

Julio Guridy, President
Ray O'Connell, Vice President
Frank J. Concannon
Jeanette Eichenwald
Cynthia Y. Mota
Michael Schlossberg
Peter Schweyer

Allentown City Council
435 Hamilton Street

Allentown, Pa. 18101
AllentownPa.Gov



COUNCIL MEETING MINUTES
March 21, 2012
COUNCIL CHAMBERS

Council Meeting – 7:30 PM

1. Invocation: Julio Guridy

2. Pledge to the Flag

3. Roll Call: Eichenwald, Guridy, Mota, O'Connell, Schlossberg and Schweyer
John Marchetto represented for the Solicitor's office

4. Courtesy of the Floor

Ms. Paulette Hunter resident of Allentown stated that a couple years ago she came to Council about handicapped parking permits that she got for her house. Once she got the permit and put the sign up and she could not park in front of her house. In Virginia that permits was for that designated driver. She stated that Bethlehem has that and maybe Allentown could check with Bethlehem to see if we could do that in Allentown for certain residents.

Mr. Guridy asked if Ms. Hunter spoke to the Parking Authority.

Ms. Hunter stated that she spoke to them a while ago about it and they told her that it was a state responsibility and someone told her it was the city's responsibility.

Mr. Guridy stated that it is a Parking Authority issue.

Ms. Eichenwald stated that she remembers when Ms. Hunter was here talking about it and of course, Council was supportive. She stated that she stated that it may not a Parking Authority issue and asked Mr. Young maybe through PennDot or the transportation department.

Mr. Young stated that he does not think that PennDot would get involved. He stated that Bethlehem does have it and before he accepted this position Bethlehem had it and his son is also handicapped and he looked at it in Bethlehem himself.

Ms. Eichenwald asked Mr. Dougherty to coordinate and make this happen. It is absolutely necessary.

Mr. Schlossberg asked Mr. Hanlon to follow up and see if it is a legislative remedy to make this work.

Mr. Guridy stated he knows a gentleman that got his parking permit through the Parking Authority and they were helpful. If the Parking Authority will not do anything and he is quite sure Ms. Hunter went over to talk to them.

Ms. Hunter stated that the Parking Authority was very helpful and has never had anything negative to say about the City of Allentown people they were very helpful. They were not aware of can it be done. She asked a few years ago about Youth Council and she knows they were working on it. Where is it at and are we proceeding.

Ms. Eichenwald stated that our Parking Authority can designate that spot as a handicapped spot, but you need to deal with the state to make sure that designated handicapped spot belongs to that resident.

Ms. Mota stated that drug and alcohol education is needed. We need to talk to our young children on drug and alcohol prevention.

Mr. Schweyer stated that the Parks and Recreation Department has taken it on as project under Mr. Randy Cope and after very little movement we did our Youth outreach last year and had a series of five meetings and they met with the three schools, had a series of five meeting and the culmination meeting, but we did not take the step to talk to the juvenile detention center and other places. The goal of the Youth Outreach last year was he was tired of figuring out the best way to talk to students. It fell off a little this year, but we done are to have every member of Council invited to daycare programs as well. We have done a much better job to reach out to the youth. We were worried about attendance, how to select the students, and have open elections in high schools, but that does not work because you are going to get the same kids and not the population.

Ms. Hunter stated that they should take it out of Recreation and put it in Weed and Seed because they have a youth meeting every month.

Mr. Schweyer stated that the challenge is it is two precincts, the first and sixth wards.

Mr. Ken Heffentrager, 11th and Washington Street, discussed the Morning Call issue with the weekend paper landing on cars and abandoned buildings. He stated that the shopping center that is at 15th Street people are parking parallel there. He stated that the cop drove through there the other day and honked at these people and as the cop drove by and the people moved and went back and parked after the cop left.

Ms. Eichenwald stated that the litter is in the hands of our assistant solicitor's Ms. Fruhwirth. It takes some research the find out how we can proceed with this and create legislative relief.

Mr. Heffentrager stated that a landlord supposed to have a license this year and according to 1751 or 1759 if supposed to be posted in each unit and he can tell you that at least there are seven or eight buildings they do not have.

Mr. Schweyer asked if it is in each unit. He does not know anyone follows that.

Mr. O'Connell asked if it is the 15th and Allen shopping center or A-harts and Louis Ramos School.

Mr. Heffentrager stated that people are so lazy they are parking in back of people that are legally parked.

Mr. O'Connell asked Chief MacLean does the city have jurisdiction on the shopping center or is it private property.

Chief MacLean stated that the police department will look into it. The fire zone is clear.

Mr. Guridy asked Mr. Dougherty to follow up on the permits and if they need to be posted in each unit.

Mr. Ernie Atiyeh, Allentown Presidents' Council, stated that what the gentleman is talking about as far as the landlord goes, it is part of the rental licensing and supposed to be something posted in the hallway with the manager's name, phone number and address and rules and regulations and when the garbage is to go out and a number of other things. It supposed to be inside every exit door for the apartment. The gentleman is right and that has not been follow up on.

5. Approval of Minutes: None

6. Old Business

Ms. Eichenwald stated that she is pleased to report on March 29th a week from today we will begin Spanish classes here in City Council Chambers and thirty-eight people have signed up. She invited Council and stated that Ms. Mota and Mr. Guridy are excused. She welcomed Council to join her. She will be teaching starting next Thursday at 3:45 PM – 4:30 PM in Council Chambers.

