

**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**  
**July 17, 2013**  
**COUNCIL CHAMBERS**  
**435 Hamilton Street**

**Council Meeting – 7:00 PM**

- 1. Invocation: Ray O'Connell**
- 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. Ken Heffentrager talked about the Sweep Contract, Orange Stickers – taken down on West End (N. 18<sup>th</sup> Street), and Joe Clarke properties

Mr. Lou Hershman asked about Campaign Finance Reports and funds.

Mr. Broward asked about following up on regulating posters.

Ms. Veronica Torres told Council there were issues in the county regarding a prisoner.

- 5. Approval of Minutes: June 19, 2013**
- 6. Old Business**
- 7. Communications**
- 8. Committee Meetings**

Budget and Finance: Chairperson Schweyer

The committee met on July 9<sup>th</sup> – reviewed the financial reports, keeping tabs on distribution of funds as a result of the water and sewer lease; need some work on monitoring and tracking Account 46 expenditures in a better way – administration agreed to forward us the detail sheets from the budget so we can compare them to real time expenditures – we also tackled some questions about the water and sewer transaction and noted we will get information to the requestors as soon as it is available; the next meeting is scheduled for July 24<sup>th</sup> at 6:00 PM.

Public Safety: Chairperson Eichenwald

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

Community and Economic Development: Chairperson Davis

The committee met July 10<sup>th</sup> and forward some items on tonight agenda and a zoning amendment and map change that a public hearing will be scheduled for; ` agenda; a future meeting is scheduled for August 14, time to be determined..

Parks and Recreation: Chairperson Mota

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

Mr. Fran Dougherty stated another one during the day and then back on Sunday morning to clean them once again. You are not the first. We recognized it not only over there, we heard complaints from others and with John and Rick Holtzman and with Bianca we were able to redeploy some forces. You raised the issues that it is not enough.

Ms. Eichenwald stated to Mr. Dougherty to check those bike lines. We already had a severe horrific tragedy there. We don't want another one.

Ms. Thomases stated that Parks and Recreation department has been so great to my program and supportive to my program. I have a program for kids at Jordan Park and it has been wonderful. I heard and know the city is concerned about the cost of the upkeep of Jordan Park. There are about three hundred kids in that program every year and they love it and their parents are thankful for this program. Before a Master's Plan can go into effect that might eliminate those courts, but in fact this year Parks and Recreation could not afford to put down the line so Dan, and I and about 12 other people were on our hands and knees in the morning nailing down the lines for a weekend. Before something happens, please let us know and we can see if we can raise money. I spoke to the new director. Let us know what we can do and if we could outreach to the community to help subsidize those funds. We have been running this program since 2000 and it continues to have a waiting list of kids. I hope on Saturday, July 27<sup>th</sup> there will be a festival in the park for community activities hosted by my organization, First Tee and First Serve.

Mr. O'Connell stated that Mr. Guridy talked about the Stellar Tournament. The Stellar Tournament, I like basketball and spent time there this weekend they continue to do an excellent job. He stated my congratulations to Mr. Stellar and Mr. Kline because they do a fine job. On Sunday, the heat was unbearable. I have a concern with the young athletes who have to play four, five, six and even seven basketball games when the heat index is about 100 or 105. I think that is something that I don't know if the Stellar Tournament an entity of itself. I know the city some sponsorship. The worst scenario would be for one of the young athletes to have a heat stroke. One did have a heat stroke and was taken by ambulance to the hospital and he is fine.

Public Works: Chairperson O'Connell

The Committee met on July 10<sup>th</sup> and we have two items on the agenda for tonight; the next meeting is scheduled for August 14<sup>th</sup>, time to be determined. We will at least have one item that Mr. Raup will talk about a little later about the Rail Study.

Human Resources, Administration and Appointments: Chairperson Glazier

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

Rules, Chambers, Intergovernmental Relations and Strategy: Chairperson Guridy

The Committee has not met since the last Council meeting; we are looking at the draft for the general procedures that will be placed on the website as soon as we complete them. There will be a meeting on August 7 at 6:00 PM to review prospective changes.

Special Committee – Tax Exempt Properties – Chairperson Eichenwald

The Committee is attempting to schedule a meeting for August 21<sup>st</sup>. There was an article in today's Wall Street Journal that talked about colleges and universities all over the country paying In Lieu Of Taxes and paying for public safety issues. It is a national issue and I hope could come to some good conclusion here in the City of Allentown.

Mr. Guridy thanked Ms. Eichenwald and encouraged her to continue working on it to see if we can get something.

## **OTHER COMMITTEE REPORTS**

Mr. Schweyer stated that the Lehigh Valley Planning Commission had a pretty excited announcement at our last meeting. I was pleased to join my colleagues in unanimously selecting as our new executive director for the Lehigh Valley Planning Commission Ms. Becky Bradley. I know a lot of you know Ms. Bradley. She has been the director of planning and building standards over in the City of Easton. She is a Lehigh County resident and has been a fixture in different organizations here in the Lehigh Valley. I am excited that LVPC taking on a perhaps a more aggressive agenda and a more outward and open agenda and being more active in the community instead of just meeting once a month at our meeting. Mr. Kaiser retired after nearly 40 years of service with LVPC and we appreciated all of his good efforts through the decades.

Mr. Guridy seconded that and stated that he read it in the paper. Good for her and congratulations to her.

Mr. Glazier stated that the Pension Board has held two study sessions over the past five weeks in anticipation of the water lease funds coming into the Aggregate Pension Funds. We spent some time with better understanding the actuarial information and get ideas about potential investment strategies. Our next meeting is the 20<sup>th</sup> of August.

Mr. Guridy stated that the Housing Authority Commissioners meeting is tomorrow at 9:00 AM at the Housing Authority building at 13<sup>th</sup> and Allen. The meetings are open to the public.

### **Controller's Report**

Ms. Koval stated to Mr. O'Connell that we are completing the process flow and one of those is for our swimming pools. It is not only the process flow, it basically is the money flow and also if you follow the chart, it shows what our personnel at the pool is engaged in and what they have to do on a daily basis. That should be finished in the next few weeks and if that would be any help to you we will pass that along to you so you can see what happens at our swimming pools.

Mr. O'Connell thanked Ms. Koval.

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

Mr. Dougherty stated just three items this evening. I would be remised if I did not point out the success of our July 4<sup>th</sup> celebration in its changed venue. We heard nothing, but rave reviews and we heard the fireworks were spectacular and it seems like we may have a new recipe going forward to appeal to a much broader array of residents are visitors. Excavation and work at the east side fire station is well underway. He shared some pictures with Council that was taken yesterday. This picture was the gray soil that was tested yesterday that reveals less than 500 pounds when the minimum is 1500 in this soil baring test. The gray soil is unique to the area which is over the stone and it was directly under the interior of the foundation of the old firehouse. This is a reason that the old firehouse had to come down because it was a disaster waiting to happen. Vicky was unable to attend. She was actually at the Lehigh Valley Hospital helping with a grant in turn giving us a portion of that grant. We met with the Pennsylvania Secretary of Health last Thursday and as you probably surmised what he said was not good for public health departments in this Commonwealth. It is clear that the writing is on the wall that we should expect less and less from the state as they are giving less attention to our most vulnerable population. I wanted to put council on notice that we will be engaging in more conversations with you as the health department tries to be more creative in filling the provider gap going forward. We look forward to working with you as a partner to address these issues so we can continue our excellent service, not only to the citizens of Allentown, but the Lehigh Valley community as a whole.

