



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

City Council

Wednesday, February 2, 2022

6:30 PM

Council Chambers

Invocation: Moment of Silence

Pledge to the Flag

Roll Call

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

Courtesy of the Floor

Courtesy and Privilege of the Floor Rules

Contract Approvals

[15-4863](#)

R17

Authorization Contract with Interboro Packaging estimated awarded sum \$6,974.40; and Medzon Health, estimated awarded sum \$6,306.97 for various departments to purchase Personal Protection Equipment, budgeted at an estimated at \$50,000, two bids, city went with both providers.

Sponsors: Administration

Attachments: [R17 BID 2021-24- PPE supplies](#)

[Resolution #30372](#)

Ms. Sarrah McNeil stated that this was done was done by Bid 2021-24. It wad advertised on Public Purchase and accessed by 55 vendors. Two proposals were received. They are recommending the award to Interboro Packaging and Medzon Health. PPE supplies should be purchased on an as needed basis at the unit price supplied. The city has estimated \$55,000 as the annual budget. This is to be used in the event that we need masks, gloves, wipes, sanitizers, etc. They always go by best price. 22:38

Ms. Cynthia Mota stated that they spoke briefly about R17. She asked if Ms. McNeil can explain why she awarded the two companies and what were the differences.

Ms. Sarrah McNeil stated that the both bid on separate products and they award based on lowest price. When they do commodity bids, they do line

by line and they don't do the lump sum of the full bid.

Ms. Cynthia Mota asked if there were any questions from the dais or the public.

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

Enactment No: 30372

Minutes of Previous Meeting

[15-4850](#)

December 15, 2021 City Council Public Hearing - 1837 Linden Street
Minutes

Attachments: [December 15, 2021 City Council Public Hearing - 1837 Linden Street Minutes](#)

Ms. Cynthia Mota asked if there were any questions.

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

Communications

Ms. Cynthia Mota asked Ms. Fruhwirth, our Solicitor to step up to the podium. She stated that she knows that today is your last day and it has been a pleasure working with you. You have always been a straight shooter and you are going to be missed. She wished Ms. Fruhwirth the best.

Ms. Fran Fruhwirth thanked them and stated that it has been a pleasure serving you and working for the city of Allentown. She stated that she admires this body a great deal and taking such considerations and exhibiting compassion for the residents of the city. This is my hometown and it has been really a pleasure and thanked Council.

Ms. Candida Affa stated that we are not finished here. We have some gifts for you.

Mayor Matt Tuerk stated that he thinks Ms. Fruhwirth is a perfect example of an employee that stuck with the city through good times and through bad. She is retiring with complete dignity and honor and thanked her for all the work that she put in and sorely miss the opportunity to not get more time to work with you.

Ms. Fran Fruhwirth thanked the Mayor and thanked everyone.

Old Business

REPORTS**Budget and Finance: Chair Siegel, Hendricks, Santos**

The Committee met this evening; the next regularly scheduled meeting is on February 9, we will have a short meeting prior to the CD meeting to discuss the RCO at 5:30 PM.

Community and Economic Development: Chair Gerlach, Siegel, Mota

The Committee has not met since the last council meeting; the next committee meeting is scheduled for February 9th at 6 PM (there is a lot of stuff on this agenda).

Human Resources, Administration and Appointments: Chair Santos, Hendricks, Siegel

The Committee met last week and forwarded items on tonight's agenda; there are no future meetings scheduled.

Parks and Recreation: Chair Affa, Gerlach, Santos

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

Public Safety: Chair Hendricks, Zucal, Affa

The Committee met this evening; there are no future meetings scheduled.

Public Works: Chair Zucal, Affa, Hendricks

The Committee met this evening; there are not future meetings scheduled.

Rules, Chambers, Intergovernmental Relations and Strategy: Chair Mota, Zucal, Gerlach

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

Controller's Report

Mr. Jeffrey Glazier stated that the P-Card Review for the month of October 2021. They are waiting to do November once they get the data from Accounts payable and he will report on that hopefully later in the month in February. They reviewed 57 statements for less than \$131,000. He went over the Controller's findings.

Mayor's Report

Mayor Matt Tuerk gave a quick update on Wednesday, January 26, he delivered the

State of the City Address required by the Charter on the general and financial conditions of our city. He thanked the Allentown Chamber of Commerce for hosting the event at the Renaissance. There is video available of the address. He presented an open and honest look at where we stand. He talked about Public Safety, Housing, the conditions of our school district and the condition of trash and litter. He presented on the ways the city is organized and the condition of our department. He asked the private sector to make investments. He also asked for patience. He stated that they will not be joined by Chief Agosto or Chief Roca. They are at the Mountainville Community Meeting. The city has increased attendance at community meetings. They are presenting on a number of issues. They did hold a Celebration of Life for Detective Stanko and gave a Proclamation for Detective Stanko's Appreciation Day. On January 29, they saw over 9,000 visitors come to downtown Allentown to watch two future NBA stars play at the PPL Center. He congratulated the Public Works team and the Police Department. They did really fine work. He did provide external communication report to Council. He asked to present on a monthly basis. Beginning February 20, our trash hauler will no longer pick up 32 gallon containers. The city issued a letter to that trash hauler indicating that we will be reducing the payment for trash cans. We are now enforcing it to improve our trash pickup in general. They pickup trash by hand. The trash hauler did not comply with all the conditions of the contract in trash collection. The city sent a letter stating that they will be reducing the payment on subsequent bills for nonperformance of that contract. He stated that his administration is going to take very seriously the enforcement of contracts. He thanked the Health Bureau. They will continue to conduct syphilis testing clinics. He thanked Valley Health Partners for helping with the distribution of 8,000 Covid Test Kits. Making sure everybody has testing is a new priority for us.

Ms. Cynthia Mota asked if there were any questions from the dais or the public.

[15-4877](#) Controller's Report

Attachments: [Bank Rec](#)

ORDINANCES FOR FINAL PASSAGE (To be Voted On):

[15-4656](#) Bill 101 HR, Admin Appts - forwarded favorably; Mr. Zucal is proposing amendment to apply legislation to ARPA funding only, needs to comply with new code; make this § 36-14 and notch the current 14 and 15 to 15 and 16 (this will impact the other ethics bill).
Amending Article 171, Code of Ethics, by prohibiting leaders, members or officials belonging to non-profit organizations that lobby for and receive city funding or receive funds through the city from receiving remuneration from these funds as well as immediate and extended family of such members or officials.

Sponsors: Mr. Zucal, Affa, Hendricks, Guridy and Mr. Siegel

Attachments: [Bill 101 Ethics Amendment](#)
[Ethics, Code of](#)
[Ordinance #15779](#)

Ms. Cynthia Mota asked if there were any questions from the committee.

Mr. Ed Zucal stated that he is proposing an amendment to apply the legislation to the ARPA funding only. This will not apply to and it was a question raised if you can use the ARPA funding for salaries in the nonprofit. You are not going to be able to in our system. Apparently, some who receive the city's Block Grants thought it was for them as well. That is why he is amending it tonight to make sure it is only for ARPA funding. Once the ARPA funding is finished it is null and void after that.

Ms. Cynthia Mota asked if there were any questions from the dais, or the administration.

Ms. Cynthia Mota asked if there were any comments from the public.

Mr. Daniel Bosket, Director - Community Action in Allentown, thanked Councilman Zucal for making the amendment. He did call him and addressed his concern. The way the language was set, it would have applied to all city funds which at that time would have included community development block grants. He stated that he did not think that was Mr. Zucal's intention and he stated that it wasn't. If you recall when the ARPA funds were discussed last year, a lot of the smaller nonprofits came to the podium and they talked about the fact that they were anticipating and hoping that the ARPA would be allowed to be used by them. They typically are not sophisticated enough to apply for the community development block grant funding which requires a lot of things like 990 being filed, audit reports, and financial statements. They were anticipating that the ARPA funding would allow them access to funding to smaller nonprofit to help them continue to build their capacity. He understands the conflict of interest if the person related to the person sources the funding are spending the funding. The smaller nonprofits were anticipating using it for hiring staff or paying stipends for individuals. Typically, they won't hire staff, they might not hire a staff. They might pay a stipend which might count as enumeration as well. He think they will come up to the podium as well.

