

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



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

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COUNCIL MEETING MINUTES
February 20, 2013
COUNCIL CHAMBERS
435 Hamilton Street

Council Meeting – 7:00 PM

1. Invocation: Cynthia Mota

2. Pledge to the Flag

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

4. Courtesy of the Floor

Mr. Lou Hershman, 405 N. Gilmore Street, stated that we have a newly elected state representative, Daniel McNeil. He stated to Mr. Guridy that you attended a meeting last night and as I sat through that meeting last night that was provided by the League of Women Voters and I thought to myself that you seven people sitting on the dais this evening if it wouldn't be a problem with the pension funds would you be discussing the sale of the water and sewer services this year. Would you be involved?

Mr. Guridy stated that he doesn't think so, but I wouldn't.

Mr. Hershman stated that it is a good reason for you not to even go ahead with the sale or the lease of the water services because you know as I sat there thinking and one of my problems, you can't even provide a five-year financial plan in the City of Allentown. It is a financial emergency now and you guys are rushing it because of this financial emergency. If you could come up with a financial plan for the city maybe we can address this thing without the sale of the water and sewer. We do have financial problems and we are not addressing it the proper way. Just funding the \$200 million that we are going to get and we don't even know for a few years to fund the unfunded liability. Where do we go after that? If it is only good for ten years, what do we do for the next 40 years? What do we sell next and next after that. We should put a financial plan together to see where we are going before we sell or lease the water and sewer. The Third Class City Code says that the city council is the governing body. Let's govern and keep the city from selling the water and sewer lease services.

Mr. Ken Heffentrager, 733 N. 11th Street – Tenants Association of Allentown, stated that when it comes to the city publicly putting information out there for a particular meetings. Is the newspaper the only way for could go. Forty-four thousand is the circulation. The city is 118,000 people and out of the 44,000 papers how many thousands of them are dumped in the garbage because they are not bought and picked up. How many people read the Morning Call for covering Allentown anymore? Like the ANIZDA meetings, who knows if they even exist every beginning Wednesday of the month. I didn't know. I found out today when I went to the office and the only place they have to advertise is that and I was wondering if there is any other place it could be advertised in a better light. On the city's website, I think a lot of people look at it. There are thirteen code enforcement inspectors and one just retired and as I am told he is not being replaced. Another one is due to retire in a couple of weeks and if he is not replaced that puts you down to eleven. We are down to nine. The slumlord problem is not getting any better and I understand that we can't hire anymore people. If it was already budgeted before to pay these other two guys how we could not at least replace the two guys that are retiring to at least keep the status quo. Seventy-seven thousand plus rental units and thousands of them being in disarray and not being found. We went into a couple more places this week and their

inspections are due in about a year and without a shadow of a doubt so that these people don't get thrown out in the middle of winter we have not forwarded to code enforcement yet, but we they go in there they are shutting these places down. There is no doubt in my mind they will be shut down. There will be more families out. This week alone seventeen people and another thirteen people have been put out on the streets because of slumlords. It seems to be a continuing problem. We are happy to say that we removed seven slumlords because four don't even exist in Allentown because they have been shut down, but we added another one because they had a foot of raw sewage in the basement. On the fourth floor of their building you can smell the sewage. The place is absolutely awful and another slumlord we have now figured out on and a new slumlord is the management slumlord. EC Management, most of their properties have multiple problems. The federal housing or the Allentown Housing Authority has made numerous inspections at Ninth and Chew and failed them every time. The people there are moving out. It is not even just the homeowners we got people that live outside of the city that trust people in the city to take care of things and they are not doing the right things. If somebody can find out about the code enforcement guys, I would like to see you at least replace them.

Mr. Bob Multh, Southside of Allentown, stated that it could be no mistake I have sent a letter to you and emailed it on February 11th to you headquarters here. I want to pass out copies of it. This is the first time I have been at a city council meeting and maybe I will come back again. The memo to the Allentown City Council An extremely unfair and absurd city ordinance that prevents my wife and me from getting a reverse mortgage, as owners of a twin home at 607 Dixon Street, next to the Mountain Memorial baseball field, from getting a reverse mortgage, which my wife and I have been trying to do. It also prevents my house from even being sold or even transferred to our daughter at the death of the second spouse, which would leave only one course of action: have the house completely demolished so it can't be taken over by squatters.

The Problem: About thirty years ago, we had a contractor convert our garage to a living room and, according to city records, he failed to get a permit, making the room addition illegal, according to your Building Standards and Safety Department. Now, after a reverse mortgage has been arranged by an excellent local firm, AFC Reverse Mortgage, Inc., the lender will not release the money until it receives a letter from the city informing them that the addition is a legal one. I am an Army veteran and we need this reverse mortgage.

However, after speaking twice with William Harvey of your Building Standards and Safety Department, he said there is nothing they can do about it. He said his boss, who is the director of the department, agreed that is the case. He said the contractor was responsible for getting the permit and they had no record of his doing so. In short, tough cookies. Well, there might have been a different scenario. Perhaps the contractor did in fact get a permit and somehow it wasn't recorded. Who knows. It happened so long ago.

So, unaware to my wife and me, if the contractor did cut a legal corner, we end up being punished for his actions. I can't imagine such a law exists to inflict that kind of punishment on innocent citizens. The law is supposed to go after the guilty, not the innocent. And we can't remember his name. He did do an excellent job and completed the room in one week.

A solution would be for you gentlemen to amend the law, which would cite the contractor, giving him a major fine, perhaps 25% of the total value of the contract. That would make any contractor think twice about not getting the proper permit. Or at least have a statute of limitation on it and grandfather it back to thirty years. We bought the house in 1976 and did the conversion about 4-5 years later.

I am appealing to you and your good sense and fairness to change this law, or make a special exception so my wife and I can get that reverse mortgage and so we eventually can either sell the house or have our daughter become the owner. I would like to present my case at your meeting on February 24 and answer any questions. I find out it was today. I implore you to change this law and soon, which could easily affect many more Allentown citizens for improving their homes back then. I am 77 and a veteran and we need this mortgage.

Mr. Guridy stated that your letter is very fair. He asked his colleagues if they wanted to say anything before he passes it over to the managing director.

Mr. Fran Dougherty stated that this is the first time he is hearing of the issue and I never received a copy of the letter that went to council. I will be happy to sit down. I will get the pertinent stakeholders in a room including the pertinent staff from zoning and DCED and we will explore the issue in depth.

Mr. Muth stated that a drop-dead date on this is March 26th. Our drop-dead in getting this reverse mortgage without having to start all over to FHA is March 26th. I wanted to get this in your hands as soon as I could. We appreciate your help. I used to be an advertising and publishing writer for the industry. PPL for six years and I was a speech writer for them and I graduated from Moravian College after being in the army for two years and received the GI bill. I played baseball all over. I worked for Bethlehem Steel for two years and wrote for the presidents and vice presidents over there and I thought the company was too big for me and I went to a smaller company as their advertising and publication manager instead of just a writer. I substituted at Parkland High School for nine years and sub at Lehigh from 1996 – 2005. I had the opportunity to play piano for Pat Toomey when he was running for congress back in April 2002 at the then Clarion Hotel on Ninth and Hamilton Street.

Mr. Dougherty asked if Mr. Muth's contact information is on the letter.

Mr. Schweyer stated no it is not. We have to make sure that we get it. He stated to Mr. Muth on your letter here, there is no contact information for you, if you can make sure that because we have your address.

5. Approval of Minutes: February 6, 2013

Minutes approved by Common Consent.

6. Old Business

Ms. Eichenwald stated that our last board meeting we have requested some documents from Mr. Dougherty about the vacancies, what the percentages were and how many from each department.

Mr. Dougherty stated that he believes that Ms. Bowman has submitted that to the city clerk with the format suggested by Mr. O'Connell on the percentages. I believe that was sent and I got confirmation from Deb Bowman that she sent it.

Ms. Eichenwald stated that they would look forward to receiving it.

Mr. Hanlon stated that he thinks it was sent a while ago. I will resend it. It was with the monthly financial report.

Ms. Eichenwald stated that she has a copy of it and noticed that it was 28 in the water and sewer department that would lead to about under \$1 million is salary. At some point, we should have a discussion about why so many vacancies in the water and sewer departments.

Mr. O'Connell stated that is fine. We can put that on the agenda.

Ms. Eichenwald stated and some understanding about the Sewer Rental Act works and I would like to understand a little bit about that as well. The Sewer Rental Act is the act that says we can't use any money that the sewer generates for city property and I would like to know if this \$1 million is in a fund. What happened to the \$1 million that was not expended on the employees that have not been replaced?

Mr. Schweyer thanked Mr. Dougherty and the Public Works department for rebuilding our wall in the Parkway. I saw some of those renderings. He was able to share them and Rich was able to explain to me the details from an untrained eye, it looked perfectly reasonable and Mr. Young thank you for that.

