

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



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

Facebook: Allentown City Council

COUNCIL MEETING
June 3, 2015
COUNCIL CHAMBERS

Water and Sewer Compliance Review Committee - 5:30 PM

Call to Order
Introductions
Mission
Review of Annual Report by the Compliance Office
 Performance Standards
 Customer Service
 Water Quality Issues
 Maintenance
 Capital programs
Comments from the Compliance Review Board
Comments from the Public
Adjourn

COUNCIL MEETING – 7:00 PM

- 1. Call to Order**
- 2. Invocation: Pastor Iris Smith, First Community Cathedral**
- 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: May 20, 2015
- 6. Old Business
- 7. Communications

NOTICE OF PUBLIC HEARINGS

Allentown City Council will conduct a Public Hearing on Wednesday, June 17, 2015 at 6:00 PM in Council Chambers, 435 Hamilton Street, Allentown, PA 18101. The purpose of the Public Hearing is to take public testimony on the request for the Intermunicipal Transfer of Liquor License Number R-1524, LouAnn Restaurant Group, LLC, from 129 - 131 Howertown Road, Catasauqua, PA 18032 to 365 S. Cedar Crest Boulevard, Allentown, PA 18103 (Weis Markets, Inc.). The transfer applicant is Weis Markets, Inc. There will be a resolution on the council meeting that follows the public hearing that will allow City Council to approve or disapprove the transfer.

Another Public Hearing will follow at 6:30 PM – Council will take testimony on a proposed ordinance amending the City of Allentown Zoning Ordinance. This proposed amendment proposes to rezone an area bounded by North 5th Street to the west, North Penn Street to the east, W. Turner Street to the south, and generally Oak Street extended to the north from Medium High Density Residential (R-MH) and Institutional and Government (I-G) District to High Density Residential (R-H) District. City Council may adopt this amendment to the Zoning Ordinance at the regularly scheduled Council Meeting immediately following the Public Hearing.

8. REPORTS FROM COMMITTEES:

Budget and Finance: Chairperson Glazier

Public Safety: Chairperson Eichenwald

Community and Economic Development: Chairperson Guridy

Parks and Recreation: Chairperson Mota

Public Works: Chairperson Davis

Human Resources, Administration and Appointments: Chairperson Hendricks

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

OTHER COMMITTEE REPORTS

City Controller's Report

Managing Director's Report

9. APPOINTMENTS: None

10. ORDINANCES FOR FINAL PASSAGE (To be Voted On): None

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 30

Refer to Public Works

Providing for the vacation of a portion of North Levan Street from the centerline of Turner Street to the centerline of Russell Street and a portion of Russell Street from the centerline of North Levan Street to the centerline of North Penn Street located in the Ninth Ward of the City of Allentown.

Bill 31**Refer to Public Safety**

Amending the 2015 General Fund Budget to provide for a supplemental appropriation of \$14,284.70 from a PEMA grant, Pennsylvania Emergency Management Agency, to the Fire Department for Self Contained Breathing Apparatus equipment.

Bill 32**Refer to Parks and Recreation**

Amending the 2015 Capital Project Fund Budget to provide for a transfer of Twenty Three Thousand Eight Hundred and Fifty (\$23,850) from Capital Project 1698 (Ice Skating Rink) to Capital Project 2202 (WPA Structures) for design services and construction documents necessary to rebuild a failing section of WPA stone masonry retaining wall along the Lehigh Parkway.

13. RESOLUTIONS FOR INTRODUCTION (Can be voted on or Referred to Committee):**R26 My Brothers Keeper (To be voted on)**

Supports my Brother's Keeper Community Challenge.

R27 Legislation Livingston Watershed Body (To be voted on)

Authorizes Submission of an Application to Watershed Restoration and Protection Program for a Three Hundred Thousand (\$300,000) Dollar Grant from the Pennsylvania Department of Community and Economic Development, for the Livingston Watershed Project.

14. NEW BUSINESS**15. GOOD AND WELFARE****16. ADJOURN**

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 30 - 2015

AN ORDINANCE

Providing for the vacation of a portion of North Levan Street from the centerline of Turner Street to the centerline of Russell Street and a portion of Russell Street from the centerline of North Levan Street to the centerline of North Penn Street located in the Ninth Ward of the City of Allentown:

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

SECTION 1. That North Levan Street, a variable width street, from the centerline of Turner Street to the centerline of Russell Street in the Ninth Ward of the City of Allentown be and the same is hereby vacated.

