

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
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COUNCIL MEETING MINUTES
May 19, 2010 - COUNCIL CHAMBERS

COUNCIL MEETING - 7:30 PM

1. Invocation: Julio Guridy

2. Pledge to the Flag

3. Roll Call

D'Amore, Donovan, Eichenwald, Guridy, O'Connell, Schweyer, Schlossberg were present and John Marchetto represented for the Solicitor's Office

4. Courtesy of the Floor

Anita Rich, 817 North Tenth Street, stated that she was there on behalf of the Caring Parents. She is trying to get assistance and donations and preventing a permanent closing of Caring Place. She wanted to have a fundraising event and wanted Councils' support.

Jacqueline Allison, 15 North 2nd Street, president of Caring Parents stated that they want Caring Place to remain open.

Millie, Muhlenberg Street, stated that this is a Rose in the Garden in Allentown. This organization can not die. They provided one generation of love, caring, support and mentorship. What is the city government going to do?

Mr. D'Amore stated that a number of Council have been at the Caring Place and understand exactly the good work that goes on there.

Mr. Guridy stated that he got a call from a Caring Parent and they talked about some of the issues. Part of the issue is that they do not have any funds. He spoke to Mary. He encouraged them to come to the Council Meeting. For quite some time they did very well raising money to keep it opened. Caring Place is one of a few African American Organizations that serve minorities in the City. They need an infusion of cash now. He will look at CDBG funds to see if it is anything that they can do. It will be a shame to let the organization close.

Ms. Jacqueline Allison stated that every thing that Mary does there has always been free.

Mr. Guridy stated that it would be ashamed if they let that organization close. The most needy children in the city, we need to do something to keep Caring Place opened.

Mr. Donovan asked how much money is involved right now and on an ongoing basis.

They are looking at \$15,000 to \$40,000 to get Caring Place where it needs to be through the summer. They raised \$4,000 as parents. Mary will be able to give a better figure on what is needed.

Mr. Donovan stated that there are a number of very good programs in the Valley. In the City they are limited on the Public Programs that they can assist. He stated to Mr. Bennington that this is one of the most interesting child development programs.

Mr. Bennington asked Mr. D'Amore if he could say two things. He knows that the Mayor met with representatives of Caring Place on Friday. If they give a name, contact information and phone number he will have Tara Craig contact them tomorrow and say what they can do. He gave them his card.

Mr. Guridy stated to Mr. Donovan that when the Mayor met with Ms. Griffin they asked Lauren Giguere to meet with Mary and assist her to find funding sources and write grants.

Mr. Donovan stated that he was not aware that they met.

Mr. Schlossberg gave a quick clarification on what Mr. Guridy said as he recalls they asked Heidi two weeks ago whether or not if Caring Place applied for or was eligible for CDBG funds and she said that they have not applied in the past.

Mr. Schweyer stated that was correct. They have spoken to Mary and Heidi over the course of the last two years.

Mr. Guridy said he had an extensive conversation about that issue and there are two different versions on that.

Ms. Eichenwald stated that they have already raised \$4,000 could they let her know and the public to whom contributions should be made. She asked for an official address.

Mr. Schweyer thanked the Caring parents for coming out. It is heartwarming when the parents actually come out. In his professional life, he has been trying to help the Caring Place to the best of his ability. It is a significantly amount of money to fund the Caring Place a month. It will be a challenge. He spoke to his friend at the United Way and is trying to find specific programs. If they can not do anything at this time, there are a number of resources out there. There is not a one-stop shop like Caring Place. There are pieces of that. They are moving on to a formal organization. The process of raising funds always falls on the Entrepreneur founder through the stage of transition.

Jacqueline Allison stated that she called down to City Hall to get a permit to have a block party near Caring Place and they stated that the office does not provide for permits and to call Tara. Will it be difficulties to have a block party in that area?

Mr. Bennington stated no.

Mr. Donovan asked if Mary will continue to be the manager of Caring Place. He stated that there is always a crisis in an organization when you move from one stage to the next stage. Often it involves the Entrepreneur that got it started moving on to a more formal organization. As far as the transition goes to make sure they are connected to the right people.

Mr. D'Amore thanked the concerned parents for their time.

