

Minutes of the Council of the City of Easton, Pa.

May 27, 2015

Easton, Pa
Wednesday
May 27, 2015
6:00 p.m.

City Council met in stated session at the above date and time, at the Easton Area Community Center, located at 9th and Washington Streets, Easton Pa. to consider any business that may lawfully be brought before the body.

The invocation was given by Mr. Brown followed by the Pledge of Allegiance.

ROLL CALL

Present: Brown, Edinger, Mauro, Ruggles, (6:26 p.m.) Vulcano, Panto (6)
Absent: Warner (work requirement) (1)

Also in attendance were Thomas Hess, City Clerk, Joel Scheer, Assistant City Solicitor, and Glenn Steckman, City Administrator. There were approximately forty other persons present.

APPROVAL OF AGENDA

On motion of Mr. Brown and Ms. Mauro the Agenda was amended by removing item 8, 13 from the Consent Agenda and moving it to New Business, by the following vote:

Yeas: Panto, Vulcano, Mauro, Edinger, Brown (5)
Nays: None (0)

On motion of Mr. Brown and Mrs. Vulcano the amended Agenda was approved by the following vote:

Yeas: Brown, Edinger, Mauro, Vulcano, Panto (5)
Nays: None (0)

ACTION ON MINUTES

On motion of Mr. Edinger and Mrs. Vulcano the May 13, 2015 Council Meeting minutes, as submitted, were approved by the following vote:

Yeas: Edinger, Vulcano, Panto, Brown (4)
Nays: None (0)
Abstain: Mauro (1)

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PUBLIC COMMENT **Agenda Items Only**

Mayor Panto introduced Mr. Dennis Benner the new owner of the Wells Fargo Building located at the Southeast corner of Centre Square and S. Third Street.

Mr. Benner thanked the Mayor for his introduction and said that he looked forward in working with the City Administration and Council for the betterment of the City.

Josh Palmer, 126 E. Wayne Avenue, and the owner of Sette Luna, located at 219 Ferry Street, spoke to Council regarding his request to have a "Parklet" constructed in front of his business located at 219 Ferry Street. He explained the "Parklet" concept, why he felt that it was a feasible project and why it would be good for the City, its citizens and for the parking situation in downtown. He asked that Council approve the proposed Resolution which would approve a Certificate of Appropriateness for installation of an outdoor parklet extension at 219 Ferry Street.

Mayor Panto also explained the concept, said that Mr. Palmer has gone before Planning for a Technical Review from which he received favorable comments, went in front of the Planning Commission with the concept, and received favorable comments and went in front of the Historic District Commission and received favorable comments on the concept of the Parklet, and said that the proposed Resolution would approve the actual Parklet project and asked Attorney Scheer to explain why the Council should not approve the Certificate of Appropriateness at this meeting.

Attorney Scheer went over the history of the project. He said that this project was not actually on the Planning Commission's Agenda, but Mr. Will Dohe, Mr. Palmer's architect, appeared at the meeting to discuss the Parklet idea and to see if the Planning Commission wanted to make any recommendations. He said that the Commission voted against making any recommendations essentially feeling that it was premature because there were too many things that needed to be discussed within the City including the Public Safety, Fire Safety, the financial impact on the City, with the removal of parking meters for this project, where this concept would be allowed in the City, if the project would be allowed for private purposes vs. public spaces, and possibly amendments to ordinances. Mr. Scheer said that the proposed Resolution was a Resolution where the Historic District Commission approved the concept, and felt that the Resolution should be defeated as being premature and there was no need to approve concepts.

Mr. Palmer asked that Council aid and not set up roadblocks on good ideas and intentions.

There was a lengthy discussion on this issue between Council members, Mr. Steckman, Attorney Scheer and Mr. Palmer.

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Mayor Panto said that he would set up a meeting with different City Departments and the Attorneys to discuss this matter and to hopefully have any needed Ordinances, to address this matter ready for the June 10, 2015 Council meeting.

Mr. Palmer asked that he be able to attend and to take part in the meeting. He also handed out, and went over, a map that showed where Parklet's were allowed throughout the world and copies of his plans for the Parklet.

CONSENT AGENDA

On motion of Mr. Brown and Mrs. Vulcano the following items were adopted by the following vote:

Bill 12, (Ordinance 5493) Amending Ordinance 53, Changing the names of certain streets in the City of Easton, Pa. This Ordinance changes "Meixsell" Street to "Mixsell" to correct a mistake in 1914.

