

**COUNCIL MINUTES
NOVEMBER 5, 2008**

1. Invocation: David M. Howells, Sr.
2. Pledge to the Flag
3. Roll Call
Mr. Donovan, Mr. Guridy, Mr. Howells, Mr. Schweyer and Mr. D'Amore
Ms. Eichenwald and Mr. Phillips were absent.
4. Courtesy of the Floor: None.
5. Approval of Minutes: None.
6. Old Business: None.
7. Communications:
Mr. D'Amore said they have students from Stroudsburg University here.

8. REPORTS FROM COMMITTEES:

Mr. D'Amore announced the following budget hearings:

Tuesday, November 11th, at 6:30 PM

Police, EMS, E911 Fund, Fire including Equipment

Wednesday, November 12th, at 6:30 PM

Public Works, Water, Sewer, Liquid Fuels, Solid Waste including Equipment

Tuesday, November 18th, at 6:30 PM

Finance, Human Resources, Risk Management, Debt Service, and Managing Director including Equipment

Thursday, November 20th, at 6:30 PM

Parks and Recreation, Golf Course including Equipment

Monday, November 24th at 6:30 PM

Health, Community and Economic Development, Building Standards, Planning, Zoning including
Equipment

Tuesday, November 25th, at 6:30 PM

Capital Projects, Mayor, Controller, Solicitor's Office, Council

Wednesday, December 3rd, at 7:30 PM

Adoption of the Budgets

ADMINISTRATION – Chairperson **Donovan** said they met on October 29th. The Capital Funding will be discussed on November 25th. They also discussed the KOZ and some of the criteria that is used for the selection.

COMMUNITY AND ECONOMIC DEVELOPMENT – Chairperson **Schweyer** said they met on October 22nd.

PUBLIC WORKS – Chairperson **Guridy** said no meeting; none scheduled.

PUBLIC SAFETY - Chairperson **Howells** said there was a meeting this evening and some items from that agenda are on tonight's Council agenda.

APPOINTMENTS - Chairperson **D'Amore** said they are considering some appointments at this time.

LEGAL AND LEGISLATIVE – Chairperson **Schweyer** said no meeting; no report.

RULES AND CHAMBERS – Chairperson D’Amore said no meeting; no report.

OTHER COMMITTEE REPORTS

Mr. Donovan said they’re in the middle of the 2nd draft of the Presales Inspection Committee and putting together their final report. We can expect it in a week or 2. Ms. Beck-Pooley alerted him that the Fels Institute Report has a holistic plan. This Presales Inspection ordinance was part of their recommendations

Mr. Schweyer said the Council Reform Committee is also on its 2nd draft. They are looking to completing their draft in the next 3 to 4 weeks.

CONTROLLER’S REPORT

Mr. Hoffman said we made 2 emergency purchases of equipment. His concern is they were bought under the emergency purchases because of the timing. He understands the equipment is necessary. Anytime we make emergency purchases, we go around the normal purchasing process, and you never know if you can get a lower purchase price or not. You don’t want this to become a common place event.

Mayor Pawlowski presented his budget for 2009.

The Mayor’s PowerPoint presentation is attached.

The Mayor said we were down about \$2.1 million in revenue mostly due to the Deed Transfer Tax. We had a 42% decrease in. We’re up in costs about \$347,000. A large portion of that is due to fuel, which created a variance of \$1.8 million. The good news is we had a \$1.8 million gap in the 2008 budget, and they are looking to fill that gap. We cut costs, held the line on spending and anticipate breaking even this year. We’re focusing on improving public safety; we’ve increased manpower in the Police Department; we’ve increased manpower in the Fire Department. We’ve added 4 additional firemen. We’re purchasing 10 new patrol cars; new trucks and new equipment to improve snow removal and continue security camera implementation, which has been very effective to date. Real estate tax increase will be less than 1%; deed transfer tax at less than 1%; small increase in earned income and business privilege is flat; LST shows an increase; forfeiture funds are in the budget. They’ve never been in the past. It used to be a small amount. The police have been making a lot of busts over the past few years, as well as casino fees. They’re anticipating one quarter at the most conservative amount the state has put forth. They’re projecting a 2% increase based on historical projections for a total budget of \$78 million compared to \$75 million. 61% of the entire budget is public safety — fire and police; a small percent goes to Community and Economic Development and 10% to public works; a small percent to Human Resources; the Managing Director is 2%, which includes all of IT; Finances is a small percentage and Non-Departmental makes up for 11%. The vast majority of this budget – 77% -- is personnel and benefits; 10% is services and charges; 1% is capital outlays, sundry is 8% which is debt service; and, materials and supplies are 4%. SEIU got an 8.9% increase because of contracts that were negotiated by the last Administration; COLA went to 5.9%; Fire went up 5.9%; Police went up 4% and they’re projecting MESA to go up 3% but we’re tagging it to go up in the middle of the year to save money. We have pensions which are fixed by both the state and contractual arrangements. Our vacancy rate is projected to be a little higher due to not filling positions. We’ve added about 15 personnel; they’ve eliminated about 13.5 personnel. We’ve been able to get grants for personnel. They will propose bringing custodial care in house. Council’s position of Assistant City Clerk also adds to the budget.

