

**Michael D'Amore, Ph.D., President**  
**W. Michael Donovan, Vice President**  
Jeanette Eichenwald  
Julio A. Guridy  
Ray O'Connell  
Mike Schlossberg  
Peter Schweyer



**Allentown City Council**  
**435 Hamilton Street**  
Allentown, Pa. 18101  
Phone: 610.437.7539

AllentownPa.Gov

**COUNCIL MEETING MINUTES**  
**June 16, 2010 - COUNCIL CHAMBERS**

**COUNCIL MEETING - 7:30 PM**

**1. Invocation: Julio A. Guridy**

**2. Pledge to the Flag**

**3. Roll Call**

D'Amore, Donovan, Guridy, O'Connell, Schweyer, and Schlossberg were present. Martin Danks represented for the Solicitor's Office.

**4. Courtesy of the Floor**

Dan Mest noted that the cooperation between the neighborhood, the church and streets went well with the street reconstruction.

Camille Hanna, senior at William Allen High School, noted the security of the students at William High School needs to be addressed.

Mr. O'Connell suggested the issue be taken to the School Board.

Josh Hernandez, said he is looking for a legal and safe place to skate, and mentioned 12th and Gordon.

Donovan stated that they need a place to skate. It is an important infrastructure investment.

Guridy seconded that and his child which is fifteen also skates and asked if the city could do something.

D'Amore asked Mr. Hernandez was he able to identify in his research the owner of the property on 12<sup>th</sup> and Gordon.

Schweyer stated that he believes the Redevelopment Authority owns the property.

Gregory Shamp, 335 North Eighth Street, said that UGI meters being placed in the historic district need to be addressed.

Mark Hartney stated that this is an issue that the HARB is paying attention to. They spoke to UGI and they are changing over from a low pressure system into a medium pressure system. The administration plans to meet with UGI to address the issue, and he will prepare a white paper.

Tom Yorraca, 1634 Turner Street, said UGI started by the West Park and when they did his house they left the regulators and the meters in the house. He thought that was what they were going to do with the rest of the neighborhood.

Mr. Hartney stated that this is a recent change in policy. This is a directive from the PUC. They cannot put the regulators in the property.

Mr. D'Amore asked if there Ordinance has any authority over UGI.

Mr. Hartney stated no.

Mr. D'Amore stated that they only could use persuasion in order to deal with them.

Mr. Hartney stated that he spoke to Philadelphia, Reading and Bethlehem and they all stated that they have to mutual agreement with UGI and all of them said that all of there regulators are being located on the exterior of their property. Mr. Hartney stated that he got a complaint about a house in Old Allentown that the meter not the regulator was also located on the outside of the property in which was different from what they agreed to. He called his contact and he called him right back and stated that they will have it moved into the inside. They seemed to be responsive.

Ernie Atiyeh, Chairman of the Presidents Council, stated that these things are disgusting.

Mr. Hartney stated that what makes it difficult in downtown Allentown is that it is old row homes that are right along the property line. They did say that they could paint them. There are not too much they can do to camouflage them.

Mr. Bill Villa, stated that he was concerned about how Councilman Donovan is using is blog.

Mr. Donovan responded to Mr. Villas comments and stated that he was exonerated from the Ethics Board.

Mr. D'Amore asked if everyone would please consider leaving the matter as is - this is not necessary a matter that impacts Policy Making for the city which he presumed is the purpose of why they are all here.

Mr. Villa stated that he was speaking to the City Clerk and he believes that he could come back and give the three minute talk again and he asked if he could do it at every meeting.

Mr. D'Amore said yes.

Mr. Ken Laudenslager said that what Mr. Guridy was suggesting is called a manifold system and UGI can do that and that is common. Mr. Guridy was referring to a system where multiple meters would be installed on one site in a common area.

Mr. Casey asked what is going on with the timber at South Mountain.

Mr. D'Amore stated that there was a meeting at South Mountain Middle School and asked the administration to give a report on it.

Mr. Bennington stated that a draft report was issued at that point and time.

Mr. Casey asked if it would be made to the public.

Mr. D'Amore stated that it is public already and that Mr. Casey can get it from Parks and Recreation office.

Mr. Schweyer asked Mr. O'Connell if the Parks and Recreation Committee can have a public hearing to discuss that issue a little bit more. He wants a fact finding conversation with Mr. Weitzel. Mr. Schweyer

stated that they all know that this will not be logging and he has his own ideas and how they can examine other options.

