

**COUNCIL MEETING
APRIL 16, 2008**

1. Invocation: Jeanette Eichenwald

2. Pledge to the Flag

3. Roll Call

Mr. Donovan, Ms. Eichenwald, Mr. Howells, Mr. Phillips, Mr. Schweyer, and Mr. D'Amore
Mr. Guridy was absent.

4. Courtesy of the Floor

Paulette Hunter suggested the playground and exercise equipment be part of Phase I development at Cedar Beach.

Louis Hershman, 405 Gilmore Street, said the Parking Authority should put money in escrow to meet the bond issue costs that the Authority gets for selling their lots. He also suggested helping with foreclosures. Philadelphia City Council is working with borrowers, judges, banks and the sheriff to help the borrowers.

Mr. D'Amore said he would definitely contact him on the foreclosure issue.

Mr. Donovan said there was a very disturbing issue in *The New York Times* this morning, in addition to what he read in *The Morning Call*. He thinks it's a worthwhile purpose for the City to take a look at that.

Ms. Eichenwald said it's an excellent idea and something we should do. She's not sure of what procedure they should follow, but she agrees with what these gentlemen have brought to our attention. She can't think of a more worthwhile effort.

Fran Dougherty said the Mayor has been following the legislation going through Congress, including the bipartisan forged ordinance in the Senate which would provide \$4 billion in additional CDBG funds under the Foreclosure Prevention Act of 2008. He has voiced his concerns to the Conference of Mayors, who are well behind this.

Heidi Baer said in today's *Morning Call* there was an article that CACLV just received a grant to help deal with the Homeownership Foreclosure Issue. She'd be happy to get more information on that program to see what they're offering. She thinks it's going to be a lot of counseling. She doesn't know if there's going to be cash at the end to help families.

5. Approval of Minutes: March 19th, February 20th

6. Old Business: None.

7. Communications: None.

8. REPORTS FROM COMMITTEES:

COMMITTEE OF THE WHOLE – Council President D'Amore

The Committee of the Whole will meet on May 7th at 7:00 PM on the confirmation of the Community and Economic Development Director.

ADMINISTRATION – Chairperson Donovan

The Committee has not met since the last Council meeting; the next meeting is scheduled for April 23rd at 7:00 PM in Council Chambers to review the actuarial reports of the Police, Fire and O & E. If time permits, they'll be discussing other strategic directions of the committee. He received the March 2, 2008

highlights for finance. He thanked Mr. Dougherty for acknowledging their request for the report. It has given him a lot of good information.

COMMUNITY AND ECONOMIC DEVELOPMENT – Chairperson Schweyer

The Committee met on April 10th; a future meeting is tentatively scheduled for May where the committee will go on the road and review the recent expansion at St. Luke's. He thanked Heidi Baer for doing a fantastic job at the CEDC describing the CDBG grant process.

PUBLIC WORKS – Ms. Eichenwald for Chairperson Guridy

The Committee has not met since the last Council meeting; a future meeting will be scheduled when the traffic study of the intersection at 16th and Chew Street is complete.

PUBLIC SAFETY -Chairperson Howells

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

APPOINTMENTS - Chairperson D'Amore

The Committee is currently considering some appointments and will refer them for the next agenda.

LEGAL AND LEGISLATIVE – Chairperson Schweyer

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

RULES AND CHAMBERS – Chairperson D'Amore

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

OTHER COMMITTEE REPORTS

AEDC - Mr. Donovan said there is a meeting tomorrow.

Arts Commission - Mr. Donovan said they met last Friday.

Connect the Parks – Mr. Donovan said they met tonight.

Pension Board - The next meeting is scheduled for May 20th at 9:00 AM.

PreSales Inspection Committee – Mr. Donovan said there will be an organizational meeting on May 5th, at 5:30, in the 5th Floor Conference Room. The first public hearing will be on June 25th.

Blighted Property Review Board: Mr. Schweyer said the last BPRC meeting was March 10th, and we'll have another on June 9th. At that meeting in June, we'll be certifying properties still active on List-1 2008. I was deemed blighted (so they're ready to go before the Allentown City Planning Commission to recommend a reuse for each and then before Council in September) and we'll also be determining properties on a new list (List 2008-2) to be blighted, and the reasons they're going to be considered blighted.

Council Reform – Committee members have been selected as of yesterday; information is being compiled so they can hit the ground running, and a meeting will be scheduled in the near future.