Mr. Schweyer apologized to Mr. Dougherty that he did not just shoot him an email beforehand. He asked Mr. Dougherty or Mr. Young what is going on at Emaus Avenue at South Mountain Middle School. Were you able to get that turning lane.

Mr. Dougherty stated that we are on track.

## **9. APPOINTMENTS:**

### **Electricians Examining Board**

James M. Searfoss      01/25/2016

### **Human Relations Commission Appointments**

Gary Noguera              12/31/2013

Jaime G. Gonzalez      11/01/2014

Abdiel Cancel             04/04/2015

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

## **RESOLUTION PASSED, 7 – 0**

Mr. O'Connell asked to suspend the Rules before we go into ordinances for final passage, I would like to go to Resolutions on first reading, R19 - City Center Hospitality LLC Transfer .

The Rules were suspended by common consent.

### **R19 - City Center Hospitality LLC Transfer**

Requested transfer of a Restaurant Liquor License R-13940 from the Makensa Restaurant, LLC, 10425 Old 22, Kutztown, PA 19530 to City Center Hospitality Three, LLC, 732 Hamilton Street, City of Allentown, Lehigh County, be approved

Mr. Guridy stated that there was a Public Hearing before the City Council meeting. We heard testimony from the petitioners and there were no major issues. We decided to move it forward to vote on it today. He asked were there any comments from the public.

## **RESOLUTION PASSED, 7 – 0**

Mr. Schweyer asked for a motion because there are some folks in the audience that are here for the RV Bill. He asked if Bill 29 RV Permit can be moved to this portion on the agenda.

Mr. Guridy stated by common consent.

### **Bill 29 RV Permit**

Amending Article 532, Limitations on the Parking of Trucks and Trailers, Section 532.05, Permit for Loading or Unloading Recreational Vehicles or Truck Campers, by providing for a 48 hour permit rather than a 24 hour permit for loading or unloading such vehicles.

Mr. Guridy asked if there were any comments from the committee.

Mr. O'Connell stated that our original Public Works meeting on June 13<sup>th</sup>, it was a Thursday we spent an hour and 15 or two hours on that and we table it because we had to get some information about the protocol of a permit from Ms. Dolan because there was speculation/rumors out there stating it cost \$25 to

load and \$25 to unload and we came back last week and we spent another hour fifteen minutes back and forth. We had people in the audience that were pro 48 hours no permit. Some people stated that it established a permit and you had to register a permit for 24 hours. When everything shook out it came down to Bill 29 RV Permit passed favorably 2 – 1 with Ms. Eichenwald and myself voting yes and Mr. Davis voting no with the recommendation being no permit 48 hours. Mr. Guridy was in the audience and you had some comments from the audience.

Mr. Guridy stated that he certainly did make comments and I have more comments. I would like to open it up to council for comments.

Ms. Eichenwald stated that she has a point of information on the way it was just read “providing a 48 hour permit”. Is there a permit or is it not a permit. I agree with Mr. O’Connell’s interpretation, but the way this Bill was just read to us it says permit. Is it in or is it out.

Mr. Guridy stated that the Bill has it in.

Mr. Hanlon stated that the only thing the Ordinance does is change it from 24 to 48 hours. Your recommendation was to keep it at 48 and to take out permit. You will need to make an amendment.

Mr. O’Connell stated that we kicked this around last week and the language should have been the language that we are presenting tonight.

Mr. Schweyer stated that you cannot amend Bills in a committee.

Mr. O’Connell stated that he would like to make an amendment to Bill 29 as it stands. I would like to go tonight that no permit, 48 hours.

Ms. Eichenwald seconded the motion.

Mr. Glazier asked for some clarification. He stated that he is sure they dotted their I’s and crossed their T’s on this. I assume that the section of the statute you wish to amend is 532.35.

Mr. O’Connell stated it will be permit for loading and unloading recreational vehicles, truck campers and the two words “permits for” will be removed. The original permits shall be issued by the Allentown Parking Authority to the owners of recreational vehicles or truck campers 48 hours permit to load or unload said vehicle. What will be cross out is “permit shall be issued by the Allentown Parking Authority to the owners. The only thing that would remain is recreational vehicles or trump campers for 48 hour permit to load and unload said vehicle. The permit should also be out by the hour because the word Permit should not be in 532.05 anymore.

Mr. Guridy stated just to be clear, you want 48 hours, no permit.

Mr. O’Connell stated that wherever there is a verbiage that says permit, permit should be removed. We are saying permit so you shouldn’t have permit in if we say permit. Go to 48 hours.

Mr. Guridy asked are there any comments.

Mr. Davis asked if he could ask Ms. Dolan a question. A procedure for a petition is that a matter of a phone call. That’s all it is a phone call.

Ms. Dolan stated that they would call the Allentown Parking Authority.

Ms. Mota stated that the permit will be no cost then.

Ms. Dolan stated that is correct.

Mr. Guridy asked Ms. Dolan to say what she just said.

Ms. Dolan stated that there is no physical permit is required. The owner of the vehicle calls us and gives us the license plate, the license plate, and the date it will be parked and a vehicle is allowed to be there. There has never been a cost charge for this permit.

Mr. Davis asked if they get rid of the permit what is the question about 24, 48 or 96 hours. What will we be voting on that? Why would we be voting on changing it from 24 to 48 if no permits are required? If there are no permits required, they can park their RV for how long, forever. They can be there seven days a week. That is why I thought the permit was there because the ordinance says you cannot park an RV on the street. If we are saying now that you don't have to go and apply for a permit.

Mr. Guridy stated that the whole issue of not having a permit it makes it difficult to enforce anything. What I am hearing is that you can park it for 48 hours.

Mr. Davis stated without a permit, there is no enforcement. They can be there all week.

Mr. O'Connell stated that it is still a penalty. There is still this 532.99 Penalty stage.

Mr. Davis asked if he was saying the right thing. If there is no permit, you can park as long as you want.

Ms. Dolan stated to Mr. Davis in order for the vehicle to receive the punitive, our officer would have to recognize they were there within 48 hours. Historically, what would happen is this the vehicle would return home on a Friday night and a neighbor would call us on a Monday morning. We would go mark the vehicle on a Wednesday morning we can start the process. Our officer has to witness the violation. In essence, the vehicle can be there an enormment amount of time. We would have no recourse at that point.

Mr. Davis stated if we remove the permit stage.

Ms. Dolan stated that is correct. If someone calls and alerts us that they are there and we take the time to mark it down.

Mr. Guridy asked what if somebody calls us.

Ms. Dolan stated that if somebody calls and alerts us that it is there or if we happen to notice it was there and we take the time to mark it down and recheck it again in 48 hours.

Mr. Davis stated that he doesn't see how they can enforce it if there is no permit.

Ms. Dolan stated that it is very difficult to do so. That is correct.

Mr. O'Connell thanked Ms. Dolan for coming out tonight and you have a difficult job at the APA as executive director. How many people are registered in your office?

Ms. Dolan stated for the permits, we issued approximately 25 permits over the last year, many of them to the same residents.

