

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



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

**COUNCIL MEETING MINUTES**  
**May 2, 2012**  
**COUNCIL CHAMBERS**

**Council Meeting – 7:00 PM**

- 1. Invocation: Michael Schlossberg**
- 2. Pledge to the Flag**

Mr. Guridy asked Mr. Davis to step forward so that he could be sworn into City Council.

Mr. Hanlon read the Oath of Office to Mr. Davis and he repeated it.

Mr. Guridy asked Mr. Davis if he would like to say something. He knows that Mr. Davis said something before, but has another chance to say something now as an official councilmember.

Mr. Joe Davis said as he stated before he wants to serve the City of Allentown and the residents of Allentown and will do whatever he can to fulfill the duties. He has time, energy and a desire and intends to use them in this position. He thanked the members of Council for their support in hearing his application all the way up to the vote tonight.

Mr. Schweyer stated that on behalf of his colleagues welcome Mr. Davis. He has known Mr. Davis for quite a number of years and back in the day when Mr. Davis was running Midway Manor and would be hanging out you were one of the first to step up for your neighbors. When the lawsuit happened with the Trucking Company he remembers very clearly Manny and Sandy Gleucus, your neighbors came up and told him unequivocally that if it was not for you they don't know if they would have been able to tackle what was a difficult issue and remains at times a difficult issue for your neighborhood. He stated that Mr. Davis earned this right and he looks forward to serving with him and on behalf of all of us; don't hesitate to call if we could be of any advice or help and whatever you need.

Mr. Schlossberg stated that he could see Mr. Michael D'Amore looking down upon us with a smile. He is very pleased to note that the last person who occupied on a full-time basis was Mr. D'Amore and he is glad to have a resident on the east side here again. It would have been foolish for any one of us to have voted for Mr. Davis simply because he was a resident of the east side. It would be very foolish of anyone to vote for one of us because we were Jewish, Hispanic or a woman. At the end of the day, he is assuming some of his colleagues voted for you was you have proven a lifetime of community services and decades of organizing in your neighborhood or your union. That connection in the community is something that every elected official strive for. You come into someone that has attended these meetings long before you ever seek elected office. He is proud to call him his colleague and his friend and looks forward to working with him over the next few months.

Mr. O'Connell stated to Mr. Davis welcome. You have a fine reputation, not only on the east side, but through the whole entire City of Allentown and we have to look at the entirety of the city and not one particular section. We all represent all the citizens of Allentown and not a particular section of Allentown. It

is good to have someone from the east side join our ranks. You have a fine reputation, you are a gentleman, courteous and polite and you will do fine up on this dais. He looks forward to working with him as you work for the citizens of Allentown. He again, congratulates and you will be a fine representative.

Mr. Guridy stated that during the interviews we all probably had our favorites and that is the way it is. It is human nature and nothing against anybody else. He thinks that they made the right choice and Mr. Davis will be a great addition to City Council. He is proud to serve with him as well and thinks Mr. Davis is going to do the best that the city deserves and that is what we are here for, the citizens of this city and not for our own interest or our friends' interest. Welcome again, and asked Mr. Hanlon to do the roll call.

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

#### **4. Courtesy of the Floor**

Mr. Leon Liptenwalder, 1215 Parkway South, commended City Council for putting the meeting at 7:00 PM. He appreciates it very much. He would get home before it gets cold.

Mr. Lou Hershman stated that tonight they have legislation that will be introduced and before you vote on it a second time, that per capita tax; it is a resident's tax, a five dollar tax. He stated that when he was on City Council they looked into it and Michael was involved and looking to do away with it because of the cost of collecting. There is a 10 percent discount on it if you pay ahead of time and the cost is not much. We are looking at doing away with it. He urged them to look at it again, before they vote on it. If it is not a moneymaker, why vote on it. You can make it up somewhere else in the budget. It is a resident tax. Look to see if it is worded properly because it says per capita tax and it is really a \$5 resident tax.