Mr. Ed Zucal stated that the idea was exactly what you said to provide services for those nonprofits and the services for citizens. There are some nonprofits that he knows for a fact that individuals are their own CEOs ad they have family members on their executive board. To allow people or allow them to use ARPA funds that was to rebound from the COVID for the

whole city and to pay certain organizations or groups of people their salaries to would not be ethical.

Mr. Joshua Siegel stated that he agrees with Councilman Zucal. We certainly empathize and sympathize with he nonprofits. They do a lot of great work. A lot of it is a lot of volunteer hours. The goal of the ARPA money is to provide core services or assisting these nonprofits on alleviating hardship. They are already doing the work on an improvised on an ad hoc basis. They already demonstrated a capacity and volunteer hours sort of metrics. The goal will to further capacitate that number of nonprofits to continue volunteer their hours. Now, they have more money to provide the services they want to provide.

Ms. Cynthia Mota asked if there were any other questions from the dais or the administration.

Mayor Matt Tuerk stated in concurrence, the reality and Mr. Bosket pointed out he difficulty with complying with CDBG regulations. ARPA is going to be just as hard or harder to comply. He is fully with Mr. Zucal on the use of these funds should be recovery. We do this to recover from the condition we were in the past. Spending money to help our community recover is where we should be with this.

Ms. Cynthia Mota asked if there were any questions from the public.

A motion was made by Ed Zucal, seconded by Joshua Siegel, that this Bill is changed to city funds to ARPA funding only in the second line. As you down to the third line and receive ARPA funds.

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

Enactment No: 15779

Ms. Cynthia Mota asked if there were any comments.

A motion was made by Cynthia Mota that this Ordinance be approved as amended. The motion carried by the following vote:

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

Enactment No: 15779

[15-4655](#)

Bill 102 HR, Admin, Appts. - forwarded favorably Amending Title One, General Provisions by adding Article 109, Language Requirements, requiring documents to be available in all languages pursuant to Federal Laws.

Sponsors: Mota, Guridy, Gerlach, Hendricks, Mr. Zucal, Affa, Mr. Siegel and Santos

Attachments: [Bill 102 Language Requirement](#)

Ms. Cynthia Mota asked if there were any committee reports.

Ms. Natalie Santos stated that this bill was forward favorably.

Ms. Cynthia Mota asked if there were any questions from the dais or the public.

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

Enactment No: 15780

[15-4725](#)

Bill 116 HR, Admin and Appts, forwarded favorably

Amendment Contingency: make this § 36-15 and notch the later two sections up one section.

Amending Article 171, Code of Ethics, by prohibiting city employees, officials, and elected officials from engaging in conduct that would lead to future transactions and requiring the reporting of such activity if such person is aware of such activity.

Sponsors: Mr. Zucal, Hendricks, Mr. Siegel and Administration

Attachments: [Bill 116 Ethics Amendment](#)
[Ethics, Code of](#)
[Ordinance #15781](#)

Mr. Michael Hanlon stated that it would change in the Code in Section 36-15 under the Code of Ethics.

Ms. Cynthia Mota asked if there were any questions from the committee.

Mr. Ed Zucal stated that he was one of the ones that kind of sponsored this. As you know, this arose out of an issue with the ARPA funding and a broadband situation. There are other agencies that met with City Council members for certain projects. The issue that dealt with the broadband was given the company some sort of advantage down the road. As a result of the meetings and conversations that were had here a Right to Know was filed by another company's attorney with regards to the same issue. To fix this up and make everybody on the same page and on he up and up, if you do have a discussion with a certain potential city contractor per se, you must divulge that you had that conversation to Council and the administration.

Ms. Ce Ce Gerlach stated that she wants to be clear what the process would be because at the end of the day all of us are politicians and we are going to have conversations and the mayor is going to have conversations.

Does the mayor tell us every single person he has met with.

Mr. Ed Zucal stated that the purpose of this is if you talk to someone that potentially will lead to a contract.

Mr. Michael Hanlon stated that the Solicitor's office and the administration have prepared a pretty good amendment. Someone should make the amendment and discuss the proposed amendment.

Ms. Cynthia Mota asked if there were any questions from the dais.

Ms. Candida Affa stated that she agreed with Ms. Gerlach. She stated that in her seven years on Council, they have talked to the Police Chief, Fire Chief, and paramedics especially when it comes to Budget Season or the union. She may sit with the Chief and ask what he can't live without. What is important in his budget

Mr. Ed Zucal said that is not the same. He stated say they are going to replace all the sidewalks here and your friend is Jay, the Masonry Contractor. You can't go and meet with Jay privately and give him an advantage that the city is looking to do an RFP for this.

Ms. Candida Affa stated that this all has to do with contracts. Outside contracts.

Mayor Matt Tuerk stated that the disclosure process may be as simple as when the legislation is forwarded to the Clerk, he could ask members of City Council and ask a member of the administration any meetings that might have taken place. That would accompany the legislation.

Ms. Candida Affa stated that like all that were pointed out, the DaVinci, Ripple and any of those funds.

Mr. Ed Zucal stated that is what this is about. You can talk to them about their project, but not with their developers.

Ms. Candida Affa asked if she can sit down with Sheri Bender and talk about her projects.

Mr. Ed Zucal stated yes, what her projects are going to do for the community.

Ms. Cynthia Mota asked if there were any other questions from the dais.

Ms. Ce Ce Gerlach asked who monitors this to make sure no one is trying

to play the system. She stated that she does a lot of meetings so Mike get ready.

Ms. Cynthia Mota stated that it is a matter of being honest and transparent.

Mr. Ed Zucal stated yes, absolutely correct.

Ms. Cynthia Mota asked Mr. Zucal to explain to us why you decided to do this legislation.

Mr. Ed Zucal stated without mentioning any names, the incident that happened with the broadband and the ARPA situation.

Ms. Cynthia Mota asked if Mr. Zucal basing it on one incident.

Mr. Ed Zucal stated that in general we have how much of ARPA to deal with.

Ms. Ce Ce Gerlach asked is this about ARPA again.

Ms. Cynthia Mota asked if there was a municipality that had something like this.

Mr. Ed Zucal stated that as far as the Charter goes, it is anything in the future too.

Mr. Joshua Siegel stated that they are part-time and a lot of municipalities have full time Council so they have formally maintained schedules. We really have to base this on an honesty system. Many of us meet with the stakeholders in the city and come to meetings with a pre-existing basis of support. He stated that he meets with developers and projects all around the city. He comes to the meeting already in support of the project but wanting to learn more.

Ms. Candida Affa stated that she agrees. It is just good to have it on the books.

Ms. Ce Ce Gerlach stated not to read too much into it, but in the one section it says no unfair advantages. She is thinking ahead to a time we might work as a city to increase our minority, women, and veteran owned businesses and they could potentially be in a room and be informed of the procurement process. Would that not be allowed based on this?

Mr. Ed Zucal stated that would be a better question for the attorneys to answer.

Mr. Charles Smith stated that the language you should focus on is that it says you shall not engage in conduct that gives a potential provider of services the city in advantage in the procurement or selection process. If you are providing general information and you are not putting one horse in front of the other than you haven't given anyone an advantage. The question is if you are giving someone an advantage. Mr. Zucal is trying to zero in on a particular contractor and a particular provider of services who is trying to gain an advantage in communicating with members of Council or the mayor's office.

