

Allentown

435 Hamilton Street Allentown, Pa. 18101

Minutes - Final

City Council

Wednesday, November 18, 2020

7:00 PM

Council Chambers

Public Comment Provisions during COVID-19: The meeting will be live streamed. The link to the meeting can be found on the city website with the agenda and legislation at https://www.allentownpa.gov. Council will receive comments on the legislation prior to the meeting and will consider all comments from city residents. All comments must include your name and address, including your city, and be emailed to Michael.Hanlon@AllentownPa.gov by 2 PM on the date of the meeting. Comments can also be registered using the ecomment provision on each agenda item found on the city website. Comments received from city residents by that deadline will be forwarded to the Mayor and Council members prior to the meeting and will also be noted at Courtesy of the Floor or Public Comment periods of the meeting. These timely received comments will also be posted on the City's webpage as a supporting document to the meeting. Any comments received on the meeting day, after the 2:00 pm deadline, will be forwarded to the Mayor and Council as soon as practicable. In addition, if you would like to speak during the meeting, please send your name, address, including municipality, and telephone number to the email address above indicating what issue you would like to speak on or call the office at 610.437.7555 and do the same, and you will be called during the meeting.

Invocation

Pledge to the Flag

Roll Call

Present: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Courtesy of the Floor Courtesy and Privilege of the Floor Rules

Ms. Jessica Oritz, 523 Tilghman Street, I write to you today in objection of this amendment. I take it as a disrespect to me and the citizens of Allentown. Each elected member of the office is voted in by the people and although often it is not the candidate we personally voted for it was the one the majority of those who voted did. That being said each person who holds a seat runs a campaign on what they vow to do and then take a vow to uphold those promise and do what is best for the people. Now candidates are saying to our voices don't matter and they don't owe us the respect to

complete the task they have decided to take on. This is what I hear, the candidate dated us and then promised to love us until death do us part, and now they are seeking an annulment because it was a drunk night of passion and they just want to move on.

How fair is this to the people. Now, what happens to all the work and needs to the seat that was promised. Often we see when candidates be in there raced it is just that race, that's why it's called running for office so where will the time be for the position or seat they currently hold? When a candidate seeks a seat they currently hold it is not as difficult because they are campaigning for the seat they are in which keeps them on focus because the task at hand is still the same and even then often the elected officials stary to far and forget about the duties they hold. I sincerely urge you not to change this bill but if you do it needs more clarity. Elected officials can only run for office for a seat they currently hold or until their term has expired or has resigned from their seat. No elected official can run for office until 1 full year of resignation from a preciously upheld elected seat.

Such as the resign to run law, Supporters of resign-to-run laws argue that a politician running for one office while holding another might neglect the duties of their current office since they spend much of their time campaigning for the new office. They also believe that in a race between someone who currently holds another office and someone who doesn't, the person who holds another office can unfairly use their incumbency as leverage in the campaign, for example by funneling official resources into the campaign or by using their office as a fallback in case they lose the race.

An officeholder who wants to run for higher office may time their run to complete their tasks in their current office. An example of this is Rodney Glassman, a 2010 candidate for U.S.

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[1]https://gcc01.safelinks.protection.outlook.com/?

url=https%3A%2F%2Fen.wikipedia.org%2Fwiki%2FResign-to-run law%2 3cite note-1&data=04%7C01%7CMichael.Hanlon%40allentownpa.gov%7 C8d89627613b94d64a90708d88bccdb1e%7C1b6e3ffc79834623ac728 e476fef6b0d%7C0%7C0%7C637413059257229148%7CUnknown%7CT WFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1ha WwiLCJXVCI6Mn0%3D%7C1000&sdata=Ff3udGaBWeAP5eqru49ShVY FDySbzn4fNS4p7LIKNP0%3D&reserved=0

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Opponents say that resign-to-run laws are likely to harm people who have public service as a job since these people might not be in a good enough financial position to resign from their current office if they want to run for another office. People who want to hold a particular office might also be dissuaded from running for lower offices beforehand, as holding lower offices would block them from running for their desired office and serve as a hindrance instead of a stepping stone.

Our city has serious issues and we will get nowhere if we keep changing

the rules to benefit a certain few. Many blamed our previous Mayor for the cloud, well what's the excuse nowwe have more than a cloud we have severe thunderstorms with a chance of a tsunami!