SECTION 2. That Russell Street, a variable width street, from the centerline of North Levan Street to the centerline of North Penn Street in the Ninth Ward of the City of Allentown be and the same is hereby vacated.

SECTION 3. That this ordinance shall not become effective until such time as a deed of easement for any existing utilities has been filed in the Lehigh County Office of the Recorder of Deeds which Easement shall be within the limits of the right-of-way lines of the proposed vacated streets or as required by the affected utilities, if any.

SECTION 4. That if said easement is not recorded within one year from the effective date of this Ordinance, then this Ordinance shall become null and void.

SECTION 5. Subject to the provisions set forth in Ordinance No. 12245, passed April 6, 1977.

SECTION 6. That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

CITY OF ALLENTOWN

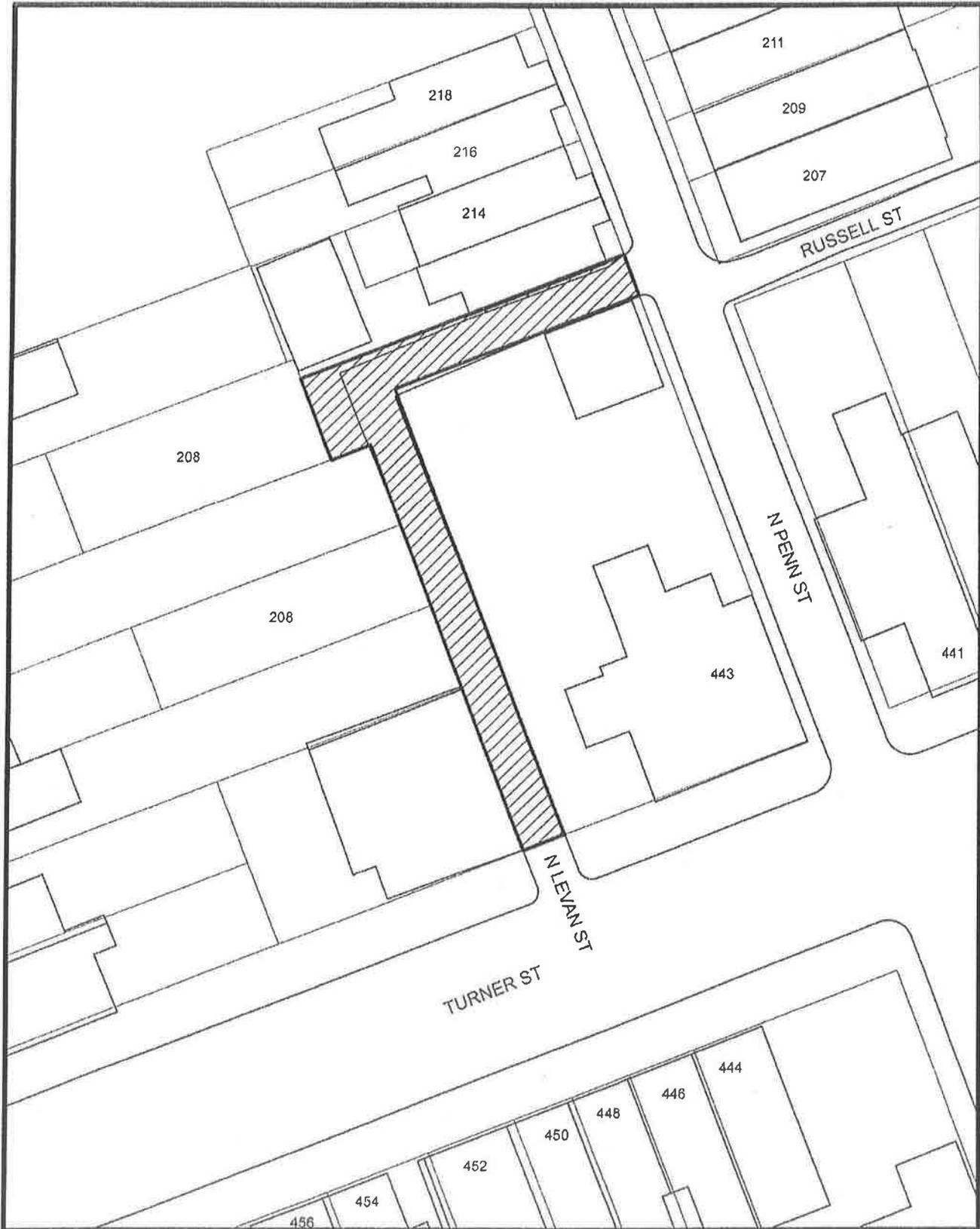


Proposed Street Vacation:
N. Levan St. @ Turner St. to Russell St. &
Russell St. @ N. Levan St. to N. Penn St.

SCALE:
1" = 30'



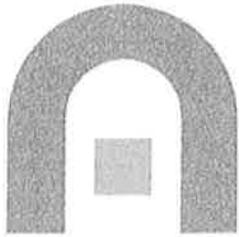
CITY OF ALLENTOWN



Proposed Street Vacation:
N. Levan St. @ Turner St. to Russell St. &
Russell St. @ N. Levan St. to N. Penn St.

SCALE:
1" = 30'





Allentown
City without limits.

Michael C. Hefele, AICP
Director of Planning
Bureau of Planning & Zoning
435 Hamilton Street
Allentown, PA 18101-1699
Office 610-437-7611
Fax 610-437-8781
Michael.Hefele@allentownpa.gov

May 26, 2015

The Honorable Ray O'Connell
President, City Council
435 Hamilton Street
Allentown, PA 18101

Re: Vacation of a portion of North Levan Street from the centerline of
Turner Street to the centerline of Russell Street and a portion of
Russell Street from the centerline of North Levan Street to North
Penn Street

Dear Mr. O'Connell:

Please be advised that at the monthly meeting of the Allentown City Planning Commission held on Tuesday, May 12, 2015, the above referenced street vacation requested by Sacred Heart Housing LP was recommended to City Council for APPROVAL.

