

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
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COUNCIL MEETING MINUTES
March 6, 2013
COUNCIL CHAMBERS
435 Hamilton Street

Council Meeting – 7:00 PM

- 1. Invocation: Julio Guridy**
- 2. Pledge to the Flag**
- 3. Roll Call:** Davis, Eichenwald, Glazier, Guridy, Mota, O'Connell, Schweyer
Dale Wiles represented for the Solicitor's office

4. Courtesy of the Floor

Mr. Kenneth Heffentrager, 733 N. 11th Street – Allentown Tenant's Association, stated that the two Code Enforcement Officers that are retiring are they going to be replaced or are we trying to save money. I am asking for someone to look into that and find out. Is the city utilizing Act 90? I don't think so because if Act 90 was utilized, stop allowing licenses and permits to slumlords in the city that has tagged unfit buildings, and you can make them fix up other properties. The whole point of the Act was you don't give them any more permits and licenses and you require them to fix other properties. It specifically says it in Act 90. You can make them fix other properties. We found properties that are owned by the city and tag unfit and I don't know the reason to have empty buildings sitting all over. We are not making any money off of them because the city is not paying any real estate tax. The initial idea of rehabilitating them is fantastic, great, but it is not happening. We don't have the money to rehabilitate them so dump the properties so that they are back on the tax rolls and we start making a few bucks.

Mr. William Hoffman, 1518 W. Pennsylvania Street, stated that as you may have read in the paper the referendum that we are working on has failed because of inconsistencies between the city and state law and because of mistakes made by myself and others. We gathered 4500 signatures and had we had time, we could have gathered twice that or three times that or four times that. Because of that show of support that voters showed us in signing our petition, they want to be involved in the decision making of leasing out the water/sewer facilities. I would ask you to pass an ordinance that would direct any sale or lease of the water/sewer facilities, if it is approved by City Council to then be approved by a referendum in the General election occurring at least 30 days after such approval that ordinance could be approved directed to the county and put on the May ballot. This would 'validify' the voters who did sign the petitions and those who would be anxious to sign the petition. I ask that you consider that and pass that ordinance.

Mr. Ryan Hunsicker, Allentown Chapter Leader of SEIU 32BJ representing the local employees, stated that he is speaking tonight on the changes the mayor made in the current RFP that is very troublesome to our employees. In short and at the end of the day, most of our employees are going to be bumping back into the bargaining unit. Originally, I had to come up with percentages. I originally thought maybe 60 percent or 70 percent, now it is 90 percent. It is incredible and the more I read into people and talk to people the more the mistrust is of this administration. You have to really see what they have really been telling you and the

facts that are just not the facts. I speak tonight in kind of a disbelief that we thought we had a solid agreement in place that we could have worked with the employees that would have transferred over, but at this point I don't see that happening. I personally don't have any trust in this administration and it is going to be hard to build that in the future. I leave you tonight with we are taking a hands-on approach as SEIU to move forward with this initiative to do what we can do to block this lease or sale.

Mr. Mike Duffy, 1650 Harbor Street – Washington, DC, stated that he is the Deputy Director for SEIU Local 32BJ. Our local represents 120,000 members throughout the east coast including the workers with the City of Allentown. I am here tonight to bring your attention to the major problem contained in the final Request for Proposals for the lease of the city's water and sewer systems issued last week by the mayor. Throughout this process the mayor said repeatedly no worker will be harmed by the leasing of this water and sewer system and that of course has never been true. It is especially false, given this new document. The originally RFP which I would add was approved by you contained protections for our members. Pay rates, our health benefits, our pension benefits provisions and other terms of working conditions. The protections in the original RFP were not as good for workers directly employed by the city, but they are far better than protections that would exist without them. However, the final RFP that the mayor issued last week guts the provisions regarding these workers' pensions in two major ways. First, it no longer requires bidders to match the Defined Pension Benefit currently enjoyed by these workers or to even provide any retirement protections whatsoever. Two, it no longer caps the mandatory contributions that these workers would make towards their retirement plan. These are two very significant changes. The mayor made these changes without any input from us and no notification from us and from what I gathered for no input and notification to you either. Specifically, the original RFP included language that would have required bidders to require essentially the same benefits they currently have, Defined Benefit Plan that they would have received if they stay on as city employees. The final RFP issued by the mayor, changed that provision to only required the bidders to provide a retirement plan that they currently provide to their employees which if they don't provide a retirement plan, they don't have to provide a retirement plan to the City of Allentown workers that they hire or if they do have some type of retirement plan, one that is far less benefits those workers would be stuck with that plan. In regards to the employee contributions towards the retirement, the RFP no longer includes language that caps the amount of money workers would have to contribute to their bidders retirement plan as it did in the original. I would also point out that this RFP language rewards bidders that have lousy retirement plans. It gives them a competitive advantage off the backs of the workers in the City of Allentown. I have to say it makes us wonder what other changes that we haven't discovered. It calls into question the transparency of this process. What is going on? If it wasn't such a betrayal of trust, it actually would be ironic that in trying to solve one pension problem, the mayor has created another. We are here tonight and counting on the city council to be a back-stop against this type of shenanigans and ultimately voting against the privatizing of such a vital service when the process has been so clouded with lies and misdirection. I would like to thank you for your time this evening.