Mr. O'Connell stated that last week I heard three or four regular customers. He asked if she had numbers on the number of citations.

Ms. Dolan stated that in the last 12 months there were nine citations.

Mr. O'Connell asked they were for.

Ms. Dolan stated it was for oversized vehicles as it relates to an RV.

Mr. O'Connell stated three or four regular customers, nine citations within a year.

Ms. Dolan stated that is correct.

Ms. Eichenwald asked if those citations to those three or four customers or other people.

Ms. Dolan stated other people who did not get the permit.

Ms. Eichenwald stated that was the hang up last week. We certainly know there are more than four RV's in the City of Allentown. We were concerned about the unenforceability of getting the permit and yet you are telling us that you can get a citation without a permit.

Ms. Dolan stated yes because there is an oversized vehicle ordinance on the books.

Mr. O'Connell stated which doesn't relate to 532.05 or 532.99. It relates to the motor vehicle code, 534.

Ms. Dolan stated that the oversized vehicle ordinance has a specific RV in the ordinance. It disallows an RV from being parked on a city street unless there is a permit.

Mr. Glazier asked about 532.03 I will assume RV's are included in prohibitions against parking them. This ordinance already has a prohibition. Of the folks that got cited for having their oversized vehicles how did those citations play out? Did someone call to complain?

Ms. Dolan stated that is correct. In some instances the neighbors called and complained and other instances officers would have come across it in his or her travels.

Mr. Glazier stated that the citations would have been issued exactly the same.

Ms. Dolan stated yes, those are the two ways an officer would have known of the violations.

Mr. Glazier asked if the officers had a list of people who have permits.

Ms. Dolan stated because this program doesn't generate a lot of interest, we did not go through the expense of entering that data into our handheld because we get very few calls on it and very little interest. Obviously, nine tickets in a year is not something that we see on a regular basis.

Mr. Glazier stated what he is hearing the tickets would have been issued regardless whether there was a permit function.

Ms. Dolan stated that the tickets were issued because the vehicles were in violation of the oversized ordinance. The permit allows it to be there. It makes a special exception for it to be there.

Mr. Glazier stated that it could have been more than 48 hours.

Ms. Dolan stated that is true.

Mr. O'Connell stated that this program really doesn't have a lot of interest and this is probably our third hour on this. No harm, no foul. If this program doesn't have a lot of interest, it is making my point.

Mr. Guridy stated that I am still concerned of having a program and not having the permit to enforce it. I think the permit gives the opportunity for the Parking Authority to know that those vehicles are there with a permit or if it doesn't have a permit, it needs to be cited. Some people got permits.

Ms. Dolan stated that there were about 25 permits issued last year.

Mr. Guridy stated that 25 permits were issued and those who did not, got a ticket. I think the permit is needed. If you have a permit and it is 24 hours and you need extra time, all you have to do is call them.

Ms. Dolan stated not the way the ordinance is written out. It is limited to 24-hours.

Mr. Guridy stated that if it is 48 hours, you get a permit for 48 hours. How can we accommodate people? I want to make sure that people are not punished or given a citation for cleaning up their RVs. It is an inconvenience for some of the neighbors.

Ms. Dolan stated that with all due respect, president Guridy we get so little interest in it, we haven't spent any time studying that. We get very little feedback from the neighbors good, bad or indifferent about the program. Like any parking issue, the more densely packed the neighborhood, the more issues you are going to have. An RV parked 24 or 48 hours, is it going to impact most neighborhoods whether it's 24 to 48 hours, my guess is no. Would it impact some neighborhoods if there were no permits and it was allowed to sit there, my guess would be yes. It would be a hardship.

Mr. Davis asked if he is cleaning up his RV and I do it within the 24 hour period, you are saying I can't get it extended. How long do I have to wait until I can get another permit? It would have to be another day.

Ms. Dolan stated the way the ordinance is written you could be issued a 24 hour permit, it doesn't discuss extensions. We tell folks to move it and call us back and get another permit.

Mr. Davis stated for another day.

Ms. Dolan stated if you were looking to make accommodations, I would suggest either extending the timeframe from 24 to 48 hours if it is not an issue for the neighbors or allowing for it to be extended from 24 to 48 hours if the resident needed.

Ms. Mota stated that maybe what we need to do is change the language. It is confusing.

Mr. O'Connell stated that he stands by his amendment and asked if Ms. Mota was looking for him to change his amendment. My amendment was seconded by Ms. Eichenwald.

Ms. Mota stated 48 hours and no permit.

Ms. Eichenwald stated to Mr. Guridy that you stated that you had difficulties on something that is not on the books and cannot be enforced. History has shown us that it is three or four people. Certainly people are not requesting the permit. There has to be more than four people in the City of Allentown that park an RV.

Mr. Guridy asked is that a fair statement to say.

Ms. Dolan stated that would be a fair statement because we have nine tickets issued. At least we have nine more vehicles, but it could be one of these vehicles that got a ticket got a permit at some point.

Ms. Eichenwald stated that the people are not getting the permit is my point.

Mr. Guridy stated that if we allow people not to have to get a permit they can stay there 48 hour or more than 48 hours.

Ms. Eichenwald stated no, based on what we were told on oversized vehicles, they can't do that.

Ms. Dolan stated that they can't do that if we see them there without a permit.

Mr. Guridy stated that they are not going to know unless they are looking for them.

Ms. Eichenwald stated that in a perfect world people would get a permit, but people are reluctant to do that. Since the people in Allentown that we are making these provisions and are not following, they don't want to have to do that and get a permit. You can get a citation regardless of whether have been issued a permit or not. Why bother. The idea is not to keep the vehicle on the street for an enormment amount of time. I stand by Mr. O'Connell amendment.

Mr. Guridy stated that he agrees with her that people are not getting the permits, but I disagree with you because if they are not getting the permit. I think that they should get a permit because it is the law.

Mr. Glazier asked Mr. O'Connell to read the language again to refresh their memories.

Mr. Hanlon stated 532.05 would be loading or unloading recreational vehicles or truck campers and it would read the owners of Recreation vehicles or truck campers shall have 48 hours to load or unload said vehicles.

Mr. Schweyer stated that we are being asked to vote on an amendment to extensively strip language out of this Ordinance Article 532 to take out the permits. One of the first bills that I introduced as a member of council was a bill to limit the number of yard sales that we have in the City of Allentown which is something in fact requires a permit. We know and it has passed unanimously and we know for a fact that people don't call in yard sales every weekend when they have one. However, we know that when someone is having a yard sale over and over again and extensively running what is a commercial venture out of their property in the residential neighborhood, the neighbors around them have a tool to be able to call the city and say not only did they run this yard sale over and over again the Bureau of Building Standards and Safety does not necessarily have the ability to say yes I saw that yard sale person for the last four weeks being there, but they do have the ability to say I don't actually know if they were there for four weeks, but I know that they did not get permits. We can shut down this elicited commercial venture because they don't have a permit to do the yard sale. This is exactly the same thing. This gives the Parking Authority not one, but two different options to enforce the RV Parking Rules, extensively.

**Amendment to take out the required permit and leaves in 48 hours failed, 5 – 2 (O’Connell, Eichenwald)**

Mr. Schweyer stated that we have spent hours on this and we want to get it right and one part of the conversation that came up tonight and I think that is the first time anyone of us heard this. It was Ms. Dolan’s acknowledgment that you could not automatically renew the permit by simply calling it in and getting a second one. That seems overly bureaucratic. That is the most inflexible thing that I could ever imagine.