7. Communications

Mr. Guridy stated that we had an executive session this evening at 5:00 PM and the subject matter was the sale or lease of the city assets – water and sewer. He stated that we have a Proclamation as all of you know February is African American Month and Dan Basket is here and we have a Proclamation for him and we all signed it by Council and we like to ask Mr. Bosket to come up and present it to him. Council read:

WHEREAS, the Allentown City Council is proud to celebrate Black History Month by recognizing the **National Association for the Advancement of Colored People (NAACP)** for all of its efforts throughout the years; and

WHEREAS, the **National Association for the Advancement of Colored People (NAACP)** is an African-American civil rights organization formed in 1909; and

WHEREAS, the **National Association for the Advancement of Colored People (NAACP)** mission is to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate racial hatred and racial discrimination; and

WHEREAS, the **National Association for the Advancement of Colored People (NAACP)** deals with challenges facing people of color including the disenfranchisement of black people by developing possible strategies and solutions; and

WHEREAS, the **National Association for the Advancement of Colored People (NAACP)** helps to increase opportunities for securing justice in the courts, education for children, and employment opportunities; and

WHEREAS, the **National Association for the Advancement of Colored People (NAACP)** leader, legendary historian and educator Carter G. Woodson originally founded "Negro History Week" in 1926 because it coincided with the birthdays of two men who fought for freedom of American slaves: Abraham Lincoln and Frederick Douglass; and

WHEREAS, in 1976, Negro History Week was expanded to Black History Month and was recognized by the United States government; and

NOW, THEREFORE ALLENTOWN CITY COUNCIL does hereby honor the contributions of the **National Association for the Advancement of Colored People (NAACP)** and celebrate Black History Month.

Mr. Guridy stated that he would like to call Mr. Bosket who is the president of the NAACP in Allentown to receive this Proclamation. Congratulations to you and the NAACP for all your accomplishments.

Mr. Dan Bosket thanked Allentown City Council for taking the time out to recognize as being Black History Month and being a person of African American decent and color we are hoping that we could make into Black History year and then there would not be any difference and we wouldn't have just one month, it would be the whole year. The only reason that they started Black History month is because when they wrote the history books, they didn't include all the accomplishments that people of African American decent had made to the country. The idea was just to recognize those accomplishments. There have been a lot of black writers, inventors, scientists, etc. and so we wanted to create the opportunity for people to understand the contributions that the people of color made to the great country that we all live in. I just want to say thank you for taking the time out for this and would like to say that we at the NAACP try not to discriminate against anyone. We invite all to be a part and join the NAACP. In fact, we have a meeting tomorrow night at 7:00 PM at St. James. If anyone would like to attend, meetings are open to the public. Also, we take complaints from individuals who are not of African American decent and that's pretty much what we do. We are an intercessor for those who feel that there is a need to, for someone to advocate on their behalf. In many cases, people come to us before they seek legal advice because as many of you know that legal advice is rather expensive. We help people in many different situations and once again thanks to the great city and this great Allentown City Council and thanks to all of you for being here this evening to share in this, thanks again.

Mr. Guridy thanked Mr. Basket. We have two other Proclamations, one is for The United Youth Party which is a student group from the Roberto Clemente Charter School in Allentown and they have an event on May 24, 2013 at the Allentown Holiday Inn on Ninth and Hamilton. They came here before and made a presentation to Council and they actually asked for a Proclamation which is really nice to have students to do that and we have another Proclamation for the Dominican American Association of the Lehigh Valley and that is to celebrate their Dominican Independence Day which is February 27th which is a flag raising ceremony right here at City Hall. We do this for any

group or organization that would like to have a cause or like us to celebrate something or ask us to for a Proclamation. We will do a Proclamation if you ask us. We will give this to the respective groups.

8. Committee Meetings

Budget and Finance: Chairperson Schweyer

The committee has not met since the last Council meeting. The next meeting is regularly scheduled for February 27th at 6:00 PM in Chambers and our Controller has a quick report about the closeouts.

Public Safety: Chairperson Eichenwald

The committee has not met since the last Council meeting; the next meeting is scheduled for March 6th.

Community and Economic Development: Chairperson Davis

The Committee met last Wednesday and forwarded some items on tonight's agenda; the next scheduled meeting is scheduled for March 13th.

Parks and Recreation: Chairperson Mota

The Committee has not met since the last council meeting; the next meeting is scheduled for March 20th.

Public Works: Chairperson O'Connell

The Committee met last Wednesday at 6:30 and we have two items on the agenda this evening; the next meeting is scheduled for March 13th at 6:30 PM.

Human Resources, Administration and Appointments: Chairperson Glazier

The Committee has not met since the last council meeting, there are no future meetings scheduled.

Rules, Chambers, Intergovernmental Relations and Strategy: Chairperson Gurdy

The Committee has not met; a future meeting has not yet been scheduled.

Special Committee – Tax Exempt Properties – Chairperson Eichenwald

This is a new committee and we had our first committee meeting last week. The committee consists of Mr. Glazier and Mr. O'Connell, representing City Council and from the administration Deb Bowman from the finance department, and Vicky Kistler from the Health department. What we are looking at is a program called PILOT and what that stands for is Payment in Lieu of Taxes. There are many nonprofits and five especially large ones in the City of Allentown who owns vast property holdings and they are off the tax rolls and we want to begin starting a discussion in Payment in Lieu of these Real Estate Taxes. There is also another program called SILOT and that is Services in Lieu of Taxes that we will also be discussing. At the moment it will be Ms. Bowman's responsibility to determine the amount to property that are in the hands of the nonprofits and what their value is and we will continue to discuss this.

OTHER COMMITTEE REPORTS

Mr. Schweyer stated that he mentioned about the Lehigh Valley Planning Commission and he has been nominated as it turns out by the County Executive. My potential confirmation hearing is February 27th. I will keep you posted.

Mr. Gurdy stated congratulations. Hopefully, you will get it and you will be fine.

Controller's Report

Ms. Mary Ellen Koval stated for Council's information the city will officially close its books for 2012 on the last day of February and hopefully by mid-March to the end of March we should have an updated end of year report that is however pre-audit results. I am sure you are all aware that Council's audit firm Maher Duessel is currently the city's audit. The timetable for that is that they must sign off on the CAFR by June 30th of this year.

Managing Director's Report

None

9. APPOINTMENTS

Reappointments to Plumbers Examining Board

Robert Brinker, Jr
Michael Priszaznik

Terms to Expire

5/1/2017
5/1/2017

Planning Commission – Oldrich Foucek

1/1/2016

Mr. Schweyer stated that he had no objections, but are we voting on all three at the same time.

Mr. Gurdy stated that they are not here and they are well recommended by our chair. We can vote on all three. He asked were there any comments from the public on the appointments.

Resolution passed, 7 – 0

10. ORDINANCES FOR FINAL PASSAGE:

Bill 5 Traffic Control Map- Amendments to the Traffic Control Map

STOP

Florence Street at Wahneta Street a “T” intersection
Brooke Street at E. Maple Street making this a 4 way stop intersection

NO PARKING

Priscilla Street from S. Carldon Street to Pittston Street (east side only)
Honochick Drive from Ott Street to Park Blvd. (south side only)
Newton Street from College Street to Penn Street
Mitchell Avenue from 29th St SW west to the dead end at Giant parking lot)South
Emmett Street from 13th to Richland Streets
Montgomery Street from S. 4th to Jute Streets (north side)
South Bryan Street from Juniata Street to Brownstone Street
Church Street from Emaus Avenue to the South Mountain Middle School Parking lot (west side only)
Business Park Lane from Allentown Drive to Allentown Drive (400 block) the even side of the street only.

TWO HOUR PARKING

South 10th Street from Harrison Street to the Little Lehigh Creek (east side only)

SPEED LIMIT

25 MPH – East Highland Street from Airport Road to Plymouth Street
25 MPH – East Walnut Street from Carlisle to Albert Streets
25 MPH – Springwood Drive from Springhouse Road to Chew Street
25 MPH - Allen Street from Ott Street to College Heights Blvd.
25 MPH – 16th Street from Washington Street to Roth Avenue
25 MPH – Greenleaf Street from 16th to 19th Streets
25 MPH – East Tilghman Street from Irving to Fenwick Streets
25 MPH – Washington Street from 19th to 22nd Streets

Mr. O’Connell stated Bill 5 – Traffic Control Map. There are various items on the Traffic Control Map and I see Mr. Penrose, Mr. Messinger, and Mr. Young are coming up. From putting stop signs at intersections, no parking on several streets, two hour parking, speed limit parking. There were no discussions on those items. All those items were fine. When we got to the Business Park Lane, Allentown Drive to Allentown Drive (400 Block) the even side of the street only where it used to be parking on both sides, we now have parking on one side and that has become a very contentious issue. Last week, let me preference on February 6th two weeks ago the ownership of J & J luxury limousine, Denise Sam Callie came and spoke on February 6th. On February 13th, we had the Public Works meeting we had testimony from ten individuals. Obviously, J & J limousine being a business there and at least eight or nine other businesses in the Business Park Lane Territory. With that being said, obviously there are a lot of people here tonight that want to talk about the issue. My recommendation to the president is for us council to listen to the comments from the public first and then council holds their remarks until to the public are done and we could dialogue and interact with the businesses that are represented tonight. That is my recommendation to the Council president. In addition to that the administration has a recommendation from Mr. Young, Mr. Penrose, and Mr. Messinger. We want to hear the administration. I would like to hear the public first and then council’s questions and remarks from businesses at that time. If we have questions from the administration at that time we will go from there. I would like to hear the public the administration and then Council.

Mr. Glazier stated that he agrees with Mr. O'Connell, but he would like to comment that I understand how important that this issue is to the folks that here on both sides. I would like you to remind them that the comments be solely directed to the issue at hand. In the past, I have seen comments that were personal in nature and are out of order in this forum. We don't always agree, but we don't have to be disagreeable.