If you have any questions concerning this action, please contact me.

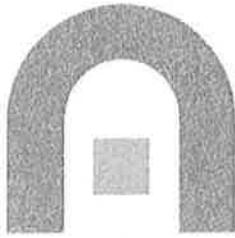
Yours truly,

Michael C. Hefele, AICP
Director of Planning

MCH:jf
Enclosure

xc: Mayor Ed Pawlowski
Francis Dougherty, Managing Director
Michael Hanlon, City Clerk
Craig Messinger, Interim Director of Public Works
Brian Borzak, PLS, Chief Designer/Chief Surveyor
Kyle Speece, Pennrose Properties
Mark Buchvalt, P.E., T&M Associates

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Allentown
City without limits.

Michael C. Hefele, AICP

Director of Planning

Bureau of Planning & Zoning

435 Hamilton Street

Allentown, PA 18101-1699

Office 610-437-7611

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STAFF REPORT TO THE
ALLENTOWN CITY PLANNING COMMISSION

May 12, 2015

SUBJECT: 15-1(V) Portion of North Levan Street from the centerline of Turner Street to the centerline of Russell Street and a portion of Russell Street from the centerline of North Levan Street to North Penn Street

FINDINGS:

Both North Levan Street and Russell Street are opened and improved, however only serve as secondary access to adjoining properties.

The vacation has been requested by Sacred Heart Housing, LP with the intention of consolidating all of the surrounding properties with the vacated streets rights-of-way and redevelop the site for senior housing.

The subject streets do not serve or provide for any traffic circulation throughout the neighborhood other than the previously mentioned secondary access.

RECOMMENDATION:

Based on the above findings, it is recommended that the subject streets be vacated as requested subject to the consolidation of all adjoining parcels with the vacated streets rights-of-way.

Submitted by:

Michael C. Hefele, AICP
Director of Planning

May 5th, 2015

REPORT TO THE CITY CLERK
AND THE
ALLENTOWN CITY PLANNING COMMISSION

REQUEST FOR STREET VACATION

RE: Request for the Vacation of a portion of North Levan Street from the centerline of Turner Street to the centerline of Russell Street and a portion of Russell Street from the centerline of North Levan Street to North Penn Street.