Mr. Kenneth Heffentrager, 1638 Seidersville Road, Bethlehem - Allentown Tenant Association, so why do we have a Home Rule Charter if it's basically tossed to the side or we alter it to serve the needs of the elected. Allentown Home Rule Charter, SECTION 209 PROHIBITIONS C. No Council member shall hold any compensated appointive City office or City employment until one year after his or her resignation or one year after the expiration of the term for which the member was elected to the Council. Seems very clear on the intent of this provision. Ce-Ce Gerlach and Joshua Siegel should resign from there current position on City Council, since both announced there intent on running for Mayor. This would also apply to anyone else on Council with the intent to run for another elected position. Oh wait that's right, on November 23rd, City Council plans on voting on Bill 72, excluding any elected officials from this very rule. Wow that is guite convenient. Seriously this is a slap in the face to all those who voted, hell this is a slap in the face to all the residents of Allentown period. Residents voted on the Home Rule Charter in 1996, and took effect on the first Monday of 1997. In 2019 two amendments to the HRC were on the ballot for residents, so why not Bill 72. Do the right thing and stand by the Home Rule Charter, VOTE NO!

15-3931 Public Comments

Attachments: Public Comments

Approval of Minutes:

<u>15-3928</u> September 2, 2020 City Council Meeting Minutes

Attachments: September 2, 2020 City Council Meeting Minutes

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce

Gerlach, and Joshua Siegel

Old Business: NONE

Communications: NONE

REPORTS FROM COMMITTEES:

Proposed budget amendments are due in the Clerk's Office asap or no later than Friday, November 20. They will be distributed on the 25th, voted on at the November 30th meeting - and if all goes well the budget could be adopted on December 2nd rather than come in for a separate meeting on December 9th.

Budget and Finance: Chair Siegel, Guridy, Mota

The committee has not met since the last council meeting; agenda items are being worked in during the special budget meetings.

CEDC: Chair Guridy, Gerlach, Affa

The committee has not met since the last council meeting; agenda items are being worked in during the special budget meetings. We will be reviewing the CEDC budget next Monday, the 23rd at 5:30 PM at a special council meeting.

Human Resources, Administration and Appointments: Chair Gerlach, Mota, Zucal The committee has not met since the last council meeting; agenda items are being worked in during the special budget meetings.

Parks and Recreation: Chair Mota, Gerlach, Siegel

The committee has not met since the last council meeting; agenda items are being worked in during the special budget meetings.

Public Safety: Chair Affa, Hendricks, Zucal

The committee has not met since the last council meeting; agenda items are being worked in during the special budget meetings. The Committee will be having a virtual meeting on December 2 at 4 PM to hear a presentation from two interns that have been working on some policing issues.

Public Works: Chair Zucal, Affa, Siegel

The committee has not met since the last council meeting; agenda items are being worked in during the special budget meetings.

Rules, Chambers, Intergovernmental Relations and Strategy: Chair Hendricks, Guridy, Gerlach

The committee has not met since the last council meeting; the next meeting is scheduled for November 23rd at 5 PM.

Controllers Report

Mr. Jeffrey Glazier stated that he is not going to offer a specific audit report tonight. Once again, as they release them, they go up on Granicus. He will say that in terms of the budget process, he has been asking questions to various departments and they all have been getting back to him in a timely manner. Next week sometime, he

expected to have a memo go out to Council and the administration regarding Revenue Estimates. He will have comments on estimates that should be considered going forward.

Administration Report

Mayor Ray O'Connell stated that the budget process seems to be going very well. The meetings and hearings are going as expected. The first part: the amendments are due by Friday on the 20th, is that correct? They will be distributed on Wednesday the 25th and hopefully, they will be voted on the 30th so they can hopefully adopt the Budget on December 2nd.

Mr. Daryl Hendricks stated that is the plan.

<u>15-3930</u> Controller Reports

Attachments: P Card Review

APPOINTMENTS:

Joan Nyemscek, Recreation, 1/20/2026 Rebecca Kiss, Recreation, 1/03/2026 Sharon Fraser, Human Relations, 12/21/2023 Rick Ortiz, Nuisance Abatement Board, 07/19/2023

Mayor Ray O'Connell stated like Ms. Gerlach stated that they are all reappointments. He stated that he knows Joan, Rebecca, Sharon and knows Rick a little bit. They are all doing a great job on those committees. He stated that he supports all their reappointments.