Mr. D’Amore said that position came from the Controller’s Office. It’s not a new position.

The Mayor said it is a new position. It’s a position that was created in your budget. The request for equipment went from \$2 million to \$1 million. We built up a reserve of \$11.1 million. Our revenues are expected to be \$75.2 our expenses are expected to be \$75.2. In our budget for 2009, we have \$78.9 new revenue. There’s no need to raise taxes or reduce our surplus. We will maintain our unrestricted reserves; there’s no tax increase or layoff of staff; no decrease in services. We have 8 budget meetings scheduled. He requested that be cut back to 4.

Mr. D’Amore said the Solicitor informed them that since there was no quorum at the Public Safety Committee meeting, all the bills that were discussed at that meeting – if 4 members of Council are willing to do so – have to be polled from committee by motion.

Mr. Howells moved to poll the committee.

The City Clerk said Bill 82, 83, 84, 86, 88, 90, 91, 93 and 95 were polled from the Public Safety Committee to vote on them at the regular Council meeting.

The motion was approved by common consent.

9. ORDINANCES FOR FINAL PASSAGE:

Bill 82

Amending the 2008 General Fund Budget to provide for a supplemental appropriation of \$1,999 as a result of a grant from the Commonwealth of Pennsylvania Emergency Management Agency to the City of Allentown Paramedics for training sessions and materials to hold training sessions on handling local-scale mass casualty incidents within the City

Mr. Howells said Bill 82 was forwarded favorably.

Bill 82 was adopted, 5 Yeas and 0 Nays.

Bill 83

Amending the 2008 General Fund Budget to provide for a supplemental appropriation of \$3,800 as a result of a grant from the Central Susquehanna Intermediate Unit to the City of Allentown Paramedics for bike helmets and associated materials used on the annual Allentown Bike Safety Day

Mr. Howells said Bill 84 was forwarded favorably.

Bill 83 was adopted, 5 Yeas and 0 Nays.

Bill 84

Amending the 2008 General Fund Budget to provide for a supplemental appropriation of Two Thousand Five Hundred (\$2,500) Dollars as a result of a grant from the Eastern Pennsylvania EMS (Emergency Medical Services) Council to the City of Allentown Paramedics for equipment to enhance the readiness of our bureau's participation in the Regional Disaster Emergency Medical Services 'Strike Team'

Mr. Howells said Bill 84 was forwarded favorably.

Bill 84 was adopted, 5 Yeas and 0 Nays.

Bill 86

Amending the 2008 General Fund Budget to provide for a supplemental appropriation of \$25,000 to provide for the grants from the Pennsylvania Commission on Crime and Delinquency to the City of Allentown for Weed and Seed

Mr. Howells said Bill 86 was forwarded favorably.

Bill 86 was adopted, 5 Yeas and 0 Nays.

Bill 88

Amending the 2008 General Fund Budget to provide for a supplemental appropriation of \$50,000 as a result of a donation from Air Products and Chemicals, Inc. to the Fire Department for Fire Extrication, Rescue and Personal Protection Equipment

Mr. Howells said Bill 88 was forwarded favorably.

Bill 88 was adopted, 5 Yeas and 0 Nays.

Bill 89

Amending the General Fund by appropriating One Hundred Sixty Thousand (\$160,000) Dollars from the unappropriated balance of the General Fund to the Department of Finance, Tax and Utilities, for refunds to be issued by the Bureau of Tax and Utility for the remainder of 2008.

Mr. Donovan said Bill 89 was recommended favorably, 2-0.

Bill 89 was adopted, 5 Yeas and 0 Nays.