Requested by:
Sacred Heart Housing, LP
Owners of 443-447 Turner St.,
212 North Penn St., 208-214 N Levan St.,
205 & 209 N. 5th St.

Prepared by Brian L. Borzak, PLS, Chief Surveyor/Designer
City of Allentown Department of Public Works

CONTENTS:

Report and Recommendations
Location Map -- Portion of City Block Plan No. C-53

HISTORY OF THE PORTIONS OF THE STREETS PROPOSED TO BE VACATED:

The subject streets proposed to be vacated are in the 9th Ward. The portion of North Levan Street to be vacated is indicated as part of the interior roadway system of the City of Allentown on the C.A. Aschbach Map of Allentown, dated 1870. The portion of Russell Street to be vacated was opened by use and by Deed Book 1473 Page 961. If the subject street vacations are granted, it appears that the affected right-of-way would revert to the adjoining owners. It is the responsibility of the affected adjoining properties to assimilate vacated property into fee simple ownership by deed.

LOCATION AND CONDITION:

The subject streets are located between North 5th Street and North Penn Street. The subject streets are improved and open.

Report to the
City Clerk and Allentown City Planning Commission
May 5th, 2015
SUBJECT: Levan Street Vacation Request

POLLS CITY OF ALLENTOWN:

Joel Fitzgerald, Chief of Police has no objection to the street vacation

Lee Laubach Jr., Fire Chief has no objection to the street vacation.

Michael Hilbert, Communications has no objection to the street vacation.

Richard Rasch, Utility Engineer has no objection to the street vacation. But noted the developer will need to remove an old Sanitary sewer lateral on Russell Street that does not serve any homes.

Nelson Varughese, Traffic Control Superintendent has no objection to the street vacation.

POLLS UTILITIES:

Verizon Communications has not replied.

PPL Electric Utilities has not replied.

Ryan Wetherhold, Engineer UGI Utilities, Inc. has no objection to the street vacation.

Frank Liest, Chief Capital Works Officer Lehigh County Authority has no objection to the street vacation.

POLL ADJOINING OWNER:

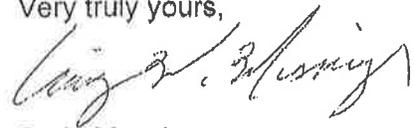
Daniel Farrell, Executive Director of the Allentown Housing Authority (the owners of 449 Turner Street) has no objection to the street vacation.

Report to the
City Clerk and Allentown City Planning Commission
May 5th, 2015
SUBJECT: Levan Street Vacation Request

RECOMMENDATIONS:

The Bureau of Engineering favorably recommends the subject street vacation.

