

**COUNCIL MEETING - 7:30 PM
JUNE 17, 1009**

1. Invocation: Julio A. Guridy

2. Pledge to the Flag

3. Roll Call

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

4. Courtesy of the Floor

John Halasovski asked Allentown School District Superintendent Karen Angello that when the bids went out, and the Allentown Building Trades put a bid in, which was around \$1,000 or \$2,000 higher than an outside contractor from Lancaster, and they found that out they lowered their bid to below that contractor's price; yet, the school district went with the contractor from Lancaster. If that's true, why didn't the Allentown School District hire Allentown contractors to work on the school?

Ms. Angello said if he can provide her with the specific information, she would look into it, but she doesn't know what he's specifically addressing. When bids are put out, they're all laid in a room and laid out. They're very carefully scrutinized and no one is called to say (inaudible). The bids are the bids and the time they've been submitted. If there's a rumor of that nature, it would be helpful if that person would bring it to her attention. She doesn't find that that practice would be embraced. There are people in the room when bids come in, and we've had numerous bids because we have time . . .

Mr. Halasovski said he lives in New Tripoli and farmers spread Allentown sewage sludge. He's read some articles on sewage sludge. Over the weekend Kutztown University had a conference clinic on sewage sludge. He's gone to water classes at Penn State and the way Aquafir works . . . water from Lake Erie. Schuylkill County has a lot of abandoned mines where they've dumped sludge thinking it will go away, but it will probably get into the water. They used to dump sludge in the ocean; they found out it was killing fish, so now they give it to the farmers who spread it out like fertilizer. Everything that goes down the drain, ends up at the Waste Plant. There are 3 or 4 different things you can do with it to make it good to get the metals and poisons out. The cheapest one is to give it to the farmer. The first time they do it, it increases the crops. But as they continue to use it the metals and poisons kill the ground, and the crops reduce and kill the animals that ate the hay, etc. The potatoes and carrots we eat are sucking up these chemicals, and, in the short run are probably killing us. He distributed literature on the subject. He suggested Allentown could be an innovator and trailblazer. They talk about making energy out of it.

Dennis Pearson said what he has said may be true, but sometimes we have to look at things and use common sense. In California they face problems because they cut off the water supply because of a mineral. If we cannot raise food anywhere, we're going to have higher prices for food and suffer starvation in the future. As a member of the Steelworkers' Archives, our office is now located in the Casino in Room 215A. That's where we will be doing our business as far as videographing former steelworkers, making documentaries out of it. You are all welcome to visit that site. At that site, there's a whistle that is part of his work history at Bethlehem Steel above Number One Borer House which is a whistle that comes from a ship that was the biggest luxury liner before World War II, and came into American hands but was destroyed in New York Harbor by a stupid welder who burned the ship down. We got the brass, the bronze and the whistle at Number one Borer House. He was there when they took it down and sent it to New York. In Orlando, there's a Space Convention, he'll be giving lectures to whomever will hear him on the space civilization. The corporation called Burden Galactic is going to sponsor supersonic flights and will give one free flight into space for the individual who performs the best in giving these lectures.

Mr. D'Amore wished Dennis good luck, and if he doesn't win he hopes Lou Hershman wins.

Louis Hershman said he hopes the Blue Ribbon Panel comes up with some ideas for the City. His concern is the report that came out. They can't take money from the Lock Box. Council should be responsible for the \$5 million. There were 10 properties they were supposed to sell to pay the money back. The Parking Authority provides us with winter ticket money, and the report says zero. Where's the money, unless we were given the wrong information. We have cops riding on the Mall in the morning and evening – they're going to give us \$125,000. Where's that? We've got to start looking into where's the money. The Controller projected a bigger deficit. The Blue Ribbon Panel doesn't meet. Where are we going? When he was on Council he always made motions to cut by 10%. If we would have started cutting years ago, we wouldn't be where we are today.

Paulette Hunter said this playground means awareness, inclusion as well as a welcoming community for her son. She asked if there's going to be a 4 day kindergarten for all kids?

Dr. Angello said in the ultimate comprehensive plan the goal is to have a 4 day kindergarten. We still will not have adequate space for a 4 day kindergarten, but what they've been able to do with their grandsons, we now have 22 extended day kindergarten classrooms. That is, students on a ratio of 10 to 1, will go into regular kindergarten for half days, and the other half day, students who

are really struggling will have the opportunity to have half days using our tutoring funds, what we call the accountability block grant fund. Each year we've been able to extend it; we won't be able to add more this year due to the fact there's such uncertainty with the funding right now from the state, but these 22 classrooms have afforded more than 300 students already to receive this opportunity. They're students who really have high needs. We've seen dramatic results in their achievements. We'll only have 2 elementaries that will be completed in Phase I. We'll have to wait until the board moves forward with additional phases before we can move forward with full day kindergarten through the school district. We're using alternatives to give students that we know really, really need that extended time to use grant funds to give them that time.

Ms. Hunter asked if she had a number as far as how many students will not be able to get fit for kindergarten? Is there a timeline when everyone will get it?

Dr. Angello said she can't give a timeline. It all rests on having the classroom space, and we don't have that yet.