Mr. Guridy stated that people can go to the city and get a permit. Everybody does that or they can go to the Parking Authority. The flexible part can be that it would take an extra day.

Mr. Schweyer stated that is my point. Ms. Dolan said they would have to physically move the vehicle and call back.

Mr. Guridy asked how can we fix it. He asked were there any suggestions.

Ms. Dolan stated that if that is something that you wanted to do, she would suggest that the resident could ask for an additional 24 to 48 hours permit. Whatever you decide you want to do.

Mr. Guridy asked if they could make an amendment and we can word it in a proper way.

Mr. Schweyer stated Part II of that was there were questions and concerns in the community that maybe you shouldn’t be 48, it should be 24 hours.

Mr. Guridy stated that the first one should be in case that the RV owner needs to extend his time and may call the Parking Authority and be granted an extension for the same amount of time.

Mr. Glazier asked if you change the language to 48 hours and you grant them an extension at the same time you are asking them to park there for 96 hours which I don’t believe it is the intension.

Mr. O’Connell asked how many extensions can you get. My wife is not feeling well then you get two extensions. This is ridiculous. It should be no permit, 48 hours. You can enforce that.

Mr. Guridy stated that the intent was you get one extension and quite frankly I thought it was going to stay 24 hours. My preference is to keep it as it is and exclude the extension of 24 hours.

Mr. Schweyer stated that most of this conversation was driven during your committee meeting.

Mr. O’Connell stated that the initial request came from an RV owner which is acceptable to our form of government. You are not going to change my mind and I can’t speak for Ms. Eichenwald, but you are probably not going to change her mind.

Mr. Guridy made an amendment that we maintain a 24 hour with a permit and if there is a need to extend it one more time for 24 hours, they will be granted another 24 hour permit.

Mr. Davis seconded the amendment.

Mr. Hanlon stated that you are alright to extend it for an additional 24 hours.

Mr. Schweyer asked about the underline portion and permits should be issued by the Allentown Parking Authority for a 24 hour permit.

Mr. Guridy stated by notifying the Parking Authority, one 24 hour renewal.

Mr. Glazier asked Ms. Dolan if he gets a permit for Saturday and decided that he wanted to extend it to Sunday as well. Do I call and leave a message.

Mr. O'Connell asked does the Parking Authority work on Sunday.

Ms. Dolan stated no, not enforcement staff.

Mr. Guridy stated that we are assuming that everybody is going to get a permit for the weekend.

Mr. Hunsicker stated that he can't believe it is so complicated. Normally on the city street it is 72 hours.

Mr. Guridy stated that they came in the first time because there were enough people interested in it and they did not want it because it was a nuisance.

Mr. Hunsicker stated that if you still have the neighbor or whoever wants to call up which is a problem because 90 percent of the time it is your neighbor. The Parking Authority will send somebody over; he takes the picture and now the 48 hours is 36 or 24 is on the clock. It is the same as a car.

Ms. Helen Hahn, 2016 E Highland Street, stated that the thing that bothers her the most is that they have to tell an agency that we are leaving town.

Mr. Guridy stated that a lot of people call the newspaper and ask them to stop the newspaper because they are leaving town.

Mr. Tom Hahn, 2016 E. Highland Street, stated that the RV part of the discussion that we are having right now did not come into effect until the trucking issue on Sherman Street came alive. You got testimony the other night for which you didn't pay much attention to. If I take my vehicle and park it in front of my house and go to get it inspected the following morning at the dealership and bring it back the follow day so that I can put it back in storage how many permits do I need.

Mr. Guridy stated one permit.

Mr. Hahn asked how can I do it. There are too many hours.

Ms. Dolan stated that obviously in order for a violation to be punitive an officer would have to witness it.

Mr. Hahn stated that he pulled his RV in front and that is what started this. I made a mistake of five minutes and moved it out front five minutes too early. That is when I found out you have all these conditions. He asked what is an oversized vehicle.

Ms. Dolan stated that the ordinance is very clear. It goes by weight and classification or goes by the fact that it has a dual wheel. We can only follow the ordinance.

Mr. Ken Laudenslager, 721 W Cumberland Street, stated that the amendment as it was made 24 hours with a permit with a possible 24 hour extension I am in favor of. I will support such an amendment.

Mr. Harvey Staller, 3046 ? Street, stated that summer is the busy time for RVs. I rarely see an RV in anywhere in the city. It was brought up that there were very few complaints. He asked what happens when he calls up and requests for a permit. What happens to the information?

Ms. Dolan stated that when someone calls us what we ask them for is the address where the vehicle will be parked, the date it will be parked and the license plates. The information is not stored anywhere.

Mr. Staller asked what happens when he returns home.

Ms. Dolan stated that you have to call when you return home.

Mr. Staller stated that he is mainly concerned about the privacy issue.

Mr. Guridy stated that you are absolutely right. I wouldn't like that either.

**Amendment that would get rid of the 48 and change it to 24 and allow the option of another 24 hours passed, 4 – 3 (O'Connell, Glazier, Eichenwald)**

Mr. Laudenslager stated that when the oversized vehicle ordinance was written, the catalyst was tractor trailers however you can't write an ordinance specifically targeting a single vehicle type. The oversize vehicle ordinance does ban any vehicle that weigh class 5 and above from parking on the street in any residential area. It covers trucks, tractors, trucks whether they are straight or have a trailer or flatbed or tow truck, rowbacks or RVs, commercial buses, and very large pickup trucks with or without camper inserts. Tow units, campers, boats and utilities are not included because they cannot already be parked on the street unless they are connected to the towing vehicle. As result they fall under other parking regulations. When we went through 2009 we authorized a 24 hour permit. Even then I was in favor of a 12 hour permit. The permit is the enforcement tool and any RV that is parked on the street and does not have a permit can be cited. The responding enforcement officer simply has to call to see if a permit has been issued to determine if the subject vehicle is in violation. I have yet to hear a compelling reason to extend this time based on previously testimony. However, the extension, inclement weather and breakdowns is a good reason to put the extension in. As I said during the committee meeting, you can move an entire house in a 24 hour period. We are talking about loading clothing, groceries and some small appliances in a RV camper to go on vacation. These items could be selected, stacked, packed within the house for preparation to load into an RV/truck camper. He asked for 24 hour with a 24 hour extension.

**ORDINANCE PASSED, 5 – 2 (EICHENWALD AND O'CONNELL)**

**10. ORDINANCES FOR FINAL PASSAGE:**

**Bill 33 HARB PHMC Funding**

Amending the 2013 General Fund Budget to provide for a supplemental appropriation of Fifteen Thousand (\$15,000) Dollars of funds received from the Pennsylvania Historical and Museum Commission (PHMC) for consulting services for the City's Historic Architectural Review Board (HARB).

Mr. Davis stated that this is an on-going grant and is in the third or fourth year. It is a pass-through grant for the consultant and the grants are provided by the museum and passed favorably 2 – 0.

## **ORDINANCE PASSED, 7 – 0**

### **Bill 34 Drinking and Storm Water Protection Act**

Amending the 2013 General Fund, Sewer Fund and Water Fund by transferring money from these Enterprise Funds to the General Fund to finance and create positions in the Office of the Ombudsman and the Storm Sewer Program under the Department of Public Works.

