

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street – Town Hall
Bethlehem, Pennsylvania
Tuesday, February 21, 2017 – 7:00 PM

INVOCATION

Pastor Dwight Mikesell, Calvary Wesleyan Church offered the invocation which was followed by the pledge to the flag.

PLEDGE TO THE FLAG

1. ROLL CALL

President Reynolds called the meeting to order. Present were Bryan G. Callahan, Michael G. Colón, Eric R. Evans, Shawn M. Martell, Olga Negrón, Adam Waldron and J. William Reynolds, 7.

2. APPROVAL OF MINUTES

The Minutes of February 7, 2017 were approved.

3. PUBLIC COMMENT (on any subject not being voted on this evening - 5 minute time limit)

Illegal Parking

Arthur Curatola, 813 Laufer Street stated he wanted to apologize to the people from Lehigh University for comments he made about them at the last Council Meeting regarding illegal parking. If people are parked illegally and cause a traffic hazard they deserve to be ticketed; there is no excuse for parking illegally. Mr. Curatola noted that Mayor Donchez has the right to make it definite that people be towed at their own expense if they are parked illegally. Mr. Curatola mentioned if the Parking Authority has a parking lot, or anyone that owns a parking lot should let someone park there just to unload groceries rather than double-park and the Parking Authority should take control of that matter. He has a solution to complaints regarding people parking in little alleys and when people double park. Mr. Curatola advised he presented a solution to Governor Wolf, who he said, loved the idea, but the City of Bethlehem could get credit for it. Mr. Curatola stated the City could have plastic sandwich boards that people can put in the street when they want to unload groceries for 15 minutes. The fee for the sign could be \$25. This would allow people to double-park wherever they want for 15 minutes, but no more than 15 minutes. He suggested the City should move on this because it will end up being across the whole State of Pennsylvania. Mr. Curatola asked Council to consider and make this happen. He concluded if people abuse the situation they would then get a ticket.

4. PUBLIC COMMENT (on Ordinances and Resolutions to be voted on this evening - 5 Minute Time Limit)

West Side Farmers Market Resolution

Mary Toulouse, 1528 West Market Street stated she is at this meeting to thank Council and she hopes they vote for Resolution 10 H - Authorizing Use Permit Agreement - Mount Airy Neighborhood Association West Side Farmers Market. Ms. Toulouse thanked everyone who attended the market last year and added that many of the Council Members supported this and helped find vendors. Ms. Toulouse noted in 2016 they had a rough estimate of 1,200 people over the 14-week period and they had about 8 to 10 vendors. This year they hope to expand and they will have a banner across Broad Street, sponsored by BB&T Bank, to advertise the Farmer's Market. Right now they are having signups for vendors so they will hopefully have product variety. Ms. Toulouse added they have been following a Pennsylvania Farmers Market list to see what it is that makes farmer markets successful in Pennsylvania. She remarked that it is the good and fresh foods, the organic items, but it is also the community program that goes with the markets and that seems to be one of the keys for having a good market. Ms. Toulouse stressed that people want to get together and shop together so they would like to have more food demos. She noted that there was one market that had Coffee with a Councilman every Saturday, so that is something they may look into. They want to have healthy living products and music at the event. They are hopeful that this year maybe some of the school jazz ensembles will come to the Farmer's Market. She hopes Council will vote for this and all will attend.

President Reynolds thanked Ms. Toulouse for all of her involvement and all of her neighbor's involvement and the hard work that went into making the Farmer's Market a success. It was a success last year, and every year that they do this the program will build. President Reynolds expressed we are excited for another year of the market and thanked Ms. Toulouse for helping out the community and neighborhood.

Ms. Toulouse stated it is a pleasure for all of us. She remarked she does not think she gave enough of a thank you to the City workers who have answered all of their questions. They have been very patient and very helpful.

Business Privilege and Mercantile Tax Ordinance

Peter Crownfield, 407 Delaware Avenue informed he wanted to speak briefly about the Business Privilege License and tax that goes with it. The regulations changed some words and have added things that are not part of the Ordinance which is not something regulations usually do. He continued, for example, the Ordinance is very clear that it pertains to persons or entities conducting business activities. The regulations extend that to participants in events without defining exactly what that means. Mr. Crownfield commented it extends it to entities that are not covered by the Business Privilege Ordinance so that is incorrect and should be fixed. He thinks the City also has in the past, last year in particular with VegFest, required non-profit organizations who are not selling anything to obtain a Business Privilege License. This is not part of the Ordinance, not required by the Ordinance, but it was insisted upon by the City last year and caused at least two organizations to not participate in VegFest because of that requirement. Mr. Crownfield stated the problem is when it is not being done for legitimate purposes, getting taxes reported and collected, and then it is an interference with protected speech especially when it is done on public property. The City does not have the right to regulate free speech. He thinks the City needs to issue a very clear directive that goes to not only the people in the offices here but to

any organization conducting an event. He continued it just simply needs to say that there is no requirement for a non-profit organization or individual who is not engaged in selling services or products, no commercial activity, to have a Business Privilege license or to file a tax return. Mr. Crownfield noted it is unconstitutional to require them to do that. He added in his opinion, although he is not a lawyer, you cannot require an organization that has an office or headquarters here in the City to have a Business Privilege license or to file a return unless they are engaging in commercial activities, which many of them do, but many do not. Mr. Crownfield stated Council needs to be careful when passing these things and just rubberstamping regulations which are extending the law beyond what the law says and are also treading into constitutional protected speech.