Ms. Paulette Hunter stated that it is great to be here today and she is here about the parking that she came a couple of years ago about where Virginia or somewhere around that area where a parking spot was assigned to a person based upon the number of parking stickers. She came here and the City Council was not sure if it was a state or city responsibility. She later found out in Bethlehem it was done that same thing and she came to them a couple weeks ago and asked if they could do the same thing in Allentown and you said that you would look into it. She is hearing that there may be some discussion on why or why not, but when she came to them it was not with the criteria that everyone with a handicapped parking would get a parking, it would have to meet a certain criteria in order to be eligible and to have that parking space. She spoke to Ms. Tamara and explained to her that her job is to carry out whatever City Council decides to do. She explained that the parking has always been a city responsibility as far as how they enforce it and what they do. She is here today because it would be criteria and not be everyone. She agrees that there are some handicap parking that people that have handicap that does not meet that criteria that she was indicating. In the military you have to have 100 percent in order to meet certain criteria.

Ms. Eichenwald stated that Ms. Hunter is correct and the solution lies in establishing a criteria. Right now, what our notes say that we have two different solicitor's opinions, but we are always bound by also what the state has to say even though the city controls the parking. Bethlehem can do it; she does not see a reason why we can't. If they work in the lines of establishing a criteria based on meeting x, y, and z that it would work in the best interest of everyone. She encouraged all of them to pursue this.

Mr. O'Connell echoed Ms. Eichenwald's comments. He stated John Marchetto, our solicitor, do we have an update on an opinion on the legal side of it from our end of it. The Allentown Parking Authority's solicitor basically given us an opinion, where are we from the city?

Mr. John Marchetto stated that there is nothing that would prohibit it. He talked to Dan McCarthy who is the Parking Authority's solicitor. It is my opinion that it is permitted and it was his opinion that wasn't and I did further research and it is not binding he did find a handicap advocacy group from Philadelphia that rendered an opinion that supported Mr. McCarthy view of the statute, but again, there is no case law on it. The Bethlehem Ordinance that's being talked about was enacted in 1988 and again, a portion of it in 1991 so knowing who is over in Bethlehem now there will be no one over there that could call 18 or 20 years after the fact of the rationale on why they did what they did and what they based it upon and there is no case law that interprets one way or another. It would be discretionary to do it, but it is not required that you do it.

Mr. O'Connell asked has their law been challenged in Bethlehem. Who holds the trump cards? What Paulette Hunter has brought up and Jeanette has second that we can set the criteria for this ordinance or bill because he said in the past meetings we don't want anyone in the whole world with a bum knee or bum leg saying I want one of those spots.

Mr. Marchetto stated that he has no idea. The city would. You don't set the criteria. The criteria for a handicap who is eligible to receive a handicap Packard is set by the state. There are set criteria in the statute that someone must meet, and their physician must certify that. You just can't go to your doctor and say that you have a bum knee and can you give me a doctor's note.

Mr. O'Connell stated that they can discuss that at another time. That given, the criteria have been met by Ms. Hunter or her son. Let's say it has, the next step would be for her to get that handicap parking spot right in front of her home.

Mr. Marchetto stated that he does not know.

Mr. Schweyer stated that he thinks they are talking two different things. What Mr. Marchetto is talking about is the criteria to get plackard, if we wanted to take it a step further.

Mr. O'Connell stated that he knows that. Step one has already been achieved. She has that or her son that. The next step would be what as Council to help her out.

Ms. Hunter stated that her son has that.

Mr. Marchetto stated that you would change the parking ordinance to allow for the designation of handicap spots based on an individual. He assumes it would be by a permitted type process and if you wanted to adopt special criteria in and above what is in the statute. He has not looked and he does know how that affects the ADA (the Americans with Disabilities Act) so that if someone else who was also handicapped and did not meet that criteria will not have a claim that they are being discriminated against.

Mr. O'Connell asked does Bethlehem have that extra criterion.

Mr. Marchetto stated Bethlehem cites the verbatim the state legislation to allow them to do that and he does not know administratively how they manage that.

Mr. O'Connell stated that he would like to see how they manage that criteria because you can open up Pandora's box. He thinks the city has 229 handicapped spots in the city. You can have thirty-five within a month or seventy. He would like to see the criteria. He asked if the city would develop that criteria as an ordinance or bill, above and beyond what the state does obviously.