Mayor Matt Tuerk stated consistent with what Attorney Smith is suggesting, if we did an event like that Ms. Gerlach, it would be open to the public and will be open to all. We would not confer an unfair advantage to anyone. It would be anyone who would attend something like that. What Mr. Zucal is suggesting, it would largely pertain to private conversation with X,Y,Z at a Starbucks. That is what we are trying to avoid with this proposed legislation. To answer Ms. Affa's question, this comes from a Harvard University based Think Tank that provides model legislation. We modeled this legislation or this amendment off of those recommendations.

Ms. Cynthia Mota thanked Mayor Tuerk and Mr. Smith. She asked if there were any questions from the public.

Mr. Matthew Kloiber stated over the past few years there have been a number of ethics ordinances that we actually passed that linked to that Harvard link because it is a great model ordinances. The Charter did require the adoption of a new ordinances back in 1997 and it really has not happened yet. That is something for everyone in government to consider. We probably should fulfill that obligation. There is a very small portion or a sentence or two drawn from the Harvard one. This is the one we kind of took the intent of what was proposed there and try to put it in language that tried to spell it out clearer that provides some options on how we administer this. That was one of the questions that came up. The disclosure will take place in electronic or paper form process to be prepared jointly with the administration and Council. It provides an opportunity to work out how do we do this and how do we make this work. It gets it on the books. He certainly looked at that Harvard guidance and would recommend all of that to the city and all the branches and look at that as a good guide for future ethics revisions. This one we kind of modified.

Mayor Matt Tuerk stated before Council moves on to the public, Jessica Baraket, Deputy Director of Finance wanted to add an additional comment if possible.

Ms. Jessica Baraket stated that she wants to make one particular add in regarding the current bid documents that we have. We do have language in our bid documents that if there is an active bid going on. When we are in the process of an active bid or active RFP, there is language in there that vendors are not to seek out any elected official or city employee during an active solicitation or it could result in their solicitation being rejected. That is something currently being done in house.

Mayor Matt Tuerk thanked Ms. Baraket.

Ms. Cynthia Mota thanked Ms. Baraket and asked if there were any questions from the public.

Mayor Matt Tuerk stated that the administration would like to co-sponsor the legislation that can occur after the amendment.

Ms. Cynthia Mota asked if there were any comments on the Bill as amended.

To Amend this Bill to read Article 171.17 Inappropriate Direction of City Funds Charter: Consistent with Section 1101 of the Home Rule Charter: City employees, City officials and City agencies, shall not: 1) act in a private capacity, or on behalf of a private party, on matters dealt with the City of Allentown; 2) disclose or use any confidential, privileged or proprietary information, gained by reason of the persons or agencies official position, for personal gain or for the gain of particular individuals, entities or groups. However, information may be disclosed if: 1) it is a matter of public knowledge; 2) is available to the public upon request. No Unfair Advantages. No city employee or elected official shall engage in conduct that gives a potential provider of services to the City an advantage in the procurement or selection process. No city employee or elected official shall engage in conduct that gives the potential recipient of government funds an advantage over another recipient. Mandatory Disclosure. Officials and employees who have had communications of any kind with individuals or entities seeking to do work for the City, or seeking to receive government funds, must disclose those communications to the City Clerk prior to the government taking action in designating who will conduct the service, receive the contract or receive the funds. Such disclosure will take place on an electronic or paper form or process to be prepared jointly by the Administration and Council. Conformance with Existing Laws. City policies relating to procurement, service selection, and fund awarding must be followed in all cases as required by law. Duty to not assist in inappropriate conduct. City employees and elected officials shall also be prohibited from acting as a conduit that facilitates unfair advantages or avoids mandatory disclosures. Each City Official or Employee shall immediately disclose violations of the above requirements to the City Clerk who shall forward the disclosure to the City's Ethics Board for appropriate consideration.

This Ordinance was amended.

Enactment No: 15781

A motion was made by Cynthia Mota that this Ordinance be approved as amended. The motion carried by the following vote:

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

Enactment No: 15781

A motion was made by Cynthia Mota that this Ordinance be approved. The motion carried by the following vote:

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

Enactment No: 15781

[15-4752](#)

Bill 118 Public Works, this evening

Providing for the vacation of East Turner Street from the centerline of North Floyd Street to the centerline of North Halstead Street in the Fourteenth Ward of the City of Allentown, East Newton Street from the centerline of North Glynn Street to the centerline of North Grape Street in the Fourteenth Ward of the City of Allentown, East Webster Street from the centerline of North Glynn Street to the centerline of North Hart Street in the Fourteenth Ward of the City of Allentown, East Linden Street from the centerline of North Floyd Street to the centerline of North Hart Street in the Fourteenth Ward of the City of Allentown, East Linden Street from the centerline of North Hart Street to the centerline of North Irving Street in the Fourteenth Ward of the City of Allentown, East Court Street from the centerline of North Folk Street to the centerline of North Hart Street in the Fourteenth Ward of the City of Allentown, North Fenwick Street from the centerline of East Turner Street to the centerline of East Linden Street in the Fourteenth Ward of the City of Allentown, North Folk Street from the centerline of East Turner Street to the centerline of East Court Street in the Fourteenth Ward of the City of Allentown, North Gilmore Street from the centerline of East Turner Street to the centerline of East Court Street in the Fourteenth Ward of the City of Allentown, North Glynn Street from the centerline of East Turner Street to the centerline of East Court Street in the Fourteenth Ward of the City of Allentown, North Grape Street from the centerline of East Turner Street to the centerline of East Webster Street in the Fourteenth Ward of the City of Allentown, North Grape Street from the centerline of East Linden Street to the centerline of East Court Street in the Fourteenth Ward of the City of Allentown, North Halstead Street from the centerline of East Turner Street to the centerline of East Webster Street in the Fourteenth Ward of the City of Allentown, North Hancock Street from the centerline of East Court Street to the North property line of 113-123 North Hancock Street in the Fourteenth Ward of the City of Allentown, and North Hart Street from the centerline of East Court Street to the North property line of 113-123 North Hancock Street in the Fourteenth Ward of the City of Allentown:

Attachments: [Bill 118 Common Ridge](#)
[Common Ridge Staff Report](#)
[Common Ridge Location Maps](#)
[Staff Report Vacation Common Ridge](#)
[ACPC Action - Common Ridge Streets](#)
[Letter from Lehigh Valley Planning Commission regarding Common Ridge Streets Vacation petition Review LVPC 10292021](#)
[Letter from Mike Hanlon regarding Common Ridge - Street Vacation](#)
[Common Ridge - Street Vacation Labels](#)
[The Morning Call Ad 7122833](#)
[Ordinance #15782](#)

Mr. Ed Zucal stated that was sent favorably 3 - 0 to Council.

Ms. Cynthia Mota asked if there were any questions from the dais or the public.

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

Enactment No: 15782

15-4753

Bill 121 HR, Admin and Appts. - forwarded favorably, change section reference to comply with current code
Amending the Article 140, Personnel Code of the Codified Ordinances (Also referred to as the Personnel Policy); Part One Administrative Code - General and Administrative Provision by adding Section H to Article 143. 13 Holidays and Leave Time, entitled Paid Parental Leave of Absence (Non-Union).

Sponsors: Mr. Siegel and Gerlach

Attachments: [Bill 121 Parental Leave](#)
[Pitt Paid Leave](#)
[Copy of Copy of FMLA Cost Ananysis](#)

Mr. Ed Zucal stated that he has a couple concerns. We already have the federal law that says that you are entitled to family medical leave. This directly only affects nonunion employees. You are giving them a separate advantage because under the FMLA, and he went through that at least. You are required to use your personal time before the FMLA kicks in. Under this proposal, the nonunion member would get coverage from day one and as the law states you are required to retain your job. They would also be accruing the personal time and sick time. He thinks this has to be negotiated rather than us just passing this bill. Something has to be given to the union. If you are giving the nonunion this Cadillac plan. You got to, in fairness give something to the other city employees.