## **5. Approval of Minutes: June 2, 2010**

Approved by common consent

## **6. Old Business**

No Old Business

## **7. Communications**

Mr. Schweyer asked if Mr. Bennington wanted to share the good news about Mr. Van Allen who received an award. Mr. David Van Allen from Allentown EMS has received a statewide award from the Pennsylvania Emergency Health Services Council for Administrator of the Year and he would like to publicly thank him and commend him for all of his efforts to keep the residents safe.

Mr. Guridy echoed that and said that he sent a letter to him from the Public Safety Committee.

## **8. REPORTS FROM COMMITTEES:**

Mr. D'Amore stated that there were two very successful meetings, one at Midway Manor and the other was at West End Youth Center and both were very well attended. They have two more meetings one is tomorrow at 7:00 PM and the other is sponsored by Little Lehigh on June 22nd and will be held at Trinity Church on Emaus Avenue at 7:00 PM and they will have Mr. Hefele there, the Chief Planner giving a summary of the major changes and basically taking comments and questions from the public. They received great suggestions from the previous meetings.

Workshops on Zoning Amendment:

Center City - Thursday, June 17, Council Chambers, 7:00 PM

Little Lehigh – Tuesday, June 22, Trinity Church, 7:00 PM

Budget and Finance: Chairperson Donovan

The Committee has not met since the last meeting; the next meeting is scheduled for June 23<sup>rd</sup> at 6:30 PM.

Mr. Donovan stated that they received the May 14<sup>th</sup> report. The revenues are on budget. Overtime is in control. Overtime is in control slightly higher with police, but not out of whack. The cash balance is the same exact Cash Balance of May of last year and he, the Mayor and Mr. D'Amore have been invited to meet with the Chair of the Finance Committee of the Pittsburgh Council. He will be in town for the Pennsylvania League of Municipalities.

Mr. Bennington stated that he spoke to Councilman Peduto and he looks forward to meeting them for the Pennsylvania League Convention.

Mr. Donovan stated that Councilman Peduto has contacted the third class cities to see how they share a common ground and strain. He is glad the councilman reached out to them. Mr. Donovan assumed that the five year plan will move forward.

Public Safety: Chairperson Guridy

The Committee has not met since the last Council meeting; the next meeting is scheduled for the next Council meeting at the beginning of the month of July. He stated that they heard the good news about Mr. Van Allen.

Community and Economic Development: Chairperson Schweyer

The Committee met this evening. They have two Bills and one Resolution on the Agenda for this evening. They cancelled their June meeting for the overview of CEDC as it conflicted with the public Zoning hearings. A future meeting will be in July.

Parks and Recreation: Chairperson Ray O'Connell

The Committee has not met this meeting; the meeting scheduled for tonight was postponed as the Director was out of town; the next meeting is scheduled for July 21.

Public Works: Chairperson Schlossberg

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

Human Resources, Administration and Appointments: Chairperson Eichenwald

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

Rules, Chambers, Intergovernmental Relations and Strategy: Chairperson D'Amore

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

**OTHER COMMITTEE REPORTS**

Mr. Schweyer stated that he has two reports. The Blighted Property Review Board has scheduled a meeting for the next quarterly round for reviews of certification of Blight and it is tentatively scheduled for July 8<sup>th</sup> at 6:30 PM and he is hoping it will be on the 5<sup>th</sup> floor conference room, but that is to be determined. The Shade Tree Commission there is a lot of good work being done and he stated to Mr. Danks was present at the last meeting. They are trying to change the definition and trying to do a pretty significant work of the structure. They hope have something for Council next month.

Mr. O'Connell stated that the Allentown School District and City of Allentown partnership Task force is on their second meeting on June 7<sup>th</sup> at that time they were gearing in on the high schools. They have concerns at the high schools. They are looking at major priorities as an alternative ed sites away from Allen and Dieruff for disruptive students. They looking at busing students after school to various locations downtown and throughout the city and they are looking at uniforms for the high school students. The Morning Call had 4700 hit and asked should Allentown High School students wear uniforms and 4100 said yes and 600 said no. They said that they should trickle them up from elementary to high school. He stated that he does not believe they should trickle it up and this is his opinion. They should start at the high school and trickle it down. They are addressing safety to school from school and in school. They had two successful meetings. The next meeting will be on June 22<sup>nd</sup> at 5:00 PM.

Mr. Schlossberg stated that the Urban Observatory is aiming t be fully function by August. They want to take advantage of the incoming school year.

