

Julio Guridy, President
Ray O'Connell, Vice President
Joseph Davis
Jeanette Eichenwald
Daryl Hendricks
Cynthia Y. Mota
Peter Schweyer



Allentown City Council
435 Hamilton Street
Allentown, Pa. 18101
AllentownPa.Gov

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COUNCIL MEETING
August 20, 2014
COUNCIL CHAMBERS

Public Works Committee – 6:45 PM

Bill 28 Basin Street Funds

Amending the 2014 Capital Fund Budget, increasing the unappropriated balance in the amount of One Hundred and Sixty-Five Thousand dollars, (\$165,000) which is 100% reimbursable through federal funding for the Basin Street Project.

COUNCIL MEETING – 7:00 PM

- 1. Invocation: Rabbi Seth Phillips, Keneseth Israel**
- 2. Pledge to the Flag**
- 3. Roll Call**
- 4. Courtesy of the Floor**

Courtesy and Privilege of the Floor Rules

Please observe the Rules of Council when addressing the body. A full copy of Council Rules can be found on the city website or by email if you contact Council office.

There are multiple opportunities to address Council. Individuals can speak during Courtesy of the Floor (addressing items not on the agenda) and during Bills and Resolutions on Final Passage and Introduction. When given the Floor, please go to the podium and state your name and address. All remarks must be directed towards the presiding officer or council as a body; not a particular Council member or elected official, the audience or city staff. Unless otherwise determined, individuals shall have three minutes to address council and individuals representing a bona-fide group shall have five minutes. Privilege of the Floor will not be extended for personal insults or personal attacks on any individual, name calling or other behavior that is inconsistent with the purpose and intent of conducting official business. Please address council as a body. Refrain from using offensive language, cursing and making noises while other people are speaking. Act with decorum. Remove your hat and turn cell phones off.

5. Approval of Minutes: August 6, 2014

6. Old Business

7. Communications

8. REPORTS FROM COMMITTEES:

Budget and Finance: Chairperson Schweyer

Public Safety: Chairperson Eichenwald

Community and Economic Development: Chairperson Davis

Parks and Recreation: Chairperson Mota

Public Works: Chairperson O'Connell

Human Resources, Administration and Appointments: Chairperson Hendricks

Rules, Chambers, Intergovernmental Relations and Strategy: Chairperson Guridy

OTHER COMMITTEE REPORTS

Controller's Report

Managing Director's Reports

9. APPOINTMENTS: None

10. ORDINANCES FOR FINAL PASSAGE (To be Voted On):

Bill 28 Basin Street Funds

Amending the 2014 Capital Fund Budget, increasing the unappropriated balance in the amount of One Hundred and Sixty-Five Thousand dollars, (\$165,000) which is 100% reimbursable through federal funding for the Basin Street Project.

11. RESOLUTIONS FOR FINAL PASSAGE (To be Voted On): None

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

Bill 29 Traffic Signal Transfer

Refer to Public Works

Amending the 2014 Capital Project Fund Budget to provide for a supplemental appropriation of Eight Hundred and Sixty four Thousand Two Hundred and Forty Dollars (\$864,240) from four Capital Projects to the Downtown Traffic Improvements Project- upgrading traffic signals and installing adaptive systems in the downtown area.

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

R41 619-621 Hamilton Street Easement

Refer to CEDC

Authorizes conveyance/deed of easement along walkway between 619 & 621 Hamilton St.

14. NEW BUSINESS

15. GOOD AND WELFARE

16. ADJOURNED

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 28 - 2014

INTRODUCED BY THE ADMINISTRATION

July 16, 2016

AN ORDINANCE

Amending the 2014 Capital Fund Budget, increasing the unappropriated balance in the amount of One Hundred and Sixty-Five Thousand dollars, (\$165,000) which is 100% reimbursable through federal funding for the Basin Street Project. The Bureau of Engineering is supervising and monitoring the funds. These are additional funds to the \$575,000 that was already appropriated for the Basin Street project bringing the total funds to \$740,000 of Federal funds.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That the City Council authorizes an increase to the unappropriated balance of the Capital Fund to the amount of One hundred and Sixty Five Thousand Dollars (\$165,000) reflecting, 100% reimbursable Federal funds for the Construction, Construction Management and Inspection of the proposed Basin Street Safety Improvement Project.