Mr. Marchetto stated that would be the mechanism if you choose to do it, but the solicitor's office has not looked at the legality of establishing such criteria based on potential discrimination of the way it is administered.

Mr. O'Connell asked if the solicitor's office could look into that to see if there are any cities in the state or country that goes beyond that regular placard and have that extra criteria. Is that something that is possible?

Mr. Marchetto stated that he would not know where to start other than to put a blast out to the legal cities to see if there are any types. How does Bethlehem do it? To his understanding Bethlehem has a permitting process, some kind of numbering process, but there is nothing in their ordinance to say how it is administered or they have directed their parking authority to administer the criteria and the handing out the permits.

Ms. Hunter stated that we might be the first.

Mr. Guridy suggested to Mr. O'Connell that they could do this offline because we do not have all the information now.

Mr. O'Connell stated that he realizes that, but Ms. Hunter was here two months ago and now it will probably be another two months and she has a case that has to be addressed and we are going to say, Paulette, yet you qualify or no, you don't qualify. We have to do it. We got to make a move.

Mr. Guridy stated that they don't have the right information.

Mr. O'Connell stated that it's our job and the solicitor's job to get the right information and make a decision and he trusts what they do.

Mr. Guridy stated that you would do that as a representative or Council and the parking authority.

Mr. O'Connell stated that he is the representative, but they are talking about two edges of the sword. The parking authority does not have the call, we have call. Already their solicitor said no and he is not taking that no.

Mr. Guridy asked Mr. O'Connell to please take charge of that and let the rest of them know.

Mr. O'Connell stated that he has been and he has talked to Tamara at the last meeting. They did not have a meeting in April, they had a meeting in march. This was discussed and John stated that he talked to Dan and there are two different opinions.

Mr. Guridy asked Mr. O'Connell within a week or two would he have a conversation with John and the City of Bethlehem. He asked was it a state law and make sure that it is not a state law that would trump everything.

Mr. Marchetto stated that the state law isn't the issue. The issue is establishing different criteria for different classes of disabled individuals and whether that would violate the Americans with Disabilities Act. That would be the issue. The statute itself, both he and Dan do agree that it is discretionary. Whatever you do even putting a non-designated handicapped spot on a street block is a discretionary measure. You do not have to do that, but the only other information that he received and that he found was from an advocacy group for handicap and disabled individuals in Philadelphia that he assumes that they do it every

single day and their opinion is not binding and not a legal opinion, but they do again side on the opinion of Mr. McCarthy that it is not specifically designated for an individual, but it is just a general handicap spot. Bethlehem has one. Where they thought in the law that they were allowed to do that, he does not know. He could ask them if that is easy enough to do, but he speculates that since it has been 20 years since it has been done people that were a part of that are long gone.

Mr. O'Connell stated that it fine.

Ms. Eichenwald suggested that they follow their usual process which is that if Mr. Hanlon put together some form the way it should be done and that serves us well and then let it go to the solicitor's office to be vetted and let's act upon it. Rather than going from the solicitor backwards let's start on what we think is an appropriate ordinance or bill and have the solicitor look at it, bring it to a committee, whatever committee you feel is appropriate to handle it, let's talk about it, discuss it to the committee and let it come to the full Council.

Mr. Guridy stated that what he was going to suggest to Mr. O'Connell to develop an Ad Hoc Committee to deal with this issue.

Ms. Eichenwald stated that City Council has a lot of committees. She chairs Public Safety and we can deal with this. It appears to her to be a public safety issue.

Mr. O'Connell stated that he agrees that it is a public safety issue. We have to have criteria and that's the key. This could really spinoff. He asked if it could Ms. Eichenwald, Ms. Mota and he could meet and go from there.