Mr. Daryl Hendricks stated that he will personally attest to the quality of Rick Ortiz. He stated that he knows him, grew up with him, and he is a very concerned citizen. He commended him and stated that he will do a good job.

Mr. Julio Guridy stated that these appointments are for six years. He stated that he did not know that they were that long.

Mr. Daryl Hendricks stated that he believes it is five years.

<u>15-3906</u> Joan Nyemscek, Recreation Board, 01/03/2026

Attachments: Joan Nyemscek, Recreation Board

Resolution #30081

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30081

15-3907 Rebecca Kiss, Recreation Board, 01/03/2026

Attachments: Rebecca Kiss, Recreation Board

Resolution #30082

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce

Gerlach, and Joshua Siegel

Enactment No: 30082

15-3908 Ricardo Ortiz, Nuisance Abatement Board of Appeals, 07/19/2023

Attachments: Ricardo Ortiz, Nuisance Abatement Board of Appeals

Resolution #30083

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce

Gerlach, and Joshua Siegel

Enactment No: 30083

<u>15-3909</u> Sharon Fraser, Human Relations Commission, 12/31/2023

Attachments: Resolution #30084

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce

Gerlach, and Joshua Siegel

Enactment No: 30084

ORDINANCES FOR FINAL PASSAGE (To be Voted On):

The bills below were on the agenda of council's special meetings.

15-3843 Bill 79

An Ordinance of the City of Allentown, County of Lehigh and Commonwealth of Pennsylvania, revising Article 400.04 Department of Parks and Recreation Golf Course Fees increasing riding green fees by three dollars (\$3) and walking greens fees by two dollars (\$2) to increase revenue and stay competitively priced with other local golf courses.

Attachments: Bill 79 Golf Fees

Ordinance #15655

Ms. Karen El-Chaar turned it over to Jeff Wambold who is also on the line. Mr. Jeff Wambold stated that they are going to increase the green fees for 18 holes for the walking fees by \$2.00. It is a very nominal fee. This will cover in order to maintain the condition of the Golf Course due to increasing prices of all operating costs. It should turn around about \$60,000 in revenue. It is a nominal fee and all the Golf Courses in the area are still very competitive. He stated that they will actually be a dollar short. Until Bethlehem increases their fee, the city of Allentown will be \$1 more

than them.

Mr. Daryl Hendricks thanked Mr. Wambold and asked if there were any questions from his colleagues.

Ms. Candida Affa asked Mr. Wambold if he stated that Bethlehem is a \$1 less than Allentown right now.

Mr. Jeff Wambold stated not right now. After the city increases its rates, we are going to be a \$1 more than them. He stated that the city is a \$1 less than them.

Ms. Candida Affa asked if they anticipate Bethlehem raising. When you check other Golf Courses, like Edgewood and Golf Courses like that.

Mr. Jeff Wambold stated that he tries to get the comparable like Green Pond, Southmoore, Olde Homestead. Those are the courses that the city is more competitive with. The other Golf Courses are lesser condition. The city offers a lot more than them.

Mr. Daryl Hendricks asked if there were any other questions or comments from his colleagues or the public.

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 15655

<u>15-3844</u> Bill 80

An Ordinance of the City of Allentown, County of Lehigh and Commonwealth of Pennsylvania, revising Article 400.05 Department of Parks and Recreation Fees.

Attachments: Bill 80 Recreation Fees

Ordinance #15656

Ms. Karen El-Chaar asked for Mr. Chris Hendricks to respond.

Mr. Chris Hendricks stated that they tried to increase some recreational fees for use of Breadon Field to be consistent and comparable to the surrounding municipalities. These fees have not been increased or adjusted since 2005. He asked if Council would like him to go through each line item for that.

Mr. Daryl Hendricks stated that he doesn't believe that is necessary. He asked if anybody else wants to. He stated that Council has it on their tablets.

Mr. Julio Guridy asked Mr. Hendricks asked about baseball fields. Right now, under line item 3 and 4, looking at \$195 - \$250 and then \$260 - \$325. What is the reason for increasing this that high. He personally never rented them, but see the fees. He wants to find out what the rationales are.