Bill 13, (Ordinance 5494) Amending Ordinance 3508. This Ordinance converted the 100 block of S. Bank Street from two-way traffic to one-way southbound and converted the 300 block of Spruce Street from two-way traffic to one way westbound.

Bill 14, Amending the 2014 Alpha Building Fund Budget. This Ordinance amended the 2014 Alpha Building Fund Budget by increasing Revenues and Expenditures by \$19,728.86.

Resolutions 90-99-2015, Approving Certificates of Appropriateness for 7 N. 3rd, 1 S. 3rd, 6 S. 3rd, 117-119 N. 4th, 103 S. 5th, 37 S. 6th, 346 Bushkill Streets, 8, Centre Square, 60 Centre Square, and 237 Ferry Street.

Yeas: Panto, Brown, Edinger, Mauro, Vulcano (5)

Nays: None (0)

REPORTS RECEIVED BY COUNCIL

There were no reports received by Council:

REPORTS OF COMMITTEES

Mr. Brown, Chairman of the Finance Committee, reported that a Finance Committee was held on Tuesday, May 27, 2015, where Post 65 Health Insurance was discussed as well as the software agreements with Freedom Systems, and spoke regarding legislation that he would have for later in the meeting regarding Software Agreements with Freedom Systems, and salaries and wages and benefits for Elected Officials.

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Mrs. Vulcano, Chairman of the Economic Development Committee, reported that there was an Economic Development Committee meeting on May 26, 2015 and that Jared Mast spoke to Council regarding the Indoor Farmers Market.

Dr. Warner, Chairman of the Planning Committee was absent due to work commitments

Ms. Mauro, Chairman of the Public Safety Committee, reported that there would be a Public Safety Committee meeting on June 9, 2015 and that the monthly fire reports and fire department's billing service, which they have been employing, would be discussed. She also spoke regarding legislation that she would have for later in the meeting regarding amending a previous Resolution for the establishment of a Parking Ticket Appeal Process.

Dr. Ruggles, Chairman of the Public Works Committee reported that there would be a committee meeting on June 9, 2015 and spoke regarding legislation, for later in the meeting, regarding approval of a Design Agreement with Cater Van Dyke Associates, and for opposing the construction of a proposed PennEast Pipeline.

Mr. Edinger, Chairman of the Administration Committee said that the City had advertised for interested persons who wanted to be part of an Ad Hoc Committee to review and recommend needed amendments to the Home Rule Charter, and that the City Clerk had received no responses.

Mr. Joel Scheer, Assistant City Solicitor, had no report.

Mayor Panto reported that the following persons had responded to the City with interest shown in becoming members of an Ad Hoc Committee to review the Ordinances regarding the Rental Licensing Program and Code Department Ordinances; David P. Colley, Cathy Leuser, Michele Roy, Ellen Shaughnessy, David O'Connell, Mike Handzo, Kim Wagner, Joshua Rea, Robert Rabinsky, Denise Guffy, Peter Melan, Maryann Dwyer and Laura Rothkopf.

Mayor Panto reminded all of Council that the Pennsylvania Municipal League's convention would be held in Allentown on the 23rd, 24th, and 25th of June 2015, and reported that the Greater Development Partnership had received a \$200,000 grant for the Public Market located on the 300 block of Northampton Street.

CORRESPONDENCE

There was no Correspondence received by Council.

UNFINISHED BUSINESS

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Bill 15, Benefits and Compensation for Elected Officials of the City of Easton, Pa. which was tabled on May 13, 2015 was removed from the table and brought back before Council on motion of Mr. Brown and Dr. Ruggles, by the following vote:

Yeas: Brown, Edinger, Mauro, Ruggles, Vulcano, Panto (6)
Nays: None (0)

On motion of Mr. Brown and Ms. Mauro proposed Bill 15 was withdrawn, by the following vote:

Yeas: Panto, Vulcano, Ruggles, Mauro, Edinger, Brown (6)
Nays: None (0)

NEW BUSINESS

A May 18, 2015 e-mail regarding a Parking Ticket Ordinance was received from Attorney Murphy.