Mr. Schweyer thanked Ms. Eichenwald for that and what they are trying to do is get our action items aka, our "to do list" and he asked Mr. Hanlon if he would ask for a legal service request from the solicitor's office to see if this will fall under ADA. He asked him or Ms. Whitehead to check with the League of Cities to see if anyone else has done it. Reach out to Bethlehem to see if they established a criteria and reach out to the Center for Independent Living. If we are legal allowed to do a criteria, how would that criteria might actually look. He stated that he is not an expert on those folks that suffer from a physical handicap and he is not going to pretend to and if they could get a local expert that is very well versed in the Lehigh Valley and the City of Allentown.

Mr. Dougherty stated that the administration has not taken a position on this to date. They would like to work with Tamara to work on the operational challenges associated with any proposed programs. To that end, he will have Mr. Rich Young and the traffic engineer sit down with Tamara so all of them can understand the operational impact of this action.

Mr. Guridy stated that he will send this issue to the public safety committee and asked Ms. Eichenwald as the chair of the committee to take on this issue and come back to us.

Ms. Hunter stated that a criteria should be done and she agrees. She stated that on Hamilton Street, there is a podium right outside Lehigh County and she was thinking that a lot of the businesses moved to different areas and no one knows where they moved to, if we could post in that podium area. She stated that she normally pays her bills online, but someone that helps her with her son got a boost mobile and she stated that it is great because you have the web, the internet and it is \$55. She stated that she has to go in the store and pay cash and the problem is that when you pay cash and everyone wants cash. There should be somewhere that the business can take check and credit cards. The receipts that they give you fade away after a while and she had a problem after she paid the boost mobile and she came back and

they said that she could not find the receipt and they said that she did not pay it. They did not have the paper that showed she paid it and stated that she threw it away after two weeks and she paid it within a few months. She stated that she nearly got ripped off until she found the receipt.

Mr. Schlossberg stated that it is a kiosk.

Mr. Schweyer stated that the second point of the night, the kiosk is a great idea. He asked if the administration would be so kind either Todd or Duane reach out to Glen Solt through the County facility. He stated for Ms. Hunter to call him tomorrow in his office because the other is a consumer protection issue and the attorney general's office and he will get her the contact information.

Mr. Weitzel, 2601 Fish Hatchery Road, stated that he is the current director of Parks and Recreation for the City of Allentown for another week and is here to thank them individually for their support of his leadership for parks and recreation, but more importantly your support of parks and recreation and conservation over the past five years. It has been a true pleasure working with you and enjoyed his tenure here. It was a very difficult decision to move on, but it was an offer that we just could not refuse. He stated that he loves the state of Pennsylvania. He was born and raised so moving away from the state was a very difficult decision. He thanked them for their support over the years and stated that he will miss working with each and every one of them.

Ms. Eichenwald lending her voice for gratitude to Mr. Weitzel for the wonderful stewardship of our parks. You leave behind a wonderful legacy and it is not an easy thing to accomplish to leave such a legacy of dedication and interest of our parks system. It is with regret that we accept your resignation and wish you well in your future endeavors.

Mr. Schweyer stated that Mr. Weitzel did any excellent job for what is without question our most important physical resource that we have in the city. Our parks hold a very special place in all of our parks. You did an excellent job. He stated that Mr. Weitzel listened to Council's input and has done an excellent job and we wish you all the best.

Mr. Mota stated to Mr. Weitzel that it has been a pleasure working with you in a short period of time. She stated that she looked forward to working with him and learn as much as possible about parks and recreation. She wished him the best anywhere he goes.

Mr. O'Connell asked how long has he been in Allentown.

Mr. Weitzel stated that this starts his sixth year.

Mr. O'Connell stated that he has been on the recreation commission for 20 - 25 years and those monthly meetings are hard to meet at 8:00 AM, but he has been making them. He has worked with Mr. Weitzel as parks and recreation chair for two years and summarized it by saying that you leaving the parks and recreation in a much better way than you found it and that is a true credit. You are a handworker and are represented in the community.

Mr. Schlossberg stated that one of the things that people struggle with is trying to think outside the box with new and innovative ideas and ways to serve the public. He stated that you did not tweak you overthrew and certainly ruffled a few feathers in doing so, but you leave a legacy of excellent parks and excellent playgrounds.