Mr. Joshua Siegel stated that on the first point, obviously, he is extraordinary pro labor and pro union. The only reason that this is affecting is because we can do it by fiat. We have to negotiate that in. We should absolutely sit down with SEIU and the unions and negotiate a generous paid leave plan. The problem is that it has to be done on the administrative level. When each respective contract is up, hell yeah. Let's negotiate a really great leave policy for our union members. It is just that we have to that contractual period comes up. In the meantime, we have many city employees that don't have access to that benefit. It is criminally, economically and socially un-justice that we are the only industrialized country in the world that does not provide any form of paid parental leave to its citizens. As a city, and as a municipality we can be extraordinarily cutting edge and be a leading body. We will be joining just Montgomery and Pittsburgh in offering this policy. Mr. O'Neil has provided us an expert financial analysis which shows it will have a nominal or minimum financial impact on the city. As it relates to FMLA, the issue and the benefit to this is that it comes concurrent with FMLA. Right now, the problem is let's say you are a city employee and you are a woman in this case and you get pregnant, and you are going to take off. You may only have two weeks or two and a half weeks with sick time, vacation time, accrued in the aggregate. This gives you the ability to take six weeks, plus your additional paid leave. This doesn't go as far as medical experts recommend. The minimum paid leave policy in industrialized countries is 12 weeks. That is really ample amount of time a woman needs to recover from pregnancy before she returns to work. We are basically trying to set the floor here. He stated that as Ms. Sallie - Dosunmu mentioned last week, this is the floor for many private employers in our region. We need this policy to be competitive. We should be treating our employees, union and nonunion the absolute best because we need to be competitive and offer the best wages and the best benefits. Having this policy ensures that frankly you can combine your vacations with your sick time. You might be able to get 10 weeks off which is an incredible amount of time to offer a municipality. This is something we can do at a minimal cost. It puts the city on a solid moral and economic position in terms of its ability to compete. We should be setting the standard and putting other people to task to rise to the occasion. He stated that he hears Mr. Zucal's concerns. They are not wrong. It is a matter of structural realities. He believes wholeheartedly when the next contract comes up, they will negotiate in good faith. He hopes that they will consider that as a potential provision in addition to our SEIU, Police and Fire. It will be tremendously helpful. We can offer Police Officers and expecting fathers the opportunity to spend time with their new born children. He wants it available to everybody. The only reason why it is carried out like this is not because he wants some favoritism or an uneven playing field. Legally, this is the only way we can do it. We have to offer it to nonunion first and when the contract comes up, let's negotiate. He will

be the first person to support and vote yes on a union contract that has paid leave and/or paid parental and paternal leave in it.

Mr. Ed Zucal stated if that is the plan, than he is acceptable to that.

Ms. Cynthia Mota stated that she would like to hear from the administration.

Mayor Matt Tuerk stated that broadly speaking pretty much every time he opens his mouth he talks about the quality of employees here in the city of Allentown and the importance of making this a great place to work if we are going to continue to attract great talent to this city. His belief is when they have a fantastic workplace, it includes these types of policies, it will allow the city employees to executive their duties and service to our residents better. He stated that he is strongly in favor of creating these types of low cost, but significant incentives and important signals to our perspective employees and our employees.

Christa Pepe stated that this is cutting edge. She has worked for the city for 20 years in the HR department and she has personally seen employees be impacted by this, both on the female and male side where they run out of leave time and then they come back to work after having such leave and then they get sick or their child gets sick and they then don't have any leave time available. This is definitely something that HR supports. It is a long time coming. It would add to the employees moral and would offer an additional benefit that really should be offered years ago.

Mr. Ed Zucal asked how many times during a year can an employee use FMLA.

Ms. Christa Pepe stated that they can use FMLA as many times as they need it. It is not frequency it is based upon the maximum of 12 weeks. This runs concurrent. This is not an additional six weeks.

Mr. Ed Zucal asked if the mother gives birth today and she is off for the next 12 weeks. Now, something happens medically in July. Is she able to apply again for FMLA.

Ms. Christa Pepe stated no. If she exhausted all of her 12 weeks, she will not be. It is a rolling calendar year. She would not be able to use that leave until the following year when that event date started.

Ms. Cynthia Mota asked if there were any other questions from the dais.

Ms. Candida Affa stated that this entire thing is nothing but an upside to it. We are going to entice people to work here and there is a nominal fee that

we are going to have to pay for this. She stated that she does not see a downside.

Ms. Cynthia Mota agreed with Ms. Affa. She asked if there were any questions from the public.

Mr. Daryl Hendricks asked HR if they done any cost estimates on this based on previous instances.

Ms. Christa Pepe stated that Finance has done a cost analysis and it appears to be minimal. With the given data in front of her, it is about \$60,000, but it is also salary continuation. This is just like having an employee take leave time. Right now, because it is for nonunion. Most nonunion employees aren't in positions that we are filling for overtime or there would not be an additional out of pocket cost to the city for something like that. It could be a worse case scenario and we don't have a lot of employees each year applying for maternity or paternity leave. It would be for a minimal group.

Mayor Matt Tuerk stated that the Finance team prepared the analysis in collaboration with our HR department and forwarded that to committee members for review. This is a position that we hope that we continue to take as an administration has given our City Council all of the data they need to make intelligent decisions about legislations. Count on that cross-departmental analysis to continue for us and hopefully what we are providing is enough to help you with any decision making.

Ms. Cynthia Mota thanked Mayor Tuerk.

Mr. Joshua Siegel stated that he commends the administration for providing that data analysis in a timely manner. He stated that he thinks it helped inform Council. He commended the Mayor and urged him to keep that commitment to our union personnel when negotiations open up. We should provide this benefit to everybody. It makes it that more competitive and capable of competing in this labor market. He wants to make sure they continue to embrace that spirit of innovation at a personnel level. We need to take of our employees health, mind, body and spirit. The more we can further that commitment. This is step one in finding a unique recruitment tools.

Ms. Cynthia Mota stated that she agrees with Mr. Siegel. It is the right thing to do.

Ms. Cynthia Mota asked if there are any questions from the public.

Mr. Michael Hanlon stated under H, it says Paid Parental Leave for absence. It should say for non-bargaining units or nonunion only.

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

Enactment No: 15783

[15-4783](#)

Bill 125 Public Works, this evening
Providing for the vacation of Howe Street from the centerline of North Eighth Street to its West Terminus in the Fourth Ward of the City of Allentown:

Attachments: [Bill 125 Howe Street - Street Vacation](#)

[acpc action - West Howe Street](#)

[Howe Street Vacation petition Review LVPC 10292021](#)

[Letter from Mike Hanlon regarding West Howe Street from 8th Street](#)

[West to its Terminus](#)

[Staff Report Vacation W Howe Street revNov5](#)

[The Morning Call Ad 7122846](#)

[Ordinance #15784](#)

Mr. Ed Zucal stated that it was sent 3 - 0 to regular Council.

Ms. Cynthia Mota asked if there were any questions from the dais or the public.

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

Enactment No: 15784

[15-4784](#)

Bill 126 Public Works, this evening
Providing for the relinquishment of easements from the Howe Street vacation Ordinance No. 13814 from the centerline of North Lumber Street to the Eastern property line of 815 Hamilton in the Fourth Ward of the City of Allentown:

Attachments: [Bill 126 Howe Street Ordinance 13814](#)

[acpc action - West Howe Street](#)

[Howe Street Vacation petition Review LVPC 10292021](#)

[Letter from Mike Hanlon regarding West Howe Street from 8th Street](#)

[West to its Terminus](#)

[Staff Report Vacation W Howe Street revNov5](#)

[The Morning Call Ad 7122846](#)

[Ordinance #15785](#)

Mr. Ed Zucal stated that was also sent favorably 3 - 0 to Council.