Mr. O'Connell asked where are we with the COPS program in the city. He asked for an update.

Mr. Atiyeh stated that there is no update at this time or a timeline.

Mr. O'Connell asked is there no timeline because people involved in the COPS program or the administration.

Mr. Atiyeh stated that they are working with the administration and has to finalize a few things.

Mr. Guridy stated that he will pop in to check out the Spanish classes once in a while.

7. Communications

Mr. Guridy stated that they had a Committee of the Whole this evening and had an excellent overview on the Lehigh County reassessment. Mr. Tom Muller, Director of Administration, Lehigh County was here and the Commissioner, Brad Osborne who is the chair of the Commission. Mr. Schlossberg did a wonderful job chairing that committee.

8. REPORTS FROM COMMITTEES:

Budget and Finance: Chairperson Schlossberg

The committee will be meeting on March 28th at 6:00 PM. The note the committee go over the monthly financials and has a few items on the agenda.

Public Safety: Chairperson Eichenwald

The committee will meet on April 4th at 6:30 PM. The Committee will meet before the first regularly scheduled council meeting, the first Wednesday of the month.

Community and Economic Development: Chairperson Schweyer

The Committee met on March 14 and forwarded some items on tonight's agenda; the next meeting is scheduled for April 11th at 6:00 PM – note the Committee will meet the Wednesday between the regularly scheduled council meetings along with Public Works and the times and order will be determined by the agenda items. A tour has been scheduled with Matt Tuerk to take us through the AEDC facilities and look at the Hive 4A - the entrepreneurial development initiative of the Allentown Economic Development Corporation. We have done Community and Economic Development road shows in the past and learn a little bit more what we are doing citywide.

Parks and Recreation: Chairperson Mota

The Committee has not met since the last meeting; the next meeting is scheduled for April 18th and will consist of a review of the swimming study by the consultants – all council is invited - note the committee will meet before the second regularly scheduled council meeting, the third Wednesday of the month.

Public Works: Chairperson O'Connell

The Committee met on March 14th and forwarded items on tonight's agenda for approval; the next meeting is scheduled for April 11th at 6:30 PM.

Human Resources, Administration and Appointments: Chairperson Concannon

The Committee has not met since the last Council meeting; a future meeting has not yet been scheduled but we need to for the ethics amendments.

Rules, Chambers, Intergovernmental Relations and Strategy: Chairperson Guridy

The Committee has not met since the last Council meeting; a future meeting has not yet been scheduled

OTHER COMMITTEE REPORTS

Mr. Guridy stated that he is a member of the Allentown Housing Authority and there is a meeting tomorrow morning at 9:00 AM. Council will get the minutes

Controller's Report – Mary Ellen Koval

Ms. Mary Ellen Koval stated that she does not have an official report, but in line with the budget and finance committee meeting that will be held next week and Mr. Schlossberg and members of the committee, the city closed the books of the city of February 29th for 2011 and she was assured by the finance department that we will be receiving an updated end of the year report and report on the capital in sufficient time to review for our budget and finance committee meeting.

Managing Director's Report

Mr. Fran Dougherty thanked Council for adding this and he mentioned he wanted to do this during his confirmation hearing. This is a vehicle to share information and other notable points of interest to you and our employees. Our dear friend, Don Lichtey will turn 85 years tomorrow and has 62 years with the city and should be recognized for that. The 19th Street Theatre corridor Capital Improvement Streetscape, we are looking for a May start date for the actual construction. We are going to do another drug take back program in the city and that is going to take place on Saturday, April 28th from 10:00 AM – 2:00 PM. The location will be announced. The Sacred Heart Streetscape everything has been completed except the crosswalks which will be completed in thirty days. The American Parkway Bridge, they are looking for a construction date for mid-summer. Hanover Avenue, Irving to Sherman Street section is a pedestrian safety improvements or highway diet they are putting it on, purchasing will get the RFP and the bids this week. They are looking at projected construction date in May. They received good news that the city's PennVest grant that will oversee the installation and upgrades of all water meters in the city in both residential and commercial properties has settled with the state. We are going forward to execute. He is going to look to City Council to help with a communication plan for our residents. This has to be handled very well in the front portion of this process. We have to have legal counsel about getting into some homes and he thinks they could minimize all the friction by having the right communication plan in the beginning of the process. We are asking our homeowners to allow a third party contractor to go in to their homes and upgrade their meters. The commercial properties will be done by city employees because it is a much smaller subset. The city will be prioritizing the deployment plan based on those areas they feel they have not had a knack for water meter reading.

Mr. O'Connell stated to Mr. Dougherty that these are very vital with the update reports. A lot of time from one council meeting to another a lot of things happen. Some we are aware and some we are not aware of and some the public ask and sometimes we need an answer. This is very vital to Council and the members

of the public who are here. As people come to courtesy of the floor and have a concern or complaint or issue, you have been very diligent on getting back to us from one Council meeting when they have their concerns and issue and letting us know where it is. An example is Ms. Mitchell that came several times and you took the bull by its horn with Mr. David Paulus and you got back to us and told us where it is at. We need to know, but we don't need to know everything that the administration is doing. We need to know what is happening in the city and these are vital updates. He asked about the water meter grants and if it was \$8 million. He asked if most water meters on the outside of the home.

Mr. Dougherty stated no. He stated that this is such a critical project to update the technology and the city is getting what it is due from our water services.

Mr. O'Connell stated that the city could put it in the water bill stating this is forthcoming. That could be a start to people that has a meter bill and water meter.