Open Data and Social Media Resolutions

Frank Baran, 36 West Spruce Street, stated he asks City Council to approve the Resolutions 10L and 10M tonight concerning Open Data and Social Media. He believes these Resolutions will improve the ability of residents of the City to learn and understand more about their City government and in turn enable City Officials to respond more effectively in meeting their constituents concerns. He highlighted the City has already improved its website and now has the ability to communicate by Facebook and Twitter but there are other improvements that need to be made. Mr. Baran advised he recently asked a City Official about some data with a project he was working on and the official has been very helpful to him in the past, but he did not get the information right away. Mr. Baran respects that individual and is not intending to get that person into any kind of trouble. Fortunately he did not have a deadline and could wait, but if the City had an open data platform he might have been able to get that information immediately during his time, 24 hours a day/7 days a week. This is a kind of interaction that people expect of their City government nowadays. Mr. Baran affirmed some people become frustrated about government in general, not because they are upset about what they hear but it is the fact that they do not get the information they need and they sometimes do not even have the opportunity to ask. Having an open data platform and more successful social media would go a long way to remedy that situation. Mr. Baran pointed out that with Philadelphia for example, they have an open data platform which is probably the gold standard in Pennsylvania. He remarked the City of Reading with 87,000 people has gone to an open data platform, and 300 cities across the Country use this and more are joining each day. Mr. Baran acknowledged he got more data online from the City of Reading website than he can get from the City of Bethlehem website and that has to be improved. He expressed we need to recognize that the information that the City of Bethlehem has in its various forms with Departments and Bureaus can and should be put online so that it is accessible to people. He explained it is best if someone is going to approach City Council or the Mayor's office with a problem that they first have the facts they need to back up their case. Mr. Baran is asking Council to approve the two Resolutions, stay on top of the curve and make sure that Bethlehem is moving forward online and in other ways.

Italian Festival Resolution

Stephen Antalics, 737 Ridge Street remarked at the last meeting he was taken by a Communication which is now a Resolution on the agenda to consider having an Italian Festival. He took exception to that for reasons given then but in the meantime he has looked into it more carefully and spoke to a number of people. He related the consensus was this has nothing to do

with the Italians; rather it is sponsored by the Chamber of Commerce which was told to him, with the input of a Member of Council. The purpose was primarily to support the businesses on Main Street, which is good, but say what it is for. Mr. Antalics commends the fact that there will be an Italian Festival day. He continued he gave reasons why it should be on the south side of Bethlehem. Mr. Antalics advised since it is there to support Main Street businesses there are also other business areas that need more support because of their problems of coming back to where they were way back when Italian merchants were on the south side. Mr. Antalics expressed it would be nice to have the Italian Festival on Third and Fourth Streets to honor those who lived in that area. Mr. Antalics remarked that he has done extensive research on the City of Bethlehem starting when it was first founded until the present time. Much of the history he has found and he had articles published in local newspapers. He read a newspaper article regarding two Italian men, who were referred to in a derogatory manner, and a burglary. Mr. Antalics informed this was written by a reporter who lived possibly on Main Street. Mr. Antalics expressed he thinks there is a debt to be paid, which can accomplish two things: honor the people where they are living and the businesses on the south side. He reiterated that anything connected to the Italians has nothing to do with the festival on Main Street, and asked Council to consider putting it in its proper place.

Open Data Initiative

Steve Rittler, 2771 Red Oak Circle informed he strongly urges Council to support the Open Bethlehem Initiative. He explained he has been running a company in Bethlehem that focuses on data management and insights for institutions of higher education. His company has been helping them understand their constituents, if they are alumni, parents, family, or friends and helped them raise more funds and create more excitement and more enthusiasm around the program they are trying to run. This is so their institutions can generate enough revenue to invest in the next generation. Mr. Rittler sees the Open Data Initiative as a great way for Bethlehem to embrace a lot of that mindset. He continued we have no idea how much value exists in the data in the sense of what is in City Hall right now. The more open we can be with them, the more people like himself and people who are currently in College in any of our local great Universities can pick up that data, manipulate it, transform it and provide us insights we might have not uncovered. Mr. Rittler strongly encourages Council to advance this initiative and he is happy to see it on the agenda tonight.