Mr. Guridy stated that he worked closely with Mr. Weitzel on many issues and he was very courteous and very smart individual. You are a person that cares about your job and everything you do. He feels sad to see him go. For the short time you have been here, you have gone more for the parks in the City of Allentown.

Mr. Davis stated that he did not have the good fortune to work with Mr. Weitzel, but it is beneficiary what he has done with the parks. He looks forward to taking his grandchildren in the parks and wished him the best of luck.

Mr. O'Connell asked about Sparkle Island and are they cleaning it up before Mr. Weitzel leaves. He stated that he past there tonight and those canoes and boats.

Mr. Weitzel said yes. He stated that they had the meeting last week. They are going to do the boats for Mayfair and it will be cleaned up right after Mayfair. He agrees with Mr. O'Connell that it is an eyesore.

## **5. Approval of Minutes: April 18, 2012**

Minutes approved by Common Consent.

## **6. Old Business**

None

## **7. Communications**

None

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

### Budget and Finance: Chairperson Schlossberg

Revenues are running slightly ahead of projections and the expenditures are running slightly behind our projections. At the moment we are in good shape, who knows what later months will bring. We are a ¼ through the year and so far so good. The committee met on April 25<sup>th</sup>; the next meeting is scheduled for May 23<sup>rd</sup> at 6:00 PM.

### Public Safety: Chairperson Eichenwald

The committee met this evening. They have one matter on the agenda and they received a very interesting draft proposal for EMS from Mr. Dougherty that now needs to go to the administration. At some future date they will spend some time discussing it. It is very hopeful and she commended Mr. Dougherty and everyone that worked with him to create this draft. The next meeting is scheduled for June 6<sup>th</sup>.

### Community and Economic Development: Chairperson Schweyer

The Committee has not met since the last Council meeting; the next meeting is scheduled for May 8<sup>th</sup> at 5:30 PM– we are also rescheduling the HIVE tour. He stated that he would like to do it sometime in May. The HIVE tour is very important and is a program that is run by AEDC on the S. Tenth Street location.

### Parks and Recreation: Chairperson Mota

The Committee has not met since the last meeting; but after meeting with the administration a meeting has been scheduled on Tuesday, May 8<sup>th</sup> at 6:00 PM to have the administration review the data involved in the swimming study especially in regard to issues raised at the last two public meetings and allow for public input on the finished product; the next regularly scheduled meeting is for May 16<sup>th</sup> has been canceled since we are meeting this evening.

### Public Works: Chairperson O'Connell

The Committee has not met since the last Council meeting; the next meeting is scheduled for May 16<sup>th</sup> at 6:00 PM.

### Human Resources, Administration and Appointments: No Chair

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

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**

Housing Authority – Councilperson Guridy

Mr. Guridy stated that he is happy to say that they finished Overlook Park Project that used to be a part of Hanover Acres and there they have 24 homes that were going to be developed and sold at market rate during the worst economy in our lifetime. He stated that they sold all of them and there were 26 subsidized homes and they were also sold and that says a lot to the city. We sold 51 homes in a very short time in a difficult economy. Phase II in Cumberland Gardens has started and they are under reconstruction and refurbishing in some of the units. If you have a chance to drive to Cumberland Gardens the apartments are looking a lot nicer than they were before.

### **Controller's Report**

Ms. Koval stated that she talked to Mr. Schlossberg during the Budget and Finance Committee meeting and has no further report.