Mr. Guridy thanked Mr. Glazier and Mr. O'Connell your comments are well taken. He stated to the public you have three minutes to speak and those who are for the bill and those who are against the bill you don't have to alternate on it. Three minutes a person and let's keep it civil. We want to make sure we do the right thing.

Mr. Bob Kratzer, 430 Business Park Lane, stated that we had some parking and traffic issues. I would like to thank the traffic engineers for taking the time to review and study the traffic and parking issues on the 400 block of Business Park Lane. I believe they have an understanding of the problems that existed. The simple fact that the road is 35 feet wide and the city's standard road requirements are 36 wide of a roadway means that the road is a nonconforming road with a standards allowing parking on both sides still leaving adequate space for travel on the roadway. The fact alone proves that the road should not be held at the same standards in removing the parking on the one side. It is correct to solve the problem. In addition, of the problem with the small road and the J&J drivers are double parking to load and unload their own vehicles with the doors open which at times make it almost impossible to get through. The one-sided parking makes the road a much safer road and makes much easier for trucks and cars to access the businesses. J&J provides no on premise parking for their employees. This includes handicap and visitor parking. This is in direct violation of the zoning code. All site plans must show sufficient parking for employee parking. They stated that last week they have over 30 full-time employees at their 445 business address on a daily basis and where is the parking for those employees. The city street is not the answer. What is so ironic we are here talking about parking. J&J owns three properties on Business Park Lane and all three properties are used for parking other fleet cars. You cannot convince me or any other business owners that they are unable to provide parking for their employees. The rest of the 17 business owners are required to. Why J&J feels as though that these rules don't apply to them. J&J is not concerned about the safety of their employees then why the employees are left with no option to park on the city street except the off street city parking that will be a safer options. This is not a hardship case that J&J has many options. They could rearrange a parking lot to provide for necessary parking for their employees. There are two additional lots for sale within walking distance for J&J. There is a lot directly across from their office and another site two buildings down. Any one of these sites could be used for the employment off street parking.

Ms. Denise Sam Callie, 410, 445, 455 Business Park Lane, stated that she is speaking for customers, drivers and other business owners including George Sam who is in the room. She stated that they are always available to be talked to in a civilized and professional manner. She would like to start with a letter from a former driver stated Denise and John I just read an article in the local Morning Call as to the parking ban. She read letters from drivers and they asked for data regarding this matter. She stated that she labeled pictures with parking with our chauffeur vehicles on our site, showed handicapped parking. A woman works for us who has half of a foot and parks directly in front of our doors. There are other spaces for other handicapped parking. She is not sure if the gentlemen that are speaking has handicapped parking on their lots. Our neighbor who calls the city all the time just in the last year provides off street parking for his two vehicles. (That is pictures 2, 3 and 6) She went to the pictures on Allentown Drive with parking on both sides of the streets. This is in our same business park and let's talk about why the street is 34 feet wide and not 36 feet wide because the Allentown Zoning Board approved that with Attorney Laudener who was the developer of Allentown Business Park. They made the streets 34 feet wide and not 36 wide. It is not the only narrow street in town and now we are supposed to pay the penalty. There are no sidewalks in the Business Park. They want our people who are also sale vendors, people that visit us and people that come in and sale us their goods and some of our drivers who opt to park on the street they want them to walk down the middle of the street. I think I read in today's report that the Allentown city is going with this no parking on one side in a Business Park. This is not a neighborhood. This is a business park. I never heard of such a thing. It is just offensive. She recommended to the city when they have a complaint they should talk to both sides and not the complainer. Sometimes the complainer doesn't have a business and has nothing else to do, but stir up trouble. That is what has been going on. We are very busy professional and don't have time to fight city hall, but I can't let our people be subjected to this. In the past, we just ignored this, but this has gone on too long. There has been parking on both sides of street for 29 years. We provide business to a lot of people, we make a lot of money and we pay a lot of

taxes. These people need a living and we hire a diverse group and I don't think that Allentown Business Park is read for the diversity of our group.

Mr. Nabe Zudell, 753 Green Street, stated that he works for Mr. Callie and Mrs. Callie since 1998 and in 1999 as the business owned 435 on Business Park Lane there was parking spot and we used to park there. The gentleman was agreeing and yelled because we parked in front of his business. This is back since 1999. Five weeks ago, I was a bus driver and it was hard to turn the bus to the area and we backed up the bus. His son was able to see this and I am halfway top the parking lot and he pulled behind me causing trouble. A police officer told us not to park all the way down Business Park Lane and Allentown Drive because it is not safe and we walk in bad weather, cold and the last two days I have been walking and it was a car right behind me going slowly and I can't look at him and finally I found out it was a police officer and he was right behind me watching me and what I am doing. I got scared before I got to my car. Why do have to walk all the way down from Allentown Drive to Business Park Lane at midnight. We are walking at night and days. We don't have a shift to do. As a bus driver they are talking about double parking. We double park when we go to New York City and no one bothers because we have no spot to park our buses. We have to park and there are no sidewalks over there.

Mr. Ron Bauer, National Tattoo – 485 Business Park Lane (645 Williams Avenue), stated that on Monday he dropped off pictures to Council. Did you get them?

Mr. Schweyer stated yes.

Mr. Bauer stated that if you look through those and look at the sheet this is why we are arguing. They say the driveway; we have a 30 foot driveway. Picture going in on 14th – 19th and we have been dealing with that for years. Trucks cannot get in. They are near the driveway and as far as across the street it documents why a vehicle is not allowed to park there. Trucks cannot get in and out. As far as where the city put the parking, my understanding that the employers and owner agrees with the decision that the city made. As far as safety, I am the guy and goes out there when a truck can't get in, in the rain as a safety precaution I am on a forklift and you can't see backing around those trucks if you got to pallet of material. All they are asking for is to be able to run their business without any inconvenience and for us employees to be able to do such. Talking about parking, they own 465 and 485. There are ten spots that they take up. Us as employees park in our lot where the city took away the parking un-illegally parking on the left hand side you will get ten spots. Parking legally without blocking anyone driveways you get five. Three of those are possibly down where our driveway goes out. We are giving up ten spaces. We not making it personal and we are not saying it is their fault. We want trucks to be able to come in and out of our property. Maybe there are good employees here and they are not the ones doing it. As you can see in picture 14 – 19 at the end of our driveway even when it is posted that is what we deal with. On page 11, you can see where a vehicle be there. Page 2 – 7 prove that the trucks are having to drive over the curb because it is such an angle for those trucks to come in and there are other pictures proving our point. As business owners they original signed the petition and they wanted no parking. The city said to the left and at least that is something. They want no parking on that left hand side. It helps them out. It's a 50/50. People that needs the parking gets it, people that do business within the Park gets to and it is a win/win situation.

Mr. Davis asked about 5, 6 and 7.

Mr. Bauer stated that Page 5 is 495 and is our driveway. Actually where you see all those vehicles those are employees parking. Page 7 is the sewer drain where you can see. Where the city did the no parking, it did help us out. Those are your representatives that you are going to entrust to do all the other items. Those three guys are neutral in this situation. They have nothing to gain other than working for the city.

Mr. Charles Ellwood, 435 Business Park Lane – Lehigh Valley Precast, stated that he made a parking change at his property. I have a 50 foot front and I had enough out from for a neighbor and two legal parking spaces. It got to a point that we will come there and there will be three vehicles parked consistently. We had trouble getting trucks in. It drove me to the point to tear up the grass and get the permits from the city, remove the grass and put parking in front. I have parking for five vehicles and the accounting practice in the front they have parking. Prior to that in 1995, I put concrete on the side. There has been parking for six cars since 1995 on the side so the building had parking

since its inception including a handicapped spot. People and employees walking in the street and I employ a man that uses the local mass transportation. He gets dropped off on Allentown Drive and he walks up and he has to walk up the traffic lanes like everybody else. He is happy now since the temporary signs are put up. The man walks to gutter on the no parking side of the street and it feels a lot safer. My deliveries are much easier and everybody that comes in the neighborhood we had people come in and truck drivers and say thank you. It makes it much easier getting in and out. Across the street my fellow businesspeople over there and yesterday we had the occasion to see a tractor trailer pull on the street where MBI has parking in front of their building like I put in. The guy came out and made his delivery and the delivery was for J&J and his people came out and the man from Ward and Ward did not back up in the driveway he was instructed to drive in the driveway in the neighbors across the street and back straight in. What is temporary is working for everybody.