Ms. Cynthia Mota asked if there were any questions from the dais or the

public.

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

Enactment No: 15785

[15-4834](#)

Bill 1 Public Safety, this evening
Amending the 2022 ARPA Fund Budget to provide for a transfer of Forty-Six Thousand Two Hundred Sixteen (\$46,216) Dollars for the upfitting of two (2) new ambulances.

Attachments: [Bill 1 Ambulance uplift](#)

[Ordinance #15786](#)

Mr. Daryl Hendricks stated that it was moved and forwarded favorably, 3 - 0.

Ms. Cynthia Mota asked if there were any questions from the dais or the public.

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

Enactment No: 15786

[15-4842](#)

Bill 3 Public Safety, this evening
Amending the 2022 General Fund Budget to provide for a supplemental appropriation of Sixty-Five Thousand (\$65,000) Dollars as a result from a grant from the Commonwealth of Pennsylvania Department of Community & Economic Development (PA DCED) Initiative Program to the Allentown Fire Department, Bureau of Emergency Management Services (EMS) to provide funds which will be utilized to purchase an all-terrain ambulance vehicle.

Attachments: [Bill 3 EMS ALL-TERRAIN VEHICLE GRANT](#)

[Ordinance #15787](#)

Mr. Daryl Hendricks stated that it was also forwarded favorably, 3 - 0 to the full Council.

Ms. Cynthia Mota asked if there were any questions from the dais or the public.

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

Enactment No: 15787

[15-4844](#)

Bill 4 HR, Admin and Appts, forwarded
Office of the Mayor Reorganization

Sponsors: Administration

Attachments: [Bill 4 Mayor's Office Reorg](#)
[Updated Job Descriptions](#)
[Mayor's Office Job Descriptions](#)
[Ordinance #15788](#)

Ms. Natalie Santos stated that this Bill was forwarded favorably by Council.

Ms. Cynthia Mota asked if there were any questions from the dais.

Mr. Ed Zucal stated that he is very disappointed that Mayor Tuerk hired some of the employees here before they were even confirmed by Council. He stated that he thinks that is a bad way to start off and shows a disrespect. He stated that he is hoping that changes in the future.

Mayor Matt Tuerk stated that they did not in fact hired the employees per on the previous budget. The people that were hired into the Mayor's office were hired for the four positions that existed in the 2022 budget. Those employees including the Communications Manager, an Administrative Assistant, and an Executive Secretary to the Mayor were positions that were budgeted for by the previous City Council in the 2022 budget. That is incorrect.

Mr. Ed Zucal stated those folks were hired immediately after you took office, correct. That is what I am talking about. First of all, there is a conflict of interest in two of the individuals you hired. For the simple fact that one was your Campaign Manager and the other one worked on your campaign. As far as the city goes, it says that the city of Allentown provides equal employment opportunities to all employees and applicants for employment and prohibits discrimination. He asked if those jobs were posted at any time and were they posted to the public as well.

Mayor Matt Tuerk stated that they were.

Mr. Ed Zucal asked were there applications.

Mayor Matt Tuerk stated that he did not see additional applications for the administrative assistant position. He did see additional applications for the executive secretary position.

Mr. Ed Zucal asked was that other individual interviewed.

Mayor Matt Tuerk stated that he did not wish to interview any of the additional resumes that he saw.

Mr. Ed Zucal stated that you automatically decided beforehand to choose

the individual that you chose.

Mayor Matt Tuerk stated no. He reviewed the applications provided and compared them to the application that they ultimately chose. He stated that he saw a very clear distinction in the skills that were there. By no means a knock on the quality individuals that did apply. He stated that he saw a clear distinction of what he was looking for the executive secretary.

Mr. Ed Zucal stated to Mayor Tuerk that he did not give the other person the opportunity to interview.

Mayor Matt Tuerk stated that he did not. He stated that he took a look at their resumes and determined the individuals that he wanted to hire based on their resume was Mr. Corpora.

Mr. Ed Zucal stated that the second one is that you were going to title him the Operations Manager. You are proposing that person as a Step 21. You absolutely said it correctly. We gave you a person or a position. The only salaries you can set under Section 702 are the Solicitors, the Department Heads and the Clerk. Those are the only ones that have two classes of people that work here, career or exempt service. This new position that you want to create would be considered under the career service. It is not listed under the exempt service. Setting that person's salary and the step that you have at Step 21 is a Director's salary. He made a motion to make that person salaried at a 18N. That is a \$95,000 salary, in the middle that was the previous salary for the managing director. It is a fair salary and ask that his Council members support that. He stated that he does not think it is unfair. Again, we gave you a position. We did not give you a salary. As that person falls under the career services, it is not feasible that they get a Director's salary when it is not under the exempt service classification.

Mayor Matt Tuerk stated that it is Chief Operating Officer. It is not a him or a her. It is a position.

Ms. Cynthia Mota asked if there were any questions from the dais.

Ms. Candida Affa stated she disagrees with Mr. Zucal. Everything that the Mayor did and every walk in life in government whether it is the President of Governor when they come into office usually they bring in people that they trust. This is their administration. It is done all the time and up to the President of the United States. She believes what the Mayor did was pick the people he thought would do the best job. Mayors and Governors have taken people that worked in their campaign and put them in different positions. They trust them and they are all on the same page. Having the

mayor trusting and having these people that he can work with and know the communication. The city would run a lot better. She stated that she for one did not think that the mayor did anything out of the ordinary. Council does not appoint the people that the administration does for secretaries, etc. Questioning the mayor on why he picked these people is unfair. She is going to trust the mayor and trust that he is doing the best job he can. She trusts he the people do not do their job, he will take care of it.

Ms. Ce Ce Gerlach asked if that was a motion to amend and you are looking for a second.

Ms. Cynthia Mota asked if there were any questions from the public.

To make that person salary at a 18N with a salary at \$95,000.

Enactment No: 15788

Mr. Daryl Hendricks stated that his concern is Council received it this evening on what the positions are and what the duties are.

Mayor Matt Tuerk stated that they did provide it earlier to Mr. Hanlon.

Mr. Michael Hanlon stated that Council got it in an email yesterday. He stated that Council had job descriptions a long time ago. They are posted. He stated that they got them in an email.

Mr. Daryl Hendricks stated that his other concern is that they are adding a number of positions. The increase to the cost of the mayor's office is over 60 percent.

Mayor Matt Tuerk stated that he can't do the math on top of his head with regards to the percentage, but what he can offer that the cost is entirely within what the city can afford within.

Mr. Seth O'Neill stated that the various budget amendments that resulted in the final 2022 budget resulted in about \$160,000 in change in a budget surplus which this would almost completely and neatly fit within.

Mayor Matt Tuerk stated to Mr. Hendricks is what he is proposing to do with this mayor's structure would allow them to more effectively control costs in the city. His hope is this action would permit them to manage cost within the cost of 2022 and result in sufficient budget savings to more than make up for the additional expenditures and salaries in the mayor's office.

Mr. Daryl Hendricks stated that you may be correct. He would have preferred to have a little bit more time to read into that and to look at that. Although, he would agree with him that the city has the money. Just because the city has the money doesn't mean that he is willing to spend it.

Doing his due diligence, he would like to look further. He asked if Council can postpone this vote to give a couple more days at least to look over these numbers.

Ms. Cynthia Mota asked if Mr. Hendricks was proposing an amendment or motion.

Mr. Daryl Hendricks stated a motion to postpone the vote from this evening to a later date to give Council more time to look at this.