Mr. Ernie Atiyeh, 1909 E. Commerce Street, Midway Manor, stated for the parents at Caring Place that he is on the Board of Directors at Saint Luke's Neighborhood Center which is located on Seventh Street. Karen Baeard is the Executive Director. If there is anything that they could do, give them a call. He also made a comment for Dan Mest on Saturday at 10:00 a.m. at 928 W. Walnut Street there was raw sewage running out of the building and ran down the street into the sewer. He said that he called the Comp Center and they could not do anything until Monday.

Mr. Schweyer stated to Ernie to give that information to Mike.

5. Approval of Minutes: May 5, 2010

Minutes Approved by Common Consent

6. Old Business

Hanover Avenue Report

Mr. Bennington stated that after 11 weeks Mr. Young has returned and Hanover Avenue is on the docket.

Mr. Young thanked everyone for their patience while he was recovering. It took longer than expected. They did studies there and looked at turning movements on Hanover with Jasper Street and with Jerome Street. They did an accident analysis at both of those intersections at both of the intersection 900 and 1000 block of Hanover Avenue. They did radar speed Studies for volume and speed. Police did enforcement around there. Hanover Avenue at Jasper and Jerome Street did not meet warrants for a traffic signal. Both of those streets are city streets. They cannot install a traffic signal. They would need five accidents per year for three years to warrant a traffic signal. Even though both are City Street, they would require PENNDOT permits. Federal Publication Manual of Uniform Traffic Control Devices which are both State and Federal Laws. After the peak hours the traffic dropped dramatically.

Mr. Schlossberg asked were they pedestrian or vehicular accidents.

Mr. Young stated both and one thing that they noted is that in every single case no driver was cited for speeding. What may happen is after the report is written a citation may come in later. They may have been cited for reckless driving. The speed study that they conducted on Hanover Avenue the machine counts the 85th percentile was at 35 mph for the eastbound and 38 mph westbound traffic. If there were no speed limit posting and they look at the geometry of the road to get a safe operating speed. If he was putting a speed study to put the speed limit, he would put it at 35 mph.

Mr. O'Connell stated that 85 percent of the people are going 38 mph on westbound. So they are speeding.

Mr. Young stated that was correct. Technically, but 3 mph over the speed limit is not great. One of facts that he found was on the eastbound traffic the 95 percentile was 38 instead of 35 and westbound was 41mph instead of 38. At 41 is starting to get up there. When they used the radar gun they counted one hundred cars the speed was 41 mph for eastbound and 35 mph for westbound. The average speed was 36 and 35. The police department counted and they were out there sixteen times from the records they received from the police department. There was over 7500 vehicles counted and five citations were issued. Based on the number outline speeding does not appear to be the issue on Hanover Avenue.

Mr. Schweyer asked what are the fastest speeds that they recorded.

Mr. Young said on the eastbound one between 51-52 mph and two 46 and 50 mph. The Westbound there was one between 56-60 and three 51-55 and six 46 and 50 mph.

Mr. Schweyer asked about the vehicle accidents that have resulted in death which way were they going or were they going both directions. He asked if anyone had an idea why westbound was particularly faster the, eastbound.

Mr. D'Amore asked his colleagues to let Mr. Young finish his report and then ask the questions.

Mr. Young stated that there was talk to Speed Humps on Hanover Avenue. There are two types of Speed Humps, one is called a Watts and the other is called a seminal. The difference is the shape of the profile. The Watts is recommended on local roads only. The seminal you can extend. A speed hump on Hanover

Avenue is not appropriate. In order to improve pedestrian safety is to increase the number of crosswalks. His idea is to increase the number of crosswalks and improve the visibility by providing a continental style. Improve signage and restrict parking. Restrict parking near crosswalk. State law requires stay 20 feet away from crosswalks. Restrict parking by an intersection about 25 feet from an intersection. He stated narrowing the roadway to provide a shorter walking distance. He is going to meet with the neighborhood organizations. Mr. Young stated that what he is proposing will reduce speed. They are making major modifications on Club Avenue. It is room for parking up to 9 feet and provides the side friction to allow the traffic to move slower. He stated that all he presented costs \$1 million and the city doesn't have \$1 million. He will meet with neighborhood organizations. He does not have the funds right now.