CONTROLLER'S REPORT

Mr. D'Amore said Mr. Hoffman was not able to attend this evening.

9. ORDINANCES FOR FINAL PASSAGE:

Bill 19

Amending the 2008 General Fund Budget to provide for a supplemental appropriation of Seventy-five Thousand (\$75,000) Dollars in Main Street funding from the Pennsylvania Department of Community and Economic Development to provide funding to implement the *Main Street Program* along Seventh Street.

Mr. Schweyer said Bill 19 was recommended favorably, with an amendment.

Ms. Eichenwald said there will be grants available for façade repairs. What effort do we make to use local contractors?

Mr. Salinger said his understanding is that's the practice. Typically, the contractors are local.

Ms. Eichenwald asked if market studies have been made as to the value of the property?

Mr. Salinger said it's not a requirement of the program. What is the root of your question?

Ms. Eichenwald asked if we know how it increases the value of these properties?

Mr. Salinger said we're not running studies on that now, but we're trying to sell the rehab to get the greatest impact on the street. That's where the importance is being placed.

Mr. Donovan said there was one particular business that had façade improvements. It increased sales to that firm tremendously after the façade was done.

Ms. Eichenwald said we need to have some data on this so as we go forward with spending of grant money – it's wonderful that it increases greatly, but she'd like to know by how much, so we always have data available. The more data we have, the wiser our decision-making process.

Mr. Schweyer said similar to what we're doing with the St. Luke's tour, we're going to be doing the exact same thing with 7th Street. That will also be open to Councilpersons and the public. There will be a walking tour of 7th Street.

Ms. Eichenwald said let's hope we receive good press coverage for that.

Mr. Schweyer and Mr. D'Amore moved to amend Bill 19 as follows: Deleting Grant Administration Charges and adding the \$3,950 to Grant Non-city Charges for a new total of \$45,000, in Grant Non-City Charges, to read as follows:

000-09-0902-0001-48	Grant Non-City Charges	\$41,050 45,000
000-09-0902-0001-49	Grant Administration Charges	3,950
000-09-0902-0001-50	Other Services and Charges	30,000
TOTAL		\$75,000

The amendment to Bill 19 was approved, 6 Yeas and 0 Nays.

Bill 19 was adopted, as amended, 6 Yeas and 0 Nays.

Bill 20

Introduced by the Administration: Amending the 2008 Capital Fund Budget to provide for a supplemental appropriation of Five Hundred Thousand (\$500,000) Dollars to provide for a grant from Harry C. Trexler Trust to the City of Allentown for the Old Allentown Homeownership Initiative Program.

Mr. Schweyer said Bill 20 was forwarded favorably, 3-0.

Mr. Phillips asked where is the new construction going? Are they scattered all around?

Lauren Giguere said by the old Hess's Parking Deck. They are scattered throughout the Old Allentown area. There's a concentrated area at 9th and Turner and Chew. The money is for 22 units and the deconversion of 18 homes located in the vicinity west of Central School. The city needs to provide money for relocation. The Administration is narrowing a list of 30 down to about 18. Most are out of town owners.

Mr. Schweyer noted that he wants assurance that it will remain as an owner-occupied house (PFHA carry a no rental restriction). Old Allentown is at the table to assure historic standards are met.

Ms. Eichenwald asked if we have in place a way to supervise to make sure there will be inspections on these properties to make sure they remain owner-occupied.

Ms. Giguere said she will look into it.

Ms. Eichenwald asked if the City will do something to help these new owners with the mortgage?

Mr. Donovan asked what went through the bidding process? How do you determine the price? Is it negotiated?

Ms. Giguere said the Redevelopment Authority will actually (inaudible).

Mr. Donovan asked how do you determine the purchase price?

Ms. Giguere said that depends on the appraisals.

Mr. Donovan asked how many appraisals are done?

Ms. Giguere said one.

Mr. Donovan asked how do we choose our appraisers?

Ms. Giguere said the Redevelopment Authority oversees that.

Mr. Donovan said he would be curious about the procedure and how the prices are determined. He agrees with Mr. Phillips, that it would be good to have a list of the properties and the owners. He would like to know who we're buying properties from.

Mr. D'Amore said he's pretty sure that PFHA has to license the appraiser that is used.

Mr. Phillips said he'd like to know the population we're trying to attract. What is the market rate?