Mr. Michael Donovan, 122 N. West Street, stated that as someone who only wanted to have a two-way analytical discussion between those in favor and those who are not in favor of the water lease proposal, I would like to support Mr. Hoffman's proposal this evening and hope that council would officially consider it and discuss it. I don't know where you will come down on it, but I believe the 4500 voters of Allentown need to hear you discuss this. I would like to add that it is useful that two former elected officials are recommending this and feel very strongly about it. I again ask council about the status of the Community Benefits Agreement which as you know I have advocating since the original announcement of the Neighborhood Improvement District. In particular, I await learning the city and the school department is talking energetically about the education opportunities that can be exploited as the result of the NIZ. I have talked about it occasionally with people and I get mixed responses, but based on my urban planning experience I think the NIZ would be a wonderful opportunity to look at that. Two years ago, one of the building inspectors went to my back porch of my house to take a picture of a falling down garage that is

extremely falling down. It is actually next to a school director's house and they took a picture and sent it (allegedly) to the owner of the building and nothing has even happened and that garage continues to fall down, the roof is gone, the walls are probably unstable, high school kids hang around in my alley which is fine. Things are not bad there, but I worry that in between the two houses that the wall and that wall would eventually go down because someone is leaning against it. I am told and this is the irony of it that it is not enough money to do something. That was told to me by an individual in the department and yet we are throwing a lot of money around with some other issues. It is good to be here again and I think these are important issues. I really do hope that you would consider Mr. Hoffman's proposal at least to consider for discussion. I do ask again, for a Community Benefits Agreement. We are now two years down the road and nothing has been accomplished on that topic, in my opinion.

Mr. David Melman, 1050 N. 19th Street, stated that he would like to speak to you tonight very briefly as both a fourth generation homeowner in this city with plans to have a family here and many grandchildren down the road, and also as a lawyer and to provide a slightly different legal perspective to this argument that being of course the water privatization bill. I stand mainly with Councilwoman Eichenwald in opposition to the privatization of our water. I believe that the long-term consequences and costs to the city will outweigh any short-term benefits, but I am not talking to you as an economist. I don't pretend to be an expert in these numbers at all because I don't. What I am is a lawyer and one of the things that I know as a lawyer is about fiduciary duties. Fiduciary duties are duties that are owed mainly by corporations to its shareholders. To privatize our water and to give one of our most precious resources and to take it away from the people in this city and to give it to a corporation is to advocate this city's responsible to provide safe, affordable and clean water to its citizens. Corporations while they are regulated by the FDA and certain other federal agencies do not have that duty to us. They have their duty to their shareholders. I am speaking to you as a matter of principal and not as a matter as economics. More people could do that far better than I could, but as a principal and to give our precious water to a company, a corporation who duties are to their profits and to their company 10, 20, 30, or 50 years, to their constituents, down the road far longer than we could predict or protect would be to sacrifice a resource that we owe safely and affordably to our citizens. Council people, legislators, elected officials; their duties are to their constituents. Those that are elected to them and the citizens and taxpayers of this city whenever private company gets the bid, if they do, but I hope they don't their responsibilities are not to us. They are to their profits and their shareholders for making continuous profits and I believe that would come to the expense of our city one in which I have a vested future and I have all of my life. I am 29 and I expect to be here for a very long time. We have a duty to ensure permanently that our water is in the hands of our citizens and our officials not the profit incentives of a company and to do that would be a sellout of our children and grandchildren. We have a duty as a principal ethical and legal not to do that. I ask you to passionately to consider this, not just for the money, or the pension or the arguments regarding the short and long-term economic cost, but our duties to our water and to our children. I also would like to say as an addendum to that such a precious thing as water and one of our most precious resources that we need to live fundamental to our existence. This should be talked about to all of the people in this city. The people should have the right to say what happens to their water in their city and in such that it should be on a referendum.