Mr. O'Connell asked for the new organizational chart and flow chart. This was in the Public Works Committee last week and as I stated earlier on April 25<sup>th</sup> I made a commitment to the public that as we go forward with this water and sewer deal and how you felt about it being in favor of it or not being in favor of it, the vote was still 6 – 1 and made a commitment to the people that I would make every effort to have an oversight committee or citizens advisory board. When the actual conceptual overview came out I had reservations and Ms. Eichenwald and Mr. Davis were with me last week and Ms. Eichenwald brought up the office of ombudsman and what is the true definition of a true ombudsman and she stated that is not what we are doing here. We came to a consensus that we would call it the office of compliance. As we went forth there were some areas that we looked at. The original comment was the five member review and approval board. We changed that last week of the five member review and compliance board.

Ms. Amy Trapp stated that she made notes and with the notes that she has made we talked about five member review and compliance board and we talked about the term ombudsman (what is an ombudsman), and who truly is an ombudsman.

Mr. O'Connell stated that there were two separate items there and Mr. Dougherty you were here. It should state five member review and compliance board.

Mr. Dougherty stated that was his understanding.

Mr. O'Connell stated that the word ombudsman is done. Wherever the word ombudsman, it should be compliance office. A new chart on conceptual reviews should say five member review and compliance board. That is an updated version for the people. It was also stated that we originally going to have the finance director and the public works director, two council people, a public works chair and a budget and finance chair. On the new conceptual overview I want to make sure we have a councilperson and public works chair, councilperson and budget and finance chair, and it is very important the public works chair and budget and finance chair work jointly and cooperatively because we may be looking at some water issues and environmental issues. Mr. Schweyer's committee will be looking for money. Then we have two appointees by the mayor, one for a four year term and the other for a two year term, one nongovernmental appointee by city council for a four year term. My purpose of that is that person has no political ties to the mayor and no political ties to city council. All appointees have to be approved by the mayor and city council. The office of compliance responsibilities are already done so thank you for that. If you go over to the flow chart it should say.

Mr. Guridy stated that he understands the position to have two councilpersons and the public works chair and finance chair.

Mr. O'Connell stated that was the committee meeting. Let's look at the office of compliance with the City of Allentown. It was very important that the mayor and city council be on the same level. The mayor being the executive branch and city council being the legislative branch, the managing director, the public works office.

Mr. Guridy stated that he understands the position of having two councilpersons and the public works chair and the budget and finance chair.

Mr. O'Connell stated that the office of compliance for the city of Allentown. It was very important for the mayor and city council to be on the same level. The mayor obviously being the executive branch and city council being the legislative branch. The managing director and we have the city council public works committee that Ms. Eichenwald and myself run that, the director of public works and then the citizen advisory committee. I spoke a little about the citizens' advisory committee last week. The initial committee, we had an initial meeting on June 4<sup>th</sup> and I did not touch base with anyone except Ms. Thomases since last week because I did not want to jinx anything and I wanted to make sure that we get this all laid out. Ms. Eichenwald wanted to make sure that it was on the flow chart. We had the environmental advisory council which I believe and I could be wrong that it was a sub-committee of the Parks and Recreation committee. It was an entity on to itself. The citizens advisory committee has five members: Ms. Thomases, myself, Mr. Mike Seagle, Mr. McMann, Dr. Neisenbaum from Muhlenberg College, and we are working at another member from Upper Milford which I talked to someone who probably the media and they said the Danny DeLong is a very crucial part. I don't know where I am going, but we are going somewhere. I made a promise and a commitment that we are going to go further and we are going to stop at this and information and we are going to form council as we go on and the committee has a lot of meat to it. On the financial aspect of it, we spoke at length about the conceptual chart, conceptual overview and we talked about the flow chart a basically the question on the allocation of money.

Ms. Eichenwald stated that her difficulty was that the only amounts we had here was the actual salaries, but we all know it is much more than hiring an employee than the actual salaries. We have FICA and all the other taxes that is incumbent on the employees as well as insurance and in order to vote on a position you need to know all of that and I am disappointed that when I look at my packet that the same numbers are here without the additional expenses.

Mr. O'Connell stated that they are in the back. The bill did pass favorably 2 – 1 to move forward to the entire council tonight with Mr. Davis and myself voting yes and Ms. Eichenwald voting no.

Mr. Guridy stated that it looks like you did a lot of work on this and it was well thought out and I love the way that flow chart runs. I was looking at this flow chart, the conceptual overview when you talked about the gentleman that you wanted out of the area.

Mr. O'Connell stated that his name is Dan DeLong and he is very versed in water qualities and environmental issues and I have his resume. There are two separate bodies here, the five member review and compliance board which are important people at the table and we have the citizens' advisory committee. They might look at things through two sets of eyes. It is very important that the citizens' advisory committee has some teeth to it and people with expertise and I don't think all of them would have to live in the city. You can have expertise from people outside of the city. It is very important.

Mr. Guridy stated that his concern is naming a committee. I liked the way you named the committee. You said the mayor and a couple of councilmembers, the chair of the public works, and the chair of the finance committee. Those were specific individuals and it doesn't matter who they are or if they are not on council they will still be the chair of public works and there will still be a chair for the finance committee. When you name a particular individual, if something happens to that individual, how do we deal with it?

Mr. O'Connell asked with my citizens' advisory committee. I would hope that you have faith in my leadership as public works chair and I would hope that my colleagues will have faith in my leadership making a commitment to the public and letting me do what I have to do. I am not going to do anything

underhanded or with the slight of the hand. With my leadership and respect, I will keep council informed. I did speak to you months ago and talked to Mr. Schweyer about forming this citizens' advisory committee and I think it is a good idea and we don't have to necessarily have to baptize them as the citizens' advisory committee for the rest of our lives. I would think it would be a good statement from you saying that Mr. O'Connell you are the public works chair and you have the public works committee with Ms. Eichenwald and Mr. Davis and go forth, keep us posted and keep it going. It is very important. We are looking at people and the people that I listed were not here. They are not the naysayers or the cheerleaders for this. They are just average people who have a basis and foundation in environmental, scientific and engineering. I think it is important to have a good committee and a neutral committee.

Mr. Guridy stated that he agrees with Mr. O'Connell, but the only question that he has and he did not mean to suggest that Mr. O'Connell is not going to do anything inappropriate. Your heart is in the right place for the city and for the committee. He stated that he knows Ms. Thomases and Mr. Poresky, but he just doesn't know this particular individual.

Mr. O'Connell stated that Mr. Poresky is not on the committee.

Mr. Guridy stated that these are the people that he knows and he just doesn't know that particular individual.

Mr. O'Connell stated that he has the bios of everybody and I will make sure that you get copies of bios. These people are well-versed in the field for many, many years.

Mr. Guridy stated that he believes him.

Mr. O'Connell stated that this is the right thing to do for the citizens' of Allentown as we move forward because there is going to be a lot of moving targets out there and if we can pull it together and get good ideas and good census and good compromises. We might not always agree, but at least we are doing the right thing for the citizens of Allentown.

Mr. Guridy stated that it is a great flowchart and a great concept and I always agree that we should have a citizens' advisory committee. From the beginning I said I would like to have it and I think you did a wonderful job putting it together.

