



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final City Council

Wednesday, July 15, 2015

7:00 PM

Council Chambers

Invocation: Ray O'Connell

Pledge to the Flag

Roll Call

Davis, Eichenwald, Glazier, Guridy, Hendricks, Mota, O'Connell

Dale Wiles represented for the Solicitor's Office

Susan Ellis Wild, Solicitor, spoke about the on-going investigation at City Hall

Courtesy of the Floor

Mr. Lou Hershman, 405 N. Gilmore Street, asked about New England Avenue on the eastside. Under the Right to Know law I submitted a request for information. Will this be curtailed. Will we have a New England Avenue to connect to the bridge. A couple weeks ago when the Police Chief and the Fire Chief were here, I spoke about getting more police from the City of Allentown and they stated that the Third Class City Code prohibits that. He asked to provide more incentives to create police officers that are Allentown residents. He asked City Council to review the Civil Service Laws. He asked about the Five Year Financial Plan.

Mr. Ray O'Connell stated that the Civil Service Rules have changed.

Ms. Eichenwald stated that she would like to respond to Mr. Hershman inquiring about the City of Allentown residents getting points just as military service. I looked into it and it appears to me that Mr. Hershman is completely correct. I view with distress that our Police Chief said this was not feasible at all.

Mr. Kenneth Heffentrager, 733 N. 11th Street - Allentown Tenants Association, stated two years ago when we had the brutal winter we gave a little lenience to shutting down buildings so that people would not be put out into the cold. We have a building at 728 W. Walnut Street owned by Miguel Lewis Lucas of New Haven, New York. There are elderly, disabled, children and dogs living in this building and this man stole their money. An inspection was made out that property. This Friday, these people will be booted. He asked if City Council can look at the inspection report. He talked about the cameras. Captain Dorney at a meeting said that they will replace the cameras and re-purpose them. We need one in the Tenth Ward and the Eighth Ward. He asked for a camera at 11th and Washington. The Lehigh Valley Network has security officers out there surrounding PPL Center. The Tenth Ward had no bumping.

Mr. Kirk Raub, 818 W. Union Boulevard, Bethlehem, talked about the rail issue. When I spoke to you in February or March of this year, I stated that the three Mayors from Allentown, Bethlehem and Easton were getting together to discuss how best to proceed forward with this. They decided to plop this in LANTA's lap. LANTA is not anti-rail. The Board decided not to be in the rail business. He asked Bethlehem Council to reach out to the cities of Allentown and Easton.

Mr. Dennis Pearson, 942 E. Tilghman - President East Allentown Rittersville Association, talked about the need of Mosser Village. Mosser Village does a wonderful job dealing with families in the Mosser/Keck Park area. The sponsors have pulled out. They are trying to help themselves by having a festival at Keck Park.

Mr. Ray O'Connell stated that Mr. Pearson picture was in the paper about Bethlehem Steel. He said to Mr. Pearson, good job.

Mr. Cocca stated that a lot of people know about the emerging food truck culture in the Lehigh Valley. He is part of an alliance to plug into the food service. I would love to the City of Allentown to streamline the program. He wants a festive and vibrant food truck environment. He echoed Mr. Pearson stated that he had the blessing and privilege to teach creative writing at Mosser Village Program and those kids lit up. They need it. Mosser is one of three that are doing well because they have that support from that institution. He agrees with Mr. Heffentrager about the security forces around the PPL Center. it almost seems to be an affront. He touched on keeping homeless people off the street and the feeder system for homeless.

Mr. Robert Trotner, 1910 Bear Street, Bethlehem - Lehigh Valley Coffee Party, stated that he walked in a felt something new, a new spirit. A weight is being lifted off our shoulders. You

offered to talk to the City Solicitor and he is going to send Council information on how to change some of the ordinances to have very tight ethical and financial controls to create an honest government.

Mr. Ray O'Connell asked Mr. Trotner to send to him.

Ms. Katherine Walford, 429 Ridge Avenue, asked what if anything are you doing to retrain the 207 police officers not to be abusive. You have to handle people with mental and physical disabilities.

Mr. Ray O'Connell stated that it is a fair question. He will look into it. He asked Ms. Walford to give the Clerk her phone number.

Approval of Minutes:

[15-200](#) June 17 Council Meeting Minutes

Attachments: [31 June 17 Council Minutes](#)

MINUTES APPROVED BY COMMON CONSENT

Communications

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OLD BUSINESS

Ms. Jeanette Eichenwald stated that several months ago she questioned and led a discussion about the Allentown Symphony Hall and their parking problems. For several years Bennett Auto funded parking for the nights that Symphony was busy. Patrons can go into the Symphony parking lot which is diagonal across. When the Arena came to fruition that parking arrangement was taken away from Symphony Hall and people had to park wherever it was feasible. This past Saturday evening there was a concert at Symphony Hall and when the people left they had to get cars out of the parking lot with one machine operating and it took two hours to pay to get their cars. A city without arts will not be able to thrive. It is incumbent for us to provide parking for the nights that Symphony Hall has a concert.