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

Mr. Dougherty stated that he will start with the 250<sup>th</sup> Celebration, he has posters in the back advertising the parade festival which he encouraged Council to take with them to put in storefronts or other venues to get the word out on the parade. He also will like to give an update on the 250<sup>th</sup> schedule of events. One really good piece of news, the Trexler Trust has awarded the 250<sup>th</sup> Committee \$70,000 towards the legacy project. The legacy project is designed to expand, preserve and improve our public sculptures and art. The Berman Family pledged to donate an additional \$100,000 in outdoor sculptures. The 15<sup>th</sup> Street Bridge, a very important piece of information today from Rich Young that they have an anticipated construction date of June 1<sup>st</sup>. By construction, means the first phase of demolition. The Eighth Street Bridge, PennDot has scheduled a public meeting for May 17<sup>th</sup>. This is the announcement that went out and there is a series of two other meetings on that same day in Council Chambers to discuss the future design of the Eighth Street Bridge. It is important to note that the sub-committees that were formed in the aftermath of the many suicides on the Bridge including the Youth Suicide Prevention and General Suicide Prevention Committees will have significant input into the PennDot meeting. They had been working very diligently in compiling information and statistics in their analysis. American Parkway, the advertising for construction was delayed. We are still having negotiation difficulties with Norfolk Southern. That is not unusual for that company. They have a reputation nationwide for delaying such discussions, but we will proceed as fast as we can. Union Street Bridge bid date is now July 12<sup>th</sup> and the anticipated construction for September and October. Hanover Avenue is now being carefully advertised. It is out there. The Acting Human Resources Director is Tara Williams. We are now beginning to receive resumes for the permanent replacement. As you may recall, Mr. Guridy is the Council representative on the HR selection committee. In parks with Mr. Greg Weitzel's departure, Mr. Rich Holtzman will be the designated Parks and Recreation Director. They will begin discussions with the Trexler Trust and others in terms of the search committee and process. In the Health Department, Vicky Kistler who has been out with knee surgery is due to return next week and he is very happy to hear that. A change has also been made for the Commonwealth Secretary of Health's visit to Allentown has been changed from May 31<sup>st</sup> to June 12<sup>th</sup>. He encouraged Council to find time during that day to participate in one of the round tables that he is holding throughout the day. Tenth Street, they are finalizing a report and thanks to Councilmen Schweyer, Schlossberg and O'Connell, he thinks the trade union stands to assist in any way once we have a report to see what needs to be done to the homes. He is anticipating having that report any day now. Duane Tolson has been in constant contact as has Mr. Schweyer with Ms. Hodges and the other homeowners. City Hall security

update, Mr. Mike Hilbert has informed him that the panic alarms have been installed in Council Chambers here, and upstairs in the offices. They will be operational in one or two days, but the infrastructure has been replaced. Finally, the quality of life issues that they have been waiting for in terms of the ordinances governing litter and litter control will be introduced at the next Council session.

Mr. Guridy asked were there any questions from the dais for Mr. Dougherty.

#### **9. APPOINTMENTS:**

[Geoffrey Brace reappointment to Zoning Hearing Board.pdf](#)

Geoffrey Brace, Zoning Hearing Board Alternative, Term to Expire 11/04/2014

Mr. Guridy asked was there any comments from the public before they vote.

**Resolution passed, 7 – 0**

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

##### **BILL 16 McCafferty Donation.doc**

Amending the 2012 General Fund Budget to provide for a supplemental appropriation of Eight Hundred Fifty Dollars (\$850). This is a donation from Elizabeth McCafferty to the Police Department for police equipment.

Ms. Eichenwald stated that it was before Public Safety this evening and it was recommended favorably by a vote of 2 – 0. Chief MacLean is here to discuss that donation.

Chief MacLean stated that Gene passed away and this is his wife that gave the donation. Gene was very active with Mack Boulevard and a big supporter of the police department and his wife continued with that.

Ms. Eichenwald asked what the money will be used for.

Chief MacLean stated from their last discussion, they will put it in their canine fund to help with that fund.

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

**Ordinance passed, 7 – 0**

Mr. Schweyer stated point of order he would assume that Council will send a thank you letter to Ms. McCafferty.

Mr. Schlossberg asked Chief MacLean is the only other thing he has is the police officer appointment.

Chief MacLean stated yes.

Mr. Schlossberg asked Council to make a motion to move item Number 12 on the Consent Agenda forward.

Mr. Schweyer seconded the motion.

#### **12. CONSENT AGENDA:**

### **CA-1 Police Officer Appointments**

Andrew Holveck, Allentown PA

John Leonard, Havertown, PA

Scott Snyder, Emmaus, PA

Mr. Schlossberg asked were these regular Civil Service Officers or Bill 66 officers and where will this bring us up to.

Chief MacLean stated that the three are Bill 66 officers. He stated 207.