Mr. O'Connell thanked the administration, Mr. Dougherty and Ms. Trapp for listening and taking recommendations from the public works committee and moving forward. My purpose was the conceptual overview and the flow chart and you did an outstanding job.

Ms. Trapp stated that the suggestion that you made on complaints being copied to the public works chair and the city clerk was noted and the plan is that I didn't not think it should have been articulated in the conceptual overview, but as install the office and people are put in place, it is absolutely something that has to be communicated to them.

Mr. Schweyer stated that this is a lot of work done in a very short amount of time that was responded to multiple constituents concerns. It is beyond commendable work and very impressive. He stated that he believes that it is a typographical error on Bill 34. When you look at the sections 3, 4 and 5 and Section 6, this ordinance takes effect ten days after final passage then it says Section 4 and it should say Section 7. We should not have two section 4s in here.

Mr. Hanlon stated that it is an amendment that is coming.

Mr. Schweyer that to Mr. O'Connell and Ms. Trapp that the only thing that he does not see in the conceptual overview is the role of the city controller. As chair of budget and finance, Ms. Koval and I work very, very well together on a regular basis in advance to our budget and finance meeting to hash out.

Ms. Trapp stated that her suggestions would be that we can put the controller where it says advisors with the finance director and public works director. We can add the controller from the area that comes from the five member board that goes and advises city council, we could add the controller with the finance director and public works director as an independent person from that board. We can add that as an adviser or conduit of that board to city council.

Ms. Eichenwald stated that she thinks the controller operates as the controller operates in every other area. That goes without saying. We don't have a special block for the controller in any of our departments. It is the controller's responsibility to always make sure that everything is on the up financially and to do the audits. Ms. Koval has been doing it for almost two years. We don't have it in other avenues of government works.

Mr. Schweyer stated that we don't have a block for city council.

Ms. Eichenwald stated that we do. There are city council blocks in other areas and we make flow charts for them.

Mr. Schweyer stated that he knows that he will continue to work as long as he is chair of budget and finance with the controller. We have an independent elected official whose job is to oversee it. With the amount of thought, work and frustration he understands that something has to be in here to recognize that role of every other aspect of the city operations from department heads to the solicitor to council. It is not criticism of the work that was done. I think it is excellent work. There is no amendment to make this. This is not part of the legislation tonight. There is no proposal that impacts Bill 34.

Mr. Guridy stated that he likes the idea to put it in as an advisor.

Ms. Koval stated that she is willing to work in an advisory capacity the same way our public works director and our finance director because there will be questions coming to me about the finances and the budget and audit. If and when the committee decides to add that I will be willing to work in any capacity in the structure.

Mr. O'Connell stated that he rather not put it in at this point.

Ms. Koval stated that is not a problem, but it and when you need something from me or if something happens, you can always come to the office of the controller.

Mr. Daniel Poresky, 824 N. Burkes Street, stated that he commends council on the work that they are doing and I am in favor on all of this. He asked if the citizens' advisory committee is something that Mr. O'Connell will be the chair of.

Mr. O'Connell stated that at this point I am the chair of it.

Mr. Poresky asked where does it get its authority and who will appointee its members in the future. Is it something that needs to be stated that the chair of the public works committee of city council should be stated works for or is appointed by the chair of the public works committee of city council.

Mr. O'Connell stated that we are not there yet. We can come back with a resolution.

Mr. Poresky asked where does its continuity comes from and where is the assurance that it will be there in years to come if it doesn't have any authority.

Mr. O'Connell stated that it is on the flow chart.

Mr. Poresky asked who appoints. If it doesn't say who appoints these people then maybe the mayor will appoint them.

Mr. Guridy stated that committees can be appointed by the mayor or by council, but it is confirmed by council.

Mr. Poresky recommended that it be stated somewhere that the citizens' advisory committee be selected by the chair of the public works committee.

Mr. O'Connell stated that he would personally go along with that, absolutely.

Mr. Guridy stated that it is backtracked to start something like that. We can make recommendations for appointments by any person on council for committee. I would like clarification on that from the solicitor.

Mr. Poresky stated that it may be a better system, but the fact that there is no system.

Mr. Guridy is here today chairing this committee and next year it could be someone else. The president only appoints the chair for the committees. I don't want to give a lot of responsibility to one person. I think it should be council.

Mr. Poresky stated that it is fine, but whatever it is I think it should be stated somewhere what's formed and who selects them.

Mr. O'Connell stated that your suggestion will be the citizens' advisory committee or the adhoc committee will say that the membership is appointed by the public works chair.

Mr. Poresky stated that would be my preference. In the conceptual overview, is there any place in there where that citizens' advisory committee belongs.

Mr. O'Connell stated that he did not address it, but what he had last week was if you go down to the office of compliance responsibilities and you go down to and last it was called coordination and consultations with citizens. What was recommended last week it says coordination and consultations with support groups i.e. citizens' advisory committee lead by the public works chair.

Ms. Trapp stated that she took out the support group language.

Mr. O'Connell stated you did, and it is a very fair question. I would feel more comfortable to say coordination and consultation. He stated that support groups are a big umbrella and we can have a short umbrella. I would feel better if it said coordination and consultation with the citizens' advisory committee lead by the public works chair and it is there.

Mr. Guridy stated that his understanding is he is talking about appointments.

Mr. O'Connell stated that he was and I know exactly what he is saying. Conceptually I am not there yet. I know exactly what he is saying. I need some time to think it through and say this is the 4citizens' advisory committee that I am recommending and then we could talk about it. I am not there yet. This is a step, but at least it is a baby step.

Mr. Glen Hunsicker stated that this an excerpt from the LCA operations report. I trying to find out what this compliance committee is really, really going to do. The Exhibit A is 35 different reports and the way I understand it when I read LCA's is that these report that they are going to generate and for \$300,000 - \$400,000 a year which comes out to \$15 million over 50 years are 35 reports, three monthly, 15 quarterly, one semi-annually, ten annual and one on a five year basis. Are there any other reports that this committee is going to do? I am trying to look at the cost of doing this stuff which was probably done in-house by the water and sewer department by a secretary and someone taking data and putting on a spreadsheet.

Mr. O'Connell stated that what you are putting out here, I don't know yet. I was talking about the committee on the flow chart, the citizens' advisory committee.

Mr. Hunsicker stated that these are requirements that the city put upon LCA to report on.

Mr. O'Connell stated that he hopes what Mr. Hunsicker handed out would be two fold. Some of the information that comes from these reports are dialogued in decision with the citizens' advisory committee.

Mr. Hunsicker stated that he is not against compliance, but we should look at the cost of this thing.

Ms. Trapp stated that the report that you are talking about will be generated by LCA. Under the office of compliance responsibility, the first two bullet points speak to the responsibilities of the compliance auditors. They will review the regulatory reports and review any follow up and they are responsible for handling the complaints and closing out the complaints and reporting on the complaints. They also have annual reports that they are responsible for as well as annual and quarterly meetings that they are responsible for to ensure communication is what it needs to be relative to the concession agreement.

Mr. Hunsicker stated that basically what you are saying is what I have on this sheet. Appendix A – Concessionaire reports to the city and this is 35 different reports and my concern is the \$350,000 or \$400,000 for this committee is \$10,000 for each of these reports. Is that what is going to cost us, the city's taxpayers.