5. OLD BUSINESS

- A. Members of Council
- B. Tabled Items
- C. Unfinished Business

6. COMMUNICATIONS

A. *Councilman President – Establishing Financial Accountability Incentive Reporting Program*

The Clerk read a memorandum dated February 16, 2017 from Council President J. William Reynolds to which is attached a Resolution to establish a collaborative effort with the Mayor and his Administration to design and implement a Financial Accountability Incentive Reporting Program (FAIR) to regularly evaluate Economic Development Benefits, enhance

transparency through online reporting, and hold Economic Development benefit recipients accountable for satisfying their obligations to the City and its taxpayers.

President Reynolds stated he will refer this to the Community Development Committee.

7. REPORTS

A. *President of Council*

1. *Councilmanic Appointment – Loren L. Speziale – Bethlehem Human Relations Commission*

President Reynolds reappointed Loren L. Speziale to membership on the Bethlehem Human Relations Commission, effective until March, 2021. Mr. Martell and Mr. Evans sponsored Resolution 2017-044 to confirm the reappointment.

Mr. Colón informed he has the good fortune of serving on this Commission for the last couple of years and will be supporting both Ms. Speziale and Mr. Vidoni tonight. He highlighted they are both in regular attendance at the meetings, take their work very seriously, and the Commission is better served with the two of them on it.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7.

2. *Councilmanic Appointment – Robert G. Vidoni – Bethlehem Human Relations Commission*

President Reynolds reappointed Robert G. Vidoni to membership on the Bethlehem Human Relations Commission, effective until March, 2021. Mr. Martell and Mr. Evans sponsored Resolution 2017-045 to confirm the reappointment.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7.

B. *Mayor*

1. *Administrative Order – Michael Colón – Bethlehem Human Relations Commission*

Mayor Donchez reappointed Michael Colón to membership on the Bethlehem Human Relations Commission effective through March, 2020. Mr. Martell and Mr. Evans sponsored Resolution No. 2017-046 to confirm the reappointment.

President Reynolds stated he wanted to thank Mr. Colón for his service. The Human Relations Commission for a number of reasons has not been an easy thing to get up off the ground. President Reynolds knows that Mr. Colón, Mr. Vidoni, and Ms. Speziale have been three individuals that have been committed to getting this Commission going. President Reynolds stated he appreciates their service as well as Mayor Donchez' decision for the reappointments.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Evans, and Mr. Reynolds, 6. Abstained: Mr. Colón, 1.

2. *Administrative Order – Ronald R. Heckman - Redevelopment Authority*

Mayor Donchez reappointed Ronald R. Heckman to membership on the Redevelopment Authority effective through March, 2022. Mr. Martell and Mr. Evans sponsored Resolution No. 2017-047 to confirm the reappointment.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7.

3. *Administrative Order – Matthew Wolf – Fine Arts Commission*

Mayor Donchez appointed Matthew Wolf to membership on the Fine Arts Commission effective through March, 2020. Mr. Martell and Mr. Evans sponsored Resolution No. 2017-048 to confirm the appointment.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7.

Bond Rating from A minus to A with a Positive Outlook

Mayor Donchez stated he appreciates what City Council has done with the Administration over the past three years. We saw an increase in our bond rating from BBB just a year ago, six months ago to A-, and now it is at A with a positive outlook for the City. He also wanted to give David Brong, Business Administrator, Mark Sivak, Director of Budget and Finance and all of the Department Heads a great deal of credit, adding that they have done an excellent job along with the cooperation of President Reynolds and City Council. Mayor Donchez noted the bond rating upgrade is great news for the City and great for investors to see. We worked hard to achieve some of these economic goals. This is a joint effort and he is glad to see that S & P has acknowledged the hard work that we have done, he added.

President Reynolds congratulated the Administration. He stated everyone on City Council would agree there has been a lot of hard work over the years put in by Mayor Donchez, his Administration and his Department Heads. They have made tough decisions, and certainly Mr. Brong and Mr. Sivak, who have taken a look at the City finances in a very long term deliberate way about how do we turn around processes that might not be as efficient as we would like them to be and how to set the City in a positive direction. President Reynolds stressed they have also made some tough decisions and asked us and the employees to make tough decisions. President Reynolds reiterated that he congratulates them on all their hard work.

C. *Finance Committee Meeting Announcement*

Chairman Callahan announced the Finance Committee met on Wednesday, February 15, 2017 at 6 pm in Town Hall. The Committee voted to recommend that City Council adopt

Ordinances for the following: Amending General Fund Budget; Amending Water Fund Budget; Amending Water Capital Budget; Amending Sewer Capital Budget; Amending Non-Utility Capital Improvement Fund Budget and Amending CDBG and HOME budget. The Committee also recommended to Council that they adopt the Ordinance to amend Article 341 – Business Privilege and Mercantile Tax and a Resolution to amend the Business Privilege and Mercantile Tax Regulations. The Committee also received a Fourth Quarter Financial Review from Mr. Brong and Mr. Sivak. Chairman Callahan applauds them for all the work they did. He remarked the Mayor and all of the Department Heads, along with Mr. Brong and Mr. Sivak deserve a lot of credit. In the past four years we have seen a positive financial outlook and upturn.