Mr. Ernie Atiyeh, 451 W. Chew Street, stated that back in September and in the beginning of October I asked about looking into the privatization of an Allentown run Water/Sewer Authority for-profit or nonprofit company to run our water and sewer by residents of Allentown and I was told that we have PFM looking into it and after PFM looking into it you will have PEL look into it. Is that still being done?

Mr. Guridy stated yes.

Mr. Atiyeh stated that his other concern is that what these gentlemen talked about with our union employees. I am a former SEIU member and when I worked with the city, we went through the bumping

process. It is a disaster and we are talking about 98 percent of the employees. When you bump for example if I have to go to the building maintenance department, the person that I bump out of that department has to go to another department. That person that gets bumped out of that department goes to another department and three or four months down the road somebody is laid off or out. You do that with 60 or 70 people it creates a lot of problems. The people that are bumping into these jobs are bumping people out of the jobs that have experience. You have to have a supervisor take that person for two to three weeks and explain to them what the job is about and it creates a lot of problems. I have been through it and seen it happen. I am really concerned about the new agreement and I don't know if council was aware of it or not or if you okayed it. I know that you Ok'd the original one. He stated just be careful.

Mr. Lou Hershman, 405 N. Gilmore Street, stated that his purpose this evening is the water and sewer lease and I am asking city council to turn down the lease even before it comes to city council because if you read the newspaper articles the last week or two, there are so many flaws in this agreement that to begin to correct these flaws will take years and years and years and the only way to get over this thing is to appoint a committee as Mr. Donovan pointed out before to look into alternative ways that could fund this thing. I don't know why council does get off their horse and look at a committee at this point and find good members of this committee and find alternatives that would fund this unfunded plan. As you know, the mayor doesn't want to stick around here. In two years, he wants to live at Uniontown Gap or Second Street in Harrisburg. All he is doing is kicking it down the road for two years and leave it to somebody else to pay the bill here. I am asking city council to appoint another committee which you should discuss at another committee meeting to find alternative ways to pay for this unfunded pension plan. He stated to Mr. Guridy that council has to look at ways to let the senior citizens of Allentown know how to obtain money for the water and sewer and garbage refunds. They don't know who to contact. They contact me and I say that I am not on city council anymore, but contact president Guridy, but Mr. Guridy doesn't get back to me, but I would imagine that Mr. Guridy would find a way so that the senior citizens can apply for this money, the rebates on garbage, water and sewer. Years ago, we used to put something in the water and sewer bills to let them know how to apply for them. Are we trying to save the money or are we going to treat our senior to what they are entitled to.

Mr. Guridy stated that they should call the city or the finance department. Just call the city's main number and they will direct them to the right person.

Mr. Schweyer stated to Mr. Donovan welcome back. Make sure we get the address of that property because that was one that we did not follow up on. If you can give that to Mr. Hanlon, Mr. Dougherty will find money in an account 46 line somewhere.

Mr. Helen Hahn, 2016 E. Highland Street, stated that during the invocation this evening, I heard that we were asking for wisdom. I think the prayers were answer already. There have been so many people here month after month that have come before you to tell you that the right thing to do is not to privatize the water. Do not lease the water. That is the answer to your prayer. There has been one horrible, horrible debacle several years ago and this is just going to add to it and you can see it by getting online and reading the contracts that these water leasers give to you pages, of pages, of pages and it goes on and on about if the hydrants are opened up you get charged, if a truck breaks down you get charge. Guess who gets charged people paying for the water. It goes on and on. You have to think about all of this and read some of those contracts. They are hundreds of pages. Who gets through 200 – 300 pages on a contract and really knows what is going on when things take place.

Mr. Rich Fegley, 1002 S. Bradford Street, stated that I too see the water lease just like Ms. Eichenwald. I see that we continue to spend a lot of money chasing after a plan that is just getting worse now. With the royalty fee being reduced from 4.5 million to 2.5 million and it could possibly go as low as \$500,000 a year.