Mr. Caas Hideed, 1879 Georgia Drive –Whitehall, stated that recently I got two tickets in front of J&J. For 15 years I worked for that company and never got stopped and no one ever asked me a question and suddenly I get two tickets \$100 each. I go everywhere. We go to New York, Boston, South Carolina and Myrtle Beach and people stop me and ask me where your company from. I don't tell them I am from Orange County or Harrisburg. I say I am from Allentown and we try to paint a really nice picture for Allentown. We are hardworking people. I can speak for most drivers here. We just work and try to support our families. I like to thank John and Denise Callie for providing an opportunity for us to work. Through the 15 years I see people ex-police officers, state troopers, retired teachers and everybody comes to J&J and J&J never turn them away. Always give people a chance to work and make money and have a decent living. I don't think this country needs more people on welfare so I want to thank J&J for providing work for us. For the drivers, the parking issue becomes a very important issue for us. Imagine if I get this every day or every two weeks. What will happen between me and my family? We need our parking back. We ask you to get our parking back. If I drive big buses in New York City in Chinatown, Canal Street, or Mulberry Street and if you can fit a bus there you can fit it anywhere. Tractor Trailers is not the issue where the problem with the turn. You can fit a Tractor Trailer in a very small narrow street, but you can't turn it and it is the same with a bus. If these people are talking about the problem the real situation of the problem is with the landowners. Tractor Trailer cannot make their deliveries. It is because their driveways are too small. It is not the issue or I can fit a bus or tractor trailer on the street, but you can't turn it. In order for tractor trailers to go in, they need to make the driveways wider.

Mr. Alan Lipwack, 2190 Hickory Lane, stated that he was born and raised in Allentown and his family had a company on Railroad and Gordon across from the Neuweiler Brewery for over 30 years. We dealt with issues of Tractor Trailers and that is mostly residential, but we dealt with it nothing like this. I don't know that you realize what we drivers do and the responsibility and the liability and safety that we have to do for our passengers. We work with nonprofit organizations. I set up a program for the Jewish Community Center on 22nd and Tilghman and they are affiliated with the Jewish Day School on 23rd and Pennsylvania. We have a shuttle at cost to transport those students from the Jewish Day School to the JCC for daycare and we do it for next to nothing because I am involved in it. I also take a lot of people and our state representative Charles Dent and his wife I take up to Penn State with a bus to see their daughter, Judge Steinberg and his wife will only use us and myself as their drivers. That is responsibility. When we take people into New York by bus, the issue that I have is when I come back on a 10 or 12 hour day and we get to our cars and one thing we have to do is walk all the way down the block and the liability for us personally. It is dark. We are big boys and we do it, but we are asking to think about us too. This is our job and the responsibility and liability to our passengers. We were in Washington for the inauguration, all of us and we did that. That is a tough trip and a long trip. When we come home, we want to be able to get to our cars, go home and see our family and relax. This thing is Ludacris. I never dealt with it at railroad and Gordon and that was a lot tougher with tractor trailers. I drove tractor trailers.

Mr. Tim Wagner – Wagner and Sons Machine Shop, 420 Business Park Lane (750 Evergreen Road- Leighton), stated that he has two letters from a vendor and customer of his who have complained about the accessibility of the tractor trailers getting up and down the road. It is not their drivability to get up and down the road with the cars parked on both sides. It is the ability to safely get up and down the road with cars parked on both sides. Cars cannot pass with the tractor trailers coming down the road and a car comes out there is no way for the tractor trailer of the car to go. The car usually has to duck into an open spot which is somebody's personal driveway. It comes down to an issue. If we are worried about walking up and down the road maybe we should drive our cars down and park the car in the parking lot where we get the car from. Pull your limo out and park the other one in. It is a safety

issue. I am one of the original owners of the Business Park and I was the first building put up. My problem that we cannot find is that in the original deeds of the building there were supposed to be no parking on the road, period. It is zoned industrial and the lawyer who had sold the property had this written in the deeds of each building, but as buildings are sold these little items are forgotten. You can tell by my building and my neighbors building are the only two buildings in the Industrial Park until the bank came along with peaked roofs. This was also a stipulation into buying a property along this industrial park. It is an industrial park therefore, tractor trailers come in and out and I receive at least two to three tractor trailers a day that come into my business. It is a safety issue. It is not a problem getting up and down the road; it is getting up and down the road safety.

Mr. Deborah Ceshall, 7 S. Front Street – Coplay, stated that she wants to talk about a ticket she received. I was going down the street turning around and picking my husband up at work on 5 Business Park Lane and did not even have the car in park. I was just stopping and somebody pulls up behind me and I said why are they not going around me I don't even have the car in park. I am just sitting there for two seconds so I put the car in park and started to get out and the Parking Authority is there giving me a ticket and I said what are you giving me a ticket for and she said double parking and I said, but I was not even double parking I did not even have my car in park. How could that possibly be double parking if the car isn't parked. She said that I should have left when she pulled up. I said that I am not from Allentown and I didn't even know there was a Parking Authority. I saw you not going around me and I was getting out to see if there was a problem and she said that I could also give you a ticket for lazy double parking which is \$150 and I said that I wasn't even double parked and I did not have my vehicle in park when you crept behind me. She saw me pulling up to slow down and she came up behind me and gave me a ticket. To me that seem a little like harassment because I didn't even have the car in park yet and she was giving me a ticket. We need the parking on both sides and the drivers said that they only took six to eight spaces away took all the way at the stop sign and all the way to the left side. That's more than six to eight spaces. From bottom of the hill all the way down to where the bank is at least 20 spaces that they took away. We have how many drivers, full-time and part-time. Those drivers even if they pull where a vehicle is a lot of them go to the lower lot take their vehicles on the street and now they took the second side of the street down there and they can't even park their vehicles there. It is just a safety issue for the drivers and if they have to walk that far especially most nights, and I work nights I have 40 – 50 drivers going out in the middle of the night because they have to walk up the street. It is very dark and very dangerous.

Mr. Mansour Farah, 118 5th Street – Whitehall, stated that he wants to tell them about the tickets he has. One day I saw a lady giving out a ticket on the right side and I asked her can I park to the left side and she said I can park to the left side unless you don't block anything. I parked my car to the end of the street and have to walk five minutes to go back to J&J then when I come back at night I found the ticket which I parked on the legal side. A couple people told me the same thing and I have the receipt for the ticket. I paid the ticket. I asked her can I park there and she said yes, you can park unless you don't block anything and when I came back at night I found the ticket in my car.

Mr. John Rabih, 339 Oakwood Drive – Whitehall, stated that I just would like to repeat what everyone else said. The owner of the machine shop was talking earlier and he mentioned about bringing all the employees with him. It is not the employees that Mr. John Callie and Denise Callie are not bringing their employees with them. We are J&J. We are here to fight for this because we want a parking spot. All the drivers they have the same issue of parking all the way down the street and come back in the middle of the night and walking up the hill in the snow, in the rain and bad weather. We are J&J. We present J&J each one of us here. It is not only the owners.'

Mr. O'Connell asked the administration to give us a little history of how long has it been parking on both sides, when did you have a concern and what you did to address the concern?

Mr. Dougherty stated between last week and today we all received all received an education of what is transpiring on Business Park Lane. I think collectively we learned that this is not a cut and dry issue or issue that is associated with tonight. We value all the businesses in the city and value every business on Business Park Lane. The administration believes that what Traffic Engineering recommended represents the best compromise that we could think of to accommodate 1. Preserving most of the parking on Business Park Lane; 2. Providing the other businesses space they need for their tractor trailers and I think we have received some evidence tonight that it seems to be working for their logistics and rather than alienating or attempting to alienate one business over another we still

think this compromise represents the best solution before you tonight. One action item that I added since our committee meeting I asked Darryl Hendricks in the Police Department to evaluate the situation for us in addition of what we learned from Traffic Engineering. I want to first begin with Captain Darryl Hendricks and brief Council on his findings then hand it over to Rich, Craig and then to Ron.

Captain Hendricks stated that in the past week I had one of my traffic officers as well as myself has visited the location on several occasions. I think that the most important thing to keep in mind is that the compromise that was made is probably the safest alternative. I think it is the most important thing to consider by disallowing parking on one side and I think it increased the safety of everybody walking as well as the motoring public that utilizes that roadway. Quite frankly, to allow parking on both sides you will decrease the safety of those drivers as they walk to their vehicles. There will still be a distance from the company and instead of having an open area on the south side of the roadway they will now be additional conflict because they will now be walking in the middle of the road nonetheless or towards the sides except you will have two lanes of parking and it will be more difficult for them to walk. The most important thing is the safety of the people in the area including the motoring public. It is a narrow street and quite frankly a tractor trailer and a car will have difficulty maneuvering around the roadway and much difficulty accessing the driveways in the area.

Mr. O'Connell asked Captain Hendricks about the accidents on Business Park Lane and Allentown Drive.

Captain Hendricks stated that his investigation in the last three years it has been a single accident reported to us and that was a vehicle that was sideswiped. Quite frankly, the vehicle was not on scene. We did take a report of that and it was somewhat minor in nature.

Mr. O'Connell stated that was on Business Park Lane, not Allentown Drive.

Captain Hendricks stated that is correct.

Mr. O'Connell stated no accidents on Allentown Drive.

Captain Hendricks stated not to my knowledge, no sir.

Mr. O'Connell said that Mr. Wagner stated that it is a safety issue and a safety issue gives me many thoughts with walking, cars and speed. As a Captain with the Allentown Police Department address the safety issue. You said it is a lot safer now for the pedestrians walking to and from their businesses.

Captain Hendricks said as I stated to allow parking on both sides you create more conflict then the pedestrians will be walking and they won't have a buffer. They can walk now on the side of the road. There is no sidewalk there and they will be walking on the berm of the roadway on the south side of the road.

Mr. O'Connell asked the speed limit on Business Park Lane.

Captain Hendricks stated 35.

Mr. O'Connell stated that in itself is a high rate of speed, 35 miles per hour for a business development.

