsylvania Liquor Control Board](#)

[ATTACHMENT A - Allentown Noise Ordinance 710](#)

[ATTACHMENT B](#)

[Resolution #29940](#)

Ms. Candida Affa asked the Assistant Solicitor to read the Resolution.

Mr. Adam Rosenthal read the prepared Description of the Resolution for the Petition with the Pennsylvania Liquor Control Board. He stated that today's Resolution is the Resolution confirming support of the necessary support for filing the Petition.

Ms. Candida Affa asked if there any comments from her committee.

Mr. Ed Zucal stated that Council is not here to keep the nightclub closed or open. The meeting is about is whether or not they as Council or let the city regulate the Noise or the LCE do their function.

Ms. Candida Affa stated that this is a Petition Council is filing. Mr. Daryl Hendricks state that he does believe strongly that the Fairground in the city. It is the only area of the city in the city as an Entertainment District.

Mr. Daryl Hendricks stated that at this point of time he is not going to say if he is in favor or against it. He does believe strongly that this area of the city that being the Fairgrounds of which this is encompassed is very unique and the only area in the city as an Entertainment District.

Ms. Candida Affa stated that she is going to save her comments for later. She is in favor of this. She echoed Mr. Hendricks. This is an iconic area and has always been an Entertainment Center. This is nothing but a Petition to have the City of Allentown to take over the Noise Ordinance.

Ms. Janet Keshl, W. Wabash Street, stated that she has been going to the Maingate since it opened in the 1980s. She knew Joan and Skip and was a fantastic place to go to dance. She stated that she was clubbing for 30 years before she got married to her husband. The noise has definitely increased. She stated that if they tune it down it would be great. She stated that she does not see a problem with Ringers.

Mr. Harry Crowse (sp), 1522 1/2 Chew Street, stated that the world is full of noise and Allentown is no different. We have malls, pubs, bars, clubs, restaurants, cars with mufflers and radios, at doctor's offices, people are on the cell phones. It is loud noise and annoying, but as everyday life we live with it, 24/7. The club is open three days a week for seven hours each day. Maingate has noise, yes, but Dominic the owner tries to control it. He has spent time and money to minimize the noise. Maingate is an established business for decades trying to help people try to have a good time. He asked Council to give Dominic a chance for his livelihood.

Ms. Erin Keller, 1934 W. Tilghman Street, stated that she is in the neighborhood of the Maingate, Ringers Roost, and Liberty Tavern. She stated that she is right up the street of Volpe's which tends to be a very loud bar. If she called the LCB every time they were loud, they would be out of business. She likes that her neighborhood is a place where people can come and have entertainment. She stated that she has walked passed the Maingate at all times of day and evening and she has never except for one exception heard any kind of excessive noise. She has found them to be a great neighbors and supports keeping the Maingate opened. In some of the cases, the complaints stem from the fact that people in the neighborhood do not like that their are people of color who are participating in that neighborhood and walking through it and see them as a threat, when in fact they are not. They are simply there to enjoy themselves, spend their money and be responsible citizens.

Mr. James Spang stated that he has been involved in this Maingate situation for 3 years. The noise issue was settled in the 1980s with the city adopting their Noise Ordinance and a meeting with the Chairman of LCB. Knowing they gave a Liquor License to a bar room with no roof. It allowed the City of Allentown Noise Ordinance be the law of the land. Somehow this got lost in the shuffle. The city's Noise Ordinance is still enforceable. The city received grants to come up with a Noise Ordinance, including meters

and a BMW Police motorcycle. The personnel, the meters and the board is the city's responsibility to keep up to date. He asked for the city to create a special Entertainment District for 19th Street and Tilghman, to Liberty and eastbound of 17th.

Mr. Don Ringer, 18th and Liberty Street, urged Council to approve this amendment. He stated that he has known the Germano's since Skip and Joan started the Maingate and they are a hard-working family. As far as debris on the streets, Skip made a point to clean up everything every day. He stated that he thinks it is one person that is complaining. Do you need notifications, possibly, yes. How does the Fairgrounds put on the concerts? The noise there is much louder than the Maingate.