Bill No. 16, to amend the Code of the City of Easton, Pa., Chapter 560, Vehicles and Traffic, to add an Article providing for a Parking Ticket Appeals Process was introduced by Ms. Mauro and ordered processed for adoption.

This Bill would abrogate and repeal Ordinance 5491, which was adopted on April 22, 2015 and replace it with a new Parking Ticket Appeal process ordinance.

A May 20, 2015 memorandum, regarding City Council Agenda Items was received from David Hopkins, Director of Public Works.

The next item on the Agenda was a proposed Resolution which would approve a Design Agreement between the City and Carter Van Dyke, Associates for design services for the Easton Area Neighborhood Center site improvement project at a cost not to exceed \$12,000.

The following Resolution was introduced by Dr. Ruggles:

100-2015

Dr. Ruggles voiced his concerns over different wording contained in the Agreement.

Attorney Scheer addressed his concerns.

The above Resolution was adopted on motion of Dr. Ruggles and Ms. Mauro by the following vote:

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Yeas: Ruggles, Vulcano, Panto, Brown, Edinger, Mauro (6)

Nays: None (0)

The next item on the Agenda was a proposed Resolution which would oppose the construction of the PennEast Pipeline.

The following Resolution was introduced by Dr. Ruggles:

101-2015

The above Resolution was adopted on motion of Dr. Ruggles and Ms. Mauro by the following vote:

Yeas: Vulcano, Panto, Brown, Edinger, Mauro, Ruggles (6)

Nays: None (0)

The next item on the Agenda was a proposed Resolution which would approve the Job Description for the Compensation and Benefits Manager

The following Resolution was introduced by Mr. Edinger:

102-2015

The above Resolution was adopted on motion of Mr. Edinger and Ms. Mauro, by the following vote:

Yeas: Panto, Brown, Edinger, Mauro, Ruggles, Vulcano (6)

Nays: None (0)

A May 22, 2015, memorandum, regarding Freedom Systems Contract was received from Chris Heagele.

The next item on the Agenda was a proposed Resolution which would approve a Master Hosted Software Agreement between the City and Freedom Systems Corp.

The following Resolution was introduced by Mr. Brown:

103-2015

Mayor Panto asked Mr. Frank Caruso, the City's IT manager and Mr. Thomas O'Donnell, CEO of Freedom Systems Corp. and Robert Ahearn also from Freedom Systems Corp., to come forward to address any questions that Council members may have on this matter.

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Both Mr. O'Donnell and Mr. Ahearn said that they were pleased to be in attendance and looked forward to serving and working with the City on the new software system.

Council members made comments and asked questions regarding how the new software would integrate with the City's existing software, how training would be conducted, who would be the project manager, total cost, and the timeline for getting the system up and running.

Mr. Caruso, Mr. Heagele, Mr. O'Donnell and Mr. Ahearn answered and addressed Council members concerns.

The above Resolution was adopted on motion of Mr. Brown and Dr. Ruggles by the following vote:

Yeas: Panto, Brown, Edinger, Mauro, Ruggles, Vulcano (6)

Nays: None (0)

The next item on the Agenda was a proposed Resolution which would approve a Master Hosting Service Agreement between the City and Freedom Systems Corp.

The following Resolution was introduced by Mr. Brown:

104-2015

The above Resolution was adopted on motion of Mr. Brown and Mrs. Vulcano by the following vote

Yeas: Brown, Edinger, Mauro, Ruggles, Vulcano, Panto (6)

Nays: None (0)

The next item on the Agenda was a proposed Resolution which would approve a Certificate of Appropriateness for installation of an outdoor parklet extension at 219 Ferry Street.

A Resolution approving a Certificate of Appropriateness for 219 Ferry Street was introduced by Mrs. Vulcano:

Mrs. Vulcano made a motion to withdraw the proposed Resolution from the Agenda until Council and the City could have further discussions on this matter. Her motion was seconded by Mr. Brown.

There was a discussion on reports received from the Historic District Commission and recommendations for approval of Certificates of Appropriateness when the applicant must still bring items back to the Commission for approval.

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Attorney Scheer said that it was inappropriate for Council to approve Certificates for concepts or when items still had to be brought back to the Commission for further approval.

There was a short discussion on this matter between Council members and Attorney Scheer.

Attorney Scheer recommended that Council put the Resolution up for a vote and recommended that the Resolution be defeated.