Ms. Eichenwald stated that she appreciates Mr. Dougherty for the opportunity and had one question about the families that were displaced because of the water main break. Are we still in contact with them and made progress.

Mr. Dougherty stated that they made major strides. He stated that the city received all permission slips filled out from all four homeowners. Mr. Paulus has been in contact with Pennoni Associates that is going to do the structural analysis. The latest with that for a credible structural analysis to be completed the basements need to be cleaned out and that burden falls on a professional and not the homeowners. There was a letter sent to each of the homeowners telling them that a professional cleanout would be necessary however, it was unclear and he will make it clear that the city will be absorbing the cost for the professional cleaner. Pennoni Engineers cannot go in there unless these places are cleaned out. Mr. Duane Tolson has reached out to various housing groups including ABC, the Conference of Churches, the Housing Association Development Corporation and he is trying to help the person with most need with her and her family which is Ms. Hodge. The mayor articulated in a meeting that we are cuspidate by so many federal rules and regulations for cooing up for federal subsidized housing, etc. Under the extraordinary circumstances is that a letter may go far from the Council and the Mayor to the various stakeholders to accommodate Ms. Hodge. We have to get the structural work done and absorbing the cost of the cleanup.

Ms. Eichenwald stated that she is pleased to hear that. These are four families in need deserving our assistance in any way possible. She is pleased that Mr. Dougherty is participating and helping them.

Mr. Schweyer asked Mr. Young and Mr. Dougherty are they still talking March or April for the 15th Street Bridge?

Mr. Young stated that they will contact Council shortly. He spoke to DEP today and they have not started a review yet.

Mr. Dougherty stated that the city is in the throes of drafting a letter that they will send to the Commonwealth and ask our state delegation for their assistance.

Mr. Schweyer asked how much delay we are assuming.

Mr. Young stated that it looks like we are at least three weeks to the start of the review.

Mr. Guridy thanked Mr. Dougherty for letting Council know what is going on in the city.

9. APPOINTMENTS:

Mark J. Buchvalt	Planning Commission	06/03/13
Sheila K. Evans	Allentown Arts Commission	01/06/14
Janet Gross	Allentown Arts Commission	01/03/16
Ilene Hochberg Wood	Allentown Arts Commission	01/03/16
Bernadette B. Kuebler	Vacant Property/Blighted Property	01/07/14
Jeffery L. Lynn, Jr.	Vacant Property/Blighted Property	01/04/13
Candida Svirzovsky	Disruptive Conduct Board	01/24/14

Mr. Schlossberg stated that he feels comfortable voting on this as a whole and will be interested in hearing from some of the individuals.

Mr. Mark Buchvalt stated that he is on the Planning Commission and has enjoyed his three years of the Planning Commission and looks forward to volunteering for another three years. He appreciates them appointing him to the Planning Commission.

Ms. Janet Gross stated that she is quite honored to be appointed to the Allentown Arts Commission. She stated that she has served on several boards and artistic ventures in the city and looks forward to helping out on a citywide basis to promote arts in Allentown. We have a dynamite Symphony Orchestra and world-class Art Museum, Art School, Community Music School, Art Theater and tremendous community theater and Civic Theater and these organizations are wonderful in itself and she would like to foster more energy. They do cooperate and she thinks we could do more to support these organizations.

Ms. Ilene Hochberg Wood seconded what Ms. Gross said to all of them and stated that it is very important to work in a group and try to create very positive experiences for our community through the arts. The arts are a wonderful asset and something that attracts people to our fine city and something that we don't want to lose. She would like to send a shout out to her late husband Bob Wood who would be immensely proud.

Ms. Sheila Evans, executive director of the Allentown Symphony and is relatively new since she moved here three years ago. She is happy to be appointed the Arts Commission. When she came here she came to the Mayor looking for help and did not get any money and she made the economic argument that Symphony Hall is really critical and a dark hall does not do much for the City of Allentown so in the three years since then we went gone from having 18 performances to having 82 performances a year. The importance of arts partnering together is that you cannot do it alone. When you start a partnership with the Arts Museum, with the Baum School, with us and the Civic Theatre and we can work together we will be successful. She thanked Council for the opportunity.

Mr. O'Connell thanked the appointees for serving on the various authorities, boards and commissions. It is vital that key people in Allentown are serving on the boards and commission and the quality of people of the boards and commissions that council has appointed over the last several years is outstanding. He thanked them for their contribution to the City of Allentown.

Ms. Schweyer thanked the appointees for their willingness to serve our sincere gratitude for your service. He stated being on the Blighted Property Review Board he had the opportunity to serve with Ms. Kuebler and Mr. Lynn and both served with extreme distinction on the Blighted Property Review Board. He stated that his is assuming everyone will support the entire slate. Bernadette and Jeff have been wonderful additions to the Blighted Property Review Board.

Ms. Eichenwald thanked them for being with Council and stated that it is you that brings honor to the city for your service. We look forward to all the good efforts that will come forward to these commissions and thank you again.

Mr. Guridy stated that he shares the same sentiments that his colleagues that we are very fortunate to have you and thank you for helping us by making the city a better place for all of us.

Mr. O'Connell made a motion that they approve all the appointees to various boards and commissions.

Ms. Mota seconded the motion.

Ms. Eichenwald stated before you vote she would suggest that they read all seven names.

Mr. Hanlon read the names and the boards and commissions.