Mr. Chris Hendricks stated that the currently the fees to rent a field for a game for two to three hours is currently \$25. The Parks and Recreation department likes to increase that to \$40. There is a per day rental fee which they want to increase by \$10. There are two fields at the same complex per day, three field and four fields at the same complex.

Mr. Julio Guridy stated that is four fields. That is not for one field. That is for three fields and four fields.

Mr. Chris Hendricks stated yes and the per game charge.

Mayor Ray O' Connell stated like at Fountain Park. You can have three baseball games at the same time.

Mr. Julio Guridy stated that he thought it was for field, but it is fields. He stated that he got it. Thank you.

Mr. Daryl Hendricks asked if there were any other questions or comments from his colleagues or the public.

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 15656

15-3885 Bill 87

Amending Part 15, Fire Prevention Code, by adding Article 1504, Recovery of Fire and Rescue Service Costs and Article Nine, Section 398 Fire Fees, adding section 398.03 Recovery of Fire and Rescue Services Costs, and repealing all ordinances inconsistent herewith.

Sponsors: Administration

Attachments: Bill 87 Fire Service Cost Recovery Ordinance

Ordinance #15665

This Ordinance was withdrawn.

Enactment No: 15665

<u>15-3887</u> Bill 88

Amending the 2020 Capital Fund Budget to provide for a supplemental appropriation of Five Hundred Thousand Dollars (\$500,000) as a result of a grant from the Pennsylvania Department of Conservation and Natural

Resources for Jordan Creek Greenway Trail construction.

Sponsors: Administration

Attachments: Bill 88 Jordan Creek Greenway Grant

Ordinance #15657

Mr. Daryl Hendricks stated that was spoken of earlier. He doesn't know if anybody had any questions or comments. He asked if there were any questions from the public.

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 15657

15-3888 Bill 89

Amending the 2020 Capital Fund Budget and the 2020 General Fund by transferring Thirteen Thousand Six-Hundred Fifty-Eight (\$13,658) Dollars from the Aquatics program in the Department of Parks and Recreation, of the General Fund to Capital Project 2206 – Jordan Creek Greenway Trail.

Sponsors: Administration

Attachments: Bill 89 Jordan Creek Greenway Trail Transfer

Ordinance #15658

Mr. Daryl Hendricks stated that this likewise was spoken of earlier. He asked if there were any further questions or comments. He asked if there were anything from the public.

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 15658

RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):

15-3912 R138

\$7,500 in Golf Course for Asphalt to Repave the Parking lot at the Golf

Course

Sponsors: Administration

Attachments: R138 Asphalt for Golf Course Parking Lot

Resolution #30085

Mr. Daryl Hendricks asked if there were any questions or comments from his colleagues.

Mayor Ray O'Connell stated that it is very much needed.

Mr. Daryl Hendricks stated especially when you first go in. He asked if

there were any questions or comments from the public. He stated that there is a dip in there he knows.

Ms. Candida Affa stated that the Greens are in good shape, but the parking lot is a little shady, especially at night.

Mr. Julio Guridy stated that they fixed that. They repaved the parking lot just recently.

Ms. Candida Affa stated and the road leading up to the parking lot or just the parking lot.

Mr. Julio Guridy stated that they repaved the parking lot two weeks ago. You just did the bottom part and now you are going to do the upper part.

Mr. Craig Messinger stated that they did some work out there, but this is to do just a little bit more. It is going to be another section.

Mr. Daryl Hendricks asked if there were any other questions or comments from the public.

Mr. Michael Hanlon stated that Mr. Kloiber send an email stating that the Recreation Appointments were for five years.

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30085

15-3917 R139

Authorizes encroachment for six bollards at 4th & Linden (Lehigh County Prison)

Sponsors: Administration

Attachments: LC PRISON BOLLARDS

LEHIGH COUNTY JAIL MAP

PRISON BOLLARDS APPLICATION

Resolution #30086

Mayor Ray O'Connell stated that obviously it is for security reasons like you have at the federal courthouse. In this world, you never know.

Mr. Daryl Hendricks stated to prevent any vehicle or anyone from driving into the building.

Mr. Julio Guridy stated at 4th and Linden. That is the prison.