Ms. Hunter said even with the construction they're doing and everything else?

Dr. Angello said only 2 elementary schools are being expanded right now, and that's so we can move students out of modular and move them from schools where we have had overcrowding. We've reduced the student population. We have several schools that are so overcrowded yet. It means we have to fit out many more elementary schools in the future, and that's going to take some time. In the meantime, when we have the opportunity if we get additional grant funds, but we're sitting in a pretty perilous condition this year in terms of being able to expand. She doesn't see that happening this year, even with the extended day kindergartens, but we'll hold on to the ones we have. We have worked a great deal also with Community Services for Children to expand Head Start, and we haven't been able to do that. Our school district was recognized by Community Services for Children for partnering with them, and we've had dramatic increases in the number of students who get preschool education. They're both absolute necessities for our children in our school district.

Evelyn Hurdle said she had the privilege of knowing Joe Daddona and how he cared about this City. Today it seems like part of our government doesn't care. Right now she's talking about the Parking Authority. They encountered a problem with the Parking Authority about 2 weeks prior to the article in the newspaper. They had a vacuum cleaner that needed to be repaired, not knowing when we parked at the loading zone at Dave's Vacuum Cleaners that it was a Tuesday, between 12 and 3, when they were going to clean the streets. We were in there for 5 minutes, when they came out they had a ticket. They drove to the Parking Authority and encountered 3 cruel and nasty individuals. They said it's posted and everybody who parks in a space posted is going to be a ticket. It was Election Day; they probably didn't even clean the streets that day. There was no way we could carry the vacuum cleaner even if we had seen the sign. Is the Parking Authority an individual group that has no supervision? She called the Mayor's Office and was told he has no authority over it. Who runs the authority?

Mr. D'Amore said the Parking Authority has its own separate board. Mr. Donovan is a board member.

Mr. Donovan requested her name and phone number and he would get back to her tomorrow.

Ms. Hurdle said she was a County employee for 21-1/2 years. The Government Center is also on 7th Street. Why can't they clean the block prior to businesses opening or after they close? Cable TV – why can't the City approve ComCast and others -- Service Electric and RCN don't give the service they claim they do.

Mr. D'Amore said they just recently approved Verizon Fios, and if ComCast came to them, they would certainly consider ComCast.

Ms. Hurdle said they've had problems with Service Electric, and they don't even answer the phone.

Mr. Phillips said her question was asked in a public forum; why can't we answer it at a public forum? It makes more sense rather than having a private conversation. He's interested in the answer as well.

Mr. Donovan said he can explain the structure of the Parking Authority. He felt he could assist her on her exact detail. The Parking Authority is a separate agency under state law. There's a Board of Directors, himself and the chief financial officer of the City, and there are private citizens. We meet monthly. He has several concerns. He's been on the board for a year. While there is a need to regulate parking in the City; he feels as she does. That the Parking Authority is very zealous. We don't have ways to waive situations like yours where there may be a disability issue at the time.

Ms. Hurdle said a loading zone is a place where people are there 5 minutes or less.

Mr. Donovan said he would expect judgment on behalf of anyone who is in authority in terms of the details involved. He'll follow up with her tomorrow and find out what we might be able to do about it. He thinks we have a variety of parking policies that don't make sense to him. It is his goal that some of them be rewritten over time. He gets a lot of complaints.

Mr. D'Amore said the appointments to the Parking Authority Board are made by the Mayor and, Council does not have advice and consent over the appointments.

Joseph Clark said the Redevelopment Authority portfolios dozens of properties. It is also his understanding there are no taxes levied on these properties, such as City, County, or School taxes. He also understands there's no plan for these properties. Some of them have been portfolioed for over 10 years, which means they've been off the tax rolls and immune to any code violations. Homes are being taken from people who want to keep their homes and develop a plan; although they've extended the furthest allotment of time allowed and didn't meet the criteria. Some of these homes are partially renovated; some need help. There are some cases where people are willing to do the work and yet the process of the Redevelopment Authority goes on. It is his understanding there is no passion with the Redevelopment Authority because the time has lapsed – whether you have the means or not, you need to meet the criteria. Ending up in the property portfolioed by the Authority setting there in the same state with which they took it without any other work being done to it; or, as long as he indicated for 10 years. It is his request, as a current, punctual, 100% paid in full taxpayer, owner of hundreds of properties himself, that if these properties were put back on the tax rolls, it would help our school tax situation; our county tax situation; and, of course, the desperate problem we have in our City. He's asking there be some due diligence with the Redevelopment Authority or this authority at least be probed.

Mr. Donovan said he asked Karen Beck-Pooley, Director, ARA, the same question. He heard a rumor of 100. She is supposed to provide him with a list of the inventory. She said it is not an exceptionally large number. As soon as he receives that list, he will share it with him.

Mr. Clark said he will also share his list with him.

Mr. Phillips said he sent a letter asking for a list of the ones that were taken by eminent domain, plus the other properties that have been portfolioed.

Ms. Eichenwald asked what is the terminology portfolioed mean?

Mr. Phillips said he saw one property that was on the list that had been there for 14 years. It's been sitting there in center city. He doesn't know if it's blighted or what has transpired. We've been property holding and that's not what our job is. The City should not be land owning or a land barren.

