

Peter Schweyer, President

Michael D'Amore
W. Michael Donovan
Jeanette Eichenwald
Julio A. Guridy
Ray O'Connell
Mike Schlossberg



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COUNCIL MEETING MINUTES
November 16, 2011
COUNCIL CHAMBERS - 7:30 PM

- 1. Invocation:** Jeanette Eichenwald
- 2. Pledge to the Flag**
- 3. Roll Call:** D'Amore, Donovan, Eichenwald, O'Connell, Schlossberg, Schweyer were present
Frances Fruhwirth represented for the Solicitor's office
- 4. Courtesy of the Floor**
- 5. Approval of Minutes by common consent: November 2, 2011**
- 6. Old Business**
- 7. Communications**

Mr. Hershman, 405 North Gilmore Street, suggested account details should be included in the capital budget and wondered about the distribution of the Earned Income Tax in the city's budget.

Dennis Pearson, 942 East Tilghman Street, lamented the lack of political representation from the east side of town.

Ken Heffentrager, 136 North 7th Street, said there is a problem with blighted property in the center city area.

Bob Benner, 38th North 10th (Bethlehem resident), noted that after making innumerable phone calls to the city, he has not resolved being billed on a property that is vacant.

Elizabeth Rodriguez, 1335 St. John Street, noted that she received a ticket for parking a trailer in front of her house on October 28th and suggested the law be reviewed.

Mr. Donovan stated that the design of the Rite Aid on 7th Street is not appropriate and that a request should be sent to the Zoning Hearing Board to deny the variance request.

Council President Schweyer reviewed the budget meetings:

Budget Meeting: November 28th at 6:30 PM – Revisit EMS, Fire and any other issues that Council wants addressed

Monday, November 21

6:00 PM Community and Economic Development

Tuesday, November 22

6:00 PM Public Works, Solid Waste, Water, Sewer, Liquid Fuels – Equipment and Capital Projects

Monday, November 28

6:00 PM Revisit EMS, Fire

Wednesday, November 30

6:00 PM Budget Amendment Meeting – need to be acted on prior to adoption of budget

Wednesday, December 7

7:30 PM Possible Adoption of All Budgets

8. REPORTS FROM COMMITTEES:

Budget and Finance: Chairperson Donovan

The Committee has not met since the last Council meeting. Council did meet on Wednesday, November 9th at 6:00 PM to review the Finance, Revenue, Risk Management and Debt Service budgets in Council Chambers. The next meeting is scheduled for November 30th at 5:30 PM. Mr. Donovan noted the drop off in the EIT revenue.

Public Safety: Chairperson Eichenwald

The Committee has not met since the last Council meeting. Council did meet on Monday, November 7th, to review the Public Safety Budgets and will meet again on November 28th to revisit the EMS budget and review the Fire budget.

Community and Economic Development: Chairperson Guridy

The Committee has not met since the last Council meeting. Council is scheduled to meet to review the CED budget on Monday, November 21st at 6:00 PM.

Parks and Recreation: Chairperson Ray O’Connell

The Committee met to review the Parks and Recreation, Trexler and Golf Fund budget on Monday, November 14th at 7:00 PM. There are no future meetings scheduled.

Public Works: Chairperson Schlossberg

The Committee has not met since the last Council meeting; Council is scheduled to meet to review the Public Works and accompanying budgets on Tuesday, November 22nd at 6:00 PM in Council Chambers

Human Resources, Administration and Appointments: Chairperson D’Amore

The Committee met to review the HR budget on Monday, November 14th at 6:00 PM, there are no future meetings scheduled.

Rules, Chambers, Intergovernmental Relations and Strategy: Chairperson Schweyer

The Committee has not met since the last meeting; a meeting will be set up in the near future to look at an amendment to council rules on filling vacancies.

OTHER COMMITTEE REPORTS: None

CONTROLLER’S REPORT

9. APPOINTMENTS:

Appointment of David Snyder to Recreation Board – Term to Expire 1/01/2016

The appointment was approved, 6 – 0.

Appointment of Patricia Jackson to HARB – Term to Expire 1/14/2012

The appointment was approved, 6- 0.

The rules were suspended by common consent to introduce and vote on a resolution appointing Sey Traub to the Ethics Board – Term to Expire 12/15/2012

The appointment was approved, 6 – 0.

10. ORDINANCES FOR FINAL PASSAGE: None

11. ORDINANCES FOR INTRODUCTION:

Bill 94 YARD WASTE LOADING FEE.doc

Referred to Public Works

Amending Article 1137, Residential Recycling Ordinance, to include a yard waste material loading fee. The proposed change to the Residential Recycling Ordinance, Article 1137.07 (D) would allow the City to charge a loading fee of \$12.00 per cubic for yard waste material at the city's yard waste site.

Bill 95 CREDIT UNION DONATION Final.doc

Referred to CEDC

Amending the 2011 General Fund Budget to provide for a supplemental appropriation of Seven Thousand (\$7,000) Dollars. This is a donation from the Allentown Federal Credit Union to Lights in the Parkway to purchase a light display to commemorate the City's 250th Anniversary.

Bill 96 AIR PRODUCTS DONATION.doc

Referred to Public Safety – November 28

Amending the 2011 General Fund Budget to provide for a supplemental appropriation of Twenty-Five Thousand (\$25,000) Dollars. This is a donation from Air Products to the Police Department technology/equipment program to provide for technology upgrades.