Mr. Ray O'Connell stated he did receive an email from a lady from Emmaus, forwarded to Mr. Hendricks and he got in touch from Tamara Dolan. I responded to her, copied Tamara and Mr. Hendricks. Tamara stated with that situation they waited for an hour and a half and that situation will be taken care of.

Mr. Daryl Hendricks stated that we had a Community and Economic Development Committee meeting prior to our meeting tonight. Ms Dolan was here and she is going to contact those people. I forwarded those emails to her and she will explain that it will be taken care of.

Ms. Jeanette Eichenwald stated that it should be some public responsibilities to inform them. The city consists of more than just those few blocks around the arena.

REPORTS FROM COMMITTEES:

Budget and Finance: Chairperson Glazier

The Committee met this evening; the next meeting is scheduled for July 22 at 6 PM where we will be reviewing the city's audit.

Public Safety: Chairperson Eichenwald

The Committee has not met since the last Council meeting; the next meeting has not been scheduled.

Community and Economic Development: Chairperson Guridy

The Committee met this evening and discussed one Bill and moved it favorably 3 - 0. There will be a Public Hearing on that Bill on August 19th at 6:30 PM; the next meeting has not been scheduled.

Parks and Recreation: Chairperson Mota

The Committee has not met since the last council meeting; the next meeting has not been scheduled.

Public Works: Chairperson Davis

The Committee has not met since the last Council meeting, the next meeting has not been scheduled.

Human Resources, Administration and Appointments: Chairperson Hendricks

The Committee has not met since the last meeting; the next meeting has not been scheduled.

Rules, Chambers, Intergovernmental Relations and Strategy: Chairperson O'Connell

The Committee has not met since the last council meeting; there are no future meetings scheduled as of this time.

OTHER COMMITTEE REPORTS:

Mr. Daryl Hendricks stated that he serves on the Board of the Parking Authority and mentioned to have a report ready on the Parking Authority about the citywide residential parking permits. We will be discussing it on August 5th.

Mr. Ray O'Connell stated that is on the docket for August 5th.

Mr. Julio Guridy stated that he serves on the Board of the Allentown Housing Authority and we had a meeting last month. You will get copies of the minutes of the meeting. We are working with all the properties and Gross Tower taken care of the issues with the water heater. We will continue to provide information to those that need it. The meetings are on the third Thursday of the month at 9:00 AM at Gross Towers, 13th and Allen Streets.

City Controller's Report

Ms. Mary Ellen Koval stated that the Controller's office will have an Accounts Payable Report at the next meeting. She thanked the members of Council for coming to the Meet and Greet. They are finishing up their projects and will be presenting it at the Budget and Finance Committee Meeting at the last meeting in August or first in September.

Managing Director's Report

Mr. Francis Dougherty stated that we are keeping abreast of our Graffiti Projects. We have done 53 projects in the month of June. The electronics collection has been brisk. Three trailers in the month of June were taken out. Twenty-eight was picked up curbside, 98 cleanups were completed, 1,000 receptacles were emptied in a month of June, four dead animal pickups in the month of June, 73 tickets for properties cut by contractors that were issued in the month of June, the grass is growing and we are trying to keep up with it.

APPOINTMENTS: NONE**ORDINANCES FOR FINAL PASSAGE: NONE****RESOLUTIONS FOR FINAL PASSAGE: NONE****ORDINANCES FOR INTRODUCTION:**

Bill 35 Amending Article 313, Business License, of the Codified Ordinances of the City of Allentown by imposing a fee for non-refundable business license applications.

Mr. Ray O'Connell asked any comments from the public. He referred Bill 35 to the Budget and Finance Committee.

[15-194](#)

Bill 36 Amending Article 734, Weapons and Article 951, Park Regulations, of the Codified Ordinances, by requiring the reporting of lost or stolen firearms, establishing penalties, and adding other general provisions governing weapons within the City of Allentown.

Sponsors: Administration

Attachments: [Bill 36 - ARTICLE 734 Amendment July 2015](#)

Mr. Ray O'Connell asked any comments from the public.

Ms. Jeanette Eichenwald stated that she is a little bit confused. Isn't this similar to the Bill we had previously and we were told we could not have it based on state regulations.

Mr. Ray O'Connell stated that we had this Bill and the NRA threatened to sue the cities and municipalities and we withdrew. The Pennsylvania Commonwealth Court overturned it. We want to institute what we had before.

Ms. Jeanette Eichenwald asked is it necessary to have a municipal ordinance if it is already a state regulations.

Mr. Julio Guridy stated it was withdrawn.

Ms. Jeanette Eichenwald stated that she knows that, but we had it as a municipal bill because the state did not have that as a regulations. I am glad to hear that state has it as a regulation. Why would we need to have it as a municipal law if the state supersedes a municipal law?