That \$2 million reduction is \$2 million for 50 years, so that is \$100 million. Basically, shouldn't we be looking at whatever the upfront payment is and just say let's take \$100 million off of that because we basically, in the beginning, decided that 4.5 million was the concession that we wanted, the royalty fee because we feel that the water and sewer system make about \$1 million in profit so you figure the \$5.5 million is about equivalent to the upfront payment we are asking for and the other 4.5 million would have been the royalty payment. Now, reducing it to 2.5 million, I don't understand how this plan is just not taken off the table now. We continue to spend tens of thousands of dollars using PFM and the attorneys that we are using to continue to investigate this plan. Also, with the increased rates that we have over the CPI (the Consumer Price Index) that again reduces the whole plan, so at this point in time council is making their decision and we are waiting for the bids to come back, but it does seem that the plan is so good or we were on the fence with the plan before waiting for the bids to come back, for the royalty payment to be reduced from 4.5 million to 2.5 million is \$2 million a year, over 50 years. When the mayor talks about savings, especially when it came to the incinerator, he wanted to talk about a \$25 million savings over a 35 year lease. I don't know how in this instance with the water lease that we are talking about \$100 million over a 50 year lease. Any upfront payment that we get at this point doesn't make any sense. The other part is to the union and the union workers. I was one of the ones fighting against the union workers when they were really supporting the mayor and the administration with the incinerator. I see this with the water lease at the public meeting at the League of Women Voters when the question was ask to one of the panel members supporting the lease they mentioned that one of the ways the company saved money was because they were able to cut their staff in half and their justification was that half of them took some sort of retirement in some form or way. It wasn't like they were fired or removed, but in the end they really didn't rehire half of those people that retired or whatever they did. They are basically saying that they cut the staff in half and that is one of the ways they saved. I am glad that the unions finally sees that none of their jobs are secure and again, I don't want to see us waste any more money by pursuing the mayor's plan.

Mr. Don Ringer, 1801 Liberty Street, stated that he finds it amazing that we are probably making the most important decision in our city probably in the last 100 years with this lease of 50 years and the people making this decision, three of you not even being elected. You are not even elected by the people. You were appointment by a board and the so-called boss of this city. I feel that we should table this thing until we have a council that is elected by the people and for the people. There were 4500 signatures. We could have gotten 20,000 signatures, if we needed them and you are completely ignoring all those people. If you people have any questions about our proposal, I suggest you call Mr. Hoffman. He will be glad to sit down and talk to you about it and explain what our proposal is and how it does make economic sense.

Mr. Glazier asked Mr. Guridy if the address that Mr. Ringer gave a residence or a business address.

Mr. Guridy asked Mr. Ringer the address that was given.

Mr. Ringer stated 1801 Liberty Street in Allentown.

Mr. Glazier asked if that was a business address or a resident address.

Mr. Ringer stated dual.

Mr. Guridy stated that he thinks it is his business address.

Mr. Glazier asked if it was a dual address.

Mr. Ringer stated to Mr. Glazier he has an apartment there too.

Mr. Glazier asked Mr. Ringer does he maintain residency in the City of Allentown.

Mr. Ringer stated that he votes in the City of Allentown.

Mr. Dan Poresky, 824 N. Berks Street - Citizens for Allentown's Water, stated that it seems with every news article and revelation about the final draft of the lease and problems with privatization loom larger and larger. Privatization is quickly displacing the pension as the big scare. What to do: the mayor is committed. No matter how bad this lease gets, no matter how obvious that it is wrong, he is not going to change his position. He is committed to this. It really rest with you. In just a few weeks, you are going to be asked to approve a contract for which if you vote yes you are going to be binding generations of Allentonians and future councils to a deal over which they have little say and little control. Fortunately, if you act quickly and wisely there are options, they are options that would avoid the privatization horror and provide time for crafting better solutions to the pension problems. Allentown, you know is embarking on a billion dollar economic development renaissance that will soon be generating millions of dollars in new revenue. In the meantime, given some time, creative minds can find ways to forestall the pension crunch. Just think about the timing. If this was happening five years from now with pension problems and you were trying to solve it with all that is going on in Allentown you would never consider privatizing the water. So how bad is tis lease? You have been hearing a bunch about that. Contrary to the mayor's promise the new lease permits even higher rates, added taxes, new fees, and eliminated critical safeguards. An analysis by the Morning Call and others show the base water rates are now going to double the rate of inflation. That is profit. That is where the extra money is going and in addition the next five years the city is going to have to raise taxes in addition to raising water rates, to cover the 40 – 44 million the city was taking from the water revenues and using for city services, money that the leasee is now going to get to keep. Consider this new provision. Let's say United Water gets the lease and LCA (Lehigh County Authority) doesn't like the terms and goes out on their own. A change that was just released in the new lease says that we are going to have to make up the citizens, the taxpayers, the ratepayers are going to have to make up for the compensate United Water for the water that they are going to lose because of their business deals. Do you find it acceptable? Are you going to pass a lease that has that provision in it? Today, we learn about the workers' pension being cut, so much for protecting the workers. Is that ok with you, what they are doing to the workers? And the negotiations with the final bidders understand, having even begun. At that time, they are even going to be further concessions. Who are these bidders? Allentown Forward is one of the bidders. We are told they are a consortium and investors led by a New York based private equity firm, a private equity firm from New York running our water, really. These are the people that get million dollar bonuses for ripping people off. It is the investment bankers and the private equity firms that caused millions of people to lose their homes and many millions more to lose their jobs and retirement. You wouldn't trust these characters to mind your home less give them the keys to run our water and sewer department for 50 years. How could you justify that? How could you approve a lease like that? The way I see it you have four choices. One: You can say no now and give the problem back to the mayor where it belongs. This shouldn't be your problem. It wasn't your idea. Two: Let the voters decide. Put the privatization question on the ballot. You voted that down in a technicality and invalidated our initiative, but you can still do it. Three: You could authorize or recommend that the administration set up a special taskforce to be set up to evaluate the real cost and risks of privatization and the alternatives to deal with the pensions. Yes, you voted that down twice now. But, maybe tonight you will recognize that there is need for time of an independent analysis to see how bad this lease really is. Four: You could go along with the mayor and be blamed and reviled by the public and future councils who can't do anything about what you have done for generations. On that last note, I want to point out that Ms. Mota, Mr. Guridy, Mr. O'Connell, and Mr. Glazier you may be aware that there are now six candidates vying for your seats in the upcoming May primary.