Mr. Young stated that they have to go back and verify the reports. We want to make sure that LCA is 100 percent in compliance with the agreement. It is not just taking the reports and putting on the self. They have to go through the reports and verify the information and verify if there is any math in there to make sure that the math is correct. It is a lot of work. We are still going to have our reporting as the administrative order with EPA which this office will also be handling.

Mr. Hunsicker stated that the reason he is asking this is that you really haven't define the duty of this so-called compliance board.

Ms. Trapp stated that what they presented at the meeting last week, the job descriptions were in there.

Mr. Guridy stated to Mr. Hunsicker that you have legitimate questions and you can talk to the administration offline.

Mr. Lou Hershman asked if by August 31<sup>st</sup> all the position will be filled and continue uninterrupted services.

Ms. Trapp asked Mr. Hershman if he is speaking of the office of compliance. There are some positions that are going to be hired from the outside and we are not able to fill all those positions from the inside. We have gone to the layoff list and we called people letting them know we got opportunities and we are currently posting the opportunities from the outside so as of August 31<sup>st</sup> we are prepared to support those functions.

Mr. Hershman asked if the ombudsman's office will be ready.

Ms. Trapp stated yes.

Mr. Hershman stated that you should amend the budget because it doesn't specify Mr. Young's position.

Ms. Trapp stated that Mr. Young's position is there.

Mr. Hershman stated it says to create two positions.

Ms. Trapp stated that Mr. Young's position is a position that currently exists. In the ordinance we are not creating a head count. The ordinance creates a headcount for the positions that need to be created. Mr. Young's position exists says the department of public works.

Mr. Hershman stated that the office of ombudsman also has a director of public works. When I was on city council when we created position we put all positions in there.

Ms. Bowman stated that we are not creating a position. We are changing the fixed cost that will be presented when the full revised budget is presented. This shows the costs that we are asked to provide.

Mr. Hershman stated that Mr. Young is supposed to be in charge of the operation. It should all be a part of the budget now.

Ms. Bowman stated that it will be when we present the revised budget with all changes that are effected with the lease.

Mr. Hershman stated that Bill 34 should be amended. If this thing goes until August 1<sup>st</sup> and they work overtime, there will be no money to pay for it, premium pay or shift differential. You should be amending the budget in its entirety.

Mr. Guridy asked Mr. Hershman if he had this package and information on the bill.

Mr. Hershman stated that he had the bill and Mr. Young should be in there on August 1<sup>st</sup> and he is not in the bill.

Mr. Schweyer stated that the first paragraph under ordinance says Amending the 2013 General Fund, Sewer Fund and Water Fund by transferring money from these Enterprise Funds to the General Fund to finance and create positions in the Office of the Ombudsman and the Storm Sewer Program under the Department of Public Works. It is already there, Mr. Hershman. This is all going to be organized under the department of public works.

Mr. Hershman stated that the first paragraph does not provide for a position in the budget.

Mr. Guridy stated that when the budget is amended, it would be there.

Mr. Dougherty stated that we can address Mr. Hershman's formatting issues under the revised budget.

Mr. Hershman stated to have the person in charge they should be there August 1<sup>st</sup>. How are you going to pay for the overtime, shift differential if you don't provide the money for it?

Mr. Guridy stated when the budget is revised it will be in there.

Mr. Schweyer stated if the department needs overtime money, what they will do is what they have done for the fire department, offer an amendment at that point in time to cover the overtime.

Mr. Dennis Pearson, 942 E. Tilghman Street, stated he sees by reading this ordinance two functions here are really included in here, but is separated. You have the department of ombudsman and you have the sewer department. He stated that his understanding of the ombudsman. You are dealing with data coming back from LCA to see if they are complying with providing services to the residents and you are seeing if they are meeting the needs of the requirements of the EPA and the function of the advisory committee looking at the details of what they are doing. You have to look at the water data and the quality of the data and what they are using and how much they are using, can they make improvements and reduce costs.

Mr. Guridy stated it is deleted. It is called the office of compliance.

Mr. Hahn stated that at the meeting last week they talked about the money that is being saved, that is being spent for the budget transfer and a monthly ago Mr. Schweyer talked about \$10 million surplus, and there was a \$2 million cost for the water and sewer. Where will be the report for the citizens on how much they were saved on the deal that was done?

Mr. Guridy asked Mr. Schweyer has he thought about that.

Mr. Schweyer stated that he has not, but it is an excellent point. To do a more systematic explanation is a fair point. I don't know, but you got my attention and what I will do is sit down with Ms. Koval and put it on the agenda for the next time we chat. There are a lot of moving parts.

Mr. Hahn stated in the one paper he surmised that it was for x amount of months. The total at the bottom would be doubled if it was for the year. It is confusing.

Mr. Schweyer stated Bill 34 to fund the remaining parts of Year 2013, the year that we are currently in is using excess water and sewer funds that remain with the city. When the deal is ultimately closed all the excess funds in the water and fund remain with the city and that is what funds 2013. The ultimate impact on the cash flow of the city I won't be able to pull that in an audit, Ms. Koval won't be able to pull that together. You have to give me a little bit of time because 2013 doesn't impact in perpetuity. This is basically using funds in the water and sewer.

Mr. Hahn asked how long it takes to generate that.

Mr. Schweyer stated that we will not have it this year. The pension board is still examining the different options that the pension board has. There may be a decision to de-fees the pension bonds. I don't know yet.



Mr. Guridy asked Ms. Trapp to explain the rationale.

Ms. Trapp stated that the first one and they are both a function of housekeeping relative to the changes and for the benefit of employees as it relates to bidding and bumping. The goal when we spoke at committee and when we previously spoke was that no one would be displaced and no one would lose a job and through the bidding and bumping process there was one person that was displaced in bumping, but they moved into an open position. As a function of that and through conversation with the union, the suggestion was made that the Clerk II in Building Standards and Safety be moved to a Clerk III because someone who vacated the position was a Clerk III and they do the work of each other. It could be done in the following year's budget, but in fairness to the employee and as an effort to support the work that the employee does and going ahead and doing it now as opposed to paying them for working out of their class for the remainder of the year and a housekeep item for that particular item. With regards to parks and recreation, it is a housekeeping item. They are going to give up a part-time position in order to fund the full-time position to support the work they need to do and provide that opportunity to support the function of their work as a result of some of the movement of some of the employees as a housekeeping for the bidding and bumping.

Mr. Guridy stated that the second one will give up the part-time position and you will make it a full-time position.

Ms. Trapp stated that right now there are two clerks, a Clerk II and a Clerk III.

Mr. Guridy asked are you giving up one.

Ms. Trapp stated no. The Clerk II and Clerk III, the Clerk III bid out to a different position and it was left as an open position. The Clerk II could have bid up to the Clerk III and a bumping could have bid up to a Clerk II, but essentially the Clerk II and III do exactly the same work and this was an effort to align and equalize if you will the work that they do because they do share. We would have ended up paying out of class for the remainder of the year and could have put it in the budget next year, but in effort to support the employees and be fair to them it is a housekeeping item here to make their work equal because they do share that work.

Mr. Guridy stated that if you are getting a \$12,000 increase then your work should increase as well.