Mr. Howells said he has the same concerns. If Mr. Clark, as a responsible land owner, has to do things to maintain his properties, why doesn't the ARA?

Mr. Guridy said he, too, is concerned about some of the properties that we've kept for a long time. He knows the Calo building is being worked on. Sometimes nobody wants these properties, but he thinks part of the issue – when he sat on AEDC – there was an understanding that AEDC was supposed to be like the developer as the last resort for the City. Some of the properties that have been portfolioed for quite some time need to be disposed of, sold or fixed. We should work with the Administration to make sure it happens.

Mr. Phillips said there has been a long history of this happening.

Ms. Eichenwald said perhaps we can find a procedural way in which to say we have great concern and we are awaiting a list of properties.

Mr. D'Amore asked if they can formulate something and bring it up under new business?

It was agreed.

Paul Hurdle said the Parking Authority is an enforcer of regulations. The City establishes the regulations. It's a mistake to have street cleaning in a business district, on 7th Street, and close off the street for 3 hours, during business hours. He was told years ago they used to clean the streets between 4 AM and 8 AM. They chose normal working hours without regard for all the businesses and government workers who need access to those buildings. There no doubt are other situations in the City where this occurs. It would be helpful if you would review the parking and street cleaning regulations.

Mr. D'Amore asked Rich Young if knew about the street cleaning overnight and what's the rationale for being changed.

Rich Young said street cleaning has been during the daytime as long as he can remember.

Ms. Hurdle said these people are losing business.

Mr. Howells said the Allentown Parking Authority was established by a City Council. Even though City Council was able to establish a Parking Authority, City Council cannot abolish the Authority. The parking control officers used to work for the Police Department. It can only be abolished from within, like Mr. Donovan and a majority of the Board of Directors could abolish it.

Mr. Phillips said the hours they were doing their sweeping – ADIDA had sweeps during the night, or first thing in the morning. They used to do 7th Street at night.

Mr. Guridy said as chairman of the Public Works Committee they will begin looking at parking regulations and change some things that may make it easier for residents.

Mr. Howells said some businesses asked to have the times of the street sweeping changed to accommodate their businesses.

5. Approval of Minutes: June 3, 2009

6. Old Business: None.

7. Communications: None.

8. REPORTS FROM COMMITTEES:

Budget and Finance: Chairperson Donovan

The Committee hasn't met since the last Council meeting; a future meeting has been scheduled for the 24th at 6:00 PM to review the May financial report and discuss approaches to reviewing the end of the year balances.

He noted the General Fund expenditures – the personnel budget this year was \$3.3 million higher than last year but on a percentage basis we're about the same. This year's total services and charges budget is about \$1.1 million higher than last year; expenditures through May for those services are higher but at a level slightly lower percentage than last year. The materials and supply budget is about \$400,000 higher than last year but expenditures through May are significantly lower than what was spent and the percentage is less. The General Fund tax revenue for this year is about \$800,000 lower than last year; through May we collected about the same amount of dollars and as a percentage of the budget we actually exceeded last year's results. The permitting and licensing budget was about \$300,000 higher; to date, we are running significantly lower than last year. The charges for services budget was about \$400,000 higher than last year; to date, those are also running significantly lower than last year's results. Because of the unpredictability of other sources of revenue he cannot comment about grants and things like that. It's very likely we're not going to reach budgeted revenues in 2009 based on a review of the annual results of the year. If patterns continue and the economy remains stagnant the shortfall could range from \$2.5 million but not less than \$2 million. He's willing to accept a small probability that events will turn around; he'll only place a 30% chance on that. He feels there's a 70% chance we will miss budgeted revenues. This would project a revenue shortfall overall somewhere around \$3 million. There's not much room in the non-personnel accounts to find \$3 million; on an accrual accounting basis there is room in the fund balance to absorb a deficit. The question is whether there will be sufficient cash to handle disbursements. We can have a deficit on an accrual basis and still have enough cash to pay the bills. There's only 6 months to make up revenue or reduce expenditures. We need the Mayor's report as soon as possible. Back in November, for the budget, he and Mr. Schweyer were concerned about the Water Fund. The Sewer and Water Funds continue to track to end the year with lower revenues, and it's very possible the Water Fund will end with a negative fund balance.

Mr. Guridy said the City looks like its situation is worse than last year. The problem throughout the world is we're in a very difficult economic situation. Is your committee working with the Administration to remedy some of this and look at possible solutions before it gets too late?

Mr. Donovan said when the Mayor and Mr. D'Amore announced the Blue Ribbon Committee to take a look at it, he thought that was a reasonable alternative. He is disappointed although logistically it takes time to organize people. In retrospect, he would like to have Council start holding meetings in March. We'll await to hear from the Mayor's Committee, at the end of the month, and then we'll look at those recommendations and hold public hearings. We'll contact the Administration on best actions to take.

Mr. D'Amore said there have been some draft recommendations that came out of the 3 subcommittees.

Mr. Guridy said some of the recommendations from the Blue Ribbon Committee may not be implemented when we need to end the year with a surplus.

