

Ray O'Connell, President  
Julio A. Guridy, Vice President  
Joseph Davis  
Jeanette Eichenwald  
Jeff Glazier  
Daryl Hendricks  
Cynthia Y. Mota



Allentown City Council  
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**COUNCIL MEETING**  
**April 1, 2015**  
**COUNCIL CHAMBERS**

**COUNCIL MEETING MINUTES – 7:00 PM**

**1. Invocation: Rev. Bob Stevens - Zion's Reformed United Church of Christ "Liberty Bell Church"**

**2. Pledge to the Flag**

**3. Roll Call:** Davis, Eichenwald, Glazier, Guridy, Hendricks, O'Connell  
Mr. Dale Wiles represented for the Solicitor's office

**4. Courtesy of the Floor**

Mr. Aziz Wehbey, president of the Syrian American Charity Club, stated since 1974 the Syrian Community used to raise the flag in City Hall in honor of independence day. In the past two years, the permit has been declined by the Mayor's office with no explanation. We feel this is discrimination. We honor every rule and we are taxpayers. We would like to keep the tradition going on and honoring the Syrian Independence Day in Allentown.

Mr. Tino Babayn stated that he helped put the permit in and after we got denied I called the Mayor's office and the mayor gave us a simple explanation of why it was denied. The State Department refuses to raise four flags which is Cuba, Syrian, Iranian and Sudan. Look at the date of Syria, it states 1979. We have been raising the flag in Allentown since I was in elementary school, middle school and college. It was always raised by the Mayors. Why is it being denied? It is not right, every other flag is raised in Allentown. We brought 20 people here tonight, it could have been 2000.

Mr. Ray O'Connell thanked Mr. Wehbey and Mr. Babayn.

Mr. Ernie Atiyeh stated that he is appalled. How could you segregate a group of people that are doing so much for our community? My father came here from Syria when he was 15 years old. He respects and expects this to be resolved.

Mr. Dennis Pearson, 942 E. Tilghman Street, stated that a lot of my neighbors are from the Syrian Community. Many of them support the Assad Government.

Dr. Yacop stated that we are not going to talk politics here and if we are with the regime or against the regime. The Syrian flag represents Syria. We have been celebrating the Syrian flag for so many years. I hope that you look at it and help us celebrate the Syrian flag.

Mr. Kenneth Heffentrager, 733 N. 11<sup>th</sup> Street – Allentown Tenants Association, stated that in this Center City Initiative that was put out in June 2014. It says the strategy implementing will be guided by a Steering Committee representing all stakeholders in Center City. Is this Steering Committee started? On page 28, it says in order to replace housing loss as a result of a clearance activities encourage the inclusion of affordable housing in any new plan. The Arena, no affordable housing; Two City Center, no affordable housing; the Waterfront, no affordable housing; 7<sup>th</sup> and Linden, no affordable housing; Hamilton and Penn, no affordable housing included there, Walnut and 8<sup>th</sup>, no affordable housing; 9<sup>th</sup> and Walnut, no affordable housing. When exactly do we start including that as a component in the new plans? Rents are increasing.

Mr. Jeff Glazier asked do you know how many units have been lost. You listed parcels, but you didn't list units.

Mr. Kenneth Heffentrager stated one block along lost 30 – 40 units. Walnut Street between 8<sup>th</sup> and 7<sup>th</sup> has 50 – 60 units. Several hundred units went.

Ms. Cecilia Gerlach, 956 W. Walnut Street – Apartment 2, stated that she lives on the same block as the skyscraper and one block away from the condominium and two blocks away from the garage at 6<sup>th</sup> and Walnut. We are being pushed out. I have a resident here tonight and her rent is going up \$225. This will be more than 50 percent of her income. We need to manage and keep track of gentrification. I have other cities that have instituted various policies such as inclusionary zoning policy that has worked in other cities where you maintain affordable housing within a community. It is the Volunteers of America building that the rent is going up. They have Just Cause Eviction Ordinance, Anti Eviction Policies, Right of First Refusal Policies, our local relocation policies, right to return, no net loss policies. She provided a summary to Mr. O'Connell.

Ms. Jeanette Eichenwald stated that it is a really serious matter. I would like to make a suggestion to have a Committee of the Whole, someone from the Community and Economic Development should speak on this. It would be incumbent of City Council to talk about it. It was in the Strategy Plan to provide affordable housing.