Mr. Schweyer stated that we have a strict rule about campaigning from the dais. You have publicly stated that you are going to be helping, funding and supporting candidates in direct opposition to it. We heard from at least two people tonight that we know are running for office and they kept their remarks completely away from their candidacies for office which I would appreciate if you kindly do the same.

Mr. Guridy stated that I agree with you Mr. Schweyer and I think that Mr. Poresky would

Mr. Poresky stated that I suggested four options. Choose any of the first three and you are going to be heroes. Choose the last one, and you are going to face the history and the voters. We can mobilize thousands of people. There are thousands of people that are concerned about this, not just twenty. I would think, it would take more political courage to go along with the mayor in this point in the game than go against him and I suggest you consider that.

Mr. Tom Hahn, 2016 E. Highland Street, stated that my question is to council. Can anybody tell me what the assets are of the water and sewer department? The buildings, is that an asset, the trucks, the equipment, the bulldozers, the value of the land. He asked all those assets that can be counted on as a value that is going to be given to the leaser.

Mr. Guridy stated that they are all part of the assets. It was an evaluation done.

Mr. Hahn stated that he is going to give an example: trucks, building, equipment. The last time we had a discussion when a previous mayor hired people from Texas to repair the equipment in Allentown they sent rookies who couldn't fix a pump on a fire truck then the City of Allentown had to go out and buy new equipment and the police cars which were then repaired by the dealer for three years and we paid the outfit from Texas to do nothing. I am worried now as I read the assets in the agreement, the 192 page agreement that if the company decides to sell off assets can they do it and if the leaser decides to buy new bulldozers that belong to the water and sewer department and whatever equipment that would be an asset and they want to buy it new on the market who pays for that.

Mr. Guridy stated that we are not selling anything.

Mr. Hahn stated that if you read the asset agreement you lose that. In other words anything that they repair, use, borrow, or do anything and right now we share that equipment in the city. We share that equipment and now that is part of the assets of the water department which is going to be turned over to the leaser how does the city get back the equipment that they can't use in other parts in the city.

Mr. Guridy stated that is a fair question. I don't have the answer off-hand. I have to look into it.

Mr. Hahn stated that we have a representative from the mayor's office, can he enlighten me a little bit.

Mr. Dougherty stated not on that issue, no.

Mr. Guridy stated that we can get that answer to you. That is a fair question. He asked Mr. Hanlon to find out that answer and call Mr. Hahn tomorrow and give him the response.

Mr. Hahn stated that was the only part that I could read entirely and figure out it was bad. That is one little asset part that was a bad deal. He stated that as I am reading the other 192 pages, that is why the committee has to go through it word for word on the line item to check it.

Mr. Guridy stated that we will get the answer to you, Mr. Hahn.