8. ORDINANCES FOR FINAL READING

A. *Bill No. 2 – 2017 – Adopting Salaries – Members of Council and President of Council*

The Clerk read Bill No. 2 – 2017 – Adopting Salaries – Members of Council and President of Council on Final Reading.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. Bill No. 2 – 2017 now known at Ordinance 2017-01 was adopted on Final Reading.

B. *Bill No. 3 – 2017 – Adopting Salary – Mayor*

The Clerk read Bill No. 3 – 2017 – Adopting Salary – Mayor, on Final Reading.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. Bill No. 3 – 2017 now known at Ordinance 2017-02 was adopted on Final Reading.

C. *Bill No. 4 – 2017 – Adopting Salary – Controller*

The Clerk read Bill No. 4 – 2017 – Adopting Salary – Controller, on Final Reading.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. Bill No. 4 – 2017 now known at Ordinance 2017-03 was adopted on Final Reading.

D. *Bill No. 5 – 2017 – Adopting Salary – Treasurer*

The Clerk read Bill No. 5 – 2017 – Adopting Salary – Treasurer, on Final Reading.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. Bill No. 5 – 2017 now known at Ordinance 2017-04 was adopted on Final Reading.

E. Bill No. 6 – 2013 – Authorizing 2017 GO Bond – Non-Utility Capital Improvement Projects; Sewer Capital Projects – Debt Refinancing

The Clerk read Bill No. 6 – 2017 – Authorizing 2017 GO Bond – Non-Utility Capital Improvement Projects; Sewer Capital Projects – Debt Refinancing, on Final Reading.

The Clerk read the Amendment to Bill No. 6 – 2017, sponsored by Mr. Martell and Mr. Evans, as follows:

BOND ORDINANCE AMENDMENTS FROM FIRST READING

Tax Exempt General Obligation Bonds, Series A of 2017 (“2017A Bonds”)

Tax Exempt General Obligation Bonds, Series B of 2017 (“2017B Bonds”)

Tax Exempt General Obligation Bonds, Series C of 2017 (“2017C Bonds”)

Taxable General Obligation Bonds, Series D of 2017 (“2017D Bonds”)

1. Inserted language in the body of the Ordinance amending and otherwise clarifying that the 2017A Bonds, the 2017B Bonds and the 2017D Bonds will be general obligations of the City payable from its general revenues, and that the 2017C Bonds will be general obligations of the City payable from its sewer revenues.

2. Inserted language in the body of the Ordinance amending and otherwise clarifying the estimated useful lives of the City’s Improvement Projects and Land Acquisition Project as being from 5 to 25 years from the date of closing and the estimated useful lives of the City’s Sewer Improvement Projects as being not more than 30 years from the date of closing.

3. Inserted language in the body of the Ordinance identifying Boenning & Scattergood Inc. as the successful underwriting firm selected.

Voting AYE on the Amendment to Bill No. 6 – 2017: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. The Amendment passed.

Voting AYE on Bill No. 6 – 2017 as Amended: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. Bill No. 6 – 2017 now known as Ordinance 2017-05 was adopted on Final Reading.

9. NEW ORDINANCES

A. Bill No. 7 – 2017 – Amending 2017 General Fund Budget – Health Bureau – Community Development

The Clerk read Bill No. 7 – 2017 – Amending General Fund Budget – Health Bureau – Community Development, sponsored by Mr. Martell and Mr. Evans and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE 2017 GENERAL FUND BUDGET

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. Bill No. 7 - 2017 was passed on First Reading.

B. Bill No. 8 - 2017 - Amending 2017 Water Fund Budget - 2016 Year End Adjustments

The Clerk read Bill No. 8 - 2017 - Amending Water Fund Budget - 2016 Year End Adjustments, sponsored by Mr. Martell and Mr. Evans and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE WATER FUND BUDGET FOR 2017

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. Bill No. 8 - 2017 was passed on First Reading.

C. Bill No. 9 - 2017 - Amending 2017 Water Capital Fund Budget - 2016 Year End Adjustments

The Clerk read Bill No. 9 - 2017 - Amending Water Capital Fund Budget - 2016 Year End Adjustments, sponsored by Mr. Martell and Mr. Evans and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE 2017 WATER CAPITAL FUND BUDGET

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. Bill No. 9 - 2017 was passed on First Reading.