Mr. Donovan complemented Mr. Young on the work that he has done and stated that there is more work to be done. He put together a professional presentation. He looked at some of the statistics. The speeds he saw were not over 40 mph. It is a problem at Hanover. What is interesting on the data he saw, some of the cars were going over 40 mph. People that are crossing Hanover has large odds that more than three cars are going over 40 mph. Mr. Young should take the design issues into consideration. It is a speeding problem. The design issues take that into consideration.

Mr. Young stated that if you had three vehicles per hour on a roadway that is getting seventeen eighteen hundred vehicles per hour range is not statistically significance. The design will reduce speed reduction.

Mr. Donovan stated that the street may not be as busy at that time. The issue is the frequency and not the number. He thinks that they have to recognize that there is speeding that occurs.

Ms. Eichenwald stated that it is a thorough report. She is pleased to see it. On behalf of all the citizens, she thanked Mr. Young very much. She looks forward to the reports to see what happens. She thinks that to have public input is a good one. It needs to be a follow-up so that they can save lives. Since this is an important thoroughfare, it has to be money out there.

Mr. Guridy stated that the presentation was very well done. He asked with the median he like the aspect, it will slow down cars. You could not put traffic signals, would you be able to put a flashing light primarily in the area near the Church. A flashing light with a push down may be an option. In order to stop the cars, stop the traffic. He likes the concrete medium. He asked about the flashing lights.

Mr. Young stated that in some of the crosswalks that can be done. He stated that Irving Street does widen out and what does not exist is a left turn. Mr. Young stated that the flashing lights would be by PENNDOT. He asked Mr. Guridy if he was familiar with Elizabeth Avenue by Moravian College they have the pavement that requires a permit by PENNDOT.

Mr. Schweyer stated that Mr. Young did an excellent job. It is very excellent for the start. He wanted to know the direction the drivers were going to during the accident. He said that if they are going westbound. Can Mr. Young give a general timeframe? After you complete the community meetings that the update and let Council know it will be helpful. As of right now it is a \$1 million improvement, they have a \$2.5 million check from the government to repave. Mr. Schweyer asked for a cost breakdown and a priority list and they will do the highest priority list. Asked Mr. Young is he saying four weeks when he is done or six weeks. That will be very important.

Mr. Young stated that some of the groups have already contacted him. The final determination has not been determined yet.

Mr. Schlossberg stated that is was outstanding.

Mr. D'Amore thanked Mr. Young and told him don't forget the Charlotte's Watch that meets at the eastside Youth Center. He stated that it does not exist anymore.

Mr. O'Connell stated that he echoes his colleagues' comments. It was a very thorough report. Councilman Schweyer took all of his answers. It is very important that with the \$1 million, the first priority should be Irving Street to Jerome Street. All his questions have been answered and he looks forward to updates along the way.

Mr. Schweyer stated that he was not sure that Mr. Young was there, but one of his concerned with Lanta dropping off the kids on the Southside of Hanover. They are going to make a left on Irving.

Mr. Young stated that he apologize for the delay. He promised it the end of March the end of April. Thanked council for their patience.

Mr. Ernie Atiyeh thanked Mr. Young for his professionalism and his great presentation and his willingness to meet with residence on the eastside of Allentown.

Mr. Laudenslager 721 W. Cumberland Street, stated that he wanted to talk to them about the signage on the crosswalk. He likes the one that they use in Bethlehem where there is the green sign going up the pole.

Mr. Young stated that he will use the green with the strip on the pole and that does improve visibility.

Mr. Dennis Pearson, stated to Mr. Young it will be difficult to meet with him since he will be away from home for three weeks. The next neighborhood meeting will be June 21st.

Mr. D'Amore thanked the Administration, Mr. Young and the Police and stated that he

Ms. Eichenwald asked who determines when the city determines to sue someone.

Mr. D'Amore believes that decision is by the Mayor but the City Council will have some opportunity to way on it. Asked Mr. D'Amore asked Mr. Marchetto

Mr. Marchetto stated that they are appealing the decision because it is contrary to law.

Ms. Eichenwald stated that she does want to get involve with the specifics of the case of legal decisions that cannot be discussed in public.

Mr. D'Amore asked if the Council can make a determination.

Mr. Marchetto stated that there is no cost will come out of there office. They decided to appeal that decision.

Mr. Guridy talked out the City Council was trying to sue the FOP and it was thrown out.

Mr. D'Amore stated that it was do to collective bargaining and the city Council initiating a lawsuit.