5. Approval of Minutes: February 20, 2013

Minutes approved by Common Consent

6. Old Business

Ms. Eichenwald thanked Mr. Guridy and stated that she was recently asked by a reporter from Channel 69 news how I felt always being the one against the six and I responded to the reporter that I don't view myself as one being of opposition of six other council people on the water privatization rather I view myself in terms of being 4,501 in opposition to six city council people. I bring this up because I would now like to Suspend the Rules to introduce a motion that would be an ordinance and I would like to read the words of that ordinance and then we can decide how we are going to proceed. What I am introducing tonight in response to several of the voices that we heard this evening is the following:

A sale or lease of water and/or sewer facilities or operations will be subject to voter approval at the next primary or general election occurring at least 30 days after approval of such proposed transaction by city council. In other words, if city council approves the privatization of our water and sewer, the voters will then have the final say.

Mr. Schweyer seconded the motion. He asked Mr. Guridy because this would be an ordinance and not a resolution, we could not vote on this evening regardless and it would be under your prerogative if it were introduced tonight which will be no different if Ms. Eichenwald would have written this and sent this over to Mr. Hanlon in the last week or so. This will be sent to committee and you would have to at this point in time suggest what committee to send this to would be my assumption. If we suspend the rules and allow Ms. Eichenwald to introduce this for first reading which I don't see any reason we shouldn't allow her to introduce legislation. It is her responsibility as a legislator. It would be up to you to refer it to committee.

Mr. Guridy stated that we could send it to committee or vote on it tonight.

Mr. Schweyer stated no, it is an ordinance. She is proposing an ordinance. She is not proposing a resolution, she is proposing an ordinance.

Ms. Eichenwald stated that she would like to have a ruling on that from the Solicitor. Obviously, my goal is to have a referendum on the election ballot. However that could be accomplished I am amenable.

Mr. Wiles stated that once you suspend the Rules and it is seconded then you would introduce it. In the Charter once it is introduced a minimum of 14 days has to pass before you can vote on it.

Mr. Guridy stated that there have been ordinances that we voted on. We have suspended the Rules and voted on it the same day.

Mr. Wiles stated that in order to do that and not wait for the 14 day period you have to have six out of the seven members in favor.

Mr. Guridy asked if there were six out of seven members willing to vote on it today.

Mr. Schweyer stated that the motion on the floor is to suspend the Rules to introduce this bill, correct.

Ms. Eichenwald stated exactly.

Mr. Schweyer stated that he maintains his second and maintain it to introduce it tonight.

Ms. Eichenwald stated that in lieu of what the solicitor has told us, I would like a vote to be taken to see if it is six members of council who will allow this to go forward this evening.

Mr. Guridy stated that we have to vote on the suspension of the Rules and then we vote.

Motion to suspend the Rules and introduce Bill and the Bill will be Number 13 and it would be as Ms. Eichenwald read to propose a Charter Amendment to amend the Charter provide for citizens vote on the leasing of assets.

Mr. Guridy asked if anybody from the public would like to speak on the suspension of the Rules as we are discussing it.

Mr. Davis asked if they would be voting tonight to have a two week discussion or 14 day period and then we will have our second vote.

Mr. Guridy stated that this vote is just to suspend the Rules.

Mr. Schweyer stated and to introduce the legislation.

Mr. Guridy stated that if it doesn't pass then it won't be introduced.

Mr. Schweyer stated that Ms. Eichenwald and if she chooses any member of council should they chose to introduce it, it will be send through the normal and regular channels of how we do legislation. I know council doesn't introduce a lot of our own legislation, but Mr. Hanlon with the president's support put it on the agenda as a Bill for introduction which is Item 11 on the agenda for the Council meeting in two weeks. All we are doing is putting on as if she sent it around on email last week.

Mr. Davis asked when does it go to committee.

Mr. Schweyer stated that would be a subsequent vote.

Ms. Eichenwald stated that time is of the essence. The RFP is out and I think that time is important in this situation.

Motion to suspend the Council Rules and introduce Bill Number 13, failed 3 (Eichenwald, Schweyer, Davis) – 45.