D. Bill No. 10 - 2017 - Amending 2017 Sewer Capital Fund Budget - 2016 Year End Adjustments - 2017 Bond Issue

The Clerk read Bill No. 10 - 2017 - Amending Sewer Capital Fund Budget - 2016 Year End Adjustments - 2017 Bond Issue, sponsored by Mr. Martell and Mr. Evans and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE 2017 SEWER CAPITAL FUND BUDGET

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. Bill No. 10 - 2017 was passed on First Reading.

- E. *Bill No. 11 - 2017 - Amending 2017 Capital Fund Budget for Non-Utilities - 2016 Year End Adjustments*

The Clerk read Bill No. 11 - 2017 - Amending Capital Fund Budget for Non-Utilities - 2016 Year End Adjustments, sponsored by Mr. Martell and Mr. Evans and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE 2017 CAPITAL BUDGET FOR NON-UTILITIES

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. Bill No. 11 - 2017 was passed on First Reading.

- F. *Bill No. 12 - 2017 - Amending 2017 Community Development Budget - CDBG and HOME Programs - 2016 Year End Adjustments*

The Clerk read Bill No. 12 - 2017 - Amending Community Development Budget - CDBG and HOME Programs - 2016 Year End Adjustments, sponsored by Mr. Martell and Mr. Evans and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE 2017 COMMUNITY DEVELOPMENT BUDGET

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. Bill No. 12 - 2017 was passed on First Reading.

- G. *Bill No. 13 - 2017 - Amending Article 341 - Business Privilege and Mercantile Tax*

The Clerk read Bill No. 13 - 2017 - Amending Article 341 - Business Privilege and Mercantile Tax, sponsored by Mr. Colón and Ms. Negrón and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
ARTICLE 341 OF THE CODIFIED ORDINANCES OF
THE CITY OF BETHLEHEM TITLED
"BUSINESS PRIVILEGE AND MERCANTILE TAX"

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. Bill No. 13 - 2017 was passed on First Reading.

10. RESOLUTIONS

A. *Amending Rules of Council – Rule 8*

Mr. Evans and Mr. Colón sponsored Resolution 2017-049 that approved amending Rule 8 of the Rules of Council by changing the title of the Parks and Public Property Committee to the Parks and Recreation Committee and deleted matters related to property and buildings, and adding matters to the Public Works Committee related to property and buildings.

President Reynolds thanked Mr. Evans for his leadership on this; he thought through this and offered the appropriate amendments. He appreciated Mr. Evans taking all the different information into account.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. The Resolution passed.

Motion – Considering Resolutions 10 B through 10 J as a group – Use Permit Agreements

Ms. Negrón and Mr. Martell moved to consider Resolutions 10 B through 10 J as a group.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. The Motion passed.

B. *Authorizing Use Permit Agreement – American Association of University Women, Bethlehem Branch – 2017 Book Fair*

Mr. Martell and Mr. Colón sponsored Resolution No. 2016-050 that authorized a Use Permit Agreement for Public Property with the American Association of University Women, Bethlehem Branch for the Memorial Pool Building for the 2017 Book Fair from March 20, 2017 to April 25, 2017, according to the agreement.

C. *Authorizing Use Permit Agreement for Public Property – Boutique at the Rink – Ice House*

Mr. Martell and Mr. Colón sponsored Resolution 2017-051 that authorized a Use Permit Agreement for public property with St. Luke's University Health Network for the Earl E. Schaffer Ice Rink for the 2017 Boutique at the Rink on April 27, 2017 to June 7, 2017, according to the agreement.

D. *Authorizing Use Permit Agreement – Celtic Fest, Inc. – Lehigh Valley HopsFest*

Mr. Martell and Mr. Colón sponsored Resolution No. 2017-052 that authorized a Use Permit Agreement with Celtic Fest, Inc. for June 9 – 12, 2017 for the Lehigh Valley HopsFest, according to the agreement.

E. *Authorizing Use Permit Agreement- Work to Live, LLC d/b/a Run Lehigh Valley – Brew to Brew Run*

Mr. Martell and Mr. Colón sponsored Resolution No. 2015-053 that authorized a Use Permit Agreement for public property with Work to Live, LLC d/b/a Run Lehigh Valley for Nevin Place for the Brew to Brew Run Event April 8, 2017, according to the agreement.

F. *Authorizing Use Permit Agreement – Bethlehem Chamber of Commerce – 2017 Bethlehem Italian Festival*

Mr. Martell and Mr. Colón sponsored Resolution 2017-054 that authorized a Use Permit Agreement with the Bethlehem Chamber of Commerce for the 2017 Bethlehem Italian Festival on June 17, 2017, according to the agreement.