Mr. Craig Messinger stated that it is actually for the corner the pier that holds up the building. They want to protect that area in case somebody would try to hit it. This way

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30086

15-3918 R140

Certificates of Appropriateness for work in the Historic Districts:

407 N Refwal Street 811 W Gordon Street 1437 W Linden Street, and 1001-1149 Chew Street

Attachments: R140 Certificate of Appropriateness As Nov 18

Final Reviews 4 HARB Projects

Resolution #30087

Mr. Jesus Sadiua stated that these are being offered for approval by HARB.

Mr. Daryl Hendricks stated that one is for a porch and you were here before at 1437 Linden. Is that correct? He stated maybe not.

Mayor Ray O' Connell stated that was somewhere else.

Mr. Daryl Hendricks asked if there were any questions regarding any of the properties. He asked if there were any questions from the public.

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30087

<u>15-3929</u> R141

Transfer Approval: \$16,125 in Finance for Police Department for CALEA (Commission on Accreditation for Law Enforcement Agencies)
Accreditation Program.

Attachments: R141 CALEA Commission on Accreditation for Law Enforcement

Agencies Transfer

Police Department would like to register for CALEA Acceditation

Program

Resolution #30088

Mayor Ray O'Connell asked Mr. Zucal to explain this Resolution. He stated that the city found money in the budget this year to kick it in now.

Mr. Ed Zucal stated that it was one of the items that Chief Granitz brought forward during his presentation. They are going to move some money around with Managing Director.

Mayor Ray O' Connell stated that they took money from his budget.

Mr. Ed Zucal stated that it would allow for the Police Department to proceed now then possibly next year. He thanked the Mayor for doing that.

Mayor Ray O'Connell thanked Mr. Zucal for bringing it up. It is a national program. It is great to go through it.

Mr. Daryl Hendricks asked if there were any questions or comments from his colleagues. Ms. CeCe Gerlach asked if it is a three year accreditation process. It takes about three years to get accredited.

Mayor Ray O'Connell asked if Chief Granitz was on the phone.

Mr. Michael Hanlon stated that he just sent him an invite.

Mayor Ray O'Connell stated that he believes it is a three year program.

Ms. CeCe Gerlach asked if it was \$16,000 and is it every year or one time you pay \$16,000 for that three years.

Mayor Ray O'Connell asked Ms. Wagenhurst to explain the amount this year and what the city will do next year.

Ms. Barbara Wagenhurst stated that the \$16,000 gives the city the access to start the registration process. They do have up to three years to complete everything and get the assessment. After that, it's a \$5,500 annual fee.

Chief Glenn Granitz stated that it is a three year cycle of accreditation so there will be a recurring annual fee as well.

Mayor Ray O'Connell stated \$5,500.

Mr. Daryl Hendricks thanked Ms. Wagenhurst and Chief Glenn Granitz.

Mr. Julio Guridy stated that he thinks Ms. Gerlach's question was is it three years for the \$16,125 and then after that it is \$5,500.

Mayor Ray O'Connell asked Ms. Wagenhurst to explain that. It is \$16,000 and \$5,500 after that each year.

Ms. Barbara Wagenhurst stated only \$16,000 initially that is the only time upfront. After that it will be \$5,500 a year.

Mr. Daryl Hendricks asked if there were any other questions from his colleagues or the public.

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Julio Guridy, Ed Zucal, Ce-Ce Gerlach, and Joshua Siegel

Enactment No: 30088

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

RESOLUTIONS FOR INTRODUCTION (Can be voted on or Referred to Committee): NONE

NEW BUSINESS: NONE

GOOD AND WELFARE: NONE

Mr. Julio Guridy thanked Council, everybody at the Health Department as well and everybody who contacted him and wished him well when he was going through a hard and difficult time. Those who was praying for his quick relief. Thank you very much to Council, and his colleagues in the city who supported him and gave him a lot more impetus to get well. Be careful out there. Make sure you wear your mask and keep your distance.

Mr. Daryl Hendricks stated that it was not the same without Mr. Guridy and he is glad that he is back.

Mayor Ray O'Connell stated to Mr. Guridy it is good to have you back, but no more large gatherings.

Mr. Ed Zucal gave a shout out to Vicky. The Health Department has a street medicine program and he had an opportunity to use them last week. They were very informative and very connected to the homeless and the unfortunate community.

ADJOURNED: 7:34 PM