Ms. Eichenwald asked who determines if the city goes to court. There is no input at all since the council is the fiduciary body of the city.

Mr. Marchetto stated that the determination is made between the Administration and the Solicitor's office. He does not know if his office goes to anybody. They have budgeted funds. If a decision is made, we are told to do it. The decision was made to file an appeal so his office did so.

Ms. Eichenwald stated that she served two terms on the school board so she know how another board that runs in the city functions and never was anything legally undertaken without the permission of the school board.

Mr. Marchetto stated that the school board is a different structure then the city.

Ms. Eichenwald stated that she finds it troubling to her when she finds out that it is a suit that the city is being engaged and she reads it in the newspaper. She would think that as a member of City Council that she will be aware when they are engaged in a legal action.

Mr. D'Amore said that Mr. Marchetto did an admirable job for trying to answer these questions. It is an ongoing concern that he has had and other members of council has of where the Solicitor's office falls within the city. They were told that the Solicitor's office works for everyone the Mayor, the Council, and the Controller. It is clear to him that the Solicitor's office takes orders directly from the Mayor even if the will is not shared by the other elected officials in the city. Ms. Eichenwald is asking question if this is one of those times.

Ms. Eichenwald stated that it cost money and time. She does not want to read about it in the Morning Call. She just wants to be informed when they have to go to court. She does not want read about a suit that the city is engaged with in the Morning Call.

Mr. Donovan echoed the concerns and realizes they provided a budget to the Solicitor's office. It begs a bigger issue that he will address at his Budget and Finance Meeting. At what time does council acting a board of directors of a private entity have to question the administration? The Charter does not allow them to question in many ways.

Mr. D'Amore stated that he shares Ms. Eichenwald's concern. It is a way that a negotiated settlement could occur. His concern is a document that he can not imagine why administration wants to hold from public view.

Mr. Bennington stated that it is a draft document.

Ms. Eichenwald stated that it is not a satisfactory response.

Mr. D'Amore will sit with the Clerk to draft an LSR.

Mr. Hershman stated that the concern was that Council should be involved in the spending.

7. Communications

Mr. Donovan stated that he had the pleasure to attend the Harrison School to see the NASA. He suggests that Ms. Hailstone should reach out. It is an opportunity for the city to do a lot. They now have a connection to NASA.

Mr. D'Amore went to Jackson Elementary along with Ms. Hailstone and was treated with a presentation and on class wish list is to promote recycling for restaurants. Mr. Yoder is going to get a few presenters for the next council meeting.

8. REPORTS FROM COMMITTEES:

Committee of the Whole: Council will be holding a public hearing next Wednesday, May 26th at 6:30 PM to review the Grants programs.

Workshop on Zoning Amendment

Budget and Finance: Chairperson Donovan – they have not since the last Council meeting. They will meet next week after the Committee of the Whole on May 26th.

Public Safety: Chairperson Guridy – they had a meeting this evening prior to Council and have a couple items on tonight's agenda.

Community and Economic Development: Chairperson Schweyer – they met on May 11th at 6:00 PM they reviewed one Resolution that is on tonight's agenda.

Parks and Recreation: Chairperson Ray O'Connell – the next meeting is on June 16th at 6:30 PM and they have items on tonight's agenda.

Public Works: Chairperson Schlossberg, met last week and have one item to report.

Human Resources, Administration and Appointments: Chairperson Eichenwald – no meeting, no report

Rules, Chambers, Intergovernmental Relations and Strategy: Chairperson D'Amore – no meeting, no report

OTHER COMMITTEE REPORTS

Mr. Donovan stated that he recused himself from the Ethics Board meeting.

Ms. Eichenwald stated that there will be future things on the Agenda for the AD Hoc Ethics Board Committee.

Mr. Guridy stated that the last meeting discussed on the Allentown Housing Authority. He provided a packet.

Mr. O'Connell stated that they had a meeting regarding the School District their next meeting is June 7th.

CONTROLLER'S REPORT

Mr. Hoffman stated that they have the new employee up and running. She was an internal auditor. They are going to audit Council and then the Mayor's office.

9. APPOINTMENTS: None

10. ORDINANCES FOR FINAL PASSAGE:

Bill 15 INTERVIEW ROOMS

Amending the 2010 General Fund Budget to provide for a supplemental appropriation from a Department of Justice grant, 2008-DJ-BX-0251 to the Police Department to provide for installation of audio and video recording systems for five interview rooms.