Ms. Diane Teti, 328 N. 8<sup>th</sup> Street, stated that she had cards made today in case of emergency call me on my Google number. I have done this because over a couple of years I used it to work with homeless people. It saddens me that the gentleman that was crushed in the dumpster asked for my card a week before. I volunteer every single night at the Seasonal Shelter, it was originally slated to close at the end of April. It is too cold for people to be sleeping outside in the month of April. Thirty-two degrees is Cold Blue. Hypothermia can set in at 30 – 40 degrees. We were shocked to learn they were going to close it at the end of the week. They are closing the shelter because of the condition of the shelter. If they were properly managed, that would not be the case.

Mr. Ray O'Connell said he appreciates what you do for the Homeless Community.

Ms. Milagros Canales, Jordan Heights Community Liaison; President of Old Fairgrounds; Housing Manager HADC, stated recently two of our tenants were assaulted by some residents that were using the temporary homeless shelter. Outside, the homeless shelter is despicable. The police are there all the time. My tenants have a private entrance. They are afraid to come out because they try to push them in. The condition and condition of the shelter is atrocious. It is a great initiative that should be tweaked and have some rules. The volunteers are not trained.

Mr. Ray O'Connell asked anyone else for courtesy of the floor. He thanked the members of the Syrian community voicing their concerns in a very polite, courteous, and respectful manner.

## **5. Approval of Minutes: March 18, 2015**

Mr. Guridy noted a correction should be made on page 4, the Resolution says it passed 7 – 0. There were only five people here.

## **MINUTES APPROVED BY COMMON CONSENT**

### **6. Old Business**

**NONE**

### **7. Communications**

**NONE**

## **8. REPORTS FROM COMMITTEES:**

### **Budget and Finance: Chairperson Glazier**

We reviewed the monthly financials and Mr. Shearer was here from PFM to report on the two borrowings. The short-term borrowing closed in February with a \$6 million borrowing and the rate on that will be 1.403 percent. The estimated rate back in December was 4 percent. Significant reduction in the interest rate. The second is long-term borrowing. Some refinancing of borrowing from 2003, 2004, and 2011 and new borrowing to take care of long-term capital projects, escrow projects, city-wide paving, city-wide pools, and PennDot and Public Works Projects. The bond rate was 3.8 percent. There will be some savings. The next meeting is scheduled for April 22<sup>nd</sup> at 6 PM.

### **Public Safety: Chairperson Eichenwald**

The Committee met this evening and have one item on the agenda; the next meeting has not yet been scheduled.

### **Community and Economic Development: Chairperson Guridy**

The Committee has not met since the last council meeting.

### **Parks and Recreation: Chairperson Mota**

The Committee has not met since the last meeting; the next meeting has not yet been scheduled.

### **Public Works: Chairperson Davis**

The Committee has not met since the last meeting – The next meeting is scheduled for April 15<sup>th</sup>.

### **Human Resources, Administration and Appointments: Chairperson Hendricks**

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

### **Rules, Chambers, Intergovernmental Relations and Strategy: Chairperson O'Connell**

The Committee met this evening and has one item on the agenda. There are no future meetings scheduled as of this time.

## **OTHER COMMITTEE REPORTS**

Mr. Jeff Glazier stated that the Blight Property Review Board will have a meeting in April. We have a tentative meeting scheduled to move properties along the blighted property process.

Mr. Joe Davis stated the AEDC committee and their incubator program. We currently have 12 companies in the incubator program with over 16 employees and \$3 million in gross revenue from last year. They recently brought in three new companies.

Mr. Julio Guridy stated that the Allentown Housing Authority met last week. Mr. Heffentrager brought to my attention about the water heating issue, it has been resolved. We are working with the company that sold the water heaters. We are still working through it.

Mr. Ray O'Connell asked any other reports.

### **City Controller's Report**

Ms. Mary Ellen Koval stated she does have the Accounts Payable Check Review Report for the month of March. It is to determine if the checks and wires and their corresponding documentation comply with the requirements of the policies, guidelines, and procedures outlined in the AIMS. For the month of March, we issued 493 checks in the amount of \$3,665,520.50 and process 12 wires in the amount of \$1,110,259.88. The bond did close yesterday.

### **Managing Director's Report**

Mr. Fran Dougherty stated that April 15<sup>th</sup> our joint program Faces of the Budget will continue. The Information Technology will be up next. I would like to introduce the Chair of the Allentown Environmental Advisory Council.