Bill 97 MOUNTAINVILLE DONATION.doc

Referred to Public Safety – November 28

Amending the 2011 General Fund Budget to provide for a supplemental appropriation of Eight Hundred Forty-Eight Dollars and Ninety Cents (\$848.90). This is a donation from Mountainville 30 Crime Watch to the Police Department equipment program to purchase a Taser.

Bill 98 EMS FEES.doc

Referred to Public Safety – November 28

Amends Article 391, City Billing for Emergency Medical Services, by updating this ordinance to adjust language to make the definitions consistent with the new-final draft of the Pennsylvania EMS Act 37, updates certain sections to reflect the "EMS Enterprise Fund", and increases fees to meet increases in the cost of doing business.

Bill 99 was removed from the agenda at the request of the petitioner

Bill 99 Common Ridge Development

Providing for the vacation of North Floyd Street from East Linden Street for a distance of 120 feet north, North Fenwick Street from East Linden Street to East Westminster Street, North Folk Street from East Court Street to East Turner Street, North Gilmore Street from East Court Street to East Turner Street, North Glynn Street from East Court Street to East Turner Street, North Grape Street from East Webster Street to East Turner Street, North Grape Street from East Court Street to East Linden Street, North Halstead Street from East Webster Street to East Turner Street, North Hancock Street from East Court Street to East Turner Street, North Hart Street from East Court Street to a point approximately 147.49 feet from the south right-of-way line of East Turner Street said point being at the south property line of 832 East Turner Street, East Turner Street from North Floyd Street to North Halstead Street, East Newton Street from North Glynn Street to North Grape Street, East Webster Street from North Glynn Street to North Hart Street, East Linden Street from North Floyd Street to North Hart Street, East Court Street from North Folk Street to North Hart Street, in the Fourteenth Ward of the City of Allentown:

Bill 100 EIT.docx

Referred to Budget and Finance

Ordinance re-enacting, restating and amending its earned income tax ordinance/resolution to establish conformity with the local tax enabling act as amended by Act 32 of July 2, 2008.

12. CONSENT AGENDA: None

CA-1 HARB

Certificates of Appropriateness for work in the Historic Districts

The Certificates of Appropriateness were approved, 6 – 0

13. RESOLUTIONS ON SECOND READING: None

14. RESOLUTIONS ON FIRST READING:

R 60 William Penn School 401 Allen Street Sewage Plan Module

Sewage Plan Module for 401 Allen Street

There were no objections to voting on the resolution; the resolution was approved, 6 – 0.

R 61 EIT-BERKHEIMER

Referred to Budget and Finance

A resolution of the City of Allentown, Lehigh County, Pennsylvania, authorizing, empowering and directing the proper officers of the City of Allentown to appoint a liaison the appointed tax collection committee delegates of the City of Allentown between and among the City of Allentown, the Lehigh tax collection committee and Berkheimer, the duly appointed tax officer for the collection of earned income tax, for the express purpose of sharing confidential tax information for official purposes or as provided by law.

There was a common consent to suspend the rules to introduce and vote on a resolution to fill a vacancy in the Council, Controller, or Mayor's Office – Resolution 56. The rules were suspended and the resolution 56 was pulled from committee.

R56 Vacancies

Resolved by the Council of the City of Allentown, That

WHEREAS, Allentown City Council is desirous of amending their rules to provide general procedures on filling vacancies.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Allentown, Lehigh County, Pennsylvania, hereby adds the following rules:

RULE XX - FILLING OF VACANCIES - COUNCIL, CONTROLLER AND MAYOR

~~In filling a vacancy, the President (or Acting President) will first take nominations from other Council members. Each Council member can offer only one nomination at a time when recognized by the Council President. After nominations have been made by Council members, the President may offer a nomination. The potential candidates will be voted on in the order they were nominated. The first candidate to receive a majority vote will fill the vacancy. The Mayor may cast a deciding vote only in the case of a tie. (26631 10/7/92; 25142 2/2/83; 26631 10/7/92)~~

Vacancies shall be filled according to the requirements of the charter – sections 207, 304 and 405. When a vacancy occurs in the office of Council, Controller or the Mayor, City Council shall immediately advertise the vacancy in a local newspaper, on the City's website and notify the political party of the person who left office that Council will be accepting applications to fill the vacant position. Applications shall consist of a resume and a statement stating the reasons the applicant will bring value to the City as a Councilperson, Mayor or City Controller. Applications shall be received no later than fourteen days after the effective date of the vacancy.

The applications shall be reviewed by the President or Acting President of Council to make sure the applicant is qualified pursuant to the charter and applicable state law. After review, Council shall have a public meeting to review the resumes and statements of the applicants and interview each of the candidates. The candidates shall be chosen in a random fashion for interviews.

After the interviews, Council shall vote on the candidates to fill the vacancy at a public meeting. Each councilperson will fill out and sign a ballot indicating their choice to fill the position. The ballots shall be given to

the City Clerk who shall read aloud the name of the candidates selected by each councilperson. The process continues until a candidate earns a majority of votes. (26631 10/7/92; 25142 2/2/83; 26631 10/7/92)

Mr. Donovan notes this has been discussed previously and is a result of that discussion.

The resolution was approved, 6 – 0.

17. ADJOURNED

Council meetings are held on the first and third Wednesday of each month beginning at 7:30 pm in Council Chambers. For copies of the agenda or meeting announcements, please visit our website at www.allentownpa.gov, or contact the Clerk at hanlon@allentowncity.org to receive an email notice of the meetings.