Ms. Eichenwald said she too has enormous concern about our situation. Instead of holding a regular committee meeting, we should have a Committee of the Whole so each one of the Council members can . . . since we are ultimately responsible for passing the budget, and we'd have an equal opportunity to speak. She requested the Mayor be present and someone from Finance and someone representing the Blue Ribbon Commission. She has great concern about the commission. She appreciates the talent and generosity the members of the community are offering, but it is City Council who is ultimately responsible for the enactment of the

budget. The way the commission has been structured, we only have one representative. She knows nothing about what's going on. No matter how many questions she asked she knows nothing. In order to face our financial ability we need to exert greater authority. It's our responsibility; we have to take control of it. She is requesting a financial committee meeting, as a Committee of the Whole, and the Mayor attend, and we begin to get concrete suggestions.

Mr. D'Amore said we have the Budget and Finance Committee scheduled for next Wednesday. At the request of City Council, we may be able to get a number of those individuals to come in a week's notice. Instead of a regular City Council meeting on July 1st, we may want to have a Committee of the Whole.

Mr. Donovan said the only logical problem for next week is Mr. Hoffman and I have scheduled the Ethics Committee at 7 PM.

Ms. Eichenwald said it's absolutely crucial and critical we do this as soon as possible.

Mr. Schweyer asked when can we expect the CAFR?

Mr. Bennington said in a few weeks. The Administration has a plan the staff is diligently working towards. They're looking forward to the recommendations of the Blue Ribbon Committee. We expect our plan to be completed in July.

Mr. D'Amore said if the Mayor were invited does that mean he won't accept that invitation?

Mr. Bennington said that is probably an accurate statement.

Ms. Eichenwald said the 7 of us, as City Council, are responsible for the budget. She's grateful there are citizens available who are giving their talent and time and generosity to this project. It's still our responsibility; and, she is not willing to wait and wait without any input. It's an obligation and responsibility.

Mr. Phillips said we should have been having this discussion in November. There's not much the Blue Ribbon Committee or the Mayor can do, or us, as Council. We were short in 2008; we're already short in 2009. It looks like we're going to be \$9 million short, and the Mayor isn't going to come? That is irresponsible.

Mr. Donovan said he believes in civic deliberation.

Mr. Howells said we have a police chief sitting here waiting for us to finish this discussion. We should have this discussion later and get him back out on the street where he belongs.

Mr. Howells and Mr. Donovan moved to move R57 to this point in the agenda.

The motion was approved by common consent, 7 Yeas and 0 Nays.

R55

Resolved by the Council of the City of Allentown, That

appointments of the following, as Police Officers, in the Department of Police, are hereby made at a base salary of \$45,054 per annum, effective July 13, 2009. All appointments are contingent upon the candidates passing physical and psychological examinations as stipulated in the Police Civil Service Rules and Regulations and obtaining and maintaining a valid state certification from the Pennsylvania Municipal Police Officers Education and Training Commission.

Kirk Pierson
Fountain Hill, PA

Damien Lobach
New Tripoli, PA

Alfred Boccadoro
Allentown, PA

Yamil Castillo
Fountain Hill, PA

Kyle French
Allentown, PA

William Nixon
Zionsville, PA

Louis Hershman said there's only one minority on this list. Arthur Taylor, then President of Muhlenberg College, said the college would provide 2 years of free education. He was going to work with LCCC. They have to sign a paper they would live in Allentown for 5 years. We'd get Allentown residents and hire minorities.

Assistant Chief Joe Hanna said Mr. Hershman's point is well taken. We have a process right now that's headed up by Assistant Chief Dave Howells, Jr. that is unprecedented as far as trying to recruit minorities. We have recruitment officers that go out. We're experiencing the same problem as most law enforcement agencies with recruitment in general. We've hired a number of minorities

under the last 2 lists. The 6 names presented to you this evening – there would have been a 7th name, which also would have been a minority candidate, who in the past 2 days, declined employment with us. We are cognizant of this; we will continue to work on the face of the department to reflect the demographics of the City.

Mr. Guridy asked if a 2 year college education is still required to become a police officer?

Assistant Chief Hanna said it is not. They suspended that several years ago. It appeared it was a deterrent for many candidates.

Mr. Guridy said he wants all the departments in the City to make a stronger effort to try to hire people of color, particularly those of Hispanic descent. He doesn't think we've done a good enough job.

Mr. Bennington said there's a hiring freeze on right now.

Assistant Chief Hanna said they, in the Police Department, understand the importance of having minorities in the Police Department. It only enhances us to do our job better. We're going to continue to work toward that.

Mr. Howells said he takes great exception with Mr. Guridy when he said we have to make a stronger effort to hire more minorities on the Police Department. We've been trying to recruit minorities since 1975. He remembers having many, many meetings throughout the City with minority groups to try to get those people to sign up for the Police Department. He doesn't know how they can make any stronger effort than they are today. He's recruited as far away as Philadelphia. He thinks they're making the strongest effort they can possibly make. They try to recruit them in colleges, high school. The 2 year college degree might have an adverse impact on hiring some minorities. If somebody spends 4, 5, 6 years in the Marine Corps, and they don't have a 2 year degree, they wouldn't be eligible to become a cop.