Captain Hendricks stated that anywhere in an urban area that it is not posted, that is the speed limit.

Mr. O'Connell stated that being that it is not posted; it is 35 miles per hour. We are looking at Bill 5 and eight where we put the speed limit at 25 miles per hour, correct.

Mr. Young stated correct. The ones that are on the Bill 5 are all within residential areas which the state law allows the municipality to post a residential area at 25 without doing a speed study. This not being a residential area before allowing it to be posted at 35 or anything below 35 would require a speed study which we have not performed one in this area, yet.

Mr. O'Connell asked would it be wise to perform one because 35 miles per hour coming up on the hill and around the bin seems to be pretty fast to me and there is a daycare up the street.

Mr. Young stated that they can do one for both Allentown Drive and Business Park Lane.

Mr. O'Connell stated that would make sense because Allentown Drive will be 35 miles. He stated that is all he has for Captain Hendricks and I appreciate him coming out tonight and answering those questions.

Mr. Davis asked about the accidents in the past four years. Was that vehicle accidents and is there a record of personal injuries or pedestrian incidents.

Captain Hendricks stated no there is not and we would have a record of it if it was reported to us which I hope it would have been. He stated accidents in that area no. Even though the speed limit is 35 miles there motorists are probably doing far lower than that because of the nature of the roadway.

Mr. O'Connell stated that they will do a speed traffic study and get the results of that. I think that is crucial.

Mr. Schweyer stated that on the speed study educate me a little bit. He stated to Ron Penrose that he though he left and thanked him for taking time out of his personal time to do this. Is the entire Business Park in the city or is there a portion of it in Hanover Township.

Mr. Young stated that most of the buildings are in the City of Allentown. The boundary line does cut across the rear of some of the properties.

Mr. Schweyer stated that is what I thought. None of the roads necessarily travel through.

Mr. Young stated none of the roads travel through Hanover Township.

Mr. Schweyer stated that he was concerned because if they did you will have to get another municipality involved and we don't want half of the Business Park to be potentially 25 miles.

Mr. Young stated that he believes as he recalls correctly all the buildings themselves are in the City of Allentown. It is the rear portion of some of the properties.

Mr. Schweyer stated that I am not part of the committee and I was unable to stick around for that meeting so I apologize. He asked Mr. Young a little history on no parking, versus half parking, versus some parking versus occasional parking. What has been there? We heard about a potential deed restriction, but that is not part of our zoning map or part of anything or the traffic control map. That is not any of that. What have been the rules for the x number of years at the Business Park? The rule of city law, historically.

Mr. Young stated that there was parking permitted on both sides. Back in November 2012, when we received the petitions that is when we went out and did an evaluation and in our opinion even though the request was for the elimination of parking on both sides we thought a good compromise was the elimination of parking on one side.

Mr. Schweyer asked if there is a LANTA stop on Allentown Drive.

Mr. Young stated that there is one at Allentown Drive right at the corner, the eastern one.

Mr. Schweyer stated that he remembers seeing a sign and forgot what street it was on.

Mr. Young stated that he believes that the bus probably comes up on Dauphin Street and Allentown Drive up to Business Park Lane and then turns right on Business Park Lane.

Mr. O'Connell stated that he goes back to Mr. Messinger, Mr. Young and Mr. Penrose the street is 34 feet wide and Allentown Drive is 36 feet wide. He stated 34 is Business Park Lane and we talked about this last week and Allentown Drive is 36.

Mr. Young stated that they are both 34.

Mr. O'Connell stated that they are both 34. I thought I heard last week that Allentown Drive is 36. They are both 34 and where do they get 36 from, help me out.

Mr. Davis stated that he made a mistake. Then it was straightened out at the meeting that the whole Park was 34.

Mr. O'Connell asked why no sidewalks. We are talking about safety. Safety is sidewalks. I won't want somebody to walk down Allen Street from 19th out to 27th. Why no sidewalks. It predates you.

Mr. Young stated that he doesn't know.

Mr. Guridy asked if we have a lot in Allentown aren't the owners responsible for their own sidewalks.

Mr. Young stated yes. Any property-owners in the City of Allentown are responsible for installation of sidewalk. If we were to install sidewalks each of the property owners would have to pay to put the sidewalk in.

Mr. O'Connell stated that there are places in Allentown where you don't need sidewalks.

Mr. Schweyer stated that there is a house on S. 11th Street that doesn't have a sidewalk.

Mr. O'Connell stated that it goes by the majority of the feet or the length of the block when you talk about sidewalks.

Mr. Young stated that is correct. Typically, when we do a street if more than half the street has sidewalk we require the rest of the property owners to install sidewalks.

Mr. Guridy stated that it is the responsibility of the property owners.

Mr. O'Connell stated that he understands that. It would cost a fortune over there. Tell me a little bit about off street parking and what is required by businesses and what is mandated and the combination of both. Many businesses said they have off street parking.

Mr. Young stated that the zoning ordinance covers the parking requirements. It depends on the type of zone you are in and the type of use that you have will determine how much parking is required. It is based on the size of the building. Some uses have the number of employees, if it is a restaurant it's the number of seating spaces and then a percentage of that (this is governed by federal law) requires it to be ADA accessible.

Mr. O'Connell asked if J&J required to have off street parking.

Mr. Young stated that it is his understanding that when the property was originally built a permit was issued. They have far outgrown that size with the number of employees. When that building was built in 1996 according to our zoning records, they needed 11 parking spaces and five spaces for mini buses because that was operating out there at that time.

Ms. Callie stated that they have two lots. They just don't have one.

Mr. Guridy stated that we don't allow debates between people and council, but just to clarify that. You said 11 parking spaces, Rich.

Mr. Young stated when it was originally built.

Mr. Guridy stated 11 parking spaces, plus five for the mini buses.

Mr. O'Connell asked was it recommended or mandated.

Mr. Young stated that at that time it was mandated.

Mr. O'Connell stated in 1996 and in this time.

Mr. Young stated that he does not know zoning is outside his department.

Mr. O'Connell stated that we did ask about zoning last week. Did zoning check on this?

Mr. Young stated that he does not know.

Mr. O'Connell stated that in 1996, they required 11 parking spaces and five mini buses and in 2013, you don't know.

Ms. Eichenwald stated that Mr. Kratzer has a copy of something.

Mr. O'Connell stated that if you want to submit that to Mr. Hanlon and then Mr. Hanlon can read it to Council. This is a copy of what, sir.

Mr. Kratzer stated your ordinance.

Mr. O'Connell asked Mr. Hanlon to read that for us.

Mr. Hanlon stated that he is just reading a phrase in here.

Mr. O'Connell stated let's get a solicitor's opinion.

Mr. Marchetto stated that without a full zoning analysis it would be unfair to take things out. It may be accurate, it may apply, and it may not apply. If you need a zoning review, you should have a full zoning review by the zoning department.

Mr. O'Connell stated that it is fair. Thank you, Mr. Marchetto.

Mr. Guridy asked Mr. Young in regarding to parking, Mr. O'Connell alluded to it and you were saying that every business has to have a certain amount of parking per employees.

Mr. Young stated that some of them do have an employee requirement, not all of them. There are some uses that are based on the size of the building, some uses as I use as an example of a restaurant is based on a number of seats available. It depends on the use of what is required on the parking.

Mr. Schweyer stated that he worked on the Zoning Hearing Board a few years and it also depends on the zone they are in and what properties. This is zoned as I-2 and I was just pulling up quickly on my phone. Mr. Marchetto is right, to have a thorough examination of not only the zone is in, what the uses are and any agreement if it had to go as far as the zoning hearing board. What any agreement that was created is a lengthy process of going back and letting Joan and Barbara do their magic to find out what the presumes that would be for these properties.

Mr. Guridy stated that it is fair to say. They are zoned and there are different types of zones in the city.

Mr. Marchetto stated that the zoning issues will have the jurisdiction of the zoning hearing board to handle any issues. That would not be for Council to decide.

Mr. Guridy stated that he just wanted to get information since it was mentioned several times.

Ms. Guridy stated that he would like to bring Ms. Dolan.

Mr. O'Connell stated that Tamara Dolan is the executive director of the Allentown Parking Authority and on February 6th and February 13th we had a Public Works Committee meeting and I don't want to sound callus to the people that got tickets, but we are talking about two separate issues here. The traffic control map is approved by Council. They enforce it, they don't create it. My wife got a \$15 ticket the other day from the Parking Authority in front of a school and you go down and pay it and you gripe a little bit, but, you go down and suck it up and pay it. You get a \$100 ticket or \$200 ticket that hurts the pocket. These are two separate issues. We are talking about Bill 5 – Traffic Control Map and then the enforcement of it. If the Allentown Parking Authority is spending four, five, or six hours over there then I personally got a problem with that, but I know that is not true so verify that.

Ms. Dolan stated that she wishes that they could spend four hours on the east side in the course of a day. We simple don't have the staff to dedicate four hours to any one area at all. It is just not possible. I pulled a report this morning because I heard we were doing targeting enforcement there and I pulled the report this morning and the last ticket we issued on Business Park Lane was more than two weeks ago so if we are doing targeting enforcement, which I am not aware of it worked because if we are even there anymore there are no more illegal parking because we haven't issued any tickets.

Mr. O'Connell thanked Ms. Dolan for coming.