G. *Authorizing Use Permit Agreement – Holy Infancy Church – Portuguese Heritage Celebration and Multicultural Festival*

Mr. Martell and Mr. Colón sponsored Resolution 2017-055 that authorized a Use Permit Agreement for the Portuguese Heritage Celebration June 9, 2017 and June 10, 2017, and Multicultural Festival on June 16, 2017 and June 17, 2017, according to the agreement.

H. *Authorizing Use Permit Agreement – Mount Airy Neighborhood Association – West Side Farmer’s Market*

Mr. Martell and Mr. Colón sponsored Resolution 2017-056 that authorized a Use Permit Agreement with the Mount Airy Neighborhood Association for the West Side Farmer’s Market every Saturday from June 3, 2017 through October 14, 2017, according to the agreement.

I. *Authorizing Use Permit Agreement – Greater Lehigh Valley Chamber/DBA – Tunes at Twilight*

Mr. Martell and Mr. Colón sponsored Resolution 2017-057 that authorized a Use Permit Agreement for the Tunes at Twilight every Thursday from May 3, 2017 through July 20, 2017, according to the agreement.

J. *Authorizing Use Permit Agreement – ArtsQuest – Step Outdoors Lehigh Valley*

Mr. Martell and Mr. Colón sponsored Resolution 2017-058 that authorized a Use Permit Agreement with ArtsQuest for the Steps Outdoors Lehigh Valley event June 3, 2017, according to the agreement.

Mr. Callahan noted we had a speaker earlier who had a question about the Italian Festival. He wanted to mention that in no way was there any slight ever made to the south side. Mr. Callahan stated the idea of the Italian Festival was generated out of a passion of love for his late wife who was Italian and the fact that they spent many hours and days walking Main Street. He lives on Main Street and based on some conversations he had with the DBA and Lynn Cunningham of the Chamber of Commerce, was that there was a lot of interest to have this Festival. At the time we were planning this there were three Italian Restaurants on Main Street: Molto Pazzo, Mama Nina’s and Little Taste of Italy, which is no longer there. He emphasized this is the whole genesis of the Italian Festival being on Main Street. It was not meant as a slight to anyone on the south side. Mr. Callahan stated the merchants had some lull

periods where they did not have much foot traffic and it seems that many festivals take place after the summer months, so it was an effort to get more people on Main Street to help them out. Mr. Callahan added this would be an area where it is easier to set up as far as the DBA was concerned. He apologizes if anyone on the south side and if Mr. Antalics took this the wrong way.

Mr. Evans noted this list of Use Permit Agreements show the great activities that go on in the City around the year and we look forward to the events. They will be coming up soon, including the Boutique at the Rink, which raises funds for a great cause. Other activities are good for the merchants on the north side but also the Portuguese Celebration is on the south side and the farmers market on the west side of Bethlehem. This gives different parts of the City a chance to shine a little bit and build activity. He looks forward to attending these events.

Voting AYE on Resolutions 10 B through 10 J: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. The Resolutions passed.

K. Approving Business Privilege and Mercantile Tax Regulations

Mr. Colón and Ms. Negrón sponsored Resolution 2017-059 that approved amending Section 105 and Section 106 of the Business Privilege and Mercantile Tax Regulations.

Mr. Martell mentioned this is something he spoke of at length at the Finance Committee Meeting. One of the things that came up is that we had 144 festivals last year or on average which is quite a remarkable number. Mr. Martell noted the flip side of that is they are not easy to do; there is a lot of work that goes into holding a festival, more than what people realize. He continued when you look at both of these changes, specifically the one for the exemption for the one day participants, it would be a help for the Administration in terms of trying to track individuals who were potentially going to one event, and then participating in another one-day event down the road. Trying to run the numbers and cross referencing would be a logistical nightmare, and one employee spoke about that at the Finance Committee Meeting. She said that her numbers might be off by one or two, but it was about 138 who only participate in one of those festivals. From the standpoint of making the administrative side easier he is sympathetic with that and he can see the need. Mr. Martell mentioned he will be voting no on this tonight because one of his reservations is that while everyone knows the big named festivals there are church festivals and non-profits and fundraisers, and as part of that there are many individuals who want to participate and make something because they just want to help out. Mr. Martell noted while this makes it easier on the administrative side, his fear is that it will add another hurdle for these one day event people and could it lead to a situation whereby these 138 who are one day contributors might be dissuaded from participating in those church fairs or craft fairs. The overall goal is something we should try to do to make it easy for everybody; it will make it easier on the administrative side but not easy on the participant side. Mr. Martell will say that there are some potential opportunities with the introduced technological initiatives to try to make some of these processes easier for these folks. It is a good conversation to have and hopefully these issues will be alleviated. Mr. Martell noted his reservations will lead him to vote no on this tonight.