Ordinance passed, 7 - 0

B21 10TH ST TRAFFIC CHANGE

Amends the Traffic Control Map: TWO WAY at North 10th Street from Hamilton Street to Court Street

Ordinance passed, 7 - 0

B22 PCCD GRANT

Amending the 2010 General Fund Budget to provide for the supplemental appropriation of Thirty-nine Thousand Seven Hundred Six (\$39,706) Dollars from the PA Commission on Crime and Delinquency in support of the City of Allentown's Weed and Seed initiative.

Ordinance passed, 7 - 0

Bill 24 Weed and Seed OT

Amending the 2010 General Fund Budget to provide for the supplemental appropriation of Twenty-nine Thousand Nine Hundred Sixty-three (\$29,963) Dollars from the Pennsylvania Commission on Crime and Delinquency in support of the City of Allentown's Weed and Seed initiative.

Ordinance passed, 7 - 0

Bill 25 COMM CENTER GRANT

Amending the 2010 General Fund Budget to provide for a supplemental appropriation of Ten Thousand (\$10,000) Dollars from the Commonwealth of Pennsylvania, DCED grant from State Representative Jennifer Mann to the Communications Bureau of the Police Department to provide for building security related equipment at the Communications Center.

Ordinance passed, 6 – 0 (Schweyer recused himself)

Bill 26 LINCOLN SCHOOL K-9 DONATION

Amending the 2010 General Fund Budget to provide for a supplemental appropriation of Six Hundred (\$600.00) Dollars from donations collected by Lincoln Elementary School Students and a One Hundred (\$100.00) Dollar donation from the Allentown Dog Training Club to the Police Department K-9 program.

Ordinance passed, 7 - 0

11. ORDINANCES FOR INTRODUCTION:

Bill 27 ABC Management

Budget and Finance

Amending the Administrative Code, the Articles relating to the Recreation Board, Arts Commission, Parking Authority, Ethics Board, Human Relations Commission, and Environmental Advisory Board by requiring annual reports and long term strategies to be completed and reported to City Council

Bill 28 PKWY RESTROOM GRANT

Parks and Recreation

Amending the 2010 Capital Fund Budget to provide for a supplemental appropriation of Eighty-one Thousand Eight Hundred Seventy-five (\$81,875.00) 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.

12. CONSENT AGENDA:

CA-1 Approvals of Certificates of Appropriateness: 448 N. 9th Street, 820 W. Chew Street, 305 N. 10th Street, 915 W. Turner Street and 1026 W. Liberty Street

Resolution passed, 7 - 0

13. RESOLUTIONS ON SECOND READING:

R22 HOMESTEADING

Authorizes the filing of a proposal for funds with

the Department of Community and Economic Development (DCED), Commonwealth of Pennsylvania for obtaining funds from the DCED in the amount of \$150,000 for prevention and elimination of blight under Section 4 (c) of the Housing and Redevelopment Assistance Law, as amended.

Resolution passed, 7 - 0

14. RESOLUTIONS ON FIRST READING:

R27 TRAIL CROSSING AGREEMENT

Parks and Recreation

Authorizing the Mayor to Execute a Shared Use Path Trail Crossing Agreement with the Pennsylvania Department of Transportation

R-28

CEDC

Denial of Certificate of Appropriateness: 1510 West Turner

15. NEW BUSINESS

Mr. Schweyer stated that they discussed to put a left turn arrow at the intersection on Emaus Avenue and South Church Street to help with the folks that are having trouble picking up their kids.

Mr. Young stated that he will look into it.

Mr. D'Amore stated that he has received two transfers for a 15th Street Bridge that came from 2009.

Mr. Dan Mest, president of St. Paul's neighborhood and they are going to have movie at the park at dusk Eighth and Walnut.

Mr. Donovan asked did the Mayor win his statewide election for the democrat party.

Mr. Bennington stated yes he did.

Mr. O'Connell stated that the Mayfair will be in Allentown.

Mr. Young stated that the Ott Street Bridge will open for passenger vehicles for Mayfair.

16. GOOD AND WELFARE

17. ADJOURNED 9:25 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, or contact the Clerk at hanlon@allentowncity.org to receive an email notice of the meetings.