Mrs. Vulcano and Mr. Brown withdrew there motion to withdraw the proposed Resolution

On motion of Mrs. Vulcano and Mr. Brown the Resolution was placed for a vote.

The Resolution for approving a Certificate of Appropriateness for 219 Ferry Street for installation of an outdoor parklet extension was defeated by the following vote:

Yeas: None (0)

Nays: Edinger, Mauro, Ruggles, Vulcano, Panto, Brown (6)

PUBLIC COMMENT
(On any item)

Laura Accetta, 675 Morvale Road, spoke to Council and requested that the City Swimming Pools be opened, for families, who could not afford season passes or the daily fee, for free, on certain days of the month during the summer season.

Mr. Steckman reported that the City had already scheduled an open day of free swimming on May 30, 2015.

There was a discussion on this issue between Ms. Accetta, Council members and Mr. Steckman.

Mr. Steckman asked that before Council made a decision on this matter, that Mr. Hopkins and the Family YMCA be involved in any discussion on this matter.

Mayor Panto assigned this request to the Public Works committee for their review.

Maria Loizou, 702 Washington Street spoke to Council regarding the noise created by some motorcycles and speeding of the motorcycles on the streets.

Mr. Steckman said that he would peak with the Police Department on doing a study on the speeding, and Mayor Panto asked her to also contact State Senator Boscola and State Representative Freeman on the laws that allow for loud motorcycle mufflers if they are stock

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equipment on the cycle, and to ask them to address the law that only allows for the Pa. State Police to use Radar for the enforcement of speeding laws.

Terrence Miller, 645 Ferry Street spoke to Council regarding a parking issue on the south side of the 600 block of Ferry Street, and offered some solutions that he felt would help to alleviate the problem, and thanked Council for their opposition to the construction of PennEast pipeline.

Mr. Steckman said that he would review the parking problem again and come back to Council with recommendations.

James Bloom, 1044 Ferry Street said that he believed that there was selective enforcement of Code ordinances regarding noise violations. He spoke regarding the musical noise from the Ice Cream Trucks and from Church services, at a church located at 11th & Ferry Street, which affected the quality of life of residents and neighborhoods.

Mr. Steckman said that he would contact the pastor of that Church and also the owners of the Ice Cream Trucks, and said that the City's codes possibly should be reviewed to see if updates were needed and required.

Lance Wheeler, 143 S. 9th Street, spoke regarding signs that he would be selling to residents and businesses of the south side of the West Ward, to be placed in their windows, that read West Ward Watch, Neighbors are watching, and wanted to know whose permission he needed, from the City, to be allowed to do this.

Mayor Panto said that if they were going to be placed in private businesses and in private home, he did not need the City's permission.

Mr. Wheeler asked for Council's support for this concept, and also asked that Council visit the West Ward pocket parks more often to see what is happening there.

All of Council responded to Mr. Wheeler's plea for their presence in the west ward.

Dan Rex, 949 Butler said that there was a need for more public trashcans throughout the West Ward.

Mayor Panto and Mr. Steckman reported why some had been removed, and said that this was being worked on and explained how it was being addressed.

Ghen Dennis, 1032 Lehigh Street, spoke regarding the need for a stop sign at 11th and Lehigh Street the need for speeding enforcement on Lehigh Street, and a parking problem at 11th and Lehigh and 10th and Lehigh Street.

Mayor Panto and Dr. Ruggles addressed her concerns.

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Lynn Alexander 320 S. 13th Street, spoke to Council regarding the distance of the Hump Day festival, spoke regarding a traffic issue at Paxinosa School, located on the 1200 block of Northampton Street, pertaining to parking problems with parents leaving off their children for school, the lack of a diminished speed zone at the school and the lack of a crossing guard and the lack of Police presence at the intersection of 12th and Northampton Street.

Mayor Panto and Dr. Ruggles spoke regarding her concerns.

Laura Accetta, 675 Morvale Road said that she agreed with Ms. Alexander and reported that the Summer Nights program would begin on June 22, 2015.

ADJOURNMENT

With no further business, the meeting was adjourned at 8:15 p. m. on motion of Mr. Brown and Dr. Ruggles by the following vote:

Yeas: Ruggles, Vulcano, Panto, Brown, Edinger, Mauro (6)

Nays: None (0)

Thomas A. Hess
City Clerk