Mr. Guridy said he didn't mean for it to be in a negative way. He is opposed to the 2 year college degree.

Mr. Phillips said he knows they do everything they can in the Police Department to increase their credibility. Every effort is great. The dual list was removed because we met our percentages.

Assistant Chief Hanna said when the dual list was put into effect many statements were made, both pro and con. If you look back on the officers who came on by the dual list system, we got some of the best Allentown Police Officers off of that system.

Mr. Guridy said we should bring it back; it would be a good thing.

Mr. D 'Amore said in light of Supreme Court rulings, he would think it would not be considered constitutional.

R55 was approved, 7 Yeas and 0 Nays.

Mr. Donovan asked to continue the discussion on the Budget and Finance Committee of the Whole under New Business.

Public Safety: Chairperson Howells

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

Community and Economic Development: Chairperson Schweyer

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

Ms. Eichenwald said several months ago they discussed having Joyce Marin coming to talk to us. She's concerned about closings of businesses.

Mr. Schweyer said he and Mr. Bennington had that conversation a week ago.

Mr. Bennington asked what venue would she like?

Ms. Eichenwald said like they did with Dr. Angello, a Committee of the Whole. She wants to talk about efforts to retain businesses.

Greg Weitzel said the presentation he has planned for July 15th are on the efforts they are making to educate the public and the importance of stakeholders in the water protection program. The Department of Parks and Recreation oversees 14 miles of streams, within the City, and this is our public drinking water source, and we're taking steps to protect that from pollution and storm water runoff. He thinks it's important to hear the presentation and the efforts they're taking so they can help explain to the public when you get complaints on why we are stopping mowing on some sections of our public parks and open spaces.

Parks and Recreation: Chairperson Phillips

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

Public Works: Chairperson Guridy

The Committee has not met since the last council 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 yet 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 been scheduled (you have two items in front of the committee on the election of council officers).

OTHER COMMITTEE REPORTS

Ms. Eichenwald said in December she made a proposal about in which way we elect our own officers, and it is now June.

Mr. D'Amore said a Rules Committee was scheduled and had to be canceled. We will shoot for July.

CONTROLLER'S REPORT

Mr. Hoffman said he would like to discuss the projection of revenues. Year to date through the end of May, he sees no reason to project that revenues will be much different in 2009 than it was in 2008. Which means 2008, unaudited, is \$71.6 million; not the budgeted number of \$78.6 million. Expenses are unpredictable; we're taking steps to save money, cut where we can, but most if, unless we start layoffs, some other actions are fixed. \$72 million minus \$81 million is a negative \$9 million for 2009 versus a projected deficit of \$1.8 million. Depending on the exact figures, that would eat up our reserves; it would force us into a negative fund balance, which will cause us to a) spend down the \$3.2 million profit on the refunding bonds; b) spend the stabilization fund which requires separate authorization from City Council, and spend other dollars as well. The Water Fund also has some issues, but they're relatively minor. He's not sure what we can do to fix that, but it's going to require large chunks of cash with lots of zeroes, and it's not going to be by not buying paper clips. If we had layoffs in every department – Fire, Police, O&E – every department – it still wouldn't do a whole lot, but it would be a start. Can we delay some capital projects? Not once funded by bond proceeds, but by others. Take a slightly longer year – 2010 – the pension MMO, absent some gift, it will go up by \$4 or \$5 million. We're in a heap of hurt and we need to deal with it. We were driven into a negative fund balance in 2003, 2004 and 2005, and then we got out of it. We're potentially back in that situation where we really have to take some drastic actions. The Administration, working with Council, needs to be added now.

Mr. Donovan said he concurs with Mr. Hoffman. He's been taking a very hard look at the numbers. He's doing a very good job.

9. APPOINTMENTS:

10. ORDINANCES FOR FINAL PASSAGE:

Bill 45

Administration Sponsored: Amending the 2009 General Fund to provide for a supplemental appropriation of Sixty-Seven Thousand Eight Hundred Forty-Nine Dollars and Fifty-Eight Cents (\$67,849.58) from the United States Department of Environmental Protection Agency Brownfield Revolving Loan Fund for the demolition work at 716-718 Linden Street as well as the Calo Building at 5 North Front Street.

Mr. Schweyer said the bill was recommended favorably, 3-0. Erlinda Aguiar was there to speak on behalf of the Administration.

Erlinda Aguiar said this is a combination of two projects. 716-718 Linden Street which is owned by the Redevelopment Authority and demolition was necessary because it represented a safety hazard. The floors caved in. The demolition already took place. We already have the funds from EPA, which is projected through our Brownfield Revolving Loan.

Mr. Phillips asked what was the contamination problem? Was it contained in the building

Ms. Aguiar said mostly asbestos and lead that was within the building. The cleanup process was supervised every step of the way.

Mr. Phillips asked how long before the cave in, did the building collapse?

Ms. Aguiar said it took a while to get approval from the EPA. As soon as we received that, we requested the funding and received it. This bill allows us to pay the contractor, HDR, for the demolition. \$56,238 goes to Linden Street and \$11,611 goes to the Calo Building for the review of all the assessment documents of the cleanup.

Bill 45 was adopted, 7 Yeas and 0 Nays.