Ms. Giguere said it's mixed. She doesn't know what the price of the homes will be. There sending architects into a sample of the homes.

Mr. Phillips asked if the 8 that you are targeting for low incomes coming out of the rehabs?

Ms. Baer said it might be 6 and 2 (inaudible).

Mr. Phillips said out of the new ones, you have a market price you're going to be asking, what's the target number?

Ms. Giguere said they don't have an actual number yet.

Mr. Phillips asked if we have a plan for this parking deck?

Ms. Giguere said an actual architectural rendering? There was a draft that was done.

Mr. Phillips said most builders have a projection on what it's going to cost and what the product line is going to be. Have you gathered that thought in this plan?

Ms. Giguere said there might have been an estimate early on, but she honestly doesn't have those numbers off the top of her head.

Mr. Phillips asked if someone has those numbers tonight?

Ms. Baer said the original budget has been changed since. We don't have that bottom line yet.

Mr. Phillips said what it comes down to is this a good time to be building? The market is poor; we have buildings on Hamilton Mall that have not been leased, bought or purchased; and now we're putting more upscale homes downtown that may stay vacant.

Ms. Giguere said they don't have them classified as upscale homes.

Mr. Phillips said the homes on 8th and Walnut Streets are not huge homes, but their priced upscale. You're asking for preapproval from the City, which is coming from Trexler, to be in place for us to get an answer. Isn't that a lot of wishful thinking? We don't have any guesstimates at this point.

Ms. Eichenwald asked if the project would be harmed in any way if we delayed a decision until we have more answers? The questions raised by Mr. Phillips are legitimate questions. What is the market value; what is the going rate; how many properties are there available at the moment? Have we made the right decision in 8 low income and 32 moderate income? Will the project be harmed in delaying the grant?

Ms. Giguere said delaying this would harm the project

Ms. Eichenwald said they have legitimates concerns. It is the right mix. What is that based on? What does the market study say? Which houses are selling downtown? Before we build 22 new homes and rehab 18 others, she thinks it behooves to know what is best. Maybe we need more low income; maybe we need more moderate, and without any of this information, it puts us in a difficult position to make the decision. She wants the money from the Trexler grant. Before we can give our stamp of approval – if we could delay the vote until we have more answers or real estate studies, or market value studies.

Ms. Giguere said she could go back to the developers and tell them to delay the project.

Ms. Eichenwald asked if it would be feasible for these answers to be given to them at the next Council meeting? Maybe some other people could be here and give us answers. She thinks it would be in the best interest of everyone concerned if the developers were here.

Mr. D'Amore said the PFHA component to this still needs to be approved by Council, is that correct?

Ms. Giguere said that's not coming to you. It's going directly to developers.

Mr. D'Amore asked if there's something else that needs to be done by this Council for this project to go forward? This is the only thing.

Mr. Donovan said this program was proposed by the Administration before he arrived. His knowledge of it is based on the various projects that have been out there. The changing market conditions . . . if this is approved . . . you said more research is being done given the market conditions. Is that correct?

Ms. Giguere said they did a market study.

Mr. Donovan said by approving this money it will help the funding of beginning certain things to happen?

Ms. Giguere said (inaudible).

Mr. Donovan asked if there's anything private about that information? Are the properties confidentially identified right now? He's wavering on one side what harm will it do to reassess some of it. On the other hand those who have been involved, including yourselves, have done a lot of work on this, and he's not going to claim to be the economist to be able to say if this is good or bad. Clearly we have that right to say we're going to put a nix on it. He would like some of that information. Would it change his mind?

Not necessarily, other than it is information he would like to have – if it's public information – in terms of ownership, etc. He's trusting they've done their homework in terms of what needs to be done.

Mr. Phillips asked if this is to get things moving, like processing, fees for acquisition of the homes? Do you need to do any other processing?

Ms. Baer said it would be the acquisition.

Ms. Giguere said \$750,000 is the total.

Mr. Phillips said so tonight you're looking for the approval of \$500,000, and you'll come back in the beginning of next year for the rest.

Mr. Schweyer said Ms. Baer said 8 are for low to moderate income and 32 would be sold at market rate. Market rate means what the market is determining not so much what the City Administration, Redevelopment Authority, or the developer, but what the market is actually driving for those areas. A full rehabbed home at 324 North Penn Street according to the Lehigh Valley Multiple Listing Service website says it sells for \$148,000 and one of the to-be-built constructed homes in the Zawarski project in the 800 block of West Walnut Street is selling for \$211,900. he feels comfortable supporting this project on the assumption of market rate.