Very truly yours,

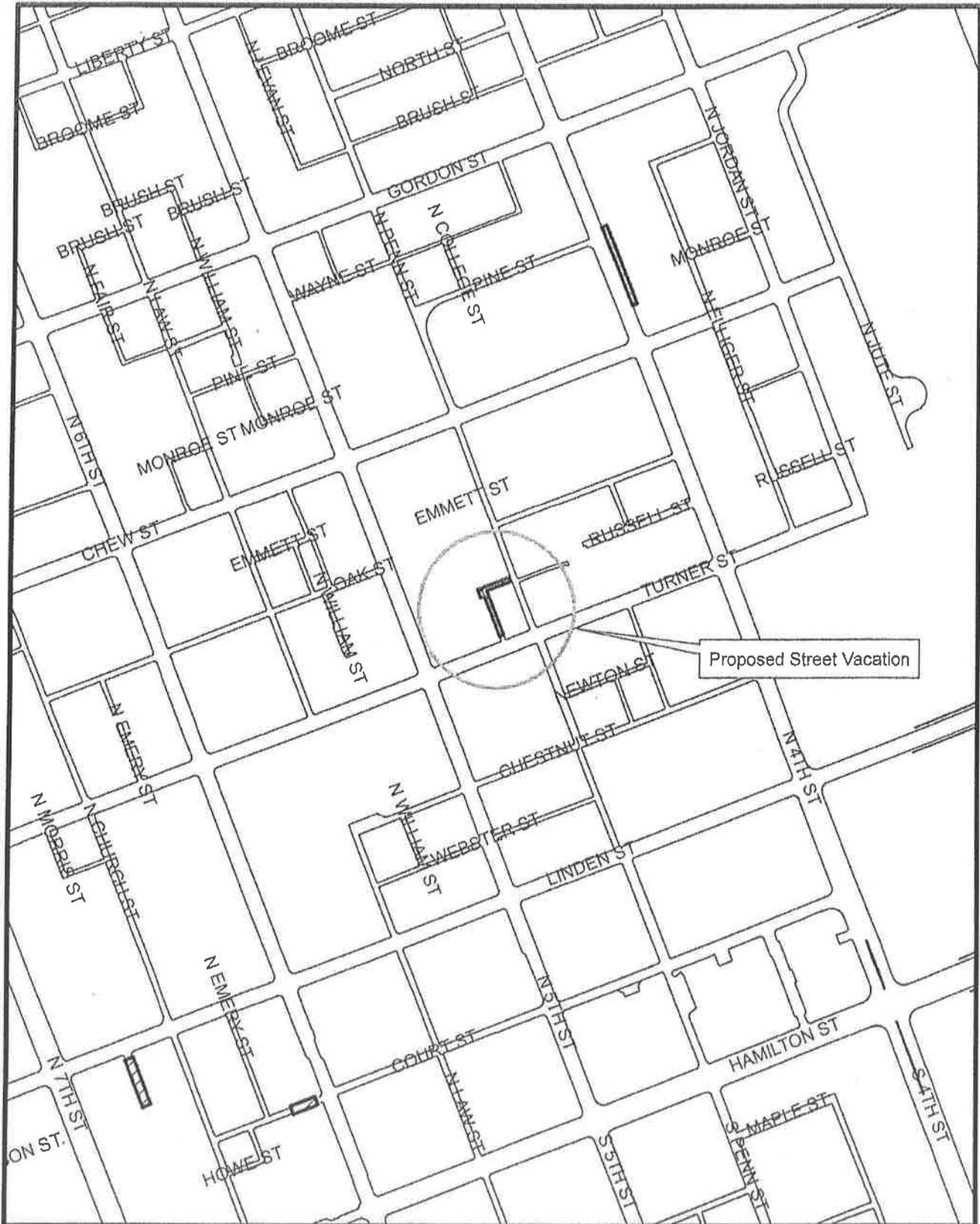


Craig Messinger
Public Works Director

Attachments

xc: Michael C. Hefele, Director of Planning
Susan Wild, City Solicitor
Michael P. Hanlon, City Clerk
Craig Messinger, Public Works Director

CITY OF ALLENTOWN



Proposed Street Vacation



Proposed Street Vacation:
N. Levan St. @ Turner St. to Russell St. &
Russell St. @ N. Levan St. to N. Penn St.

SCALE:
1" = 300'



ADMINISTRATION

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 31 - 2015

June 3, 2015

AN ORDINANCE

Amending the 2015 General Fund Budget to provide for a supplemental appropriation of \$14,284.70 from a PEMA grant, Pennsylvania Emergency Management Agency, to the Fire Department to provide for SCBA equipment

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 2015 General Fund in the amount of \$14,284.70 reflecting receipt of monies from a PEMA, Pennsylvania Emergency Management Agency grant to purchase SCBA (self-contained breathing apparatus) equipment.

SECTION TWO: That City Council authorizes a supplemental appropriation from the unappropriated balance of the General Fund to the Fire Department contract services program as follows:

000-05-0803-0002-72 (Equipment)	14,284.70
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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?

Allentown Fire Department

- **Summary and Facts of the Bill**

The Allentown Fire Department was awarded a PEMA grant to purchase SCBA Self-Contained Breathing Apparatus Equipment.

- **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 Bill will provide funding for the purchase of SCBA equipment. This funding will bring the Allentown Fire Department in compliance with 2013 standards for PPE equipment.

The benefit of this new equipment is enormous to the life safety of the members of the Allentown Fire Department and better response to the City's needs.