Resolution passed, 6 – 0

Ms. Eichenald made a motion to suspend the rules and to introduce and vote on R18 appointment of four police officers.

Mr. O'Connell stated that with four people and it looks like they have four females and one minority. He is disappointed that they do not have any Allentown residents being an Allentown police officer.

Chief MacLean stated one female and one minority candidates.

Mr. Guridy asked who the minority candidate was.

Chief Maclean stated Cristina and Maurice.

Mr. O'Connell asked do they have to go through the academy or be on the list Council approved.

Chief MacLean stated that Maurice will have to go to the academy and the other three would have to go through field training under Bill 66.

Mr. Guridy asked were there any comments from the public.

Mr. Schlossberg stated that he would like to suspend the rules and vote on Resolution 18.

Mr. Guridy stated that Ms. Eichenwald did that.

Mr. Hanlon asked was it by common consent and read..... **WHEREAS**, Council appoints the following, as Patrolmen, in the Department of Police, at a base salary of \$46,856 per annum. All appointments are contingent upon the candidates receiving Police Civil Service Approval, passing physical and psychological examinations as stipulated in the Police Civil Service Rules and Regulations and obtaining and maintaining a valid state certification from the Pennsylvania Municipal Police Officers Education and Training Commission.

Ryan Murray
Breinigsville, PA

Eric Stauffer
Mertztown, PA

Cristina Villacis
Whitehall, PA

Maurice Flowers-Williams
Philadelphia, PA

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Allentown, hereby authorizes the Mayor to appoint the above, as Patrolmen, in the Department of Police.

Resolution passed, 6 – 0

Mr. Schweyer asked Chief MacLean how much funding do you have for the federally funded COPS grant.

Chief MacLean stated to the best of his recollection 11 that the police department is still working on. These four have been approved by the civil service board.

10. ORDINANCES FOR FINAL PASSAGE:

Bill 3 Volunteerism Initiative

Amending the 2012 General Fund Budget to provide for a supplemental appropriation of Five Thousand (\$5,000) Dollars from AARP's volunteerism initiative "Create the Good" to acknowledge and support overall volunteerism efforts in the City.

Mr. Schweyer stated that Bill 3 was voted on favorably at a vote of 3 – 0 and they have asked Mr. Arcelay to come and tell us a little bit about it. He stated that he feels comfortable talking for his colleagues on the committee and they were comfortable in approving the \$5000 donation from AARP's volunteerism initiative, but we wanted to learn more about the program. He thanked Mr. Dougherty and Mr. Arcelay for giving the report and circulated on the 19th. Everyone should have had the opportunity to look at it as a draft.

Mr. Guridy asked Mr. Arcelay if he would like to say anything further.

Mr. Arcelay stated that it is a very good program for the city as we move forward in engaging our constituency in a positive manner.

Mr. Schweyer asked if the gentleman that is coordinating this with the city Joshua, is he here this evening.

Mr. Arcelay stated that he was not able to come tonight; he is a volunteer and taking classes.

Ordinance passed, 6 – 0

Bill 5 Street Vacation – Arena

Providing for the vacation of N. Hall Street from Hamilton Street to Linden Street, N. Silk Street from Court Street to Linden Street, Court Street from N. Hall Street to N. 8TH Street, Edison Street from N. Hall Street to N. Boyer Street (Formerly Vacated), Howe Street from N. Hall Street to east to the dead end, in the Fourth Ward of the City of Allentown.
(Hanlon remember to advertise this.)

Mr. O'Connell stated that he will turn it over to Mr. Rich Young and then add a few comments.

Mr. Young stated that these are vacations that are needed for the construction of the arena. It is all the existence of the city streets between 7th Street, 8th Street, Hamilton Street and Linden Street.

Mr. O'Connell stated that the Public Works Committee had the meeting last Wednesday and the attorney was here Tim Siegfried and we had no objectors at the meeting. He stated that he had one suggestion that it looked like Verizon had some early concerns and UGI and their concerns were alleviated.

Mr. Young stated that what typically happens in a Street Vacation if any of the utilities have facilities in there they will object unless they come to an agreement for either an easement depending on what the situation is or relocation and in this case Verizon and PPL are relocating and UGI will no longer have need for services in those areas so they can cut it off.

Mr. O'Connell asked if the city sent the owner of the Farr Lofts a letter. He resides in New York and after 15 days he did not respond.

Mr. Young stated that is correct. Even beyond that Mr. Scott Unger, the executive director for ACIDA is here too and will confirm this. They actually have a letter from him giving authority for ACIDA to act on his behalf until the action takes place.

Mr. Chuck Smith stated that he represents ACIDA and there is copy of the letter you are referring to appointing ACIDA as an agent to Hamilton Street Associates for purposes of the application.

Mr. O'Connell stated to give that to Mr. Hanlon to make sure it goes on the record and explains what this entails.

Mr. Smith stated that ACIDA owns all the properties in the arena block, however, but for one property which is a parking area which is owned by Hamilton Street Associates and commonly thought of as the parking lot that goes with the Farr Lofts building. In order for ACIDA to present the land development application and the petition to vacate the streets which is provide for under 1915 under the Allentown City Ordinances. ACIDA was appointed as the agent of Hamilton Street Associates so they can fully represent that ACIDA is the owner of all the property on the block except for this one parcel and they are appointed as the duly appointed agents appropriate for this board.

Mr. Guridy asked about the building up closer to 7th and Hamilton is there any questions or concerns about that building and who owns that building?