Ms. Tinku Khanwalker, 208 N. Marshall Street, stated she is here as the chairperson of the Environmental Advisory Council. The Allentown EAC purpose as stated in its bylaws is to advise the city including the mayor, city council and the city's planning Commission on matters dealing with the protection, conservation, management acquisition and use of natural resources as well as educational matters. She names the current members. I am really excited to be chairing an organization with such dedicated individuals who have the knowledge and skills necessary to provide the advice in which the EAC was established. Our members have expertise. We provide input and advice to the city in the decision making process. We have now established an EAC liaison for each significant city department or organization. We are to build a trusted and collaborative relationship with a department or organization to be knowledgeable of what is going on. Any questions you may have or support you may want and input you may need on environmental matters. For 2015, we have come up with the following initiatives on areas we are researching: storm water management, urban gardening, invasive plants and native plants, making a recommendation on a green roof policy, plastic bags and Styrofoam. She requested City Council to contact her with any environmental questions they may have.

Mr. Ray O'Connell thanked Ms. Khanwalker and asked if the EAC has full strength with membership.

Ms. Tinku Khanwalker stated that we still have two open positions that need to be filled. With the five of us, we have a lot on our plate.

### **9. APPOINTMENTS:**

<b>Jane Brown-Heft</b>	<b>Allentown Arts Commission</b>	<b>01/02/2017</b>
<b>Kevin Greene</b>	<b>Human Relations Commission</b>	<b>11/01/2017</b>
<b>Ana Hamilton</b>	<b>Human Relations Commission</b>	<b>01/01/2017</b>

**The appointments were approved, 6 - 0**

Mr. Ray O'Connell thanked Ms. Brown-Heft for serving on the Arts Commission.

Ms. Jane Brown-Heft stated she is honored. My first job was working with Symphony Hall, Steel Stacks and the City Center Project. She gets to contact the Arts Community with downtown. It is really rewarding because it is where I grew up. I want to thank you and thank you for having me.

Mr. Ray O'Connell asked any other comments.

## **10. ORDINANCES FOR FINAL PASSAGE:**

### **Bill 12 Fire Station Transfer**

Amending the 2015 Capital Project Fund Budget to provide for a transfer of Forty-Four Thousand Four Hundred Sixty-Three Dollars and Sixty-Nine Cents (\$44,463.69) from Capital Project 1657 (ERP System) to Capital Project 1690 (East Side Fire House Reconstruction) for additional work outside the original contract).

Ms. Jeanette Eichenwald stated that it was recommended favorable to the entire Council, 3 – 0. We need to make an amendment denoting that this is a Capital Project Transfer and not a supplemental appropriation. Ms. Eichenwald made a motion.

Mr. Ray O'Connell seconded the motion.

**AMENDMENT TO DENOTE THAT THIS IS A CAPITAL PROJECT TRANSFER AND NOT A SUPPLEMENTAL APPROPRIATION PASSED, 6 – 0**

**ORDINANCED PASSED, 6 – 0**

## **11. RESOLUTIONS FOR FINAL PASSAGE:**

### **R11 Ban the Box 3-2015**

Supports City's Employment applications procedures to remove any questions regarding criminal activity.

Mr. Daryl Hendricks stated that his committee reviewed this and was voted 2 – 0 with a favorable recommendation.

Ms. Jeanette Eichenwald asked does it include very serious crimes such as murder, or assault.

Mr. Fran Dougherty stated that it takes out the current application section which says have you ever been convicted of a crime. It removes that language from this.

Ms. Jeanette Eichenwald asked if it would be any crime, no matter the severity of the crime.

Mr. Fran Dougherty stated with the exception of Public Safety: Fire, Police and 9/11 Communications Center.

Mr. Daryl Hendricks stated that it does not preclude the criminal check. Not only for the initial application process.

Mr. Joe Davis stated that is a reason I support it. It opens up the employment. They have to go through the background check anyway.

Mr. Julio Guridy stated that it is overdue. We miss a lot of people sometimes just because of the box on the application. There are people that can benefit our city and do a good job here. I will continue to support it as long as we continue to do a background check.

Mr. Ray O'Connell asked any questions from the public. Earlier Sheryl Comick spoke on it and we appreciate your comments and appreciate your attendance. Mr. Bosket, I see you in attendance and believe you support this also.

## RESOLUTION PASSED, 6 – 0

### R13 Council Rules

Amends Council Rules on the Appointment Process

F. The Council President shall appoint ex officio council members to other committees, authorities, boards and commissions after consultation with members of City Council.