This Bill relates to the City's vision and mission to provide a safe City for all who live, work and visit the City of Allentown. It has always been the City of Allentown's priority, as well as every elected official to provide safe and efficient Public Safety services to ensure a safe environment.

- **Financial Impact – Please include the following in your explanation:**

- **Cost (Initial and ongoing)**
- **Benefits (initial and ongoing)**

80% grant funded and 20% city shared budgeted expense.

The SCBA equipment will comply with the NFPA standards currently in place.

- **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.**

Appropriate \$14,284.70 to the general fund and placed into Fire Budget account #000-05-0803-0002-68.

PEMA grant awarded to the fire department in the amount of \$14, 284.70 to purchase SCBA equipment.

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

Need to replace old equipment as soon as possible. It is a high priority for Allentown Fire Department to provide safe and efficient Public Safety services with the most up to date equipment that will comply with NFPA standards.

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

The request should not present a problem to City Council, since the grant has been approved and awarded.

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 32 - 2015

June 3, 2015

AN ORDINANCE

Amending the 2015 Capital Project Fund Budget to provide for a transfer of Twenty Three Thousand Eight Hundred and Fifty (\$23,850) from Capital Project 1698 (Ice Skating Rink) to Capital Project 2202 (WPA Structures) for design services and construction documents necessary to rebuild a failing section of WPA stone masonry retaining wall along the Lehigh Parkway.

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

SECTION ONE: That City Council authorizes a transfer within the Capital Project Fund in the amount of Twenty Three Thousand Eight Hundred and Fifty (\$23,850)

SECTION TWO: That City Council authorizes a transfer from within the Capital Project Fund in the following manner:

FROM ACCOUNT

001-08-1698-1412-46	\$23,850.00
Parks and Recreation	
Ice Skating Rink	

TO ACCOUNT

001-08-2202-1412	\$23,850.00
Parks and Recreation	
WPA Structures	

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?

Bill Origination: Parks and Recreation

- Summary and Facts of the Bill:

The proposed Ordinance transfers funds from the capital project Skating Rink To WPA Structures.

- Purpose

- o What does the Bill do – what are the specific goals/tasks the bill seeks to accomplish?

The Bill seeks to transfer funds that will enable the City to complete design and construction documents for the reconstruction of an 85' section of an approximately 13" high WPA stone retaining wall on the Lehigh Parkway.

- o What are the Benefits of doing this/Down-side of doing this.

The benefits of doing this is that it will enable the repair of a significant section of a WPA retaining wall that is failing. Should this repair not be completed the wall will fail resulting in the need to close Lehigh Parkway as well as a very popular trail that runs along the banks of the Little Lehigh Creek at the foot of the wall.

- o How does this Bill related to the City's Vision/Mission/Priorities

The mission of the Allentown Department of Parks & Recreation is to enhance the quality of life in the City by providing and maintain quality parks, trails and greenspaces and by offering enriching recreational activities and facilities for people of all ages and abilities. The Bill directly relates to this as it concerns maintaining safe, quality facilities.

- Financial Impact

- o Cost (Initial and ongoing):

The cost for the preparation of design and construction documents is \$23,850. The estimated cost to rebuild the wall is \$520,000.

- o Benefits (initial and ongoing):

The benefits are that rebuilding the wall will maintain the stability and safety of the Lehigh Parkway and the trail below it and it will save a significant and historic WPA structure.

- Funding Sources

Capital funds will be transferred between established capital projects.

- Priority status/Deadlines, if any:

As soon as possible.

- Why should Council unanimously support this bill?

As stated previously, this work needs to be completed, otherwise the wall will fail resulting in the closure of Lehigh Parkway and the trail below the wall.