Mr. Guridy stated that he wanted to bring Ms. Dolan because he heard certain things that were said and he wanted to make sure that we are fair to every area of the city. He asked Ms. Dolan if she wanted to clarify anything that was said.

Ms. Dolan stated that she thinks Mr. O'Connell did a good job of it. The job we do and our folks do is not a pretty one and there is not one that anywhere in this room or anywhere appreciates a whole lot. We understand that, but simply what we do is enforce the ordinances of the city. We don't have input to them and we don't judge them. We simply enforce the ordinances as they are written. Some are easier to enforce then others are, but when you get a street that is posted no parking in a fairly recent manner that is going to lead to some complaints by other customers because they are going to notice some cars parked there and they are going to call the comm. center and we are going to be dispatched. Once we are dispatched to a certain area on a regular basis that is when you notice other activities: bad inspections, bad registrations and double parking. While it is said that we are doing some targeting enforcement in this area I can tell you unequivocally that is not true, but we have received several comm. center complaints to the 400 block of Business Park Lane late last year and early this year and we responded appropriately.

Mr. Guridy stated that he wants Ms. Doan to clarify something for him. He stated that he drives in the city a lot and heard somebody said something that he personally felt that was discomfoting and that was the issue and he is not saying it is true or not true, but he heard it and wants to make sure that it doesn't happen to me, my wife or my family or anybody else. That was in regards to driving slowly and parking behind you and giving you a ticket and double parking. How can you clarify how that works?

Ms. Dolan stated that the legal definition of double parking is that you don't have to have your vehicle in parked. You must be stopped in a lane ordinarily used for traffic. She stated stopped in a lane ordinarily used for traffic, not parked in a lane. If you are doing that to drop somebody off, if you are doing that for whatever reason. If that is the case, that is the classic definition of double parking and yes, we must give a ticket for that and we must take a picture of every infraction. We make sure when a customer come in and dispute the ticket we share with them the photos if they like to see them so that if they take the ticket to the magistrate they will have their evidence and we will have ours. We make sure particularly because it is a fairly substantial fine and we make sure that we document each and every one of these. Can we pull up behind you and see you stopped and not parked and issue you a ticket absolutely. In fact, most of our double parked tickets are issued in the mail because once a person sees us writing a ticket then they either park or they leave.

Mr. Gurdy stated that is the classic double parking. He stated that he is one of the people that voted to enact that law and I am happy that we have it. It is for safety and I see a lot of it more in center city than outside of center city. It is a safety issue especially when it is a big avenue like Seventh Street and someone trying to beat the light and someone is doubled parked. It is bad and it's illegal.

Mr. O'Connell stated that my final comment is when we heard this on February 6th and tonight we had a lot of testimonies almost similar. This is a very contentious issue and obviously we value all the businesses in Allentown as Mr. Dougherty said. We don't want to lose businesses from Allentown to go somewhere else. We are trying to get businesses to move to Allentown with our economic development. I also speak personally and really feel that this is an issue that should not come to City Council. We look at the traffic control map and it's our job and responsibility to do this, but I wish somehow the businesses could have sat down and form a business association or a partnership that they have in other industrial parks. Sit at the table, work it out, gripe and moan, conflict resolution, peer remediation, and then if you cannot come to resolve then maybe go forth. You can see this issue over time cropping up quite a bit in the future in Allentown at various locations. I wish that there would have been a meeting with the city and all the players and all the stakeholders with the business people and our people. This is a tough one. I long was the parking on both sides there. I heard 25 years, why now. You had a concern, you got a petition, you got a review and you made a recommendation. He stated a total respect for Mr. Penrose, Mr. Young and Mr. Messinger. I wish that it could have been a better way to resolve this issue before it comes in front of us.

Mr. Davis stated that his number one concern was the safety and the fact that the employees have to park so far away. I went over there one time and had to park at Allentown Drive and it's not a close walk and it was snowing that day so I had problems with it. I have a problem with not having enough adequate off street parking for the employees. I am not saying whose fault it is, but it is a major concern to the employers and employee safety. Could something could have been worked out by providing off street parking for the employees. It is not parking on one side only on Allentown Drive where they have double parking on the same side of the street. I realize with the traffic and trucks, but there are trucks on Allentown Drive too. It would seem that they would have the same problem there. Why wasn't that put through the whole industrial park instead of that one spot. It might be a really logical question and I don't know the answer to it, but I can't come up with it. The safety issues, if there is only one accident in the past four years and no personal injuries would not really rank up there with a high concern of mines. Evidently, no matter how bad it is with parking on both sides and trucks going there with 35 miles an hour speed limits I could never go that fast, but if say it happens. Safety wouldn't be a high concern of mines. The main thing is the off street parking. I applaud Mr. O'Connell for saying why the various companies couldn't get together and come up with this to avoid these personal attacks. I realized that most of the other businesses if not all have off street parking. They are compliant with it from what I seen. It is there for them, but they don't have the amount of employees that you have in that spot. The way it is right now are major concerns that have not been answered.

Mr. Schweyer stated that a point of information that we are proposed to vote on the entire traffic control maps and therefore there are other issues. I have a few questions for the administration for the sake of understanding that we are talking about one particular line item in the entire Bill and I would like to make an assumption that we reserve the right to ask the administration about other questions about the speed limit and the parking. I am going to be making a motion, but prior to making my motion to amend this, I am a solid 50 percent sure that this is actually not a parking control map; this is rather a zoning issue. I think what we have talked about before is really as we look at the mechanics of the city: we have zoning, code enforcement, and parking. We have all this stuff and so I want to look at it from the perspective of parking on this Business Park, not is one company taking advantage of legal on street parking or is the use of that parking affecting other businesses. That is different. I think that is a zoning issue, not necessarily a parking control issue, not saying it can't be addressed or it shouldn't be addressed. It is just, where is the appropriate place to address that. We do a parking control map on a regular basis and I don't want to necessarily hold up a number of these changes. The overwhelming majority seems absolutely reasonable and appropriate and for the sake of us not knowing is this is a zoning issue or parking control map issue. We just heard from our solicitor that this may be a zoning issue. My own experience with the zoning hearing board says that it is a good chance it is, but we don't know and I don't want to hold up the entire parking control map for it. We also know that the other major street in Allentown Drive in this Business Park is the same width and you can argue that it is not. They have parking on both sides despite the fact that there is a pretty busy daycare and when Mr. Dougherty you and I drive through the neighborhood we saw it was pretty kind of ugly by that daycare, but on Business Park Drive

there was one reported accident in four years. Maybe people need to call the police department more. I don't necessarily agree with the safety issue per se. I want to make a motion and if anybody chooses to second to remove that line which would restore it to parking on both sides if we remove that line item from the parking control map and it defaults to what it was at least until we have the opportunity to review it as a zoning or not. He made a motion to remove the line item that creates no parking on the even side of Business Park Lane and restore it back to parking on both sides until we have an opinion from Mr. Hefele and if there was some kind of zoning issue about this that could address it.

Ms. Eichenwald seconded the motion.

Mr. Guridy asked if there is any discussion on the motion.

Mr. Young stated that I would have a question right now it is posted. Does it stay posted until the decision?

Mr. Schweyer stated that he would say no. It has been posted for three months now.

Mr. O'Connell stated not yet. On March 18th it will be three months.

Mr. Young state that it is good for 90 days.

Mr. Schweyer stated that he would still remove them and go back to parking on both sides until we have the conversation.

Mr. Marchetto stated that it will be the administration's prerogative. For 90 days the administration does what they need to do and after that it would need Council's approval to remain in effect.

Mr. O'Connell stated to Mr. Schweyer that you would like all of Bill 5 and making an amendment.

Mr. Schweyer stated that he is only making an amendment on Business Park Lane.

Mr. O'Connell stated that if you make that amendment and that amendment passes then we can vote on the entire Bill 5 in its entirety and then we could go forth and review it after March 18th. We will leave it up until March 18th is that what you are saying and then we will talk to zoning.

Mr. Guridy stated that they could start working on it.

Mr. O'Connell stated that they can start working on it up until then. Ms. Eichenwald seconded it.

Ms. Eichenwald stated that she would like to speak in favor of the motion. To me the overriding issue is does the business have a responsibility to provide off street parking for their employees. I am not just referring to J&J, I am saying in general. Having been a business owner in the city of Allentown, I know that was a huge issue having the correct number of parking spaces. Since no one is available for us this evening to give a definitive answer, I see no other possible to wait until we have a hearing with the zoning. We settled the issue about safety. We know that it has only been one minor accident reported and that was one question that we had and the other question that we had was a zoning one. We still don't have an answer. I hope that we will pass this particular motion and have some advice from zoning.

Mr. Schweyer stated that he sees some head nodding from the administration so I would like to hear you. That is why we make this motion to have this conversation further.

Ms. Hailstone stated that as she understands the issues that we are discussing even though zoning says that all of these businesses have to have parking we still have a traffic control issue because if people are still parking on the street, the traffic control issue continues to be there.

Mr. Schweyer stated that the traffic control will be based on whether or not we had accidents and the answer is no at least as far as my scope of understanding. This is clearly a unique situation because J&J stock are vehicles and so if it were a lumber yard the stock would be lumber and they have to have enough space for lumber, plus have employee parking on site. Their stock is vehicles so it is pretty hard to track what is what. I am just curious more than anything whether or not they are as it appears from the folks that want to remove parking there concerns that J&J employees are parking in their space. That is not legal because it is a zoning issue or it's a code.