Bill 90

Amending the 2008 General Fund Budget to provide for a supplemental appropriation of \$467,650 from a Department of Justice, Grant Number 2008 CKWX0164, to the Police Technology Capital Program of the Police Department, to provide for additional surveillance cameras and interoperable communications upgrades

Mr. Howells said Bill 90 was forwarded favorably.

Mr. Donovan and Mr. D'Amore moved to amend Bill 90 by changing the word "General" to "Capital".

The motion was approved by common consent.

Bill 90 was adopted, as amended, 5 Yeas and 0 Nays.

Bill 91

Amending the 2008 General Fund Budget to provide for a supplemental appropriation of \$25,928 as a result of payment from the Lehigh Valley IronPigs Baseball Team to the City of Allentown Paramedics for provisioning of on-site Emergency Medical Services during baseball games at Coca-Cola Park for the 2008 IronPigs' baseball season

Mr. Howells said Bill 91 was forwarded favorably. He was proud and impressed to see the EMS at the games.

Mr. Donovan said he attended one of the games and someone was hit by a ball, and they responded very swiftly.

Bill 91 was adopted, 5 Yeas and 0 Nays.

Bill 92

Amending the General Fund by authorizing the appropriation of \$320,000 from the unappropriated balance of the General Fund to the Department of Public Works, Fleet Operation, for the purchase of gasoline and diesel fuel for the remainder of 2008

Mr. Donovan said this was forwarded, 2 Yeas and 1 Nay (Phillips).

Mr. Guridy asked if we could prepay the purchase of asphalt.

Mr. Hilliard said he doesn't know what the rules are.

Bill 92 was adopted, 5 Yeas and 0 Nays.

Bill 93

Amending the 2008 General Fund Budget to provide for a supplemental appropriation of \$5,000 from the Commonwealth of Pennsylvania, DCED Grant, to the Anti-Crime Program of the Police Department, to provide for cameras and related equipment

Mr. Howells said Bill 93 was forwarded favorably.

Bill 93 was adopted, 5 Yeas and 0 Nays.

Bill 94

Creates a special revenue fund entitled BEDI Grant Fund and provides for an appropriation of Two Million (\$2,000,000) Dollars to provide for the grant from U.S. Department of Housing and Urban Development to the City of Allentown for the development of the former Exide Battery Site.

Mr. Schweyer said this is to help redevelop the former Exide Battery Site. It was forwarded favorably, 3-0.

Mr. Donovan asked if \$2 million is enough, or is there more money coming in?

Erlinda Aguiar said this is going to cost \$2.2 million. The budget for the project is over \$5 million. This is a complement to a HUD 108 loan for \$2.5 million.

Bill 94 was adopted, 5 Yeas and 0 Nays.

Bill 95

Amending Article 734, Weapons, by deleting the provision that made it illegal to carry firearms in the City

Mr. Howells said Bill 95 was forwarded favorably.

Bill 95 was adopted, 5 Yeas and 0 Nays.

10. ORDINANCES FOR INTRODUCTION:

The following budget bills will be referred to their respective Committees as scheduled on the agenda.

Bill 97

Adopts the Solid Waste Enterprise Fund: \$14,467,495

Bill 98

Adopts the Solid Waste Fee: Continues at \$340

Bill 99

Water Fund Budget: \$15,109,572

Bill 100

Adopts Water Rates for 2009

Bill 101

Sewer Fund Budget: \$16,922,936

Bill 102

Adopts Sewer Rates for 2009

Bill 103

Adopts the Liquid Fuels Fund: \$2,527,769

Bill 104

Adopts the Trexler Fund Budget: \$1,833,937

Bill 105

Adopts the Golf Course Fund Budget: \$1,605,715

Bill 106

Adopts the Equipment Fund Budget: \$996,306

Bill 107

Adopts Risk Management Fund: \$17,152,634

Bill 108

Adopts the 2009 Capital Projects Fund: \$1,580,000

Bill 109

Adopts the 2009 Debt Obligations Fund: \$6,442,052

Bill 110

Adopts the 2009 911 Fund: \$2,904,099

Bill 111

Adopts the 2009 General Fund: \$80,458,139

Bill 112

Adopts the 2009 Tax Rate: 10.71979 mills on improvements and 50.38031 mills on land

Bill 113

Administration Sponsored: Amending the 2008 General Fund Budget to provide for a supplemental appropriation of Twenty-Five Thousand (\$25,000) Dollars to provide for the receipt of a grant from the Lehigh County and the Pennsylvania Department of Conservation and Natural Resources. This grant will provide funding to purchase and install ninety (90) shade trees in the City at various locations.