Mr. Smith stated that ACIDA owns it.

Mr. Young stated that building is part of the Arena.

Mr. Smith stated that building will be integrated in the arena project.

Mr. Guridy stated that all the buildings that needed to be purchased for this arena project have been purchased.

Mr. Smith stated yes, except for this Farr Lofts building and there are on-going negotiations in regards to that.

Mr. Guridy stated that those are the only two buildings that we knew were going to stay.

Mr. Smith stated that the Dime Bank building is going to remain, but the Farr Lofts.

Mr. O'Connell stated to Mr. Unger that the Dime Bank building there is no legal issues with a certain individual.

Mr. Unger stated not relevant to this.

Mr. Smith stated that the city served an enforcement order on the property, ACIDA indicating that it is an illegal off premise sign on the side of the building. Whitehall Manor has filed an appeal for what is called an enforcement notice. If you violate zoning, then the Zoning Officer is charged with serving on you an enforcement notice and Whitehall Manor is claiming that it has a lease and there are lease rights to the interior of the Dime Bank building and by virtue of that they are claiming that they have an on premises sign and that is scheduled to go in front of the zoning hearing board and April 23rd and he will be representing ACIDA at that hearing. ACIDA clearly owns the property and that is the only wrinkle in regards to that property and should absolutely not have any legitimacy of ACIDA to present this petition to vacate these streets.

Mr. O'Connell stated thank you and he wanted to get clarification of where they are at with the whole situation.

Ms. Eichenwald stated that although this is a routine matter, the vacation of the streets, it is a really important moment because this is really only the second vote that city council has taken in regards to the arena and probably for all intention purposes will be the only vote. Even if it appears that it is obviously routine a vacation of property or streets, it is a really important moment because it is the only opportunity that we at City Council have to officially vote on the arena and she recognizes the ramifications of that.

Ordinance passed, 6 – 0

Bill 6 Penn DOT Pedestrian Safety Grant

Amending the 2012 Capital Fund Budget to provide for a supplemental appropriation of One Hundred Seventy Two Thousand Five Hundred Dollars (\$172,500) reflecting receipt from a Transportation Enhancement Grant from the Pennsylvania Department of Transportation (Penn DOT) to install pedestrian safety control along Chew Street from 23rd Street to 26th Street that runs through the campus of Muhlenberg College. The Bureau of Traffic Planning and Control is supervising and monitoring the grant.

Mr. O'Connell stated that it was in Public Works last week and Mr. Young gave us a brief overview of what this entails at Muhlenberg College.

Mr. Young stated that if they recall a month and a half ago we were here for a Resolution for the installation for flashing pedestrian warning device on Chew Street on the west of 23rd Street. When we talked about that we talked about it although we did not take official action on it at that time. This grant is to provide some pedestrian safety improvements along Chew Street between 23rd and 26th Streets. The original grants was for the flashing warning devices and he is not sure that is where it is going to flush out in the end, but some sort of pedestrian safety improvement will be the result of this. This grant is for construction and Muhlenberg College is paying for the design and the city will ultimately take over the maintenance responsibilities we will have on the flashing devices that is put in as part of the project.

Ms. Eichenwald asked Mr. Young is there a reason that Muhlenberg College won't assume the responsibility for the maintenance.

Mr. Young stated that anything in the public right away PennDot would want us to be the permit holder on that.

Ms. Eichenwald asked is it some way to ask Muhlenberg College to some way reimburse the city then and we can work it that way?

Mr. Young stated that he is a firm believer that it does not hurt to ask. He stated that he will ask.

Mr. O'Connell stated to Mr. Young that last week when this was in committee you stated tonight that you are not quite sure. One is up already. Why wouldn't the design be the same of the one they have up. It is a good design.

Mr. Young stated that because the design has not been completed yet. There is one there. Part of the problem if you put too many of them right in the row as people are going through, if a couple of them are going at one time and they blend together and you are not really sure where you need to stop or when you need to stop. More is not always better. There may be other treatments to be put in place to help with the pedestrian safety that do not require the flashing warning devices. He thinks other flashing warning devices will be there, but the original idea was to put up a total of six in that area with the one that is up being one of them. In that three block area, six flashing warning devices is a lot.

Mr. O'Connell asked if Mr. Young plan on putting the road bumps in that area. That is not an option. He asked what if we are not satisfied on what is being put up. He likes what is up now. The little rectangular things, you see it from quite a distance and if it flashing, it is flashing all the time. It would make sense that you would utilize something like that.

Mr. Young stated that another nice feature to the one that is up, you don't have to do anything. Just cross between the posts and it will automatically go off.

Mr. O'Connell stated that he trusts Mr. Young to do the right thing for the city. He wishes that they could see what is going up before they say yay or nay. We are not going to say no for pedestrian safety, but he would like to see what is going up before we vote on it, but he trusts Mr. Young to go forth.

Mr. Young stated that he can offer that once they have the design he will bring it back to Council.

Mr. O'Connell stated that is fair.

Mr. Dougherty stated that they had a meeting today on this particular issue with PennDot money, comes PennDot restrictions and PennDot with the money has given themselves a seat at the table. They are able to say to us that we could do this or we can't do that. He stated to Mr. O'Connell that he asked the same questions that Mr. O'Connell has asked. Who is setting the limits on the number of lights and what is that based on. It is PennDot that is restricting us with the number of lights that could go in at any stretch. At the end of the day, it will be Mr. Young and his engineering crew that has to come up with a suitable design that may not have these flashing lights. We have to drive that, no one else has to drive that. As long as we are in the confines of PennDot this is what we are encountering now. We have some restriction in the design of what we are trying to do out here.