Ms. Hailstone stated that what I am challenge by even if zoning were to say every business in that Park is required to have 50 parking spaces one for every employee, zoning does not than enforce the employees to park in those parking places so they can still end up parking on the street.

Mr. Schweyer stated that we heard testimony that there is not enough parking for their employees because of their stock.

Mr. Craig Messinger stated that is still a zoning issue. We are still talking public right-of-way which is the street. Zoning issue deals with the property itself. Traffic Control has to do with the public right-a-way. Those are two separate situations. Zoning will have nothing to do with the parking restrictions on the public right-a-way.

Mr. Schweyer stated no, but zoning could theoretically require that the property owner, the business owner have a certain footage for their employees and their stock. J&J may already be doing that and we still have this problem.

Mr. Craig Messinger stated that it still has nothing to do with the street with the public right-a-way.

Mr. Schweyer stated that he understands that there may be two issues here.

Mr. Craig Messinger stated that we are only discussing the public right-a-way tonight.

Mr. O'Connell stated public right-a-way and public safety.

Mr. Craig Messinger stated that those are the only issues that we are addressing tonight.

Mr. O'Connell stated that we have the information and data on public safety and not a whole lot there.

Mr. Craig Messinger stated that he would like to point out that they were given letters prior to the signs even being put up. They were notified.

Mr. Schweyer stated I believe you.

Mr. O'Connell stated I believe you. I understand that there is no surprise.

Mr. Craig Messinger stated that we are only dealing with the public right-a-way tonight as far as the traffic control map.

Mr. O'Connell stated he goes back to the public right-a-way and the public safety. A speed study to be conducted and also as Mr. Schweyer pointed out the zoning and I understand they are two separate entities, but they do intertwine at some point.

Mr. Messinger stated that the things about it is though, they could say they need one hundred parking spots and we still could have the same issue on the roadway.

Mr. Schweyer stated absolutely and I do understand that.

Mr. Gurdy stated that he is torn on this issue. I truly believe that although it has not been any accidents one in the last three years. I think the issue is that you need four accidents in one year. Is that how it works for you to change?

Mr. Schweyer stated that is a stop sign.

Mr. Messinger stated that is a stop sign.

Mr. Guridy stated that the issue is and he has a concern of people walking up and down the street with people parking on both sides of the streets and in saying that I am also providing kudos to J&J for providing so much employment for the people in the City of Allentown and people who partially need the work. However, I think that I feel that they should be responsible for their employees including parking for them. The street is a public right-of-way and is for cars and people to walk. It is not the parking issue for the employees belongs to the owners of the businesses and that's the way it has been. I get a lot of those questions sometimes and calls from people in the city that want to open a business and they are not able to open because they don't have enough parking spaces. That is a major issue in our city. The other part is that it is a zoning issue because it is an industrial area, an I-2 which may have a different zoning destination in regarding to parking for residential or businesses down in center city. I think we should clarify this as well further so that we can make a fair and just decision on council. He stated that they are going to vote on the amendment and when they vote on the amendment they will give the public an opportunity to speak on the amendment again. If you have anything to say about the amendment itself and not the bill you are welcome to come and tell us.

Mr. Sam, 530 N. Arch, stated that invited tractor trailers into that Industrial Park to park. Why did they do that? It's an open invitation to the city.

Mr. Glazier stated to Mr. Guridy that he would respectfully suggest that the gentlemen's comments should be germane to the amendment at hand and I don't believe that the direction he is going is showing the germanous.

Mr. Guridy asked Mr. Sam if he understood what Mr. Glazier was saying. You can speak on the amendment itself. The amendment is to not vote or to strike the line item that specifically talks about, not about the bill itself.

Mr. Glazier stated that Mr. Schweyer's amendment is to solely take the Business Park Lane out of B5, only.

Mr. Kenneth Heffentrager, 733 N. 11th Street, stated that S. 10th Street where it says regulated two hour parking.

Mr. Glazier stated that it is not germane to the amendment.

Mr. Schweyer stated that we are on an amendment.

Mr. Guridy stated that you have the opportunity to speak about the amendment.

Mr. Bauer stated that he does not believe that this is a zoning problem. It is a traffic problem and the zoning should take care of what you do with the employee parking and that should be covered in your zoning. This is a traffic issue. You made it right and these guys made the right decision and by turning it back to a zoning issue, zoning is the requirement for the employee parking. How many parking they are allowed to have and it should be one for one in an Industrial Park. City parking should not be part of that zoning. They should be required to put their own employees on their property just like the rest of us. I am not quite sure where the zoning and what we are talking about with the traffic and don't understand that. You could use the zoning to enforce the parking on the parking, but by reversing the traffic situation you are only going to make it worse. Are we going to wait until we get a statistic? Do we need a death? Is that what we need to make it right then to fix the problem?

Mr. Schweyer stated that the only thing I am arguing is that the parking problem and the woman who testified that she had received a ticket while she was picking up her husband and drivers saying that they received tickets and then I heard similar testimony from you and some other folks that are seeking the one side and it all stems from employees parking on the street. The question is if the traffic control the appropriate way to address the fact that by their own drivers admission that employees are in fact parking on the street and the question gets back to if that is the problem according to you and the folks that wants one side parking because employees are parking on the street.

I saw people parking on the side of the driveway. Perhaps that maybe it isn't it and it then gets to the traffic control program. One street over there is parking on both sides and we can argue they shouldn't.

Mr. Bauer stated that it is not my fight.

Mr. Schweyer stated that I understand that, but I have to look at the city as a whole and so one street over in the same Industrial Park with really high traffic use companies the childcare center, the city is not proposing that we take the same measure. The issue here is some kind of issue where the employees parking on the street and should parking in the abstract be allowed on both sides. I am trying to find the right way to regulate it so that it is fair for you and the traffic control perspective. I give you a hypothetically, if J&J were to move or any of the businesses on that street and it was replaced by a high traffic legal entity like another childcare, now we don't have no parking there again. That no parking will be in perpetuity unless we change it and I don't want to randomly change our traffic control map based on the businesses that are there. I just want to do more investigation and maybe I am wrong, but for now, this is where I am at. I want to be as respectful to you as possible. I just want to get it right.

Mr. Bauer stated that he understands but it is two separate subjects and zoning is not on the agenda. It is strictly a traffic issue.

Mr. Schweyer state absolutely.

Mr. Bauer stated what you do with the parking and the excess cars you can handle that under zoning and enforce it under zoning. The traffic and the safety is a whole different issue and by reversing it, will create chaos. What you are really saying is that we, business owners that are in accordance with zoning and we are doing the right thing and providing parking for our employees and what you are really doing is just sending a signal that says you know what we are all going to the street. What if we all parked on the street, they will be back here in a month yelling and screaming because they don't have parking which they should have ample parking provided for them.

Mr. Guridy stated that his thought is to send this to committee and have an answer pronto.

Mr. Bauer stated let's not wait until the 18th of March.

Mr. Guridy stated that he is not saying that they are going to wait six months. I am going to send it back to committee and have an answer either through zoning.

Mr. Bauer stated that is an internal issue. What you do with the cars already covered under zoning. This is a traffic issue.

Mr. Guridy stated that I thought you were thinking that we were just going to table it and it wasn't going to come back.

Mr. Bauer stated that he is hearing him, but he is also hearing it may get reversed on March 18th. If you don't do anything from now and then it will go back to the chaos that it is now.

Mr. Guridy stated that I don't know if we can do it by March 18th.

Mr. Elwood stated then I don't know what you are going to do on the 19th when the signs come down. Are you going to spend the money to put it back up and you decide that maybe we should have left it alone. You already spent the money to do the right thing. Let's not undue what is right.

Ms. Mota stated that she agrees with Mr. Guridy 100 percent and she also agrees with Mr. Schweyer. The more information we get the better to make the right decision, but my main concern is driving 35 miles per hour and there is a daycare center in the same facility. It is a big concern and I really believe the more information we get, the better because I don't feel comfortable voting tonight. I am glad that we are having that amendment.

Mr. Dan McNeil, 3163 N. Front Street – Whitehall, stated that he agrees with Mr. Schweyer and I tell you why because it is a zoning problem over there. I was a commissioner in Whitehall, a mayor in Whitehall and now I am a state representative. There is an issue and it is a zoning issue. It is called spot zoning. You are talking about 36 feet and it is all 34 feet and you are picking one area. It happened to me on MacArthur Road, and all over Whitehall Township. When I was a commissioner I would do exactly the same thing that Mr. Schweyer did. Get your numbers together and make it right before you make a dumb decision.

Mr. Ellwood stated that it is a traffic control problem and the way it is solve right now is probably the best way. I don't think zoning will help delivery truck traffic and us getting supplies in. If it is done with traffic control, I think it would settle the problem.