Mr. Phillips said the market has bottomed out. He's not comfortable supporting something where he's not sure what we'll have in 6 months, let alone a year. The trend usually lasts about 3 to 5 years. The trend is more of a down slope.

Ms. Eichenwald asked if they would provide them with more information as we continue the process with the understanding that this money is to acquire the properties. She would feel more comfortable if we could have some time with the developers to see how they feel – the lower income versus the moderate, market studies, who's going to do the work, all of those issues. She feels confident they will treat this money in the best possible fashion. She could vote for it if she was assured of that.

Mr. Dougherty said we'll get the developer in here to answer some of these questions. He was just informed there is some degree of timeliness.

Mr. D'Amore suggested setting up a meeting with the developer and other members of Council.

Mr. Phillips said this project has not just happened overnight.

Mr. Donovan said the program was brought forth before he arrived.

Bill 20 was adopted, 5 Yeas and 1 Nay (Phillips).

Bill 21

Introduced by the Administration: Amending the Consolidated Plan One Year Action Plan for the Twenty-sixth, Twenty-ninth, Thirtieth, Thirty-first and Thirty-second years of the Community Development Block Grant Program (CDBG), which re-programs Four Hundred Seventeen Thousand Three Hundred Twenty-Six (\$417,326) Dollars of Unexpended Funds.

Mr. Schweyer said Bills 21, 22 and 23 were forwarded favorably, 3-0.

Mr. Schweyer said Bill 21 is the allocating of funds not spent in prior years. Bill 22 is allocating additional funds.

Ms. Baer said Bill 22 is not allocating additional funds. It's allocating the whole package, which includes those numbers of Bill 20.

Mr. Schweyer said R15 is what we have to submit to HUD outlining how we appropriated these funds.

Ms. Baer said R15 says Council approves for us to submit their One Year Action Plan.

Mr. Schweyer moved to suspend the rules to bring R15 up to this point in the agenda.

The rules were suspended by common consent.

Ms. Eichenwald asked if this is an unusual amount of money?

Ms. Baer said no. The City of Allentown is an entitlement community, so we receive – based on a formula – the amount of CDBG programs, Home Investment Partnership Program funds and Emergency Shelter Grant Program funds. We do have to complete an application and tell HUD what we intend to do with these dollars. Every year – it's a similar amount. It depends. Some years we have more money that has gone unspent that we roll over and sometimes their allocation, over the past several years have been reduced. Sometimes by \$100,000, sometimes a couple thousand.

Ms. Eichenwald asked how does this amount to \$417,000?

Ms. Baer said the rollover amount – that's a little higher this year. They looked through and eliminated some old accounts that we realized we didn't need the funding any more. The projects were complete.

Ms. Eichenwald said can you tell me in plain language basically what you do with the money?

Ms. Baer said the \$417,000 is used to add to the entitlement, the whole amount we have budgeted. In Bill 22, that entire \$5,327,000 includes that \$417,000 odd dollars.

Ms. Eichenwald asked if this is done on a routine basis?

Ms. Baer said for all the items listed – in your packet, there is more detail about all the programs that are being funded and an explanation of every dollar being spent on the programs that are being funded.

Ms. Eichenwald said you're referring to this as Bill 21 that says Old Allentown Preservation Association. Is that what it refers to?

Ms. Baer said yes, that is reprogramming dollars.

Ms. Eichenwald said she read all those. She doesn't see any that deal directly with minority communities.

Ms. Baer said that's unspent money that is being rolled into the new year program. Those activities are now complete, and we're taking the unspent dollars and things that were programmed many years ago and using those dollars for the upcoming programming.

Ms. Eichenwald said what she's referring to is this list. United Way, Jordan Creek, all of those. She doesn't see minority organizations.

Ms. Baer said this does not represent the entire program year for each of those years. These are odd accounts that have been unspent.

Ms. Eichenwald asked if she can be assured that money is also going to minority groups?

Ms. Baer said we have a very high minority concentration of those programs they fund. These are old accounts and activities that are over. Most of the social service programs we fund – we have to do a demographic annual performance report to HUD, and we do have to question the race and ethnicity of anybody who is a recipient of our funds. We have very high numbers of minorities being served.