Mr. Schweyer stated that it is fair to mention and thank Muhlenberg College for this and the reason why he would like to say that Deb Kidd from their development office had called his professional office, Representative Mann's office about this a year ago and they were going to apply for this money individually and instead of competing with the city on a pot of money, they got in contact with Mr. Young and they decided to work collaborative with us in order that we can move forward and not do things in a way that is pitting one area of the city against another great example as we saw on 19th Street of one of our major

institutions and the 19th Street organization and 19th Street district that came up with the plan, came up with the funding solutions and partnered with the city and said that we wanted to be part of improving our section of town and how can we work together and this is an example of us working collaboratively and in this case our nonprofit sector to make notable improvements. He stated that Mr. Young and Ms. Giguere are a big part of this as they have been with the heart of the city and he very much appreciates both of them willing to work together and bring some money back to Allentown.

Mr. Young stated that in this particular case it was the partnership that was one of the items that helped us get the grant.

Mr. Guridy stated that he feels the same way and trusts Mr. Young's judgment and asked for him to please let Council know what the final design will look like.

Mr. Young stated that when it is up he will take them through a drive by.

Mr. Guridy stated that he drops by all the time.

Ordinance passed, 6 - 0

11. ORDINANCES FOR INTRODUCTION:

Bill 11 Union Street Bridge Replacement

Referred to Public Works

Amending the 2012 Capital Fund Budget to provide for an appropriation of Five Million Seventy Thousand Dollars (\$5,070,000) reflecting a combination of 80% reimbursable federal funds, and 15% reimbursable state funds for the Construction, Construction Management and Inspection of the proposed Union Street Bridge Replacement Project. Bureau of Engineering is supervising and monitoring the funds.

Bill 12 American Parkway

Referred to Public Works

Amending the 2012 Capital Fund Budget to provide for an appropriation of Fifty-Eight Million Dollars (\$58,000,000) reflecting 100% reimbursable federal funds for the Construction, Construction Management and Inspection of the proposed American Parkway Project. Bureau of Engineering is supervising and monitoring the funds.

Bill 13 South Albert Street

Referred to Public Works

Amending the 2012 Capital Fund Budget to provide for an appropriation of Three Hundred Fifty-Five Thousand Eight Hundred Ninety-Six Dollars (\$355,896), reflecting 100% reimbursable federal funds for the Design, Construction, Construction Management and Inspection of the proposed South Albert Street Bridge Replacement Project. Bureau of Engineering is supervising and monitoring the funds.

Bill 14 Curbing and Sidewalk

Referred to Public Works

Amending the 2012 Capital Fund Budget to provide for an appropriation of Four Hundred Thousand Dollars (\$400,000) reflecting receipt of funds from property owner reimbursement to install replacement and new curbing, sidewalks, crossovers in advance of the 2012 Streets Improvement Program. The Bureau of Engineering is supervising and monitoring the funds.

Bill 15 Transfer for American Parkway

Referred to Public Works

Amending the 2012 Capital Fund Budget to provide for a transfer of funds in the amount of Three Hundred Thousand Dollars (\$300,000) from the 15th Street Bridge Project 1728 to provide local matching funds for

the American Parkway utility relocations Capital Project 1753. Bureau of Engineering is supervising and monitoring the funds.

12. CONSENT AGENDA:

CA-1 Certificates of Appropriateness for Work in the Historic District

Resolution passed, 6 – 0

13. RESOLUTIONS ON SECOND READING:

R9

Authorizes Submission of an RACP Grant for Phase II of the Butz Corporate Center

Mr. Schweyer stated that this is what we have done the course of the last couple of years. This is applying for an RACP Grant to draw down on Phase II of the Butz Corporate Center and it was recommended favorably 3 – 0 and you may see a note that they did discuss at committee that there is a movement afoot in the state legislature to reduce or eventually eliminate RACP funding including funding that has already been prescribe and the City of Allentown is in good shape. Most of our RACP money that has been prescribed to us is under contract and we feel comfortable and they do not have anything to worry about. He thanked Ms. Giguere for all her hard work on it because with her good efforts and due diligence to make sure that money is not at risk, but we do offer our assistance, he, Mr. Guridy, and Mr. Schlossberg on behalf of the committee and they will not pretend to speak for all members of Council and if there is anything that they could do in terms of communicating with our legislative delegation in the governor's office that RACP has been vital in fact for Allentown and without it many projects would not be off the ground and they are willing to say unequivocally that they support RACP and whatever you need us to do to spread that message. It passed 3 – 0.

Resolution passed, 6 – 0

R10

Authorizing the Submission of a Grant Application for the Enterprise Zone Program

Mr. Schweyer stated that it was recommended favorably 3 – 0. It was a submission for our grant application for an enterprise zone program. Mr. Salinger was here for the administration to discuss this and it was a no brainer for us. It was something that we have done every year. Mr. Salinger had called and asked if he could be excused tonight. He stated that he and Mr. Guridy felt that there was no reason why Mr. Salinger needed to be here tonight. It was approved 3 – 0.

Resolution passed, 6 – 0

14. RESOLUTIONS ON FIRST READING:

R15

Referred to Public Works

Authorizes the Administration to Enter into Agreements with PPL Renewable Energy, LLC to Continue Biogas Electricity Generation Services Provided to the City by Constructing a new Combined Heat and Power Facility on Certain City Property.