Mr. Ron Bauer stated that I would like to address the amendment and we are talking about safety and we heard from the officer that it was only one accident. I am representing a business and I am the guy who goes out on a forklift and you want to talk safety, I want to go home to my kids when I get hit on that street by unloading. I have 25 years in fire and EMS separate from my employment and six months ago I had a five year old get hit by a car in the street and died. Is that what it is going to have to take over in that Business Park? It is not a matter of parking; I just hope that Council at least listens to the employees from the city, their recommendation. Yes, everybody wants that parking taken away. I can care less if a truck comes on the lot. I care when I go out on that street. That is the chief complaint, the safety and our workers going out of the driveway and getting hit because you can't see. That is safety and not a matter of an accident. The key thing here is safety. Your employees basically say this is what they recommend. Listen to your lawyers and professionals. I would leave the parking the way it is because I am the guy that goes out there right now and if city council says yes, at a later time I don't care if it is zoning and I don't care if it is traffic. I am talking safety and me going out in the street with a forklift. Because you do this amendment I agree that you don't hold up everything else. At the same time, if you want to take that out, that is fine.

Mr. Mansour Farah, 118 5th Street – Whitehall, stated that I am a CDL driver and we always assume that the speed limit is 25 as per my knowledge from school they teach me when there is no speed limit it is 25 mph.

Mr. Glazier stated that the amendment has nothing to do with the speed limit.

Mr. Gurdy stated that he will give Mr. Farah an opportunity if he is going to talk about the amendment and not the actual Bill.

Mr. Farah stated that everybody over here is professional and the most important thing for us is safety.

Mr. Habeeb – Whitehall, stated that the people that asked J&J for the employees to park on the parking lot. How can you park in a birds nest? We have buses going in and out all day. I feel safer on the street when they have parking on both sides of the street. When you have parking on one side, the UPS trucks come flying down.

Amendment to take out that section Business Park Lane from Allentown Drive, the no parking. If this is removed and you have to readjust that if the Bill is passed. You will introduce a new Bill.

Mr. O'Connell stated that is my question to the solicitor. My understanding is that we vote on the entire Bill, is that true. If the amendment should pass, then we would have to create another Bill. Is that what is being said.

Mr. Marchetto stated that you should reintroduce that line. You will need another Bill.

Mr. Schweyer stated or the other part of the traffic control map.

Mr. Marchetto stated that another Ordinance. It would have to go to other committee and another 14 days, the whole process.

Mr. Gurdy stated that the Bill itself without that line stands.

Mr. Marchetto stated correct. You will approve the amendment to remove that line and then you will vote on the Bill absent that line and you can deal with that issue separately.

Amendment to remove the no parking provision passed, 7 – 0

Mr. Schweyer asked Mr. Young about Bill 5 and a couple of questions on the no parking. The no parking on Priscilla Street from S. Carldon Street to Pittston Street (east side only). I don't have a city map in front of me. Where is that? I know where it is on the south side in the Sixteenth Ward. That is where it is very limited parking down there.

Mr. Penrose stated that the street is only 22 feet wide.

Mr. Schweyer stated that Church Street from Emaus Avenue to the South Mountain Middle School Parking lot (west side only) that is just the west side along Dodd and South Mountain. Wasn't it parking allowed there before?

Mr. Penrose stated yes, that came in as a request of Captain Hendricks.

Mr. Heffentrager stated that South 10th Street from Harrison to Little Lehigh Creek that is where code enforcement is. Is there no parking there at all now or are they adding parking?

Mr. Young stated that the parking permitted on both sides. The issue came up that there was a lot of tractor trailer parking there and restricting the ability to travel with two lanes on S. 10th Street.

Mr. Heffentrager stated that they are going to make two hour parking on the east side where tractor trailers don't park. I go to code enforcement all the time and the west side of the street is constantly congested with tractor trailers and I don't understand why maybe the west side should be hit with the two hour parking to limit the amount of tractor trailers. I went there today to code enforcement and they were four tractor trailers and we parked up in a residential area and we had to walk all the way down to get in there because there were four tractor trailers parked on the west side. I noticed that every time I go to code enforcement, it is always congested for tractor trailers on the west side of the street. That is why I am asking why it is the east side that is getting the two hour limit. Maybe the west side should get it because we don't allow tow trucks in the middle of the city to park. Why are we allowing tractor trailers to park for sometimes days?

Mr. Young stated that before we posted it, they were parking on both sides and that is what made the roadway very narrow. It is the marked detour for the 15th Street Bridge.

Mr. Heffentrager stated maybe make those sides two hour parking. There is no one that lives there and it is not affecting who actually live right there. Maybe both sides should be two hour parking to eliminate the rigs period from thinking they can park anywhere.

Mr. Young stated that this is an Industrial area and tractor trailers are allowed to park on the street in an Industrial area. That was one of the recent changes. We eliminated it from residential areas, but they always been allowed to park everywhere.

Ordinance passed, as amended 7 – 0

Bill 6 WREN Grant

Amending the 2013 Water Fund Budget to provide for a supplemental appropriation of Seven Thousand Dollars (\$7,000) reflecting receipt from a WREN Public Water Education Grant from the LWVPA Citizen Education Fund, to encourage action to protect drinking water supply areas in the Lehigh Valley from potential contaminants, such as spills on transportation corridors, agricultural, urban runoff and other risks identified in the Source Water Protection Plans.

Mr. Young stated that everyone has heard me brag from time to time about the employees in Public Works and I would like to have Ms. Diane Lewis, one of our environmental technician from Water Resources make the presentation.

Ms. Diane Lewis stated that it is a \$7,000 grant from the Water Resources Education Network. It is under league of Women Voters of Pennsylvania and the funding is through Pennsylvania DEP. We are going to install 27 road signs on local roads. Two on the northeast extension Route 22, Route 78, 309 and all the major roads and we are working to have better communications with emergency responders to notify Allentown that there has been a spill near a waterway. We are working with LCA, the Borough of Emaus, Lehigh County Conservation District, Lower Macungie Township, Upper Macungie, South Whitehall, and various municipalities throughout the area.

Ordinance passed, 7 – 0

Bill 8 HUD Sustainable Regional Planning Grant

Amending the 2013 General Fund Budget to provide for a supplemental appropriation of Five Hundred Twenty-Three Thousand Seven Hundred and Fifty Dollars (\$523,750) representing the City's portion of a regional grant provided by the U.S. Department of Housing and Urban Development under its Sustainable Regional Planning Initiative, and being administered by the Lehigh Valley Economic Development Corporation. The grant funds will be used to develop a city-wide re-industrialization strategy, prepare a master plan for the Little Lehigh Industrial Corridor, and undertake additional activities as may be recommended by these studies.

Mr. Davis stated that this was passed 3 – 0 favorably and it is a great grant to increase the industrial sites in our city. It is with the Little Lehigh Corridor.

Ms. Hailstone stated that we are accepting money from the federal government and we are excited about it and it will help advance the city.

Ordinances passed, 7 – 0

Bill 10 809 Hamilton Street Funds

Amending the 2013 General Fund Budget to appropriate One Thousand Three Hundred Twenty Dollars (\$1,320) from the proceeds of the Revolving Loan Fund to an Expenditure Account to pay back the Pennsylvania Department of Community and Economic Development for unused funds plus interest.

Mr. Davis stated that this passed favorably 3 – 0.

Ordinance passed, 7 - 0

Bill 12 Old Allentown Streetscapes Phase II

Amending the 2013 Capital Fund Budget to provide for a supplemental appropriation of Five Hundred Thousand Dollars (\$500,000) in Redevelopment Assistance Capital Program (RACP) funding from the Commonwealth of Pennsylvania for a second phase of streetscape improvements for the Old Allentown Historic District.

Mr. Davis stated that it passed favorably 3 – 0. It is phase two of the Old Historic area. It is a grant for \$500,000 and is greatly appreciated.

Mr. Schweyer stated that once again, and I worked on this a tiny bit when I worked for Representative Mann. I don't work for anymore. She is no longer in office and I have no reason to abstain, but I would like to make that public.

Ordinance passed, 7 - 0

11. ORDINANCES FOR INTRODUCTION:

None

12. CONSENT AGENDA: CA-1 Certificates of Appropriateness for Work in the Historic Districts

Resolution passed, 7 – 0

13. RESOLUTIONS ON SECOND READING:

None

14. RESOLUTIONS ON FIRST READING:

Mr. Schweyer made a motion to suspend the Rules and vote on Resolution 7.

Mr. Hanlon stated that this is a Suspension of the Rules to introduce and vote on Resolution 7 which would amend resolution 28908, a resolution that engaged Council's consultant to help provide oversight on the standard operating procedures at a cost not to exceed \$10,000 – by adding \$7,000 to the not to exceed number for a total not to exceed \$17,000.

Resolution passed, 7 – 0

15. NEW BUSINESS

16. GOOD AND WELFARE

Mr. Schweyer stated that he would like everyone to the Lehigh County Conference of Churches in conjunction with a number of members of the city's administration are hosting an event on Chronic Homelessness on the 27th of February from 5:00 – 7:30 PM in the second floor auditorium of Sacred Heart Hospital. Parking will be covered by the hospital.

Ms. Mota invited everyone to the February 27th for the Flag Raising Ceremony for the Independence Day of the Dominican Republic in front of City Hall at 12:00 Noon and afterwards around 12:30 PM we going to be a Tu Casa Night Club and they will have free food for everyone.

Mr. O'Connell invited everyone to the Ancient Order of Hibernians celebration of Saint Patrick's Day and we will have a flag raising ceremony on Friday, March 15th at 11:45 AM outside City Hall and there will be a party at the Agri-Plex.

17. ADJOURNED: 9:35 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 or contact the Clerk at Michael.Hanlon@allentownpa.gov to receive an email notice of the meetings.