Mayor Matt Tuerk stated with all due respect those numbers were provided prior. It was provided last week. When Mr. O'Neill intended to send the analysis of the paternal youth, he actually sent you this spreadsheet back on Thursday. He stated that Council should have received those numbers at that point. With regards to those job descriptions, they were provided last week. He is happy to go through them with any member of Council. What the administration is asking for in regards to the job description starting from the bottom is two re-titling of positions from administrative assistant, special assistant to the mayor and the executive secretary to the mayor to executive assistant to the mayor. They are simply retitled, but accompanied by some harmonization of the job descriptions to better detail what he is asking those two individuals to do. The other big ask here is the relocation of the social media manager position into the mayor's office to facilitate collaboration with the communications manager for the city and that would result in the types of better communications you have seen and represented earlier today and that is an unchanged job description. The proposed chief operating officer is in many ways similar to the managing director's position that previously existed. It just does not reporting responsibility for the administrative positions. He stated that he as mayor will continue to hold that responsibility, allowing the chief operating officer to focus their time and attention on the operating units of our city and drive better efficiency, better government efficiency through there. The Chief Operating position itself as far as the job description goes is not terribly complicated. It is providing for a better administration of those department heads.

Ms. Candida Affa stated that the chief operating officer from 21 to 18. He would be at 18 making a lot less money. Then he will have the directors will be making more. They are up 21 or 20. He will be down to 18. She stated that doesn't make any sense to her.

Mayor Matt Tuerk stated he or she. That would create an unusual reporting relationship. Mr. Zucal's suggested amendment, there was no second to that. He stated that he believes that is off the table. As far as Mr. Hendricks suggestion that Council holds on to this a couple more days. He stated that

they are chopping at the bit to get started in this mayor's office. He stated that he is working every day since he got started. His enthusiasm does not wane. He is at city hall before 8:00 AM every day and here well past 7:00 PM often in the night. His team is eager to get started with this new structure that would allow them to perform at a high level.

Mr. Daryl Hendricks stated with all due respect, there is nothing that says you can't continue what you are doing so for now. Nothing would change other than their vote and their stamp of approval. Many of your people, and this is no slam on them have come in at the same salary of those people that they have replaced and yet they don't have the experience here in government or government position prior nor with the city prior to this. He stated that concerns him that those salaries are at the level they are at. Let's be honest, they only go up from here.

Mayor Matt Tuerk stated as they have discussed at each of these Council meetings the importance of paying the appropriate wages to get the appropriate talent is important in our city. As he stated in the State of the City Address, salaries are going to continue to increase in all areas for all employment levels. He stated that they saw that when they made adjustments to the steps. When the previous Council made adjustments to salaries to bring them more in line with current conditions. As current conditions are in the moment, you can ask anybody that is trying to hire people. It is getting more expensive. It is getting more challenging to bring good talent in. That is the reality that we are facing in the city.

Mr. Daryl Hendricks stated that he does not disagree with him. He stated that experience has a lot to do with that. Many of your people do not have that experience.

Mayor Matt Tuerk stated with all due respect, the people are delivering results that are concurrent with our expectations.

Mr. Daryl Hendricks stated that you may know that, but we don't. We have not experience that yet.

Ms. Ce Ce Gerlach stated that it is important that when they look at positions, they look at them as positions. We look at the duties that the positions must fulfill, the requirements. She stated that she doesn't think supporting this reorganization or not supporting this reorganization should be based on if you trust the new mayor. It is about, do we need these positions. She believes for the last several years the mayor's office needed to step it up. If these positions are going to help the mayor's office regardless if Mr. Tuerk decides to move to the Bahamas and we have to appoint a new mayor, she wants the new mayor to have what she, he or

they need in order to perform the duties. We weren't doing a good job with constituent services from the mayor's office. That is not a knock on the previous mayor. That is just his office was not setup for that. Communication was horrible. If we want to improve the outcomes, we have to do a little reorg. If it doesn't work there can be changes in the future. She stated that they should not be looking at the specific individuals. It is more so the positions that this mayor would like to reorg.

Ms. Cynthia Mota asked if there were any other questions from the dais. It is important to give the new mayor the tools to do a great job. This is the third largest city and she agrees with Ms. Gerlach when it comes to communications or having the connection with the community. We need to step up the game. It is important to give the tools that you need in order for him to do a great job that the city deserves. She asked if there were any questions from the public.

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

Enactment No: 15788

Yes: 6 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ce-Ce Gerlach, Joshua Siegel, and Natalie Santos

No: 1 - Ed Zucal

Enactment No: 15788

CONSENT AGENDA

Ms. Cynthia Mota asked if there were any questions from the dais or the public.

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

[15-4862](#)

R18

Sewage Planning Module noting their is wastewater capacity for the development for the 1010 Hamilton Street Apartments

Attachments: [R18 1010 Apartments Sewage Planning Module](#)

[1010 Hamilton Apartments Planning Module Documents](#)

[Resolution #30373](#)

[1010 Hamilton Apartments Planning Module Signed Documents](#)

Enactment No: 30373

[15-4864](#)

R19

Sewage Planning Module noting there is wastewater capacity for the development for the Basin Street Development (402 Basin St.)

Attachments: [R19 Basin Street Development Sewage Planning Module](#)
[R19 Basin Street Warehouse - Planning Module](#)
[Resolution #30374](#)

Enactment No: 30374

[15-4875](#)

R23
 Phillip C. Hart (fulfilling the unexpired term of Ellen Roberts – At Large)
 Term Expiration: 01/03/2024

Attachments: [R23 Phillip C. Hart - HARB](#)
[HARB Application - Phillip C Hart](#)
[Resolution #30375](#)

Enactment No: 30375

RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):

[15-4785](#)

R216
 Authorizes the Administration to Sell a Portion of the City-Owned Real Property located at 821 West Hamilton Street.

Attachments: [R216 Da Vinci \(Portion of 821 West Hamilton Street\)](#)
[Resolution #30376](#)

Ms. Cynthia Mota asked if there were any questions from the dais or the public.

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

Enactment No: 30376

[15-4871](#)

R20
 Authorizes Acceptance by the City of Allentown for Maintenance of the Lighting System on the Tilghman Street Bridge from Pennsylvania Department of Transportation

Attachments: [R20 TILGHMAN STREET LIGHTING AGREEMENT](#)
[PENNDOT LIGHTING MAINTENANCE AGREEMENT](#)
[Resolution #30377](#)

Ms. Cynthia Mota asked if there were any questions from the dais or the public.

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

Enactment No: 30377

[15-4873](#)

R21

Resolution supports Senator Pat Browne's Senate Bill 313, noting protecting LGBTQ people from discrimination is fundamental to our community.

Sponsors: Hendricks, Affa, Mr. Siegel, Gerlach, Mota and Administration

Attachments: [R21 Supports SB 313](#)

[SB 313](#)

[Resolution #30378](#)

Ms. Cynthia Mota asked if there were any questions from the dais or the public.

Mayor Matt Tuerk took a moment to thank Mr. Hendricks for forwarding this legislation and bringing to our attention. It is much needed in the environment that he mentioned before with the lack of civility. Seeing this type of support from the entire City Council is hugely appreciated by our administration and by our employees. He thanked Mr. Hendricks.

Mr. Daryl Hendricks thanked his clients for also signing on to this. He stated that it is most needed and discrimination in any form is just not good for this society.

Ms. Cynthia Mota stated that she does agree with him.

Mr. Joshua Siegel commented Mr. Hendricks for bringing this Resolution up and he is glad they all signed it. He has always been open about his family. His father is gay and his sister is transgendered. It means a lot to come together as a body to say no matter who you are it is a safe place and the community loves you. The most important thing is no matter who you are or what your sexual orientation is you should have equal opportunity and equal chance to make your own way in this world. He commended Mr. Hendricks again, for the courage in bringing this up.