Mr. Guridy Housing Authority Board is meeting Thursday. This month is the relocation of the first Phase of Cumberland Rehabilitation Project. He will let them know what happens at the Board meeting at the next Council meeting.

**CONTROLLER'S REPORT**

Mr. Hoffman has no controller report. He understands that if the Rules are suspended tonight there will be a vote for Mr. Strathearn for the Director of Finance. He knows of his background and the types of experience that he has. He looks forward to working with him.

Mr. Schlossberg made a motion to suspend the Rules.

Mr. Guridy seconded the motion.

Mr. Schlossberg said to nominate Mr. Strathearn to vote on R-31.

**R 31**

**WHEREAS**, Section 503 of the Home Rule Charter requires City Council approval of Department Directors; and

**WHEREAS**, the Mayor hereby submits Garret H. Strathearn for consideration and confirmation for the position of Director of Finance at a salary of Eighty Nine Thousand Five Hundred (\$89,500) Dollars, effective July 6, 2010.

**NOW, THEREFORE, BE IT RESOLVED** that City Council hereby approves the appointment of Garret H. Strathearn as Director of Finance.

Resolution passed, 6-0

**9. APPOINTMENTS:**

**10. ORDINANCES FOR FINAL PASSAGE:**

**Bill 29 MUHLENBERG RACP**

Amending the 2010 General Fund Budget to provide for a supplemental appropriation of One Million Two Hundred Thousand (\$1,200,000) Dollars as a result of a grant from the Commonwealth of Pennsylvania to the City of Allentown in the form of a RACP pass-through grant to Muhlenberg College

Mr. Schweyer stated that this was recommended favorably 2 - 0. He recused himself since his employer Representative Jennifer Mann helped to secure a portion of this.

Ordinance passed, 5 - 0

**Bill 32 EChairappt**

Amending Article 177, Environmental Advisory Council, by providing for the election of the Chair of the Environmental Advisory Council by the Environmental Council rather than by the Mayor with the approval of Council.

Mr. Schweyer stated that Mr. Donovan was the prime author of the legislation along with D'Amore as a co-author. It was recommended favorably. The conversation about the Amendment was also recommended favorably.

Mr. O'Connell stated that he caught the end of the meeting. Mr. O'Connell asked if the actual Environmental Council was part of their suggestion also or was it just initiated by two Council people, Councilman Donovan and D'Amore. He asked was it fair for him to ask the rationale in changing the Ordinance two years later?

Mr. Donovan stated that the Bill was brought in about the second month that he was on board. It took a long time for the EAC to get organized. It is the only commission that he is aware of that the Mayor actually appoints the Chair. It was brought to his attentive about that and he felt that Council needs elect their Chair. Council actually created the Ordinance. They do appoint two members to it. He recommended to Mr. D'Amore that they change that part of the Ordinance. It will be an Amendment in the Ordinance that will let them know when they can elect their Chair.

Mr. O'Connell asked if this was a part of the Environmental Advisory Commission or was this introduced by two Council people. He thinks the rationale is correct. He thinks it is the right way. The Human Relations Commission, Recreation Commission, and Arts Commission sit down and pick their own Chair and he believes that the rationale is right. His only concern is that Council passed an Ordinance and then they redefine it and

reconstitute 6 months later, a year later, or two years later and he asked for guidance to see if they were doing the right thing.

Mr. Donovan stated that it took a while to get organized. There were different interpretations of their roles even among members. He attended a meeting where he and Mr. D'Amore attempted to facilitate an improved process of how EAC will deal with the administration and with Council. They have been active in the last 6 or 7 months to get the EAC operating in a more effective way. He feels that it is not the role of the administration to specify the changes especially when all the Boards and commission selects their own Chairs. It was his opinion and this is a move that is good for EAC. This is a move that is good for EAC and to get them to self manage themselves.

Mr. D'Amore asked if there was a motion to propose an Amendment.

Mr. Donovan made a motion to amend the Bill to add the election will occur at their first organization meeting, held in each calendar year.

The Amendment and Bill passed, 6 – 0

Mr. Schweyer asked if they could suspend the Rules to move R-28 up to this point of the Agenda.

### **R28 1510 W Turner Street**

Denial of Certificate of Appropriateness: 1510 West Turner

Mr. Schweyer stated the CEDC had a lengthy conversation about R-28 regarding a denial for Certificate of Appropriate. HARB voted on this denial by 4-0 of a porch renovation. The vote was upheld by 3 – 0.

Mr. Schlossberg stated that they have to uphold the HARB decision.