7. Communications

8. Committee Meetings

Budget and Finance: Chairperson Schweyer

The committee met this evening and had no legislation to review, but we did review four things; the next meeting has not yet been scheduled. We reviewed the monthly financials. The only question that we had from the monthly financials was that in January 2013 we received a little over \$1 million in Earned Income Tax, but as the summary was released it was a blank spot in 2012 for EIT meaning that we may have not gotten anything, but it should have said zero. Ms. Bowman agreed that she will figure out why it was a zero there and give us a more accurate report in the next couple of days. I will mention it at the next Council meeting under the Budget and Finance Committee report. I thought it was a very thorough conversation on our end of the year negative balance reconciliation transfers. There wasn't anything

significant and all of our questions were answered about any specific transfer. We had a history lesson on the Contract Services, the account 46 issue and those conversations are on-going. We had a brief discussion on the detail sheets and Mr. Glazier is taking the lead on that so that council in advance of the budget season next year may have access to the detail sheet ahead of time. A quick update on the CAFR, next week we should have all decisions made and all agreements made about component parts of the city. We have no reason to believe that the CAFR will be late since we maintain the same accounting firm of last year.

Public Safety: Chairperson Eichenwald

The committee met this evening and has two items on the agenda; the next meeting has not yet been scheduled.

Community and Economic Development: Chairperson Davis

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

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 has not met since the last council meeting; the next meeting is scheduled for March 13th, time to be determined.

Human Resources, Administration and Appointments: Chairperson Glazier

The Committee met this evening and discussed the Transfer within the Transfer Fund; the next meeting has not yet been scheduled.

Rules, Chambers, Intergovernmental Relations and Strategy: Chairperson Guridy

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

Special Committee – Tax Exempt Properties – Chairperson Eichenwald

The Committee met this evening and made good progress and discussed information that we want to have and we will be having our next meeting on April 17th.

OTHER COMMITTEE REPORTS

Mr. Schweyer stated that I was approved unanimously by the Lehigh Valley Board of Commissioners to serve as the city representative of the Lehigh Valley Planning Commission. If I have anything of note for the city, I will touch upon it publicly.

Mr. O'Connell asked how we are doing with the Parks and Recreation Director.

Mr. Dougherty stated that we had three finalists that have gone through the last interview processes. A select candidate has been chosen and an offer letter is on the table at the moment and we are waiting for a reply.

Mr. Guridy stated that the Allentown Housing Authority which I am a commissioner of had a meeting last Thursday and we will have another meeting on the 26th of this month to go over the organizational plan. The meeting minutes should be in your email and if they are not, they should be getting there very soon.

Controller's Report

Ms. Koval stated that she has nothing in addition to the very thorough report given by our Budget and Finance Chair, Mr. Schweyer.

Managing Director's Report

Mr. Dougherty stated that he kept Council abreast on the winter storm today. The latest winter storm is that we had no winter storm. We expect no accumulation tonight whatsoever. We have demobilized most of

the workforce for this evening. We were lucky. I wanted to take this opportunity to address an issue at Irving Park. Our friend, Mr. Pearson has wage a media and political campaign this past week blaming the administration for cutting the power to Irving Park. The administration did not cut the power to Irving Park. We are aware of the situation. We have contacted PPL and PPL has scheduled a work order for Friday to repair the power to Irving Park.

Mr. O'Connell stated that two weeks ago when Mr. Muth was here stating that he was trying to get a reverse mortgage and the license and permit were filed. He was a very nice gentleman and he asked if the city could help him, and I want to personally thank you Mr. Dougherty and Mr. Paulus to get the whole thing moving. He paid his \$15 and now he can go for his reverse mortgage with his bank and I know that he is a happy camper and that is very nice of you.

Mr. Dougherty stated that was great to help and an easy one to help and Dave Paulus deserves all the credit. All I did was made an inquiry and he was already on it.

Mr. O'Connell stated to please pass it on to Mr. Paulus.

Ms. Eichenwald stated that I would like to follow up on what Mr. O'Connell just said I was privileged yesterday to be the guest speaker at the neighborhood on the south side meeting and I used the example of what exactly what Mr. O'Connell was just talking about to encourage the citizens when they have difficulty to come to city council and I used your intervention, Mr. Dougherty, as an example so I too add my voice for gratitude for helping someone for whom it was a major problem. Thank you very much.

Mr. Guridy stated that I join my colleagues as well and I think that you always do a good job in helping our citizens and please continue the good job.