Ms. Candida Affa thanked Mr. Hendricks again. She stated that she is very proud of Allentown because it was the year 2000, Gail Hoover brought this ordinance up and the city of Allentown does not discriminate for housing, workplace, any of the others. We had this law in Allentown for a long time. She is proud of the city. She stated that she of course being gay had the opportunity to hire who she wanted to, had the business that she wanted to have was a plus. She stated that she is proud to be an Allentonian because we were pathfinders 20 years ago.

Ms. Cynthia Mota asked if there were any questions from the public.

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

Enactment No: 30378

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

[15-4865](#)

Bill 5

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 1976, 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 5 CDBG Account Setup](#)
[Ordinance #15790](#)

REFERRED TO THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

Ms. Cynthia Mota asked if there were any questions from the dais or the public.

Enactment No: 15790

[15-4867](#)

Bill 6

Amends Chapter 213, Child-Care Facilities, Articles 1 through 5 inclusive of the Codified Ordinances. The bill updates immunization guidelines to reflect current standards, standardizes the ordinance with PA Department of Human Service regulations, modifies language allowing for consistency with updated regulations related to food safety, fire and building codes, swimming pool safety and CPR/First Aid; and provides for the issuance of violation tickets (SWEEP).

Attachments: [Bill 6 Child Care Amd](#)
[Ordinance #15791](#)

REFERRED TO THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

Ms. Cynthia Mota asked if there were any questions from the dais or the public.

Enactment No: 15791

[15-4868](#)

Bill 7

Amends Chapter 12, Authorities, Boards and Commissions; Article 5, Board of Health, of the Codified Ordinances to clarify the Board of Health duties and responsibilities. This bill clarifies language that established the

authority and duties of the Board of Health, eliminating ambiguity. It makes clear the powers originate from commonwealth law. No new powers are being created.

Attachments: [Bill 7 Board of Health Amd](#)
[Ordinance #15792](#)

REFERRED TO THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

Ms. Cynthia Mota asked if there were any questions from the dais or the public.

Enactment No: 15792

[15-4869](#)

Bill 8

Amending the 2022 Trexler Fund Budget to provide for a supplemental appropriation of Two Thousand Three Hundred Twenty-Seven Dollars and Fifty-Four Cents (\$2,327.54) from the Springwood Trust portion of the Trexler Fund as the balance of the 2021 contribution per General Trexler's will.

Sponsors: Administration

Attachments: [Bill 8 Springwood Trust Appropriation](#)
[Ordinance #15793](#)

REFERRED TO THE PARKS AND RECREATION COMMITTEE

Ms. Cynthia Mota asked if there were any questions from the dais or the public.

Enactment No: 15793

[15-4870](#)

Bill 9

Amending the 2021 Golf Fund Budget to provide for a supplemental appropriation of One Hundred Twenty-Five Thousand (\$125,000) Dollars from the unappropriated balance of Golf Fund for the first loan payment back to the General Fund.

Attachments: [Bill 9 GOLF LOAN PAYMENT #1](#)
[Ordinance #15794](#)

REFERRED TO THE BUDGET AND FINANCE COMMITTEE

Ms. Cynthia Mota asked if there were any questions from the dais or the public.

Enactment No: 15794

[15-4859](#)

Reconsideration of RCO Proposal

Councilpersons Siegel and Zucal are prepared to make a motion to clarify and clean some language making it clear the legislation does not apply to 'external' city agencies and clean up some lettering, references and definition of terms.

Rule on Reconsideration:

RULE XII - RECONSIDERATION

A. Reconsideration: A motion to reconsider an Ordinance will be entertained only at the next regular meeting following the one at which a vote was taken on that Ordinance. A Resolution may be reconsidered at the same meeting at which a vote was taken on that Resolution. No second motion to reconsider the motion will be entertained. An Ordinance or Resolution may be reconsidered only once and only at the time stated above.

A motion to reconsider may be made by a member who voted on the prevailing side of the matter to be reconsidered, or by a member who has notified the President of City Council of their intention to be absent and was not present when such a vote was taken. (27391 2/4/98)

Bill 10
Responsible Contractor Ordinance

Sponsors: Mr. Siegel and Mr. Zucal

Attachments: [BILL 10 Reconsidered RCO draft with Amendments](#)

[Bill 10 RCO](#)

[RCO Data for Council](#)

[RCO Data](#)

[Code Contracts through H](#)

[ADMINISTRATIVE CODE.REVISED 8.2021](#)

[Updated RCO Data for Council](#)

[2020-112-ORD](#)

[Craft Labor Skill Shortages-Policy Brief-2-14-20](#)

[Document 1-WA-FemaleMinorityHours2011Annual-Highlights](#)

[Document 2-WA-Contract Analysis-2007-2011-Highlights](#)

[RCO Document Explanation](#)

[RCO](#)

REFERRED TO THE BUDGET AND FINANCE COMMITTEE

Ms. Cynthia Mota asked if there were any questions from the dais or the public.

Mr. Kirk Baker, 1804 E. Greenleaf Street, stated that Jesus Bless You All. He came straight from work to show how important this is to us. He has lived in Allentown for over 30 years. He was born in Jamaica. His parents decided to move here to America when he was nine or 10 years old. He grew up on the eastside of Allentown. He stated that he went to Harrison Morton. The school district is getting that school renovated. He graduated from Dieruff High School in 1996. He is here living in Allentown after high school. He went to Pennsylvania College of Technology for about two years and decided to join the electrical union. After going through the initial testing requirement and interview, he was accepted back in the program in 1999. All through there were rough times in the industry. The construction industry is a rough racket overall, but has been very good to him and his family. He stated that he is in favor for the Responsible Contractor Legislation for a few reasons, but first it provides an avenue for city tax dollars to be used for workforce development through the apprenticeship program without going through the apprenticeship himself, he would not be where he is in his career today. He also believes in safety mechanism that is required with the RCO legislation. Safety should be what unfortunately is not always the top priority for some bad characters out there within the construction industry. As a longtime resident and graduate with kids still in Allentown School District. He stated that he believes that the RCO legislation is important for the city of Allentown. He stated that he hopes that all the Council people see it the same way that he does and vote yes.

Mr. Miguel Salvem (sp), 262 E. Mosser Street, stated that he is someone who personally completed an apprenticeship program and can attest to the significant benefits of it. The combination of classroom instruction and paid training have set him up on being extremely successful on the job. The apprenticeship programs ensure that jobs get done by qualified individuals who take pride in their work as well as the safety standards. Being able to work under a skilled tradesman who has spent years perfecting their craft has been valuable beyond measure. Throughout his apprenticeship he has successfully obtained a number of certifications that have enhanced his ability to continually improve and grow in his career. Some of these certifications are CDL Class A licenses, Hazmat endorsement, tanker endorsements, 30 hour OSHA certification, first-aid and basic life support certification, forklift certification, TWIC card, certified crane operator certification, signal man qualification, regar certification, and 40 hour hazwoper certification. He stated that as they can see his apprenticeship program has put him in the best position to do his job very well and safety is top priority. He stated that he believes that he will not be nearly as skilled and confident or prepared without taking part in the apprenticeship program that he did. With this in mind, he urged the Council to please vote yes on the Responsible Contractor Ordinance.

Mr. Jose Pateros, 435 N. Penn Street, stated that he lived here for most of his life. Just speaking on the RCO, he stated that he is completely for it. It is good for families around here, especially his family. He stated that he has kids. He would really like this to go through and he hopes Council does as well.