Bill 113 was referred to CEDC.

Bill 114

Administration Sponsored: Amending the 2008 General Fund Budget to provide for a supplemental appropriation of Five Thousand and Five Hundred (\$5,500) Dollars to provide for the receipt of a grant from the Pennsylvania Urban and Community Forestry Council. This grant will provide funding to purchase twenty-five (25) shade trees in the City at various locations.

Bill 114 was referred to CEDC.

Bill 115

Administration Sponsored: Amending the 2008 Capital Fund Budget to provide for a supplemental appropriation of Seventy-One Thousand Two Hundred and Twenty-Nine (\$71,229) Dollars to provide for the receipt of a grant from the Lehigh County Green Futures Fund. This grant will provide funding which will be used to assist with the Roosevelt Park Improvement project which involves restoration of a historic stone building located near the center of the park.

Bill 115 was referred to CEDC.

Bill 116

Administration Sponsored: Amending the 2008 Capital Fund Budget to provide for a supplemental appropriation of Ninety Thousand (\$90,000) Dollars to provide for the receipt of a grant from the Lehigh County Green Futures Fund. This grant will provide funding which will be used to assist with the construction of a new restroom in the Little Lehigh Parkway near Kline's bridge. The project will also include installation of an additional concrete pad, information kiosk, site amenities and security lighting.

Bill 116 was referred to CEDC.

Bill 117

Administration Sponsored: Amending the 2008 Capital Fund Budget to provide for a supplemental appropriation of One Hundred Eighty-Seven Thousand Five Hundred (\$187,500) Dollars to provide for the receipt of a grant from the Lehigh County Green Futures Fund. This grant will provide funding which will be used to assist with the construction

of the Lehigh River Trail Development project, an approximate 1.5 mile multi-purpose trail from north to south along the Lehigh River on City of Allentown owned property that will link Canal Park to Kimmets Lock Park

Bill 117 was referred to CEDC.

Bill 118

Administration Sponsored: Amending Article 539, Street Cleaning, to include year round street cleaning by deleting a sunset provision in the legislation that provides for termination of the program unless reauthorized by Council; in effect, repealing Section Three of Ordinance No. 14437.

Bill 118 was referred to Public Works.

Bill 119

Administration Sponsored: Amending the 2008 Capital Fund Budget to provide for a supplemental appropriation of Eighty-Seven Thousand Five Hundred (\$87,500) Dollars to provide for the receipt of a grant from the Lehigh County Green Futures Fund. This grant will provide funding which will be used to assist with improvements and restoration of various fields and courts in City of Allentown parks. The tennis courts at Percy Ruhe and Irving parks will undergo complete restoration. Fountain, Trout Creek, Jordon Meadow and Buck Boyle athletic fields will include re-grading, installation of new fencing, bleachers, backstops, and new open air dugouts and other miscellaneous site improvements.

Bill 119 was referred to CEDC.

Bill 120

Administration Sponsored: Amending the Risk Management Fund by appropriating funds from the unappropriated balance to cover the cost of insurance for the remainder of 2008.

Bill 120 was referred to Administration.

Bill 121

Sponsored: Amending the Noise Ordinance by allowing the City and APD the ability to issue SWEEP violation tickets for noise disturbances such as loud music from residences and vehicles, loud mufflers, illegal use of fireworks, other violations specified under article.

Bill 121 was referred to CEDC.

11. CONSENT AGENDA: None

12. RESOLUTIONS ON SECOND READING: None

13. NEW RESOLUTIONS:

R79

Encroachment for a Handicap Porch Lift at 938 West Walnut Street

R79 was approved, 5 Yeas and 0 Nays.

R80

Recommends Lehigh County Fund Studying Expansion of Rail Service into Lehigh County

R80 was approved, 4 Yeas, 0 Nays, 1 Recusal (Schweyer).

R81

Encroachment for an Awning at 1227-1239 Linden Street

R81 was referred to CEDC.

R82

Encroachment for an A-Frame Sign at 1518-1520 Union Boulevard

R82 was referred to CEDC.

14. **NEW BUSINESS:** None.

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

16. ADJOURN

The meeting was adjourned at 8:45 PM.

Michael P. Hanlon
City Clerk