Mr. Schweyer said the City created a guideline, a scoring criteria, for each one of these organizations, which is being used by Bethlehem, to make sure it's done in an open process and in the fairest context possible. They are all graded and funded based on their merit as opposed to external pressures. In terms of soliciting future organizations within the district, he was assured we will continue to get invitations for other organizations that qualify for this program.

Ms. Baer said their applications are usually due at the end of January. If they know of a non-profit that may be eligible – these are federal dollars with a lot of strings that come along. They have to look at capacity. Does an organization have the capacity to help to do all the record keeping required to be fiscally responsible. If, at any time during the year, you know of a non-profit – she works with non-profits. She gives technical assistance. She'll start working with someone over the summer to say this is what the application looks like, this is the data you should begin gathering, we want your application to be competitive come January. She'd be happy to meet with any non-profit. They have a mailing list of over 200 entities. They would be happy to add your organization to the list.

Ms. Baer said in response to Mr.Howells' question, HUD requires them to do a consolidated plan.

Mr. Howells said there are organizations that could use the money, and we can't give them the money.

Ms. Baer said there is a geographic priority. HUD requires you prioritize your dollars of where the most need is. Their focus area is the river, 12th Street, Martin Luther King Dr to Green Street.

Mr. Howells asked if that's designated by you or HUD?

Ms. Baer said they designate it based on all the data. They have to do a lot of data analysis that HUD requires, and they ask for areas of minority concentration.

Mr. Howells asked about Cumberland Gardens.

Ms. Baer said Cumberland Gardens is a carve out. The focus area is geographic. It's called a carve out because by the nature of it being a public housing development, Cumberland Gardens, and its residents, are eligible for our plan. Hanover Acres, Riverview Terrace and the Little Lehigh are eligible. They're considered focus areas. They're not contiguous geographically, but they are included in our focus area.

Mr. Howells asked how about an organization like Mountainville Memorial?

Ms. Baer asked if it's a non-profit? They would have to look at the majority of its population to determine if the majority of the population is coming from that geographic area.

Mr. Donovan said Ms. Baer said there were boundaries. Have the boundaries changed recently, or do they change regularly, or have they been stable for years?

Ms. Baer said they do a 5 year plan to HUD. This is our third 5 year plan, so when they begin the next planning process, they start analyzing all the data. A lot of it is generated from HUD. They give them a lot of specific areas of minority concentration and poverty. They do a lot of community meetings; they ask the community what they feel their needs are, and then they designate those neighborhoods.

Mr. Donovan asked if this CDBG Program is a particular program within CDBG or are these the only CDBG funds that exist? Is there a particular sub-component or are there CDBG funds for other purposes?

Ms. Baer said the CDBG Program is flexible in that the City can list its priorities and strategies. There are 21 eligible activities the City can use CDBG funds for.

Mr. Donovan said other cities have used the funds for different purposes.

Mr. Hershman asked Ms. Baer if Council approves the boundaries?

Ms. Baer said Council approved the consolidated plan when it was approved.

Ms. Baer said we have a small foreclosure rate, under 5%, in response to Mr. Hershman's questions. In Rental Rehab, we have no foreclosures.

Mr. Hershman said Council has to look into the self-forgiving loan program.

Mr. Donovan said your answer about the boundaries implied it's fixed in stone. When is the next time it's reconsidered?

Ms. Baer said it is every 5 years. The next consolidated plan will begin on July 1, 2010.

Mr. Donovan said therefore the plan was approved by the prior Council.

Ms. Baer said Mr. Hershman brought up the self-forgiving loan program. The CDBG Program is flexible with the activities they can do. We found that infrastructure, the condition of the housing stock, was a very large priority. As the income of our residents started to substantially decrease, and the condition of the housing stock started to deteriorate rapidly, the Administration made a decision several years ago, to offer our loans as self-forgiving loans. The City considers itself a bank of last resort. There are infrastructure problems with these homes, code and safety issues. We do systematic inspections; we offer funds for these families to bring their properties into code compliance. These are residents that are not otherwise bankable. They would not be able to go to a traditional lender to be able to receive funding to rehab their property. It changed from a deferred payment loan to a self-forgiving loan. Along with the self-forgiving loan, there is a mortgage on those properties and depending on the amount of subsidy in the property the residents are required -- they're owner-occupied, not rentals -- the residents are required to live in their homes for either 5 or 2 years, depending on the subsidy. If somebody moves, the entire amount of their subsidy is repaid to us. The public service dollars you see are allotted dollars going to non-profit and social service agencies. There is a cap on the amount of funding that can be used for social services, so we can't use all of our dollars to fund some of these agencies. That counts as 15% of our entitlement.