9. APPOINTMENTS

Scott Unger	Zoning Hearing Board	5/06/2016
Damien Brown	Police Civil Service Board	1/26/2016
Sandra J. Easterling	Police Civil Service Board	1/26/2017
Gerald Alfano	ACIDA	1/01/2018
John Gross	ACIDA	1/01/2017
Michael Miller	ACIDA	1/01/2016
David Olson	ACIDA	1/01/2015
Charles Kalan	Arts Commission	1/02/2017
Ismael Arcelay	Arts Commission	1/02/2017

Council Appointments

Carolyn Albright	EAC	1/01/2014
Richard Niesenbaum	EAC	1/01/2014

Mr. O'Connell thanked all the appointees for considering to be appointed and I appreciate want to thank some current EAC members, Julie Thomases in particular for recommending Carolyn Albright who is a teacher it the Northampton School District and very involved in the kids in Lehigh Township and has a very good resume and Dr. Richard Niesenbaum. We thank you as an EAC member. If you want to see one very impressive resume go to the back of the packet and read Dr. Niesenbaum's resume. I thank the current EAC members for recommending Carolyn Albright and Richard Niesenbaum. I also like to thank all the other appointees.

Mr. Schweyer stated that each and every one of us can say that we know at the very least the overwhelming majority of these folks so I am going to gear my comments just to Mr. Unger. Prior to my service on City Council, I had the privilege to serving as an alternate to the Allentown Zoning Hearing Board and I can speak with great certainty to Scott's remarkable attention to detail and professionalism. He really knows that document and I think it would actually be a really interesting conversation to hear him and Mr. Hefele talk about it and play trivia to Allentown Zoning documents. He thanked Scott for his continued service. He thanked all the appointees.

Mr. Davis thanked Scott Unger and stated that he has the pleasure of working with him and the AEDC and the scope of work he does, the professionalism, and how he helps me out and the recent successes. Everything is just going great and I would like to thank you for the extra work you volunteer for.

Mr. Guridy thanked all the appointees and in addition to Mr. Poresky and Ms. Thomases for supporting the EAC for all this time. I know that the new appointees are going to do an excellent job and I look forward to working with them. Thank you all very much for participating and supporting our city in your capacity and your committees.

Mr. Heffentrager stated that he is not familiar with most of the people, but I go to a lot of the meetings and Mr. Unger. I have been to a lot of Zoning Board meetings and that man is very professional and competent of what he does and credit should be given to him. I am always impressed of his knowledge.

Mr. Melman stated that I was a Muhlenberg College graduate and class of 2005 and I had Dr. Niesenbaum for my class and he is fantastic.

Resolution passed, 7 – 0

Dr. Niesenbaum thanked Dan and Julie for strong-arming me into doing this. I thank the Council for supporting me. At Muhlenberg, we teach the notion of sustainability as the convergence of three spheres: economic development, environmental protection and management and social justice with specific reference to community and public health and I see the role of the EAC to work with Council and to work with the mayor and work with the city to make sure that Allentown stays and continues to be centered among those three spheres and I will do my best to guide us and help us get there.

Mr. Alfano thanked everyone on ACIDA committee and especially Scott Unger for guiding us through this for three years for the NIZ which we all did not know what was happening, but we got through it. I wants to thank Scott Unger, Jack and the whole board of directors.

10. ORDINANCES FOR FINAL PASSAGE:

Bill 9 Fearless Generator Grant

Amending the 2013 General Fund Budget to provide for a supplemental appropriation of Twenty-Five Thousand Dollars (\$25,000) as a result of a grant from the US Department of Homeland Security (PEMA) Pre-Disaster Mitigation Grant, to the City of Allentown Fire Department to assist with the purchase and installation of an emergency generator for the City of Allentown Fearless Fire Station.

Ms. Eichenwald stated that this was recommended favorably by a vote of 3 – 0. The chief is here to answer any questions.

Ordinance passed, 7 – 0

Bill 11 East Side Fire Station Grant

Amending the 2013 General Fund Budget to provide for a supplemental appropriation of Fifteen Thousand Dollars (\$15,000) as a result of a grant from the US Department of Homeland Security (PEMA) Office of the State Fire Commissioner, to the City of Allentown Fire Department to assist with the purchase and installation of new furnishings for the City of Allentown’s East Side Fire Station.

Ms. Eichenwald stated that this was passed to the full council favorably by a vote of 3 – 0.

Ordinance passed, 7- 0

11. ORDINANCES FOR INTRODUCTION:

None

12. CONSENT AGENDA:

None

13. RESOLUTIONS ON SECOND READING:

None

14. RESOLUTIONS ON FIRST READING:

R8 DaVinci Center RCAP

Referred to Budget and Finance

Authorizes the Release of funding of the Redevelopment Assistance Capital Grant Funding for the improvements of the Da Vinci Science Center

15. NEW BUSINESS

None

16. GOOD AND WELFARE

None

17. ADJOURNED: 8:10 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.