Ms. Trapp stated that the ranges are similar, \$31,000 and \$32,000. The person that would get reclassified would only get reclassified to the same step he had at Grade 8. It is not necessarily a \$12,000 increase for that particular individual would get less than a \$1 and hour. He would go to the next step in the next class.

Mr. Guridy stated so you are just reclassifying a class.

Ms. Trapp stated we are equalizing and making two Clerk IIIs as opposed to a Clerk II and a Clerk III because they do the same work.

#### **AMENDMENT PASSED, 7 – 0**

Mr. Pearson stated what was up there is a new section and it seems to be unrelated to the entire Bill or is it related to the Bill in section. One deals with the Department of Community and Economic Development and the other one deal with Parks and Recreation.

Mr. Guridy stated let Ms. Trapp explain it to you.

Mr. Schweyer stated that this is a Mr. Hanlon question.

Ms. Trapp stated that this is all related because these are all functions of this lease and as part of the bumping it is a domino effect that it had related to the situation globally. That is why we added as a function of housekeeping to this because it was a result of a domino effect of protecting all of the jobs and ensuring everyone had a place and ensuring no one was displaced.

Mr. Guridy stated that is what I understood. It appears that the different departments are related to the Bill.

## **ORDINANCE PASSED, 7 - 0**

### **11. ORDINANCES FOR INTRODUCTION:**

#### **Bill 35 Amended Establish CGP accounts Ordinance**

**Referred to CEDC**

Amending the 2013-2014 Consolidated Grants Program budget which consists of the Community Development Block Grant Program (CDBG), HOME Investment Partnerships Program (HOME) and Emergency Solutions Grant Program (ESG) to provide for an additional appropriation of \$ 429,822 in CDBG funds, \$127,777 in HOME funds and a reduction of \$53,482 in ESG funds, for a net increase of \$504,177 in funds.

#### **Bill 36 Appropriation for Special Events**

**Referred to CEDC**

Amending the 2013 General Fund Budget to provide for a supplemental appropriation of Twenty-Nine Thousand Five Hundred and Eighty-Five Dollars (\$29,585) to the DCED Office Expenditure Accounts from the DCED Special Events Revenue Account.

#### **Bill 37 Historic District Ordinance**

**Referred to CEDC**

Amends Article 1391, Historic Districts to more specifically define and outline the duties and responsibilities for the Historic Districts.

#### **Bill 38 Street Sidewalk Vendors**

**Referred to CEDC**

Amending Article 740, Street and Sidewalk Vendors, by providing new regulations, licensing and enforcement provisions for mobile vendors seeking to operate on city streets, the public-right-of-way and parking lots.

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

**CA-1 HARB** Certificates of Appropriateness for work in the Historic Districts

## **RESOLUTION PASSED, 7 – 0**

### **13. RESOLUTIONS ON SECOND READING:**

#### **R17 KOZ Expansion**

##### **333 Court Street (Adelaide Mills) and 606 S. 10<sup>th</sup> (Allentown Metal Works)**

Authorizes exemptions, deductions, abatements and credits for real property, earned income tax, net profits, mercantile and business privilege taxes within a specific geographic area in Allentown, PA designated as a proposed keystone opportunity expansion zone (“KOEZ”), in order to foster economic opportunities, stimulate industrial, commercial, and residential improvements and prevent physical and

infrastructure deterioration within areas of Allentown, PA, Commonwealth of Pennsylvania, upon certain terms and conditions.

Mr. Davis stated that it went through the committee favorably 2 – 0. These are two properties and one is a property at the Metal Works owned by ACIDA that is not on the tax rolls and the other property is the Silk Mills which is currently on the tax rolls.

Mr. Schweyer stated that he was unable to attend the committee meeting, but did have a conversation with the administration and had I been there I would have joined you and Mr. Davis in voting the affirmative.

Mr. Glazier stated that it would be a ten year abatement period and it would be from the date of the legislation.

Mr. Todd Collins stated that is correct, starting January 1, 2014.

Mr. Glazier stated that he is not worried about the Steel Mill, but the Court Street property. In order to qualify for the tax abatement, what do they have to do?

Mr. Collins stated in order to qualify we need all local taxing authorities to pass a resolution in support.

Mr. Glazier asked what they need to do to the building for them to qualify for the tax abatement.

Mr. Collins stated there is criteria's set up in the KOZ legislation that is specific to the investment made as well as improving the property to the point of occupancy and substantially enhancing the property from its current condition.

Mr. Glazier stated I take it that you are familiar with the developer's plans.

Mr. Collins stated yes, we have a general scope of the plan project.

Mr. Glazier asked based on your knowledge how many years it is going to take at that point that the buildings qualifies.

Mr. Collins stated from the start and one of the representatives who have an equitable interest in purchasing the property is here and he is willing to speak if you want to talk to him directly. I would think it is an 18 month ramp up minimum for CO.

Mr. Glazier stated that the series of buildings are pretty large.

Mr. Collins stated that is correct. It is 200,000 square feet.

Mr. Glazier stated that what I am hearing it will take 18 months to get everything to the Certificate of Occupancy. There are other properties that will be broken down to condominiums in separate sections and they qualified for benefits as an individual base. I am thinking the Brew Works and I think there is one other property at the old Garment Mills was also broken down.

Mr. Collins stated that the KOZ designation is generally and right now it is a regional application. We are putting these two properties in the regional application which is between Lehigh and Northampton Counties and it is due in October and generally when there is an acreage of allowance and then you submit for a

particular parcel. Allentown Brew Works was a particular parcel that was maybe in the same round as other KOZ designate properties. It was on its on track in terms of development.

Mr. Glaziers stated it broke the floors down separately and it may or may not have qualified under the same timeline.

Mr. Collins stated correct. The top two floors at the Allentown Brew Works those were condo'd off and then it was the KOZ designation.

Mr. Glazier asked if a developer might consider doing this for this property.

## **RESOLUITION PASSED, 7 – 0**

### **14. RESOLUTIONS ON FIRST READING:**

#### **R20 Supports State/Federal Funding for Railway Study**

Supports state and/or federal funding for feasibility and marketing study on rail service in the Lehigh Valley.

Mr. Schweyer stated that Mr. Rupp is here and wanted to speak before and we heard him speak before and I think that all of us had the opportunity to at least hear him speak about this. I would have no objections in voting on this tonight if no one else would have an objection. Our rules does allow us to do it that way. Mr. Rupp can go out and continue his efforts. He see how long it took us to get an RV Bill passed.

Mr. Guridy deferred to Mr. O'Connell.

Mr. O'Connell stated that he seconds that. Let's vote tonight.

## **RESOLUTION PASSED, 7 – 0**

#### **R21 Amended Action Plan Resolution**

**Referred to CEDC**

Approves the Submission of the Revised Action Plan to the United States Department of Housing and Urban Development

#### **R22 911 Plan Resolution**

**Referred to Public Safety**

Approving the 9-1-1 Triennial Plan – 2014 through 2016

### **15. NEW BUSINESS**

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

Mr. Ernie Atiyeh asked Council when they leave to make a left and go on 4<sup>th</sup> Street on the right side and see one of our Citizens on Patrol cars.

### **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](http://www.allentownpa.gov) or contact the Clerk at [Michael.Hanlon@allentownpa.gov](mailto:Michael.Hanlon@allentownpa.gov) to receive an email notice of the meetings.*