SECTION TWO: That City Council authorizes a revision of the appropriation from the unappropriated balance of the Capital Fund to the Capital Program project number 1286, Basin Street Safety Improvements.

Increase in funds to the following accounts:

001-03-1286-1411-76	Construction Contracts	\$ 145,000.00
001-03-1286-1411-46	Other Contract Services	<u>\$ 20,000.00</u>
	Total	\$ 165,000.00

SECTION THREE: That this Ordinance takes effect ten (10) days after final passage.

SECTION FOUR: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Department of Public Works, Engineering Bureau

- **Summary and Facts of the Bill**

This Bill will increase the account for funds for Capital Improvement Program 1286, Basin Street Safety Improvements, Construction, Construction Management and Inspection.

- **Purpose – Please include the following in your explanation:**
 - **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
 - **What are the Benefits of doing this/Down-side of doing this**
 - **How does this Bill related to the City’s Vision/Mission/Priorities**

The Basin Street Safety Improvement Project is to improve safety along Basin Street between Union Street and Auburn Street. This project is funded with Federal funds and is administered by PENNDOT.

- **Financial Impact – Please include the following in your explanation:**
 - **Cost (Initial and ongoing)**
 - **Benefits (initial and ongoing)**

The total cost for the project will be \$740,000.00. Since the project is 100% Federal funded, there will be no City funds involved.

Funding Sources – Please include the following in your explanation:

- **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

Funds to be reimbursed 100% from Federal funds (PENNDOT administered).

- **Priority status/Deadlines, if any**

The project has been bid and is awaiting the execution of a reimbursement agreement predicated on sufficient funds being appropriated for the work. The work will begin this summer.

- **Why should Council unanimously support this bill?**

Allows the City to improve safety along Basin Street.

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 29 - 2014

August 20, 2014

AN ORDINANCE

Amending the 2014 Capital Project Fund Budget to provide for a supplemental appropriation of Eight Hundred and Sixty four Thousand Two Hundred and Forty Dollars (\$864,240) from four Capital Projects to the Downtown Traffic Improvements Project upgrading traffic signals and installing adaptive systems in the downtown area.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That City Council authorizes an increase to the unappropriated balance of the Capital Project Fund in the amount of Eight Hundred and Sixty four Thousand Two Hundred and Forty Dollars (\$864,240) reflecting a transfer within the Capital Project Fund.

SECTION TWO: That City Council authorizes a supplemental appropriation from the unappropriated balance of the Capital Project Fund in the following manner:

FROM ACCOUNT

001-03-2000-1412-46	\$120,000.00
Public Works	
Downtown Traffic Improvements	
001-03-2000-1412-76	\$557,315.00
Public Works	
Downtown Traffic Improvements	
001-03-1257-0685-76	\$55,000.00
Public Works	
Traffic Signal MLK & S. 15 th St	
001-03-1224-1101-76	\$11,925.00
Public Works	
Traffic Signal Hamilton Street	
001-03-1229-0951-76	\$120,000.00
Public Works	
Traffic Signalization	
Total Transferred	\$864,240.00

TO ACCOUNT

001-03-2000-1412-72	\$864,240.00
Public Works	
Downtown Traffic Improvements	

SECTION THREE: That this Ordinance will take effect ten (10) days after final passage.

SECTION FOUR: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Department of Public Works

- **Summary and Facts of the Bill**

This ordinance simply moves funds from four projects to one capital project needing the funds.

Purpose – Please include the following in your explanation:

- **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
- **What are the Benefits of doing this/Down-side of doing this**
- **How does this Bill related to the City's Vision/Mission/Priorities**

This ordinance is necessary to upgrade traffic signals and installing adaptive systems in the downtown area. Funds needed to be appropriated into the correct accounts in order to pay for the contract.

- **Financial Impact – Please include the following in your explanation:**
 - **Cost (Initial and ongoing)**
 - **Benefits (initial and ongoing)**

There is no financial impact because the ordinance is moving funds from existing accounts.