Mr. Hershman said most self-forgiving loans are second liens.

Paulette Hunter said the loans that given to families, are they interest free? Are they paid back?

Ms. Baer said the self-forgiving loans are interest free.

Ms. Hunter said she thought there was a program that someone would come to your house and fix the house and you don't have to pay back anything.

Ms. Baer said that's not the entire story. In our systematic inspections, if you're one of the homes that are being inspected you may be eligible to qualify for the self-forgiving loan, and you will have to pay it back if you move out of your house.

Bill 21 was adopted, 6 Yeas and 0 Nays.

Bill 22

Introduced by the Administration: An Ordinance providing for the expenditure of certain monies received by the City of Allentown under Title I of the Housing and Community Development Act of 1974, as amended; Subtitle B of Title IV of the Stewart B. McKinney Homeless Assistance Act of 1987, as amended; and Title II of the National Affordable Housing Act of 1990, as amended; for the purpose of undertaking programs of housing and community development within the City.

Bill 22 was adopted, 6 Yeas and 0 Nays.

Bill 23

Introduced by the Administration: An Ordinance providing for the expenditure of certain monies received by the City of Allentown from the repayment of loans made through the Rental Rehabilitation Program.

Bill 23 was adopted, 6 Yeas and 0 Nays.

R15

Introduced by the Administration: Approves of the submission to the United States Department of Housing and Urban Development of the Action Plan for the period July 1, 2008 to June 30, 2009.

R15 was approved, 6 Yeas and 0 Nays.

Mr. Phillips and Mr. Schweyer moved to suspend the rules to vote on Bill 6.

The rules were suspended by common consent.

Bill 6

Introduced by Councilperson Phillips: Renames street behind Malone's Bakery to Malone's Alley. That the road located between Brownstone Street and West Juniata Street, running obliquely south from Brownstone Street to West Juniata Street shall be called "Malone's Way.

Mr. Phillips said he was asked 2 meetings ago to send out a letter to find out if there were any objections to renaming the street. We received no responses.

Mr. Howells said in the absence of any objections from any property owner, he will vote in favor of this.

Mr. Donovan said he has no problem with this. He would like to know if there's precedence for this type of activity.

Mr. Howells said we've changed street names.

Mr. Donovan asked if there's precedence about honoring an individual or family?

Mr. Howells said Honochick Drive that is out by the Rose Garden was named after a famous baseball umpire. There are a number of those in the City.

Mr. Phillips said Malone's has made a lot of contributions to the City.

Mr. Dougherty reminded Council the Administration worked closely with some of your former colleagues in 2006 to forge a new policy of naming and renaming City assets. Council President and Mr. Phillips introduced by the legislation. There is a procedure to follow in the ordinance. The Administration does not object to this, but you're not following your own policy and procedures.

Mr. D'Amore said by passing this ordinance we effectively trumped the previous ordinance. Is this ordinance in order or out of order?

Attorney Marchetto said one is an ordinance renaming streets; the other is an ordinance of procedural nature on how to go about doing it.

Mr. Howells said if we put Bill 6 aside and address our rules relative to dedicating City assets . . .and have a committee meeting here.

Mr. Donovan said in looking through the ordinance the request from Mr. Phillips followed much of this in terms of the nature of the name, but when we get to Part B, Application, Review and Process, we have a written request. He feels uncomfortable we have not followed the whole process.

Attorney Marchetto said if there's no specific application attached or processed, he believes a written application or written ordinance would meet that. He would also agree the application process, because it went through committee, there's no specifics of who it goes to, even that, it did go through committee, Public Works. It was commented on. You did provide notice to the public and did not receive anything back on it, and you had discussion on it here.

Mr. D'Amore said notwithstanding anything that is in Ordinance No. 14467, Bill 6 is a proposed ordinance and we can vote on it.

Attorney Marchetto said the only challenge to it was an allocation that you did not comply with 14467.

Ms. Eichenwald said she's satisfied that most of the policy has been followed.

Mr. Phillips moved to amend Bill 6 by removing the apostrophe in Malone's, since the City's policy does not allow apostrophes on street signs

The amendment was approved by common consent.

Bill 6 was adopted, as amended, 6 Yeas and 0 Nays.