Ms. Margarita Howsler, 1406 Hamilton Street, stated that she is not against dancing, clubbing and entertainment. Her concern stems from added responsibilities that we are putting on our police. He stated that she is not against the Maingate. Once we establish this district, you can't control. Is the city's resources is best put to this use of enforcing this code when we already have a code.

Ms. Milagros Canales stated that in the last couple of years she made Maingate her home. She never felt out of place even at her age. She stated that she was part of argument of Article 710. She thought that Ordinance has a lot of little things that she knew would come out of this. It is not fair the city is now using that particular article to address that particular noise. Her concern was one separate area was going to become a point and we were only addressing one person concern about skaters and the noise from skateboarding at that time. She said at that time, that article to her was targeting a certain demographic. She felt that Article was particular harmful to the black and brown community.

Ray the Mailman (retired) stated that as for as the Noise Ordinance, they had that same problem at Volcano's. They had officers there. While he was running the nightclub, they had officers that they paid and sent them where the complaint was. He can lend his services since he is a former government worker and prior law enforcement to help the Maingate find the solution. When the Fairgrounds is opened, it is louder than the club. He is in favor of Allentown PD taking over instead of LCB.

Mr. Brendan Jones, 2404 W. Livingston Street, stated that he supports this because it provides Allentonian a second place for entertainment. He feels that they are being weeded and controlled into one section of Allentown, downtown Allentown. They want to be able to enjoy themselves, party and listen to music.

Mr. Daniel Jackson stated his family is from Allentown. They have a buffer for sound. Why can't somebody address the accuser. Sometimes it is a vendetta. The same family fed his family and helped the Allentown High School when his father won the championship four years in a row straight. They were the only family to give a minority family here a job out of the Maingate. His dad and uncle were bouncers and bartenders.

Mr. Jorge Sosa, Southside, thanked Council for the opportunity for giving them a section that they can go and have that entertainment. Hopefully, it would be a good thing for the city.

Mr. Dominic Germano, 830 W. Walnut Street - 2nd Generation Owner of the Maingate Nightclub, stated that his deceased parent Joan and Skip acquired the beer garden area at the Fairgrounds that evolved into the Maingate Nightclub nearly 40 years ago, in 1980s. Maingate had no walls and his father embarked on the same mission to obtain a Noise Exemption and was successful. He stated that he made massive amounts of continuous efforts to become Noise Compliant for LCB. They removed over half the sound system, changed the layout of the club, eliminated all outdoor music day or night, scaled back operations to only one or two nights a week. All of which are unsuccessful attempts at being compliant by LCB standards. The Maingate continue to be buried alive with Noise Citations which ultimately put our Liquor License in quick sand. The Noise Ordinance is a much more modern and exact law that grants them more rights such as the right to face our accusers. At this point, the only relief he sees is a Noise Exemption and asked for the Council's help.

A motion was made by Daryl Hendricks, seconded by Candida Affa, that this Resolution be forwarded favorably to the full Council. The motion carried by the following vote:

Yes: 2 - Candida Affa and Daryl Hendricks

No: 1 - Ed Zucal

Enactment No: 29940

[15-3415](#)

Bill 7 Public Safety, this evening
Amending the 2020 Grant Fund Budget and the 2020 General Fund to provide for a transfer of Three Thousand Three Hundred Sixty-Eight (\$3,368) Dollars from the Grant Fund to the General Fund to cover administration fees as a result of a previous grant.

Attachments: [Bill 7 JAG Grant Transfer](#)

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

Chief Glenn Granitz stated that this was a grant that they entered into with the Bradbury Sullivan LGBT Center. It helped the Police Department with

training. It has been very successful. There is a portion of this money left over for recruiting purposes. They are going to use the funds to assist with their upcoming hiring process as to make sure they are inclusive of the recruiting people of all makes, colors and creeds.

Ms. Candida Affa asked if there were any questions from her colleague or the public.

A motion was made by Ed Zucal, seconded by Daryl Hendricks, that this Bill be forwarded to the full Council. The motion carried by the following vote:

Yes: 3 - Candida Affa, Daryl Hendricks and Ed Zucal

Enactment No: 15595

Adjourned: 6:44 PM