Bill 46

Administration Sponsored: Amending the 2009 Capital Fund Budget to provide for a supplemental appropriation of Five Hundred Thousand (\$500,000) Dollars to provide for the receipt of a grant from the Lehigh County Green Futures Fund. This grant will provide funding to renovate the Cedar Creek Parkway.

Mr. Phillips said the bill was recommended favorably, 2-0. These are monies that were already allocated to us from the state through the County for the Green Futures Fund.

Mr. Donovan said he heard the capacity of the new playground is over 500 people at one time.

Mr. Weitzel said that's correct.

Mr. Donovan said that's a strategic error for the City. He doesn't understand what he's trying to build. A destination site where there's very little parking, close to a dangerous road; it's going to require maintenance from the City. Parents and guardians nearby could bring the number up to 750. Council has stressed the fact that we have a City-wide system. He's never seen that large a park. He wants to go on record that he doesn't like it.

Mr. Guridy said there are several Latin leagues. They also need park space. The need for safety, restrooms and parking is essential.

Mr. Phillips said we're talking about specialty groups. We're talking about a master plan to redo the parks.

Mr. D'Amore agreed with Mr. Donovan and said this is not necessarily the vision of Cedar Beach that he would prefer. The compromise brought money to all the other parks in the City.

Bill 46 was adopted, 7 Yeas and 0 Nays.

Bill 47

Administration Sponsored: Amending the 2009 General Fund Budget to provide for a supplemental appropriation of Five Thousand (\$5,000) Dollars to provide for the receipt of a grant from the Water Resources Education Network. This grant will provide funding to educate City staff, important stakeholders and the public to reduce impacts of polluted storm water runoff in streamside public park lands, including the Cedar and Little Lehigh Creeks, which serves as the source of drinking water for the City – inclusive of creation of a video and training to line staff and workers in regard to no mow and buffer policies. (Council will get a July 15 presentation on the no mow issue.)

Mr. Phillips said the bill was recommended favorably, 2-0. This is about educating people on keeping our water clean.

Bill 47 was adopted, 7 Yeas and 0 Nays.

Bill 48

Administration Sponsored: Amending the 2009 Capital Fund Budget to provide for a supplemental appropriation of Two Hundred Fifty Thousand (\$250,000) Dollar increase to provide for the receipt of a grant from the Pennsylvania Department of Conservation and Natural Resources. This grant will provide funding to renovate Keck Park – trails, light, Spray Park and other site amenities. It's a 500,000 project – which will include Trexler and Green Futures funds and

Mr. Phillips said the bill was recommended favorably, 2-0.

Mr. Schweyer said public input will be taken at a meeting on July 14th at 7:00 PM at Keck Park, the Mosser Family Center, to determine priorities.

Mr. Weitzel invited all of Council to attend. It's impossible to please everyone.

Mr. Phillips said Mr. Schweyer suggested more signage so the parks are more visible and accessible.

Mr. Howells requested a low fence be placed in the hardball in the left field in the in the left center.

Ms. Eichenwald said she thinks this exemplifies what Mr. D'Amore said earlier. That there be equal distribution of funding throughout the City for park development.

Mr. Weitzel said this is a \$500,000 project. We received a \$250,000 matching grant. The remainder of the funds are coming from the Green Futures Fund and Trexler funds. We can do a lot with \$500,000 and make Keck Park a destination for the east side.

Bill 48 was adopted, 7 Yeas and 0 Nays.

Bill 49

Administration Sponsored: Amending the Property Rehabilitation Maintenance Code by making it compliant with other codes, in effect, making our codes more uniformed; and, simplifying the fee section of the Rental Licensing Program.

Mr. Schweyer said the bill was forwarded without a recommendation, 3-0, contingent on reaching a consensus on the fees.

Bill 49 was removed from the agenda.

Bill 50

Administration Sponsored: Amending the 2009 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 Pennsylvania Department of Conservation and Natural Resources. This grant will provide funding to purchase and install shade trees in the City at various locations as prioritized by the Shade Tree Commission.

Mr. Phillips said the bill was recommended favorably, 2-0. This is to plant more trees.

Louis Hershman said one of the complaints about these trees are the senior citizens on fixed incomes. Sidewalks and curbs get lifted up and they have to be replaced, and we have no money.

Mr. Schweyer said the Shade Tree Commission had lengthy discussions on those valid concerns. That style of tree that was used along Walnut, between 7th and 9th, is no longer used, as well as the Bartlett Pear Trees.

Bill 50 was adopted, 7 Yeas and 0 Nays.

Mr. Donovan and Mr. Phillips moved to suspend the rules and pull R54 from committee.

The rules were suspended by common consent, 7 Yeas and 0 Nays.

R54

Requests Analysis and Public Review of Options on Bicentennial Park Transfer

Mr. Schweyer said he is a member of the Lanta Board of Directors and will recuse himself from voting on this resolution due to a conflict of interest.

Mr. Phillips said since Mr. Schweyer recused himself from discussion on this resolution, they did not have a quorum to move this resolution forward.

Mr. Donovan said this is an important transaction for Lanta, for the City, and for the citizens of the City. He wanted a good explanation from Lanta on why this was the best available location for their expansion, as well as the Administration on why this is the appropriate strategy, and an opportunity for the public to speak.