Mr. Clive Levy, 626 N. 16th Street, stated that he is the owner of MLD Electric right here in the city of Allentown. This is where it was given birth at. He lived here for over 30 years. He was not born here. He was born in Jamaica. His parents decided to come to Allentown. He has a lot of family members here. Allentown is his home at this time and he loves it. He stated that he graduated from William Allen High School back in 1992. After 1992, he went to the Marine Corp. He went as a mechanic, but ended up being a truck driver after and an electrician as well. He troubleshooted anything that has to do with an aircraft that serviced them. When it comes to avionic machines, generators, or hydraulic systems he troubleshooted that. He ended up being a quality duty inspector while he was in there too. He checked everybody else's work that we done to these aircrafts because it is a big responsibility when an aircraft goes down and who inspected it. The FAA comes in and check your log books and sees who were working on it and make sure that everything was done by standards. Overall, as an electrician in the Valley he went through an apprenticeship program for five years. It is the best thing that he has done. This apprenticeship taught him so much that more than anything else that when he worked for someone else, he asked how do you do this and why. They could not tell him the answer. They said that is the way we do it. When you are on the Council you ask why. He stated that is how he is. He went through the apprenticeship program and they taught him a lot of key factors in this program. One of the things was the history of electricity. We have to respect it. He learned the theory on it even though he went through Voc Tech back then in the 80s. Now, it is called LCTI because his kid has been there. He was trained back then, but did not go through a rigorous apprenticeship program as they do now. One of the key points that he wants to think about as an apprenticeship is the trade history. It does not matter what trade it is. You want to know why, when and how come we do these things. The other thing is to understand your responsibility regardless if it is an electrician, a plumber or HVAC guy. He stated that in our trade we have to respect it. He tells everyone that you only get one chance and when you get zapped, you will never forget it. OSHA 10 and OSHA 30 is something big now a days on jobs. Men and women are trained on OSHA 10 and OSHA 30. The apprenticeship that he went through and still afford it that OSHA 10 and OSHA 30 are still provided. There is always a refresher for everything that we do in life. He asked Council to please vote yes on this program on apprenticeship. It is very

important for the apprenticeship and helps with the tax savers money. When someone applies for a job, instead of costing the city the full amount for every guy, the job is spread out that you have a mechanic and helpers along to lower the cost or accrue the cost of every job. He asked Council to please vote yes.

Mr. Raul Gonzalez stated that he has been a resident of Allentown all his life. He was born here, raised here and graduated from Dieruff High School. He entered the apprenticeship program in Allentown in 2005. He went through the five year apprenticeship program that consisted on on the job training and schooling to teach electrical theory and reinforce applications that he was learning on the job. Through the combination of training, he was able to pass the Allentown Master Journey Person Test based on the knowledge and understanding of the National Electrical Code. He worked as a Journey Person and eventually became a Foreman for multiple contractors. His father is an electrical small business owner and he recently joined an organization that offered an apprenticeship program. His purpose for making the move is that he realized how important it was to have a well-trained workforce. It was important for him that an employee knew how to do the job, but more importantly why the task at hand needs to be done a certain way. Specifically, for safety reasons in his line of work because as some times it could be life or death. He stated that many times, his father mentioned to him the peace of mind he has as an owner knowing the job is done right the first time. He stated that he now works for his father and plans to take over the business when he retires. He stated that he is supportive of the Responsible Contractor legislation because as a taxpayer, how the city handles its finances directly impacts him. He wants to feel secure that his and every taxpayer dollar are spent responsibly. The RCO does just that. It makes sure that the contractors that are interested in doing the work in Allentown are responsible contractors. They make sure that their books are in order. They make sure that any subcontractors they use are doing business in the same high standards as they do. They understand the importance of having a well trained workforce. Having a job done right the first time speaks volume to the customer and the reputation of that contractor.

Ms. Cynthia Mota asked if there was any feedback from the administration.

Mr. Michael Hanlon stated that it is being referred to committee.

Ms. Cynthia Mota asked if it could be voted on tonight.

Mr. Michael Hanlon stated no.

Mr. Joshua Siegel stated that it is going to committee and back out until

February 16th. He stated that it will go to his committee one last time and at the next Council meeting it will be back out.

Mayor Matt Tuerk stated that the administration is going to prepare enough data and analysis for Council to make intelligent decisions about legislation.

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

[15-4866](#)

R22

Approves the Submission of the Action Plan to the United States Department of Housing and Urban Development, this is a step needed to allow the City to apply for and then access an estimated \$4,053,097.00 in grant funds for the January 1, 2022 to December 31, 2022 program year.

Attachments: [R22 Fed Funds](#)

[Resolution #30383](#)

REFERRED TO THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

Ms. Cynthia Mota asked if there were any questions from the dais or the public.

Enactment No: 30383

NEW BUSINESS: NONE

GOOD AND WELFARE

Ms. Candida Affa stated that tomorrow is Cynthia's birthday and would like to bring it up. What she is doing for her birthday is amazing. We are having a lot of Covid supplies home testing that the Health Department is passing out tomorrow and Ms. Mota has volunteered in front of Apple Grocery. This is what she is going to do on her birthday. She stated that she hoped to join Ms. Mota. She thanked Ms. Mota for what she does for the city. This is a good example of what a lot of us do and we don't get recognition for it. She thanked the city's Health Department. They are doing it tomorrow. If anybody needs it with the testing, supplies and masks. She stated to see Ms. Mota and she will stop by.

Ms. Cynthia Mota stated that is awesome. That is nice. Thank you so much. She stated that the Health Department is doing a great job. She stated from 10:00 AM to 3:00 PM.

Mayor Matt Tuerk stated that on Friday, February 4th is National Wear Red Day and our friends at the American Heart Association brought red dress pins and he wanted to make sure members of Council and Mr. O'Neill is

distributing them to you. The city will be wearing red on February 4th in support of heart illness awareness and he wanted to make sure Council had one of the pins.

Ms. Cynthia Mota stated that they will be on Seventh Street right by the supermarket Little Apple from 10:00 AM to 3:00 PM.

Mr. Joshua Siegel wished Ms. Mota a happy birthday and asked where will she be tomorrow because he would love to attend. Yesterday, Adrian Shanker is stepping down from the Bradbury Sullivan Center. He will be leaving the Lehigh Valley. He is going to California. He stated that Council owes Adrian a great debt of gratitude. We should consider for him a Proclamation as Ms. Affa mentioned. This city has always been on the cutting edge of LGBTQ rights. We were one of the first cities in the Commonwealth to extend benefits to domestic partners and one of the first to ban Conversion Therapy. Those things would have not happened without his advocacy. We should recognize that. He stated that his second point is commending this body and this administration. In the past, we have not seen eye to eye. This year has been really refreshing. He stated that he is really enthusiastic about the stuff they were able to do. A new year under madam president's leadership. This body sets a good standard. Certainly, with Mayor Tuerk's point there is a lot of rancor at the state and federal level. There is a great deal of a lack of civility and a lot of infighting and no consensus. Local government is still one of those places where there can be consensus and people can come together to find solutions to our problems. In a months time, look what we managed to do. We have passed cutting edge Paid Leave policy at the municipal level. Our health department is making great strides in fighting Covid and making sure our population is vaccinated and have the resources that they need. We are on track to pass the RCO which is a major step forward for labor force and workforce investment and raising the standards for the workforce in the city. Making sure we protect our taxpayers. This sets a good standard and really refreshed and glad to be working with all his colleagues in a more consensus manner. He would like to keep that process moving forward and this could be a really good year for Allentown. He is glad that they are all working collaboratively and ants to keep that spirit going. It is good to work hand and hand with you guys.

Ms. Cynthia Mota thanked Mr. Siegel.

ADJOURNED: 7:24 PM

[15-4437](#)

Council Rules
Home Rule Charter
Contract Procedures

Attachments: [HOMERULE June 2021](#)
[Council Rules March 2021 Edition](#)
[Contract Procedures](#)