10. ORDINANCES FOR INTRODUCTION:

Bill 24

Introduced by the Administration: Amending the 2008 General Fund Budget to provide for a supplemental appropriation of Fifty Thousand (\$50,000) Dollars in Elm Street funding from the Pennsylvania Department of Community and Economic Development for implementation of the *Elm Street Program* in Old Allentown

Bill 24 was referred to CEDC.

Bill 25

Introduced by the Administration: Amending the 2008 General Fund Budget to provide Thirty-Six Thousand (\$36,000) Dollars for a supplemental appropriation of reimbursement revenue to be received from fuel purchased by Lehigh County from the City of Allentown, Public Works Department.

Bill 25 was referred to Public Works.

Bill 26

Introduced by the Administration: Amending the 2008 Sewer Fund Budget to provide for a supplemental appropriation of Five Thousand Three Hundred Twenty-four Dollars and Fifty-two Cents (\$5,324.52) to reflect contributions from the Borough of Catasauqua, City of Bethlehem, and City of Easton, toward the City of Allentown's costs in the development of letters and technical comments to the Delaware River Basin Commission (DRBC) proposed rulemaking to establish certain criteria for water quality for the Delaware River Basin.

Bill 26 was referred to Public Works.

Bill 27

Introduced by the Administration: Amending the 2008 General Fund Budget to provide for a supplemental appropriation of Twenty Five Thousand Five Hundred Eighteen (\$25,518) Dollars from Pennsylvania Department of Health Division of Immunizations to the Health

Bureau's Immunization Program budget, Thirty Thousand Five Hundred (\$30,500) Dollars from The National Association of Chronic Disease Directors to the Health Bureau's Nutrition & Physical Activity Program budget, and Fourteen Thousand (\$14,000) Dollars from the Philadelphia Affiliate of Susan G. Komen for the Cure to the Health Bureau's Cancer Prevention Program. The total supplemental appropriation for these three programs would be (\$70,018) Dollars

Bill 27 was referred to CEDC.

Bill 28

Introduced by the Administration: Amending the 2008 Capital Fund Budget to provide for a supplemental appropriation of Five Hundred Seventeen Thousand Forty-five (\$517,045) Dollars reflecting receipt of a grant from the Pennsylvania Energy Development Authority to install a solar photovoltaic power plant. The Bureau of Engineering is supervising and monitoring the grant.

Bill 28 was referred to Public Works.

Bill 29

Introduced by the Administration: Transfer for Cedar Parkway Improvements

Bill 29 was referred to CEDC.

Mr. Schweyer and Mr. Phillips moved to suspend the rules to introduce Bill 30.

The rules were suspended by common consent.

Bill 30

Amending the 2008 General Fund Budget to provide for a supplemental appropriation of One Hundred and Fifty Thousand (\$150,000) Dollars in Elm Street Program funding from the Pennsylvania Department of Community and Economic Development to provide funding for the purpose of improving neighborhoods proximate to central business districts and commercial shopping streets

Mr. D'Amore said we are engaging with the owners of C. E. Roth, on 10th Street. We will be receiving a low interest loan from the PA Dept. of Community and Economic Development.

Mr. Howells said he thinks it's very admirable that they're investing more of their money into their property.

Mr. Schweyer seconded Mr. Howells' sentiments. This shop is one of our better assets.

Bill 30 was referred to CEDC.

11. **CONSENT AGENDA:**

CA1

HARB Approvals: 229 North 8th Street, 240 North 9th Street, 435 North 8th Street, 815 Gordon Street, 817 Gordon Street, 1538 Chew Street, 301 North 9th Street, 202 North 10th Street

CA1 was approved, 6 Yeas and 0 Nays.

12. **RESOLUTIONS ON SECOND READING:**

R17

Introduced by the Administration: Encroachment for a wooden ramp for ice cream window sales at 646 North 8th Street.

Mr. Schweyer said R17 was forwarded favorably, 3-0.

Maurice Ash said he wasn't sure if the material was going to be wood or concrete.

Richard Young said there's enough walkway remaining to get around the ramp. The application doesn't say anything about removing the ramp in the winter. Engineering is okay with it as it is proposed.

Mr. Phillips asked if he made his application for wood?

Mr. Ash said they just said ramp.

Mr. Schweyer said they did recommend this favorably, with the caveat that the ramp has to be removable, but they hope that's what will be done.