CITY OF ALLENTOWN

No. 26

RESOLUTION

R - 2015

Introduced by the Administration on June 3, 2015

SUPPORTING THE “MY BROTHER’S KEEPER COMMUNITY CHALLENGE”

WHEREAS, in February, 2014 President Obama launched the “My Brother’s Keeper” Initiative (MBK) to address persistent opportunity gaps faced by boys and young men of color and to ensure that all young people can reach their full potential; and

WHEREAS, MBK is joining with cities and towns, businesses and foundations that are taking important steps to connect young people to mentoring programs, support networks, and the skills they need to find a good job or go to college and work their way into the middle class; and

WHEREAS, the Whitehouse has recently announced the MBK Community Challenge, an effort to encourage communities (cities, counties, suburbs, rural municipalities, and tribal nations) to implement a coherent cradle-to-college and career strategy aimed at improving life outcomes for all young people, to ensure that all youth can achieve their full potential, regardless of who they are, where they come from, or the circumstances in which they are born; and

WHEREAS, the MBK Community Challenge is a call to action for leaders of communities across the nation to build and execute comprehensive strategies that ensure:

- All children enter school cognitively, physically, socially, and emotionally prepared;
- All children read at grade level by third grade;
- All young people graduate from high school;
- All young people complete post-secondary education or training;
- All youth out of school are employed;
- All young people are safe from violent crime; and

WHEREAS, the urgency of the situation with our youth requires a sustained effort from everyone to effect change and local leadership is essential to building partnerships and developing plans of action to ensure a brighter future for all young people; and

WHEREAS, the MBK Community Challenge has a playbook that provides a framework for an effective plan of action, that defines a policy and programmatic focus central to the success of our youth, and that promotes a data-driven strategy for tracking success; and

WHEREAS, more than 200 mayors, county officials and tribal nations have already accepted the MBK Community Challenge; and

WHEREAS, the future of the City of Allentown depends on its ability to develop youth who reach their full potential, regardless of who they are, where they come from, or the circumstances in which they are born; and

WHEREAS, as leaders in the local community, members of the City of Allentown Council Members have an obligation to assist in the development and success of our youth.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, OF THE CITY OF ALLENTOWN, PENNSYLVANIA, THAT,

1. The City of Allentown Council Members hereby commit to participate in the "My Brother's Keeper Community Challenge" and adopt the MBK Playbook to implement a plan of action that ensures the success of Allentown's youth.

2. The City of Allentown is requested to cause a coalition of City representatives to be convened to make recommendations and implement a plan of action for the City's involvement in and acceptance of the MBK Challenge.

3. Any resolution or part of resolution conflicting with the provisions of this resolution is hereby repealed insofar as the same affects this resolution.

4. The City Clerk shall distribute copies of this resolution to the proper officers and other personnel, whose further action is required to achieve the purpose of this resolution.



CITY OF ALLENTOWN

No. 27

RESOLUTION

R - 2015

Introduced by the Administration on June 3, 2015

Authorizes Submission of an Application to Watershed Restoration and Protection Program for a Three Hundred Thousand (\$300,000) Dollar Grant from the Pennsylvania Department of Community and Economic Development, for the Livingston Watershed Project

Resolved by the Council of the City of Allentown, That

BE IT RESOLVED that the City of Allentown, Lehigh County hereby requests a Watershed Restoration and Protection Program grant of \$300,000 from the Pennsylvania Department of Community and Economic Development, to be used for the Livingston Watershed Project.

BE IT FURTHER RESOLVED, that the Applicant does hereby designate Ed Pawlowski, Mayor, and Garret Strathearn, Finance Director, as the official(s) to execute all documents and agreements between the City of Allentown and the Pennsylvania Department of Community and Economic Development, to facilitate and assist in obtaining the requested grant.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Allentown, hereby authorizes the City of Allentown to submit the application for Three Hundred Thousand (\$300,000) Dollars Watershed Restoration and Protection Program funding through the Pennsylvania Department of Community and Economic Development.

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

Public Works, Office of Compliance

- **Summary and Facts of the Bill**

Authorizing the Watershed Restoration and Protection Program (WRPP) DCED grant request of \$300,000 from the Commonwealth Financing Authority to be used for installation of Green Stormwater Infrastructure within the Livingston Watershed.

- **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 resolution will allow the City to submit the WRPP grant for the Livingston Watershed project

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

The total cost of the project is \$300,000 coming from the WRPP grant. The City will be matching the grant funding amount using City work completed to date and Capital Improvement Project 2004 in the amount of \$200,000

- **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.**

If the grant is approved, DCED and Capital Improvement (CIP2004) funds will be used.

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

The application deadline is June 30th. The resolution is needed prior to the at date.

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

Council should support this bill because WRPP grant funds will assist with and protection and restoration of the Livingston Watershed.