Mr. Schlossberg asked is the 207 actually on the street right now.

Chief MacLean stated no, that includes five in the academy who will be graduating in July and come out and go into field training.

Mr. Schlossberg stated that they have 202, not including vacation, sick or injury on the street right now.

Chief MacLean stated 199.

Ms. Mota asked how many female officers do we have.

Chief MacLean stated that he has to double check, but he thinks they have 11.

Mr. O'Connell stated that it is always good to see Chief MacLean when they have an Allentown resident joining the ranks of the Allentown Police Department.

Chief MacLean added one caveat to that stating when he was a young child he lived in that house.

Mr. Guridy asked was there any questions from the public.

### **Resolution passed, 7 – 0**

#### **Bill 23 Joint Purchasing Agreement**

AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT FOR 911 GOODS AND SERVICES WITH OTHER PARTICIPATING MUNICIPALITIES PURSUANT TO THE INTERGOVERNMENTAL COOPERATION LAW (ACT 177 OF 1996), 53 PA.C.S.A. SECTION 2301 ET. SEQ.

Mr. Schlossberg stated that this was recommended favorably by a vote of 2 – 0. The only question they had about this particular Bill is why was it even necessary given that they already engage in joint purchasing, but Mr. Hilbert as he understands that it references state legislation which is why we need a specific ordinance.

Mr. Hilbert stated correct, it references the Intergovernmental Cooperation Law of 53 and within that requires each municipality who joins the cooperative group to pass an ordinance as it was explained to him from Attorney Fruhwirth. The ordinance is protection from each municipality.

Ms. Eichenwald asked what are 911 goods and services. What would that include?

Mr. Hilbert stated that this would include any service that is required to provide 911 service or radio communications equipment. These are goods and services that are specific to the 911 industry.

Telephone, equipment that is specifically made for the 911 industry not for their normal PBX system that are placed in businesses because these goods are specific to us when we go out and procure this on our own we have little buying power with the group that has agreed to enter into this. We have more of a purchasing power if we buy similar equipment or for maintenance. We can bid our maintenance on similar equipment and get a much better price when we join together.

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

**Ordinance passed, 7 – 0**

**11. ORDINANCES FOR INTRODUCTION:**

**BILL 29 SUBDIVISION LAND DEVELOPMENT AMENDMENT**

**Referred to CEDC**

Amending Article 1375 of the Codified Ordinances of the City of Allentown entitled Land Development and Subdivision by authorizing the submission of Preliminary/Final Subdivision and Land Development Plans.

**BILL 30 ORDINANCE\_ US Conference of Mayors2012\_revised**

**Referred to CEDC**

Amending the 2012 General Fund Budget to provide for a supplemental appropriation of Thirty Six Thousand (\$36,000) Dollars from the U.S. Conference of Mayor’s Childhood Obesity Prevention Award to the Health Bureau’s Nutrition and Physical Activity Program budget. The funding will be utilized to expand and enhance the “Fruits & Veggies On the Move” initiative as a means of increasing availability and access to fresh fruits and vegetables to youth and families participating in the City’s Playground Program and other selected community events by means of a City pick-up truck decorated with large fruits and vegetable magnets/decals. The funding will also be used for other childhood obesity related outreach events or projects that promote good nutrition and physical activity.

**BILL 31 Berkheimer Delinquent Fees Finance**

**Referred to Budget and**

Amending Article 394.06 - Fees Associated with Berkheimer for the Collection of Delinquent LST and Per Capita Taxes of ACT511.

**13. RESOLUTIONS ON SECOND READING:**

**R25**

Authorizes the Mayor to revise the application for the additional Two Hundred Fifty Thousand Dollars (\$250,000) for the new total of Seven Hundred Fifty Thousand Dollars (\$750,000) in Redevelopment Assistance Capital Grant Funding to the Commonwealth of Pennsylvania for funding for the Allentown Symphony Association Project.

Mr. Schlossberg stated that this is the acceptance of RACP money as a pass through.