Mr. Waldron noted we discussed this in Committee for a while and went back and forth among Council and the Administration. Mr. Waldron stated although he is sympathetic to what Mr. Martell stated, his feeling is there is a just cause for this change, however this is a small barrier to entry and it is the Administration's job to come forward with a plan to help make this easy and relatively painless for those who want to be involved. It is not to dissuade people from getting involved; it is to encourage compliance so that we can better serve the other members and make sure everyone is following the same rules and that fairness is distributed equally with everyone who wants to be involved. Mr. Waldron is sympathetic to the idea where some people think this is too much but he feels that the benefits outweigh that. He does not know of anyone who said they will not participate in something, but until there is a larger problem and we may need a change, we can revisit this if it is not working. Mr. Waldron believes this is a step in the right direction and he will support this Resolution.

Voting AYE: Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 6. Voting NAY: Mr. Martell, 1. The Resolution passed 6-1.

L. Approving Establishment of Engaging Bethlehem – Social Media Working Group

Mr. Martell and Mr. Colón sponsored Resolution 2017-060 that approved the Establishment of a Social Media Working Group that will research, prepare documents, prepare recommendations, recommend legislation action, if any, prepare reports and presentations, and actively engage the community. Within six months of the Resolution adoption date and after engaging the interested members of the public and community the Working Group shall submit a draft social media report and/or plan at a City Council Meeting. If legislation action is deemed appropriate by the City Council the working group shall consult with the City Council Solicitor, City Solicitor, Mayor and his Administration and recommend proposed legislative documents.

President Reynolds stated when we look back at City Council over the past several years and during his time, and the Administration, much of the priorities have been financial. Much of it is setting up processes that will help to improve the City's financial state. President Reynolds congratulated the Administration before on all their hard work and one of the things he spoke about is that financial change tends to be incremental. When you look at the amount of thought we spend on how we can save a few dollars here and there, and while it is valuable, it is very hard to quickly make drastic changes. President Reynolds noted but what we can look going into the future is not just at what services we are providing, but how we provide those services. Technology has changed to the point where we need to find different ways to engage people. He continued what we have different Departments in the city involved in different levels of engagement but we do not necessarily have a strategy or plan. There is no blame here; it is just something we have not done yet because we have been looking at other issues and priorities that have faced the City. After having conversations in the community and with Council I found there is a lot of community knowledge and enthusiasm about how we use technology. President Reynolds stated we should set up a process that people trust with what services people are looking for and how we provide those services. This might be new ground for Bethlehem, but not new ground when you look at other cities with social media. He does not believe that any one of us has all the answers, and to echo one of the speakers before, the answers lie outside of City Hall.

The bounds of creativity in Bethlehem are not found within these walls and in turning to the community and to the institutions in our City we are able to find ways to increase accountability for City services, increase transparency and increase efficiency and trust of how government operates. The days of everyone calling or coming to City Hall is not the way a lot of people are looking for services. President Reynolds stressed his goal is to work with the Administration, City Council, people in the community and he appreciates the support of Mayor Donchez. He remarked we need to ask people what they are looking for and then come up with more of a central strategy and central plan as a City. We have done this in other areas but technology is not an area we have touched, and that is where he is coming from with Engaging Bethlehem.

Mr. Martell commended President Reynolds on the work and vision he put into creating the initiative and driving this forward and putting together the parameters. Many of the things President Reynolds said are true in terms of what people are looking for and what options are out there in terms of improving the way government operates and government's relations with its citizens. The one thing we all know and will make both of these initiatives successful is the citizens of Bethlehem. Mr. Martell acknowledged we all know we have an incredibly engaged citizenry. We have well educated and very concerned individuals in Bethlehem who ask what they can do to help. Sometimes some of the frustration is not knowing what to do or how to do it so this is creating a framework to direct individuals on how to engage and also creating a situation where the citizens can tell us what we and what government as a whole can do better. Mr. Martell mentioned part of his thesis work in his Master's program was some of the open data research and when you see what is out there and what people have done you really will be amazed what can be done. Just putting that information out there and letting people get their hands on it and coming from their different perspective and different specializations, they will come up with solutions to problems that we maybe could not figure out how to solve. Mr. Martell reiterated both of these initiatives are fantastic and he compliments President Reynolds in bringing them forward and is willing to help in any way he can going forward with this process.

Mr. Waldron echoed what Mr. Martell stated. The Engaging Bethlehem proposal, as well as the next one regarding social media, and the Climate Action Plan really brings Bethlehem into the 21st Century in a big way that models other behavior that larger cities are taking on. This is to try to be progressive and not be reactive, but to try to create a vision moving forward. Mr. Waldron advised much of this will have some growing pains because these are working groups and we are not really sure how the pieces will fit together, but it is a starting point. Opening these up to the community and allowing people who are specialists that are knowledgeable about specific areas of expertise will be the keys to success. He will be supporting both of these.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. The Resolution passed.