R16

Referred to Budget and Finance

Authorizes submission of a grant for the rehabilitation/construction of an educational facility at 4th and Allen Streets.

R17

Authorizes submission of \$50,000 Application to State DCEC to continue façade restoration projects in the 7th Street Main Street Program

Mr. Schweyer stated that the language was not quite ready in time to get it submitted for Council before the committee meeting, but they did discuss it at length. He stated that Ms. Hailstone was here to talk about it. He appreciated Mr. Lewnes being here and stated that Mr. Atiyeh is here. He asked Mr. Lewnes to come up and welcomed him and said it is always a pleasure to see you. They have a couple of questions since they informally recommended it 3 – 0 and can formally do it since it was not introduced yet. He hopes that they can vote on it this evening, but they had a few follow-ups questions and Mr. Schlossberg had some specifically. At this point in time, he will yield to Mr. Schlossberg if he may.

Mr. Lewnes stated that he also brought Deb Rabinsky who was in charge of the design committee on 7th Street.

Mr. Schlossberg stated that he had one question for Mr. Lewnes and it was not related to this because this is fine. Where you are in the Main Street fund cycle and have you developed a long-term stability plan. He stated that if he is not mistaken you are in the exit funding stage now.

Mr. Lewnes stated that they are in year one of a two year exit funding program. They were just at CACLV today and they are talking about NPP funding and Mr. Alan Jennings is working on a sustainability plan and they have been doing cultural events and fundraisers to help us. We increased our local match because every year you go into an exit year the fund decreases so our local match is increasing so they don't suspect that it will decrease. We are doing pretty well. He stated that retirement is not in his future, it seems.

Mr. Schweyer stated that Mr. Lewnes just mentioned NPP and asked is this part of the one we were doing before.

Mr. Lewnes stated that it is part of year 4 of a six year NPP. We are in a neighborhood partnership program called ANDA (Allentown Neighborhood Development Alliance).

Mr. Schweyer stated that is correct. This is the ANDA program with Keystone and Air Products.

Mr. Lewnes stated that it is PPL and KNBT Bank. He brought pictures of the façade program and stated that he believes everyone is aware of it. They have completed their thirty-fifth and have at least 16 lined up for this year. They are coming fast and furious because the weather has been great. We are seeing full city blocks that are coming together.

Mr. Schweyer asked about the streetscape project that Mr. Lewnes spearheaded at the beginning has just been absolutely incredible.

Mr. Lewnes stated that he can't take credit; Ms. Deb Rabinsky has worked tirelessly for it.

Ms. Eichenwald stated that it is a pleasure to welcome both of you to City Council. You are indeed our local heroes for all that you have done and she looks forward to the additional work that this will enable you to do.

Mr. Lewnes thanked Ms. Eichenwald.

Mr. Guridy echoed what Ms. Eichenwald said and stated that she said it better than he could say it. He stated that he gotten so many compliments for the Seventh Street facades and he was there yesterday getting a haircut and it is so beautiful and everything is going well, you are doing more and people really like it.

Mr. Lewnes thanked Mr. Guridy.

Ms. Deb Rabinsky stated that the blocks really start to impact and they have people chasing them up and down the streets.

Mr. Lewnes stated that he did print out some packets, before and after.

Ms. Rabinsky stated that they did great holiday lights this year. She thinks that was a strong impact.

Mr. Lewnes thanked Ernie Atiyeh, Todd Collins, Lauren Giguere, Rich Young, and everybody.

Mr. Guridy stated that he will be recusing himself from this particular Bill because he owns a property on Seventh Street.

Resolution passed, 5 – 0 (Guridy recused himself)

15. NEW BUSINESS

Mr. O'Connell stated that he has concerns about Mr. Frank Concannon. He understands and has been a friend of Mr. Concannon for about thirty or thirty-five years and Frank is going through some problems. His wife is ill and he understands all that and respects that tremendously for the grace of God, but when it is all said and done he was elected by the citizens of Allentown to serve as a City Councilmember and in his personally opinion he is not fulfilling the duties and responsibilities of a City Councilperson. He does not know what the answer is and asked if they could discuss this. He stated that he feels for Frank and feels for Rita and Marie and the family, but we already going into our fourth month without Mr. Concannon. He came to one meeting when he was sworn in and came when the Delta Thermo people were here. He came in a little late and he left. What he said to him is that he was going home and it was a long meeting and he said he was tired. He stated that he respects that, but somewhere along the lines he owes the citizens of Allentown that he will fulfill his duties and responsibilities as a City Councilperson or no, I cannot fulfill my duties and responsibilities as a City Councilperson and everybody would respect the decision that he makes, but a decision has to be made. We cannot go through April, May and June and the Budget season down the road. He is on committees such as the Budget and Finance committee and it is an extreme important committee. He is a certified public accountant; he has knowledge and ability and served the city well as a City Councilperson and as a Controller. He stated that if he were to be absent January, February, and March he would say to himself can I do it and should I do it. He asked Mr. Hanlon has he heard any dialog from Mr. Concannon lately. He stated that he has not seen Mr. Concannon since the last meeting on March 7th.

Mr. Hanlon stated no.

Ms. Eichenwald stated that it is interesting that Mr. O'Connell brought this up because she was going to do it as well. She feels strongly about Mr. Concannon. He has been a role model for her and an icon for the city. There are not many people that one could regard as a legend in his own time, but for the welfare of the work we do here and in respect of the citizens that participated in the election process, we need to at least informally come to some conclusion that we will speak to Mr. Concannon and a decision will be made.