Mr. Ray O'Connell stated that it simply places a practice that we have been having for years into Council Rules to establish consistency, formality, protocol and procedure. It was forwarded favorably to the entire Council, 4 – 0.

Mr. Jeff Glazier asked for an example of this type of appointment.

Mr. Ray O'Connell stated let's say we have an appointment to the Environmental Advisory Council and City Council gets two appointees. If someone approaches me and I will say yes, good recommendation and talk to them and talk to my colleagues. I would get input from my colleagues.

## RESOLUTION PASSED, 6 – 0

### 12. ORDINANCES FOR INTRODUCTION:

#### Bill 16 Parking meters

#### Referred to Public Works

Amending Articles 533, Parking Meters and 534, Residential Permit Parking, of the Codified Ordinances of the City of Allentown by extending hours of parking meters in all parking meter areas, increasing the meter rate from \$1 to \$2 per hour in the central business district, and making Walnut Street from 9<sup>th</sup> to 10<sup>th</sup> Street eligible for a Residential Parking Permit Zone designation.

Mr. Ray O'Connell asked any comments from my colleagues or the public.

Mr. Rich Fegley stated that I understand why we are increasing the hours of the meters. This was discussed before. The increases in the rate from \$1 to \$2 is something that we didn't see before. That will be only in the Central Business District. Increasing it to \$2 an hour is not going to help anything. There have been studies done in other cities. If I come down to the arena and park at 6:00 – 9:00 that is \$6 and it is still cheaper than the garage. Other cities have instituted in an arena or entertainment zone - \$3.50 an hour 90 minutes before the event starts – he noted that Portland does this. Bethlehem isn't at 2 an hour. He asked Council not to raise the rates, to look into that and look at where the parking revenue is going. He suggested doing a special arena rate during events.

Ms. Jeanette Eichenwald asked how they do that. It is just on the nights they have activities.

Mr. Richard Fegley stated he believes they have kiosks. Bethlehem uses a mobile app. It is another option.

Mr. Dennis Pearson, 942 E. Tilghman Street, stated that he doesn't use his smartphone or cell for any payments and will not do that. It shows the influence of infrastructure causes needs. If we still had the park and shop system that we had in the past, this would not be happening. The infrastructure is causing our costs.

Ms. Ruby Cruz, 107 S. Front Street, Catasauqua, stated that she is against the meter parking raise. She

stated that haste makes waste. Poor people are feeling the burden of it. I live below poverty level. It seems as though a lot of changes are implemented without a question as to why. What are the reasons for the increases, where is the allocation going?

Ms. Cecilia Gerlach, 956 W. Walnut Street, stated that she appreciates that her block is up for a residential permit parking. I know there are other areas in the city that are zoned commercial, but there are residents that live in that area. I wouldn't want my block to get that treatment. I am urging you to urge the Parking Authority to explain to you on a map which commercial areas will be affected, how many residents will be effected. I look at Zone 5 and some of those residents may be impacted like my area.

Mr. Kenneth Heffentrager, 733 N. 11<sup>th</sup> Street, stated that the last time this was here people came up and talked about the problems and issues and they come up with higher rates on one block. There are many areas – like on 8<sup>th</sup> Street – where there are parking meters and few businesses. I think you should go back to the drawing board. Residential Parking Permit should be extended everywhere. One single block, why bother?

**Bill 17 PO Rollover 2014 to 2015**

**Referred to Budget and Finance**

Amending the 2015 General Fund, the 2015 Liquid Fuels Fund, the 2015 Trexler Fund, the 2015 Risk Fund, the 2015 Equipment Fund and the 2015 Solid Waste Fund by appropriating funds from the un-appropriated balances for the rollover of encumbrances for the prior year commitments.

Mr. Ray O'Connell asked if there any comments from my colleagues or the public.

**Bill 18 Ordinance for funds**

**Referred to Public Works**

Amending the 2015 Capital Fund Budget to provide for a supplemental appropriation of \$16,943.00 as a result of grant reimbursements, settlements for illegal tree removals and payment in lieu of tree plantings for the purchase of new street trees.

Mr. Ray O'Connell asked if there any comments from my colleagues or the public.

**Bill 19 Law v2**

Amending the 2015 General Fund Budget by eliminating one full time position of Assistant City Solicitor 17N and replacing it with two part time Assistant City Solicitor positions.

Mr. Julio Guridy made a motion to eliminate the 14 day period between introduction and final passage.

Mr. Joe Davis seconded the motion.