Funding Sources – Please include the following in your explanation:

- **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

The attached resolution has the specific accounts of the transfer.

- **Priority status/Deadlines, if any**

This ordinance needs to be passed in the immediate future so that payment to the vendors can be accomplished.

- **Why should Council unanimously support this bill?**

Council should support this bill because the traffic signal upgrades are critical to the flow of traffic surrounding the arena.



CITY OF ALLENTOWN

No. R-41

RESOLUTION

R- 41

Introduced by the Administration on August 20, 2014

Authorizes Conveyance of Deed of Easement along walkway between 619 & 621 Hamilton St.

Resolved by the Council of the City of Allentown, That

WHEREAS, the City of Allentown owns a parcel of property between 619 & 621 Hamilton St. and

WHEREAS, Thomas P. Williams is proposing to construct certain improvements to 621 Hamilton St., including the construction of an entryway from the east side of the structure at 621 Hamilton St. onto the walkway on the above referenced walkway and

WHEREAS, those improvements would require a Deed of Easement of approximately 40 square feet of City property to Thomas P. Williams; and

WHEREAS, it is the best interest of the City to convey the property to Mr. Williams,

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Allentown, pursuant to section 130.24 of the Codified Ordinances of the City of Allentown, hereby authorizes the Mayor to enter into the attached Agreement with Thomas P. Williams and convey a Deed of Easement to the property described therein to Mr. Williams.

as more particularly described by Deed recorded in the Office of the Lehigh County Recorder of Deeds at Doc. ID 2013017895 incorporated herein by reference and made a part hereof; and

WHEREAS, the intent of this easement is to provide a doorway access to and from the Tract A through an adjoining common wall with Tract B; and

WHEREAS, the parties hereto have agreed that Grantor will grant to Grantee a non-exclusive easement of access, ingress and egress along, through and over Tract A as set forth on the legal description titled "Proposed Access Easement From 619-621 Hamilton Street onto Arts Walk Plaza Located at 615-617 Hamilton Street", a copy of which is attached hereto and made a part hereof as Exhibit "A", and as depicted on the plan drawing titled "Access Easement Exhibit," Proj. No. 13039 dated November 21, 2013, Prepared by the W2A Design Group, a copy of which is attached hereto and made a part hereof as Exhibit "B"; and

WHEREAS, the Easement of access, ingress and egress herein created is intended to run with the land and is perpetual pursuant to the terms hereof.

NOW, in pursuance of said Agreement and for and in consideration of the sum of ONE AND 00/100 DOLLAR (\$1.00), paid by Grantee to Grantor, the sufficiency and receipt of which is hereby acknowledged, and of the mutual covenants, agreements, conditions and stipulations herein contained, it is mutually covenanted, stipulated and agreed by and between the parties as follows:

1. Grantor, as owner of Tract A, hereby grants to Grantee, the owner of Tract B, for themselves, their heirs, successors and/or assigns, a non-exclusive easement and right of way of access, ingress and egress in, to and from the area described on Exhibit

"A" and shown on Exhibit "B", together with the full and free right of their heirs, successors, assigns, tenants, servants, visitors, invitees, customers, suppliers and licensees, in common with all others having the right at all times thereafter, for the purposes of access, ingress and egress in, to and from Tract B to pass and repass and over said land of Grantor as delineated on Exhibit "A" and shown on Exhibit "B" and to utilize the said land as aforesaid. Any and all other rights in said land are reserved by the Grantor.

2. It is further understood and agreed that the easement of access, ingress and egress granted herein is to be held by the parties, their heirs, successors and/or assigns, as appurtenant to the land and shall operate as a covenant running with the land owned by the respective owners.

3. It is further understood that Grantee's right of way access, ingress and egress along and through and over the portion of Tract A as herein described and depicted shall be limited to Grantee's lawful and permitted use of Tract B. Notwithstanding, Grantee shall not, store any equipment, construct or install any barrier, fence, fixture, in the easement area or permit the same. Nothing herein shall be construed or interpreted to permit utilities in, through, over or under the easement area. Notwithstanding, Grantee shall have the right to modify the planters that run along the wall within the easement area to permit the construction of the doorway provided that design along such wall is maintained.