Mr. Dougherty said the Public Works Director did say there is no ordinance or specification dictating the material to be used.

Mr. Howells and Mr. Schweyer moved to amend R17 by eliminating the word "wood".

The amendment to R17 was approved by common consent.

R17 was approved, as amended, 6 Yeas and 0 Nays.

John Marchetto, Assistant Solicitor, said Mr. Ash is going to need a Certificate of Insurance naming the City as an additional insurer. He needs to check with Permits.

13. **NEW RESOLUTIONS:**

R19

Encroachment for a Fence at 963-969 East Union Street

R19 was referred to Public Works

R20

Encroachment for a Mailbox at 795 Benner Road

R20 was referred to Public Works.

The following grants need to be submitted by April 25th and need to be voted on tonight to get the grants in on time. These resolutions simply authorize the submission of the grant. They were discussed at the Community and Economic Development Committee on April 10th. They were recommended favorably.

R21

Grant Application for Cedar Creek Parkway Trail Connection Project– \$200,000.

R22

Grant Application for Keck Park Development – \$400,000.

R23

Grant Application for PPL Parking Lot Park Project at 9th and Turner for \$100,000.

Mr. Schweyer said Mr. Weitzel went over the specifics of the grant applications. These 3 resolutions are in favor of allowing the Administration to apply for funding, which is a requirement of the PA

Department of Conservation and Natural Resources. They want the Administration to forward them to the state by April 25th. They are 3 distinct projects.

Mr. Howells asked what corner at 9th and Turner?

Mr. Weitzel said the southeast corner.

Mr. Weitzel said they were awarded \$375,000 for the playground.

Mr. D'Amore said recently the Parks and Recreation Department was created. Before that they were both under Community and Economic Development. Mr. Schweyer is holding Ad Hoc meetings for changing or recommending a number of things. Until we get those recommendations, they've decided to keep all Parks and Recreation under Community and Economic Development temporarily.

R21 was approved, 6 Yeas and 0 Nays.

R22 was approved, 6 Yeas and 0 Nays.

R23 was approved, 6 Yeas and 0 Nays.

R24

Environmental Advisory Board Appointments

R24 has been removed from the agenda.

R25

Authorizes submission of DCED Grant to rehab 202 North 10th Street

R25 was approved, 6 Yeas and 0 Nays.

Mr. Howells and Mr. Schweyer moved to suspend the rules to introduce and vote on R27.

The rules were suspended by common consent.

R27

Reimbursement for Police Department

R27 was approved, 6 Yeas and 0 Nays.

14. NEW BUSINESS

Mr. Donovan said he had the good fortune to help 2 constituents on issues with the City. After walking through a labyrinth of moving from one place to another, he understands how the citizens of the City may get frustrated. He would like to see the processes streamlined. He'd be directed to a place, and it would be a dead end.

Mr. Phillips said he's had numerous complaints in the last few days about conversions going on.

Mr. Phillips said ECTB is pushing people off our playgrounds again. The Director has allowed them to come onto our soccer fields. That is not acceptable.

Mr. Weitzel said the last time he spoke with Kevin Easterling it was resolved.

Mr. Howells said he has a lot of problems with ECTB, including them taking over Bicentennial Park. Do they pay a fee?

Mr. Dougherty said yes.

Mr. Howells said why can't we leave some of those fields open so the neighborhood kids can play baseball? If they're leasing Bicentennial Park, how can they sublease the parking lot to some of the businesses around there?

Mr. Dougherty said they may be in violation of their lease.

Mr. Schweyer said this is an issue of grave concern for everyone here. He would like to review this at a forthcoming CEDC meeting for fact finding and issue a report.

Mr. Phillips suggested ECTB have a representative there as well.

Mr. D'Amore concurred with everyone's concerns regarding ECTB.

Mr. Howells asked when is there contract up?

Attorney Marchetto said they just renewed it. He thinks 2010. The lease is only for the stadium. It does not include any rights or special privileges to the other fields.

Mr. Dougherty said he doesn't like the organization as well, because they are high maintenance. They continually demand. They have an interpretation that changes in the contract in terms of what they're responsible for at the stadium and what we're responsible for; and, he always loses.

Mr. D'Amore reminded everyone that Tuesday is Primary Day and encouraged everyone to vote.

15. **GOOD AND WELFARE:** None.

16. **ADJOURN**

The meeting was adjourned at 9:30 PM.

Michael P. Hanlon
City Clerk