Mr. Ray O'Connell stated that it is not statewide. It is up to each city and municipality to re-institute it.

Mr. Francis Dougherty stated that as we promised if the law was overturned, we promised to come back to you and you were all unanimous to accept such changes.

Ms. Jeanette Eichenwald stated that she would appreciate if she could see something in writing about that every municipality has to do it. Is that the way the Commonwealth Court decided?

Mr. Ray O'Connell stated no.

Mr. Jeff Glazier stated that the Commonwealth Court just invalidated the state law which means that municipalities can go back and have their original legislation without fear or threat of frivolous lawsuits.

Ms. Jeanette Eichenwald stated that she is very pleased to hear that.

Mr. Steven Ramos, 421 N. 9th Street, stated that the law dealt with allowing organizations like the NRA to sue municipalities. I don't think it takes away the right of individuals to sue the city as a grieved party. I don't know if we want to put laws on the books, and wait to get sued and then take the laws off the books. We don't want to be back and forth with these laws. As i am looking at the amendment, the areas of the amendment that are underlined are areas to be added to this ordinance. It states that no one can carry a firearm on any city property or within any city parks. Many Allentown residents have concealed carry permits. Does this mean if they were to go to the park with their concealed carry weapon they are in violation of the city law.

Ms. Jeanette Eichenwald stated that she believes we should have a ruling from the Solicitor on this.

Mr. Daryl Hendricks stated that would not pertain, if you have a carry, you can carry in a city park.

Mr. Ray O'Connell stated that this will be referred to committee tonight and we will like that dialogue when we have the committee meeting. He asked anyone else from the public.

Mr. Dan Mest, 900 Block of Jackson Street, stated that he thought it was a done deal. People with carry permits were allowed.

Mr. Ray O'Connell referred it to Public Safety.

RESOLUTIONS FOR INTRODUCTION (Can be voted on or Referred to Committee):

[15-195](#) R33 Sewage Planning Module for Five City Center - Flats

Attachments: [R33 Sewage Planning Module -Five City Center Flats](#)

Mr. Ray O'Connell asked if we have sufficient sewer capacity, the answer is yes. It was checked out by the city. He asked any comments from my colleagues or the public.

RESOLUTION PASSED, 7 - 0

[15-205](#) R34 HARB - Certificates of Appropriateness

Attachments: [R34 HARB Resolution](#)

[HARB Cases 1 of 2](#)

[HARB Cases 2 of 2](#)

Mr. Ray O'Connell asked any comments from my colleagues or the public.

Mr. Kenneth Heffentrager stated that property on Lumber Street bought the home and are not wealthy and you require things. The woman has lived there for a decade. Why can't the city tell people there are grants for it.

Mr. Ray O'Connell thanked Mr. Heffentrager and asked any other comments from the public.

RESOLUTION PASSED, 7 - 0

NEW BUSINESS

NONE

GOOD AND WELFARE

Mr. Kenneth Heffentrager talked about the electronics pickup that happens. The system is flawed. It demonstrates the problems with tv sets. People without cars can't walk over there. I know SWEEP is sick and tired of my phone calls. It costs of money for employees to pickup tvs all over the place.

Mr. Tom Hahn stated that in light of the Statement from the Solicitor. Does anything that she appropriates to hire Counsel to help in the on-going investigation have to be approved by the Budget and Finance Committee or City Council.

Mr. Ray O'Connell stated that he doesn't have any answer. It is an on-going investigation. We have to see how it goes and what the professional services are.

Mr. Hahn asked if Council has to appropriate the money because it is a consultant.

Mr. Ray O'Connell stated you heard the Solicitor.

Ms. Jeanette Eichenwald stated that she respectfully disagree. This is the crust of the matter. Once again, we are hiring consultants without City Council's approval. She believes what Mr. Hahn is bringing forward.

Mr. Ray O'Connell stated we had an Executive Session and we need an Executive Session to answer questions that we have.

Mr. Julio Guridy stated that the Solicitor's office has a Budget and there is a line item in their Budget, Line 46 for Professional Services.

Mr. Ray O'Connell stated that we need the answers from our Solicitor and there will be on-going statements from our Solicitor.

Ms. Jeanette Eichenwald asked if we are going to look at this. I don't agree with Mr. Guridy. This is different. At this point in time, we owe it to the citizens of Allentown to have a discussion.

Mr. Ray O'Connell asked Mr. Wiles to relate the message to Ms. Wild that the City Council would like to have an Executive Session to answer the questions that have been raised tonight.

Mr. Daryl Hendricks offered his commendation as well as his colleagues on the great job the Allentown Police Department did in the last couple of weeks regarding the homicide suspect we had in the city which in fact lead to arrests in other homicides in New Jersey. Who knows how many other victims there may have been if not for the great work for the Allentown Police Department as well as the District Attorney's office and specifically two young officers who began by investigating a suspicious vehicle. It solved a total of seven homicides.

ADJOURNED: 8:01 PM