M. Approving Establishment of Open Bethlehem – Open Data Working Group

Mr. Martell and Mr. Evans sponsored Resolution 2017-061 that approved the Establishment of an Open Data Working Group that will serve on an open data infrastructure

development working group that will include research, preparing working documents, recommendations, recommend legislative action, if any, prepare reports and presentations and actively engage the community. Within six months of the Resolution adoption date and after engaging interested members of the public and community the working group shall submit a draft social media report and/or plan at a City Council Meeting. If legislative action is deemed appropriate by City Council the working group shall consult with the City Council Solicitor, City Solicitor, Mayor and his Administration and recommend proposed legislative documents.

President Reynolds informed to go along with what he said before, many people say this is the future of government, but he looks at this as the present of government. When you look at what other cities are doing and the idea that we have internal data that is helpful to people in our community in ways that we do not know. It is about taking information and turning it over to the community and coming up with ways to come up with creative solutions that work. That is how the private sector works and the public sector needs to work more like that. President Reynolds stated this is not new ground for cities; it is new ground for Bethlehem. He knows a few speakers mentioned Philadelphia and he knows that Pittsburgh has a very substantial open data initiative as does Reading and cities throughout the Country. President Reynolds mentioned it is amazing when you look at what internal data cities have. Many cities come up with partnerships between their Colleges and Universities and their City with how to use data. It is really about using technology to close the gap between government and citizens. As was said before this is an opportunity to let a community that is filled with solutions have access to people that are working hard within City government. President Reynolds stressed we have a workforce that works as hard as you can imagine with coming up with solutions, however, we have several hundred employees and 75,000 people living in the City and countless people working and attending college in the City. He continued, there is the creative sense in Bethlehem that extends beyond the walls of City Hall and if you look how open data has been used in cities throughout the Country, it has improved economic development, public safety, neighborhood development as well as governmental accountability and transparency. President Reynolds added this is also something that does not happen overnight. Many people want to be engaged in different ways. He is hopeful to work with the Administration, the community partners that have expressed interest so that we can come up with a framework and plan about how to institute an open data initiative that will take Bethlehem forward into the 21st Century.

Mr. Evans emphasized he also wanted to congratulate President Reynolds for these very strong initiatives. These will truly benefit the City. We had spent a lot of time speaking about initiatives with regard to finance, which is important, and we have had positive results with that. The initiatives that President Reynolds has mentioned in the Bethlehem 2017 initiative are areas that are somewhat neglected, and he looks forward to these. He added we do have some very skilled and talented people living in Bethlehem that have shown interest in joining these groups and helping these groups. He will certainly be supporting these Resolutions.

President Reynolds reiterated that he wanted to thank the Administration for their support. A few Department Heads mentioned things they want to do, but have said it is hard to find time to do it with all the other important work. In conversations with City Council and work they want to be engaged in, this is not why are we not doing this, but it is a new priority

doing this, and City Council stepping up with helping to create a work product with the Administration and members of the community.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. The Resolution passed.

President Reynolds thanked his colleagues for their support as well as the members of the community that came out tonight for support.

N. Designating Fair Housing Officer – Jennifer Swett

Mr. Martell and Mr. Evans sponsored Resolution 2017-062 that designated Jennifer Swett as the Fair Housing Officer for the City.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. The Resolution passed.

Motion – Considering Resolutions 10 O through 10 Q as a group – Certificates of Appropriateness

Mr. Callahan and Mr. Colón moved to consider Resolutions 10 O through 10 Q as a group.

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. The Motion passed.

O. Certificate of Appropriateness – 530 Main Street

Mr. Martell and Mr. Evans sponsored Resolution 2017-063 that granted a Certificate of Appropriateness to install awning and repaint the storefront trim at 530 Main Street.

P. Certificate of Appropriateness – 81 West Broad Street

Mr. Martell and Mr. Evans sponsored Resolution 2017-064 that granted a Certificate of Appropriateness to install two awnings at 81 West Broad Street.

Q. Certificate of Appropriateness – 218 East Market Street

Mr. Martell and Mr. Evans sponsored Resolution 2017-065 that granted a Certificate of Appropriateness to seek approval for the historic plaque location on the exterior of the building at 218 East Market Street.

Voting AYE on Resolutions 10 O through 10 Q: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. The Resolutions passed.

11. NEW BUSINESS

Committee Meeting Announcements

Chairman Waldron announced a Public Safety Committee Meeting will occur on Tuesday March 21, 2017 at 6:00 pm in Town Hall. The subject will be a 911 funding update from the Administration.

Chairman Martell announced a Community Development Committee Meeting will occur on Monday, March 20, 2017 at 6:00 pm in Town Hall. The subject will be a proposed amendment to Article 1739, Regulated Rental Unit Occupancy and proposed amendments to Article 1161 - Health Nuisances - Adding Bamboo Regulations.

12. ADJOURNMENT

The meeting was adjourned at 8:30 p.m.

ATTEST:

City Clerk