She stated that it is Mr. Guridy's call and if he wanted to do it in a formal fashion or whether you want to poll the members of this City Council and decide on how we should proceed.

Mr. O'Connell asked what does the Charter states as far as attendance at meetings.

Mr. Guridy stated that the Charter says missing three unexcused meetings.

Mr. O'Connell stated three unexcused meetings, what determines that three consecutive unexcused meetings.

Mr. Guridy stated that for this meeting he was called and he did not answer. I asked Mr. Hanlon to call and he did not answer or did not return the call. He stated that he feels the same way Mr. O'Connell and Ms. Eichenwald do. If he comes every once in a while and does not stay for the meeting, it is definitely a concern. We can speak with him and come back with a response. He may decide that he needs to take off or he may not, but if he doesn't I will come back to you and we can decide as a whole and move forward from there.

Mr. Schlossberg stated that Mr. Guridy as president would make the call whether or not an absence was excused or unexcused.

Mr. Guridy stated that an excused absence would be if he calls and says he has a legitimate reason. He obviously has a legitimate reason, but he has not been calling or answered or called back. He feels that they should have a final conversation with him. All of us individually have talked to him and we can't go on forever with only six members.

Ms. Eichenwald stated that she does not believe a decision should be made on whether this is an excused absence or an unexcused absence. She thinks that what they should do is have a conversation with Mr. Concannon and make some kind of conclusion and not based on excused or unexcused. Let's discuss what his plans are and how he views this and how he sees this.

Mr. Guridy agreed with Ms. Eichenwald, but stated that regardless of his excused and unexcused he was going to have a conversation with him anyway.

Ms. Eichenwald asked Mr. Guridy to talk to him on behalf of Council.

Mr. Guridy stated if that is what Council wishes to do and he feels the same way. He will speak with him and give them an answer before the next Council meeting.

Mr. Schlossberg stated to Ms. Eichenwald that the only action Council could take in terms of a removal if they were three unexcused absences. They can and should talk to Mr. Concannon. He tried to reach out to him as have many or all of us on this dais. There may indeed come a point where Council is forced to take some actions and in accordance with our rules the only way they can do that is if the absence was excused or unexcused. He understands what Ms. Eichenwald was saying he does disagree with her statement. If all of them are in part to take an action it will be determined that his absences were excused or unexcused.

Ms. Eichenwald stated that she wants to make it perfectly clear; she did not recommend an action. The only thing she recommended is that Mr. Guridy has a conversation with Mr. Concannon. She never voiced an action other than it be a conversation.

Mr. Schlossberg stated that he will, indeed if they reach that point where Mr. Concannon has three unexcused absences an action is certainly a possibility. It is unfortunate and that is certainly the least desirable route, but if push comes to shoves, the residents of Allentown deserves seven members representing them full-time or as much full-time as the seven of us will be.

Ms. Mota stated that it seems as if they all have difficulties getting a hold of Mr. Concannon. She suggested that Council write him a letter.

Mr. Guridy stated that he called him several times and has gotten hold of him. He might go to his house and visit him. He has known Mr. Concannon for a really long time and they have a good relationship.

Ms. Mota asked what an unexcused absence is.

Mr. Guridy stated it is in the Charter, if you don't call or tell us why you are absent it is considered an unexcused absence.

Ms. Mota asked does it have to be three in a row.

Mr. Guridy stated three consecutives, yes.

Mr. O'Connell stated that he is also going the same route as Ms. Eichenwald, we can play excused, unexcused, hardball, softball whatever you want to term it, but he thinks they need to sit down as individuals and as ladies and gentlemen and talk to Mr. Concannon which is a very intelligent man and say, let's come to some resolve. We can rationalize this and talk to him about it and get a common consent from Mr. Concannon on what we are going to go.

Mr. Guridy stated that he talks to him and feels he could get a response from him on where we are going to go and it's say he says, look I am not resigning and he continues to not come and does not make an excuse to come, we have to take an action.

Mr. O'Connell stated let's do step one first.

16. GOOD AND WELFARE

Mr. Ernie Atiyeh asked Mr. Dougherty for the Water Meter Contract, could he request that employees get background checks since they are going into people's homes.

Mr. Young stated that they could look into that. There is a contract and he is not sure what all is in it.

Mr. Atiyeh stated that Mr. Dougherty stated that they will get the word out and we could tell people that the employees have had background checks.

Mr. Schweyer stated that they did talk about it during committee when they approved the contract. He is not sure if they mandated it, but it was part of the conversation before. They spoke at length about that and Mr. Dougherty has their thoughts on communications and about this. When PPL comes to your house and has an ID badge, but you can call PPL to see if they are actually there. Residents should have the ability to verify the person that is at their door whether it is a city hotline or with the corporation with the name and badge ID. Ultimately the people that are going to be impacting by this and all six of us are homeowners in Allentown to be able to be empowered on their own and check the validity of the person or people who are

at their door. In addition to telling them that this contractor is going to knock on your door and say the badges look like this and if you want to check their name or badge number, you can call this number.

Mr. Atiyeh stated that what he is talking about is a criminal background check.

Mr. Schweyer stated that he understands and they talked about it during the committee meeting.

17. ADJOURNED: 8:58 PM

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 Michael.Hanlon@allentownpa.gov to receive an email notice of the meetings.