4. It is further understood and agreed that neither party hereto will participate in any manner in payment of taxes, or assessments levied upon the other party hereto or the tract owned thereby.

5. The easement of access, ingress and egress created herein is not exclusive to Grantee being that the purpose of Tract A is to act as a public passageway for the general public and the right is hereby reserved, to grant such other easements, rights or privileges to such person or such persons as the Grantor in its discretion may select, so long as such purposes do not unnecessarily interfere with the easement granted herein.

6. The easement granted hereto shall not restrict the right of Grantor to alter or modify the internal site plan of Tract A provided such alterations or modifications do not substantially interfere with the easement granted by this Agreement or impair the use of Tract A as a public passageway by the general public.

7. It is further understood and agreed that the Easement granted hereto shall not terminate or restrict any current or future easement with respect to the right of access, ingress, egress and regress granted by the Grantor to any other party.

8. Grantee shall not pledge, lien, mortgage or in any way encumber Tract A, or any part thereof, including the land encompassing the easement granted herein.

9. Grantee shall be responsible to keep the easement area clean, free from debris, including snow and ice.

10. Grantee shall indemnify, defend and hold harmless the Grantor from any and all causes of action, suits, claims or judgments that may arise or are related to Grantee's use of the easement and that any third party, including by way of example, but not limitation, Grantee's employees, agents, tenants, visitors, invitees, customers, suppliers, or licensees.

11. This Easement shall be recorded.

IN WITNESS WHEREOF, the said parties have set their hands and seals the day and year first above written.

GRANTOR, CITY OF ALLENTOWN

BY: _____
Ed Pawlowski, Mayor

ATTEST:

Director of Finance

GRANTEE

BY: _____
Thomas P. Williams

COMMONWEALTH OF PENNSYLVANIA)
) SS:
COUNTY OF LEHIGH)

On this, the day of , 2014, before me, the undersigned officer, a Notary Public duly commissioned in and for the County and Commonwealth aforesaid residing in the City of Allentown, personally appeared Thomas P. Williams, known to me to be the person described in the foregoing indenture and acknowledged that he executed the same in his capacity therein stated and for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

Notary Public

COMMONWEALTH OF PENNSYLVANIA)
) SS:
COUNTY OF LEHIGH)

On this, the day of , 2014, before me, the undersigned officer, a Notary Public duly commissioned in and for the County and Commonwealth aforesaid, residing in the City of Allentown, personally appeared Ed Pawlowski, Mayor of the City of Allentown, and Debra Bowman, Deputy Director of Finance of the City of Allentown, known to me to be the persons described in the foregoing indenture, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

Notary Public



Wallace & Watson Associates PC 608 Hamilton Street, Suite 200, Allentown, PA 18104-2189 • 610-437-6450 • fax: 610-437-7617 • www.w2adesign.com