**MOTION TO ELIMINATE THE 14 DAY PERIOD BETWEEN INTRODUCTION AND FINAL PASSAGE PASSED, 6 – 0**

Mr. Ray O'Connell asked if there any comments from my colleagues.

Mr. Julio Guridy stated that he had an opportunity to speak to Ms. Wild and I think it is a good idea as long as it didn't change the budget. I think it did not and we will be able to save some money on these changes. The vote we just took wasn't in the Charter, it was just Council Rules. I think it would be good.

Mr. Ray O'Connell asked any comments from my colleagues or the public.

**ORDINANCE PASSED, 6 – 0**

Mr. Joe Davis made a motion to suspend the Rules to introduce and vote on Resolutions 18 and 19 for the appointment of two part-time Assistant City Solicitors.

Mr. Julio Guridy seconded the motion.

**MOTION TO SUSPEND THE RULES TO INTRODUCE AND VOTE ON RESOLUTIONS 18 AND 19 FOR THE APPOINTMENT OF TWO PART-TIME ASSISTANT CITY SOLICITORS PASSED, 6 – 0.**

**R19 -AsstCity Solicitor - Juan**

Pursuant to the Administrative Code and the City Charter of the City of Allentown, City Council does hereby give advice and consent to the following appointment as the part time Assistant City Solicitor at an annual amount not to exceed \$36,400 Dollars, submitted to this Council by Mayor Ed Pawlowski on April 1, 2015:

**JUAN P. CAMACHO**

Ms. Jeanette Eichenwald stated that she has always hoped that Mr. Camacho will become more involved in the efforts of City Council. I am very pleased that he will be an Assistant Solicitor for us.

Mr. Jeff Glazier asked the effective date.

Mr. Ray O'Connell stated immediately. April 1<sup>st</sup>, after we vote.

Mr. Jeff Glazier asked if Mr. Camacho resigned the Zoning Board position.

Mr. Fran Dougherty stated yes, we have the protocols in place.

Mr. Ray O'Connell asked any other comments from my colleagues.

Mr. Julio Guridy stated that he has been longing to have a person who speaks Spanish and represent a different segment of the community for a long time to be in the law department. I am happy to vote for this.

Mr. Joe Davis stated that he is very happy to see you, Juan. I am looking forward to working with you.

Mr. Ray O'Connell asked any comments from the public.

**RESOLUTION PASSED, 6 – 0**

Mr. Ray O'Connell welcomed Mr. Camacho and stated that he has known him for many years. I have utmost respect for you.

Mr. Juan Camacho stated that he will be extending his resignation to the Zoning Hearing Board. It was contingent on the vote tonight. I am ready to work and I appreciate it. Thank you for the honor and opportunity to serve the city in this capacity.

**R18 -AsstCity Solicitor - Shawn**

Pursuant to the Administrative Code and the City Charter of the City of Allentown, City Council does hereby give advice and consent to the following appointment as the part time Assistant City Solicitor at an annual amount not to exceed \$41,600 Dollars, submitted to this Council by Mayor Ed Pawlowski on April 1, 2015:

**SHAWN M. DETHLEFSEN**

Mr. Ray O'Connell stated that he believes she is out of town.

Mr. Fran Dougherty ready into the record that Susan Wild had a pre-scheduled video deposition tonight and I excused her from here. The nominee had a pre-booked appointment in the City of Cleveland.

Mr. Ray O'Connell asked any comments from my colleagues. The reason we are waiving the 14 days is because the solicitor's office is very busy.

Mr. Fran Dougherty stated that the work is piling up.

**RESOLUTION PASSED, 6 – 0**

Mr. Ray O'Connell stated that we welcome Shawn onboard and hopefully she comes from Cleveland very quickly.

**13. RESOLUTIONS FOR INTRODUCTION:**

**R16 Digital Imaging for State and Municipal Records Retention**

Recommends State Approve the Use of Digital Imaging for State and Municipal Records Retention

Mr. Ray O'Connell asked if there are any comments from my colleagues or the public.

**RESOLUTION PASSED, 6 – 0**

**R17 PEMA Agent Applicant Resolution**

Appoints Craig Messinger as PEMA Applicant Agent

Mr. Ray O'Connell asked if there are any comments from my colleagues or the public.

**RESOLUTION PASSED, 6 – 0**

**14. NEW BUSINESS  
NONE**

**15. GOOD AND WELFARE**

Mr. Ray O'Connell wished the public Happy Passover and Happy Easter.

**16. ADJOURNED: 8:26 PM**