Mr. Donovan stated that he lives in a historic district. When she pulls the tile up, it will damage the tongue and groove. Can the city do something to help the homeowners finance it?

Mr. Hartney stated that they do not have many resources.

Mr. Guridy stated that as the city's demographics continue to change; they need to do a little more work for the people that are moving here so they will know that they live in a historical area and they need to conform. He spoke to Mark to get some literature changed into Spanish.

Mr. Hartney stated that they are validating the process and making sure people are notified so they know that they are in a historic district.

Mr. Guridy stated that it is an unfortunate situation, but they made the right decision.

Mr. O'Connell stated that if they endorsed the denial.

Mr. D'Amore stated that he supports the denial.

Resolution passed 6 -0

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

**Bill 33TrexlerCapTrailsCO**

**Referred to Parks and Recreation**

Amending the 2010 Capital Fund Budget to appropriate Fifty-One Thousand Twenty-Five (\$51,025) Dollars from the unappropriated balance and to provide for a Comprehensive City-Wide Park Signage Project and provide for unanticipated expenses in the Cedar Parkway Improvements Phase I project.

**Bill 34 Trexler CapCO**

**Referred to Parks and Recreation**

Amending the 2010 Trexler Fund Budget to release Fifty-One Thousand Twenty-Five (\$51,025) Dollars from the unappropriated balance and place the funds into the Capital Fund Contribution Account 84 as stipulated by Lehigh County Court Order dated February 11, 2010.

**Bill 35 VAC-ORD Aubrey**

**Referred to Public Works**

Providing for the vacation of S. Aubrey Street from E. Walnut Street to E. Hickory Street in the Fourteenth Ward of the City of Allentown

**Bill 36 VAC-ORD N 21ST St**

**Referred to Public Works**

Providing for the vacation of N. 21<sup>ST</sup> Street from Hamilton Street to Linden Street in the Seventeenth Ward of the City of Allentown

**Bill 37 VAC-ORD S East St**

**Referred to Public Works**

Providing for the vacation of S. East Street from Rye Street to Cumberland Street in the Twelfth Ward of the City of Allentown

**Bill 38 VAC-ORD E Carey St**

**Referred to Public Works**

Providing for the vacation of E. Carey Street from N. Ellsworth Street to the re-aligned E. Carey Street in the Fifteenth Ward of the City of Allentown

**12. CONSENT AGENDA:**

**CA-1**

**Certificates of Appropriateness**

Resolution Passed, 6 - 0

**13. RESOLUTIONS ON SECOND READING:**

**R28 1510 W Turner Street – Voted on earlier**

Denial of Certificate of Appropriateness: 1510 West Turner

**14. RESOLUTIONS ON FIRST READING: None**

**R29 ENCROACH N. 13th Street**

**Referred to Public Works**

Encroachment for a Handicap Ramp at 10 – 14 N. 13<sup>th</sup> Street

**R30 Fire Civil Service**

Adopts Fire Civil Service Rules on the Promotion of Fire Officers

Chief MacLean spoke about R30

Mr. Guridy stated that he had an opportunity to talk to the Chief and feels that it is the right thing to do to conform to the Civil Service Rules. He supports the Resolution.

Resolution passed, 6 – 0

**15. NEW BUSINESS**

No new business

16. GOOD AND WELFARE

Mr. Guridy stated that he was asked to invite Council to an event on the 24<sup>th</sup> which is the same night that they have the On the Deck Event. It will be at an Art Gallery on Eighth Street on the 200 block across the street from the parking lot. It is a Hispanic Chamber of Commerce Mixer.

The Rules were Suspended, by common consent to introduce and vote on the following.

**R32**

**WHEREAS**, Council may, by resolution, cancel a meeting due to lack of business; and

**WHEREAS**, no business has been forwarded from the Administration for the July 7<sup>th</sup> Council meeting.

**NOW, THEREFORE, BE IT RESOLVED**, that Council hereby cancels the July 7<sup>th</sup> Council meeting.

Resolution passed, 5 – 0 (D'Amore opposed)

Dan Mest stated that he wanted to make a comment on the gas regulator. He works for the Plumbers Union and they do put them on the inside of the building, but the vents must be vented out.

17. ADJOURNED 9:00 PM

*Council meetings are held on the first and third Wednesday of each month beginning at 7:30 pm in Council Chambers. For copies of the agenda or meeting announcements, please visit our website at [www.allentownpa.gov](http://www.allentownpa.gov), or contact the Clerk at [hanlon@allentowncity.org](mailto:hanlon@allentowncity.org) to receive an email notice of the meetings.*