Ms. Eichenwald said this resolution has no negatives. We're just saying the City is going to look at all of our options and make sure there's adequate public input.

Mr. Howells said it should be researched further. He doesn't want to give up that ball field for parking. He feels the same way about the ECTB. Him and his son helped build that field. He'd hate to see it get destroyed.

Mr. D'Amore said if Bicentennial Park is here years down, he wants to make sure it's here for the kids of Allentown, not for kids from somewhere else. As this reads to him, that will do our job.

Mr. Donovan said sometimes we rush through things trying to do our job.

Ken Bennington said he's questioning what the resolution will resolve. It's allowing you to do what you're going to do anyway. Parks and Recreation has a meeting on whatever property it would like to sell. You will also have a Council hearing, which is public, to act on that measure.

Mr. Phillips said it's about exploring the options. This is about a park that was dedicated to Allentown for the 200th anniversary of this country. Any decision being made on the transfer of property – Harry Trexler wanted the public parks to remain that way. If we start selling property because we need money – that is not what the trust was set up for.

Mr. Bennington said the Administration is not opposed to the resolution; we're just questioning what it's trying to resolve. This is in the very initial stages.

Mr. Gurdy asked who plays there now?

Mr. Bennington said ECTB and the Force.

Mr. Gurdy asked if they're from Philadelphia?

Mr. Howells said yes, Philadelphia Softball.

Mr. Gurdy said they leased the park for 5 years.

Mr. Bennington said ECTB's lease expires in 2010.

Mr. Gurdy asked if Lanta owns 1/3rd of the park?

Mr. Bennington said it's not that large. The parking lot to the third base line – a sliver of the left field line.

Mr. Howells said they actually infringe upon the playing field.

R54 was approved, 7 Yeas and 0 Nays.

11. ORDINANCES FOR INTRODUCTION:

Bill 51

Administration Sponsored: Amending the 2009 Capital Fund Budget to provide for a supplemental appropriation of Two Hundred Thousand (\$200,000) Dollars from the Environmental Protection Agency Brownfields Revolving Loan Fund. These funds will be passed on to the Allentown Economic Development Corporation for the demolition of the Calo Building, 97 North Front Street.

Bill 51 was referred to CEDC.

Bill 52

Administration Sponsored: Amending the 2009 General Fund Budget to provide for a supplemental appropriation of Nine Hundred Thirty Dollars from Susquehanna Bank, Samuel Geltman & Company, on behalf of Allen Gardens, Valley View and Tremont Apartments, Walter and Albertina Helinsky and St. Margaret's Nursery School, to the Fire Department, for fire safety equipment for the Allentown Fire Department.

Bill 52 was referred to Public Safety.

Bill 53

Administration Sponsored: Amending the 2009 General Fund Budget to provide for a supplemental appropriation of Seven Thousand Five Hundred (\$7,500) Dollars from the Pennsylvania Department of Health to the Health Bureau's Injury Prevention Program budget to enable the purchase of child passenger safety seats and carbon monoxide detectors for distribution to City residents.

Bill 53 was referred to CEDC.

Bill 54

Administration Sponsored: Amending the 2009 General Fund Budget to provide for a supplemental appropriation of Forty Six Thousand Seven Hundred and Twenty (\$46,720) Dollars to provide for the receipt of a grant from the Lehigh Valley Workforce Investment Board. This grant will provide funding to hire forty-six (46) economically disadvantaged young adults (18-24 years of age) for the Summer Playground Program under the Innovative Summer Youth Program under the provisions of the American Recovery and Reinvestment Act of 2009.

Bill 54 was referred to Parks and Recreation.

12. CONSENT AGENDA:

CA1

Certificates of Appropriateness for Work in the Historic District

CA1 was approved, 7 Yeas and 0 Nays.

13. RESOLUTIONS ON SECOND READING:

14. RESOLUTIONS ON FIRST READING:

R56

Administration Sponsored: Requests Traffic Signals at Lehigh Street and Entrance to Bennett Toyota/Health Network Laboratories

Richard Young said this the former Exide site. The Planning Commission approved it. PennDOT requires a traffic light at the entrance off of Lehigh Street.

Mr. Phillips said there's already traffic issues on Lehigh Street. Is this light going to cause flowing problems?

Mr. Young said the lights will be coordinated.

Mr. Phillips said for years Exide was there. What's the importance?

Mr. Young said the level of development meets all warrants for a traffic light. In addition to the dealership, they're going to have a body shop around the back also. Adjacent to it will be retail development.

Mr. Phillips asked why aren't we putting in mediums so people can't turn? That's simpler. You're going to have a rash of accidents the first year. He doesn't understand the urgency of the light.

Mr. Young said they already have their approvals. Part of the condition with PennDOT was they can put the light in, if this resolution is passed.

Mr. Phillips said this is mandated by the state. Who's paying for the light?

Mr. Young said the developer pays for it, installs it, and turns it over to us.

In response to Mr. Donovan's question, Mr. Young said the land development was approved by Planning.