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

**Resolution passed, 7 – 0**

**R26**

Authorizes the Mayor to revise the application for an additional Three Hundred Seventy-five Thousand Dollars (\$375,000) for the new total of Eight Hundred and Seventy-Five Thousand Dollars (\$875,000) in

Redevelopment Assistance Capital Grant Funding to the Commonwealth of Pennsylvania for funding the Community Services for Children Safestart Project.

Mr. Schlossberg stated that he repeats what he said before.

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

**Resolution passed, 7 – 0**

Mr. Schweyer thanked Ms. Giguere for all she is doing. He stated that she is doing an excellent job keeping tabs on these and moving them forward because we are worried about losing this money. He asked was it any word on the project from AEDC.

Ms. Giguere stated that they should be receiving the paperwork. It is a process and the city should be any day.

**14. RESOLUTIONS ON FIRST READING:**

**R 29 Appointment Resolution (Per Capita Tax)**

A RESOLUTION OF THE GOVERNING BOARD OF CITY OF ALLENTOWN, LEHIGH COUNTY, PENNSYLVANIA, AUTHORIZING, EMPOWERING and directing the proper officers of the governing board to execute an agreement with Berkheimer where under Berkheimer Is Retained as the exclusive Tax Officer for the collection, administration, receipt and enforcement of the provisions of the respective tax enactment of the governing board levying and assessing the PER CAPITA tax for the term herein defined, together with such extensions as May be agreed upon, said tax enactment having been adopted under and pursuant to the authority of the Pennsylvania Local Tax Enabling Act (act 511, P.L. 1257); and approving and adopting the rules and regulations prepared by Berkheimer to administer and enforce the PER CAPITA tax.

Mr. Schlossberg stated that this was discussed and not brought on for a vote. This is the exact resolution that we passed before which essentially allows Berkheimer to collect our per capita taxes. This is standard. He asked if it is alright with Council he would like to vote on it tonight.

Mr. Guridy asked were there any comments and if they wanted to vote on it tonight. He asked was there any comments from the public.

**Resolution passed, 7 – 0**

**R 30 Confidentiality Resolution (PC)**

A RESOLUTION OF THE GOVERNING BOARD OF CITY OF ALLENTOWN, LEHIGH COUNTY, PENNSYLVANIA, AUTHORIZING, EMPOWERING and directing the proper officers of the governing board to appoint a liaison between it and Berkheimer, the duly appointed collector of the Per Capita Tax for the district, for THE express purpose of sharing confidential tax information with the district for official purposes.

Mr. Schlossberg stated that this is companion legislation to R29 and again with permission of Council he would like to move it forward to vote tonight.

Mr. Guridy asked was it common consent and was there any comments from the public.

**Resolution passed, 7 – 0**

### **R31 Aquatics Plan Review**

### **Referred to Parks and Recreation**

Supports Adoption of Swimming Towards the Future Inventory and Feasibility Study which will serve to inform Council, the Public and the Administration for future decision-making on Aquatics

Ms. Mota asked if it was possible to move it forward to vote on this tonight.

Mr. Schweyer objected to that.

Mr. O'Connell stated that no, we did not have the meeting.

Ms. Mota stated that on May 8<sup>th</sup>.

Mr. Guridy stated that you have to have the committee meeting.

### **15. NEW BUSINESS**

### **16. GOOD AND WELFARE**

Mr. O'Connell said that he wanted to say this for several meetings and stated to Mr. Schweyer that many times people come up to that podium that have concerns and issues, and he thanked Mr. Schweyer for wearing that other hat because you do have the other hat that you wear and that other hat is beneficial not only to Council, but to people that come up here that has a problem or concern that we cannot address and you direct them to the right person.

Mr. Guridy stated that they all echo it.

### **17. ADJOURNED 8:03 PM**

*Council meetings are held on the first and third Wednesday of each month beginning at 7:00 pm in Council Chambers. For copies of the agenda or meeting announcements, please visit our website at [www.allentownpa.gov](http://www.allentownpa.gov) or contact the Clerk at [Michael.Hanlon@allentownpa.gov](mailto:Michael.Hanlon@allentownpa.gov) to receive an email notice of the meetings.*