PRINCIPALS

David R. Drake
AIA, LEED AP

Glenn E. Lichtenwalner
AIA, NCARB

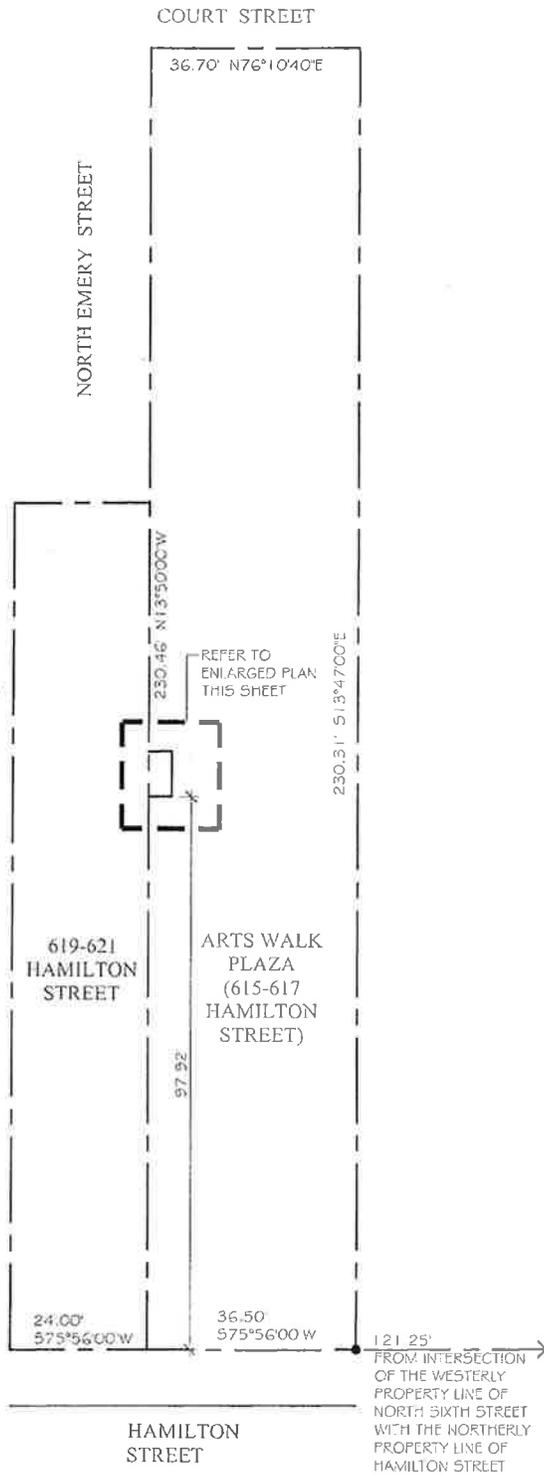
Christine DeOliveira Carl
AIA, LEED AP

**RE: PROPOSED ACCESS EASEMENT FROM 619-621 HAMILTON STREET ONTO
ARTS WALK PLAZA LOCATED AT 615-617 HAMILTON STREET**

DESCRIPTION OF EASEMENT

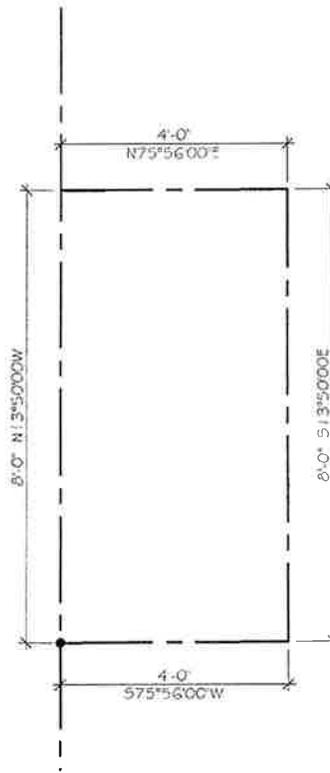
Beginning at a point, located S 75° 56' 00" W 157.75 feet from the intersection of the westerly property line of North Sixth Street with the northerly property line of Hamilton Street and N 13° 50' 00" W 97.92 feet from said northerly property line of Hamilton Street; then (1) from the point of beginning and along 615-617 Hamilton Street and passing through a party wall, N 13° 50' 00" W 8.0 feet to a point; then (2) N 75° 56' 00" E 4.0 feet to a point; then (3) S 13° 50' 00" W 8.0 feet to a point; then (4) S 75° 56' 00" W 4.0 feet to the point of Beginning.

EXHIBIT "A"



SITE PLAN

SCALE: 1"=20'-0"



ENLARGED PLAN

SCALE: 1/2"=1'-0"

EXHIBIT "B"

<p>TITLE ACCESS EASEMENT EXHIBIT</p>		<p>CITYLINE CONSTRUCTION BUILDING RENOVATIONS 619-621 HAMILTON STREET ALLENTOWN, PA 18101</p>	
<p>W2A DESIGN GROUP Wallace & Watson Associates, P.C.</p>	<p>609 HAMILTON STREET SUITE 200 ALLENTOWN PA 18101-2189 (610) 437-4460 FAX (610) 437-2817 www.w2adesign.com</p>		<p>DATE 11-21-13</p>
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			<p>EXHIB-1</p>