Mr. Donovan said this is the first time he's hearing of a light. The project was approved, and if we don't vote for it, we're going to lose the project. This is a concern about putting another light on a major thoroughfare.

Mr. Guridy said we pay for the electricity for perpetuity?

Mr. Young said that's correct. The amount of electricity used is minimal. It's an energy saving light.

Mr. Phillips said this is another example of something that's been pushed under their noses, in the 11th hour. There was a planning stage, and this was forgotten or overlooked.

Mr. Young said the traffic light was always part of the planning stage.

Mr. D'Amore said he concurs with Mr. Donovan and Mr. Phillips. Was there a traffic study?

Mr. Young said the developer did the study.

Don Hunsicker said that light that is going in is only a couple of hundred feet from the other light. If they wanted to make a left hand turn to go to Emmaus, they could have come out of a side entrance on Vultee and then go up to Lehigh at the existing light.

Mr. Young said it's totally blocked on Vultee. It's warranted because of the volume of traffic that's going to be generated by the development.

Ms. Eichenwald said she will be voting no. You can't come to us at the last second. We need an opportunity to look at it.

Mr. Schweyer said he'll be voting yes. We just heard lengthy dialogue on the dire straights of our City's finances. Once this light is up, the business will add 150 jobs. We do get the Planning Commission notes in our email every month. This was in those minutes.

Maybe we should have been made aware of it in a more deliberate manner; it's not fair to say we didn't have an opportunity to review it when it is in our emails.

Mr. Howells said he would have liked 2 weeks in advance to review the light, but in light of Peter's comments, he'll be voting for it.

Mr. D'Amore said many times he feels like he's uselessly lecturing the Mayor. The Mayor doesn't respect City Council. He's always saying this is the last time; don't do this to us again. This is not the bill to make a stand on. It's a mandate by PennDOT. He requested Mr. Bennington tell the Mayor this is the last time this is going to happen.

Ms. Eichenwald said the problem is it will happen again.

The City Clerk said Julio was going to have a meeting; we thought it was a no brainer, and we didn't need to bring Richard and Ron Penrose in on a separate night for a committee meeting. It wasn't introduced and sent to committee because there wasn't another Council meeting.

Mr. Young said he agreed; it was a no brainer. It was done very similarly with the Rite-Aid at 14th and Tilghman.

Mr. Bennington said he also was surprised there was no committee meeting.

R56 was approved, 5 Yeas and 2 Nays (Phillips, Eichenwald).

R57

Cancels Council's July 1, 2009 Meeting

Mr. D'Amore said this is part of a tradition of Council. If we have no pressing business, we cancel the first meeting in July.

Ms. Eichenwald said we have a budget crisis. We can't afford it.

Mr. Howells said he supports canceling that meeting. It's a very heavy vacation time.

Mr. Phillips said the holiday itself isn't until Saturday. We should continue to conduct business and move forward.

Mr. Donovan said to satisfy everyone's needs we should cancel the Ethics Committee meeting and have a Finance meeting next week. He recommends a 5:30 start for a Finance meeting and cancel the July 1st meeting or have the Finance meeting on July 1st.

Mr. Guridy said if we're not going to have the results of the Blue Ribbon Commission, and the Mayor won't be here, how much will be accomplished?

Mr. Donovan said we need to discuss finances more in length even though we don't have recommendations from the Blue Ribbon Commission.

Mr. Howells said he's willing to be here on the 24th.

Mr. D'Amore said a Council meeting would not necessarily address the budget crisis; a Committee of the Whole would. It would be a way to express our strong concern. The Blue Ribbon Commission selected June 30th as their deadline and would be ready for a July 1st meeting. We can request the presence of the Mayor, the Controller, a representative of the Finance Department.

Ms. Eichenwald said we send a very strong message by canceling the July 1st meeting and making it a Committee of the Whole on finances.

Mr. Schweyer said he'll be available for a meeting on the 1st. In addition to the Blue Ribbon Commission, the state budget is supposed to be done by June 30th. S.B. 50, which is the budget proposal. If enacted into law, it would include the zeroing out of funding for such services like the Elm Street Program, the Main Street Program and Weed and Seed, among countless other programs. That's a contingency we all have to be prepared for.

Mr. Donovan said we can hold the Ethics Committee next week, he'll be available for a Committee of the Whole on July 1st.

Mr. D'Amore and Mr. Phillips moved to amend R57 by adding "and in its place calls for a Committee of the Whole on budgetary matters. Council requests the presence of the Mayor, a representative of the Finance Department, the 3 chairs of the Blue Ribbon Commission, the Controller and Managing Director."

Ms. Eichenwald and Mr. Schweyer moved to call the question.

The amendment to R57 was approved.

R57 was approved, as amended, 7 Yeas and 0 Nays.

15. **NEW BUSINESS:** None.

16. **GOOD AND WELFARE:**

Mr. Hunsicker distributed supplemental information on Bicentennial Park. It describes how the park was put together. These are from the archives of Lehigh County.

Ms. Aguiar invited Council to a press event regarding the Calo building project on the remediation and demolition and will take place on Wednesday, July 8th, at 1:30 PM.

17. **ADJOURN**

The meeting was adjourned at 9:55 PM.

Michael P. Hanlon
City Clerk