

BETHLEHEM CITY COUNCIL MEETING  
10 East Church Street – Town Hall  
Bethlehem, Pennsylvania  
Tuesday, April 4, 2017 – 7:00 PM

INVOCATION

The Reverend Suzanne M. Trump, St. John's Windish Evangelical Lutheran 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.

PROCLAMATION

*Proclamation Honoring: Darian Cruz – Lehigh University National Champion in NCAA Wrestling – Lehigh University Wrestling Program*

Mayor Donchez presented a proclamation to Lehigh University Wrestling Coach Pat Santoro, who he noted is a Bethlehem native and wrestled at Bethlehem Catholic, University of Pittsburgh and is now the wrestling coach at Lehigh University. Mayor Donchez thanked Mr. Santoro for producing an outstanding program which has produced 20 national champions, 147 NCAA All-Americans, 16 top 5 NCAA finishes, 34 EIWA, Eastern Intercollegiate Wrestling Association team champions and 209 EIWA individual champions over the years. Mayor Donchez congratulated Coach Santoro for everything he does for Lehigh University.

Mayor Donchez then turned to Lehigh University student Darian Cruz and informed he has seen him wrestle twice. Mayor Donchez added that he grew up a few blocks from Lehigh University and would attend wrestling meets years ago to see Mike Caruso wrestle. He pointed out that Darian Cruz carries on that great tradition. Mayor Donchez then read a proclamation in honor of Darian Cruz and stressed it is really a privilege for him and for the Members of City Council to proclaim Tuesday, April 4, 2017 as Darian Cruz Day in the City of Bethlehem.

Darian Cruz thanked everyone and added he is honored to represent the City of Bethlehem and Lehigh University. He expressed he takes this with high honor and respect, and highlighted that every time he competes or is interviewed in any way he always has in mind the City of Bethlehem and the people that run the City, Coach Pat, and Lehigh. He concluded by saying he hopes to be a good role model for not just athletes or Lehigh students but for the City of Bethlehem.

Coach Santoro informed on behalf of Lehigh and the Lehigh wrestling program they are honored to receive this proclamation.

## PUBLIC HEARING

President Reynolds informed prior to the consideration of the regular Agenda items, City Council will hold a Public Hearing to accept recommendations concerning the location of boundaries of a deteriorated area or areas for which area is proposed to include Mauch Chunk Rd. and Laurel St., south to Union Blvd., west on Union Blvd. to Main St., south on Main St. to Broad St., Broad St. east to Maple St., then north on Maple to East Fairview St., west on East Fairview St. to Grenadier Blvd., north on Grenadier Blvd. to Laurel St., then back to the starting point at Laurel St. and Mauch Chunk Rd., and extend the LERTA Program for the new boundaries as stated through December 31, 2023.

### *Communication 6A – Redevelopment Authority – Resolution*

The Clerk read a Resolution dated March 16, 2017 of the Redevelopment Authority of the City of Bethlehem supporting the Designation of Areas of the City of Bethlehem within which Exemption from Tax Assessments may be granted for the Improvement to Deteriorated Industrial, Commercial and other Business property and/or Deteriorated Residential property and areas.

Allyson Lysaght, Housing and Community Development Planner stated this public hearing is regarding the expansion of the LERTA that was passed last summer. We came back to you in September with the proposed expansion and needed a little more time to vet some of the information. Ms. Lysaght presented a Power Point and highlighted what is new and what is different. She highlighted the LERTA will stay in affect for five years so an applicant will have five years to apply for the benefit and then the abatement will take place over a course of ten years. Ms. Lysaght continued to say this will allow the City of Bethlehem and other taxing bodies to declare a certain area deteriorated. She highlighted the fact that this includes commercial and industrial areas, but there is also a residential LERTA which allows us to include dwellings in this district. Ms. Lysaght explained a deteriorated area which has been the subject of an order by a government agency requiring the unit to be vacated, condemned or demolished by reason of non-compliance with laws, Ordinances or regulations that would really fall into some of our blighted properties is what we see in this district. She explained not only some of the commercial properties are problematic in some cases, but some of the homes and dwelling units in this area need some significant help and rehabilitation. Ms. Lysaght communicated they found vacant properties and vacant lots economically and socially undesirable land, and unsafe and unsanitary or overcrowded buildings in this district through some research and City walks. There is also a disproportion number of tax delinquent properties. Again, by reason of age, obsolescence and adequate or defective design these buildings have become economic liabilities to the City. They are not contributing to the tax rolls and are a drag on the neighborhood and are impacting quality of life in the area. Ms. Lysaght advised most of these buildings were built around 1900 to 1950 so if you are not keeping up with the maintenance they will fall into disrepair and we are also finding a number of tax exempt and delinquent properties in that area. The City of Bethlehem passed the LERTA last summer. They have not gone in front of the County and have not gone to the Bethlehem School District yet. She noted they will be back in front of the School District later this spring and then approach the County over the summer. Ms. Lysaght stated in addition, LERTA only impacts the amount of reassessments, the tax on the reassessment and according to Northampton

County adding a garage, deconverting a structure from a multi-unit to a single family home which is something that we look for all the time to do or adding square footage, a porch or a deck or a sunroom will trigger a reassessment. In the last LERTA that was passed in this district we proposed the typical LERTA which is a sliding scale over 10 years, 90% abatement, 80% abatement all the way down to zero in the 10<sup>th</sup> year. We are now proposing a flat 10% abatement across all 10 years which is a significant change to the previous Ordinance. Ms. Lysaght went on to say we have a pretty rich history in terms of LERTA and its successes across the City. We did have a very small Northside Central Business District that expired in 2006. Referring to the Power Point presentation she remarked that the area in green on her graph is the smaller district that expired in 2006; the area in purple is the new proposed district. Ms. Lysaght mentioned the south side LERTA is coming up for renewal this year. She then showed the zoning map and noted that it encompasses a lot of the central business district. There is some limited commercial up in the northern part and high density residential, which is where we are seeing the problems with some blighted properties. It is heavily residential with mixed use buildings and some commercial properties in the newly expanded area. It includes Thomas Jefferson Elementary, William Penn Elementary and Liberty High School, which are critical in terms of doing something to support the transient nature of this neighborhood. Ms. Lysaght stressed they want children to be able to have safe, stable and secure housing so they can further their education. City incentives appear only towards owner/occupied buildings; there are very few incentives that we can offer for rentals. She expressed there is a lot of maintenance in our rental properties, but there needs to be something to address those properties and we just do not have the tool right now. The majority of these properties are graded C or D by Northampton County who grades their properties when they go out and assess them. There is really not a good healthy building stock there right now. Ms. Lysaght highlighted that they see a lot of major commercial or mixed use redevelopment projects that have stalled, so we hope this will give them the push and incentive they need to get off the ground. She mentioned that 59% of the residential units are rentals in this area. She continued we feel that more and more of these homes are on the verge of being converted into multi-unit apartment houses. She then showed the percentage of students in this neighborhood that are receiving free and reduced lunch in the schools that feed into this neighborhood. There is a trend over the past 10 years or so with 22% differences in some cases, which is an indication of some economic stresses in the neighborhood. Ms. Lysaght stated they showed a map last summer of sheriff sales and foreclosures that were happening in this district over the past year or so. We went back and pulled the data and from September through now she showed a graph of the sheriff sales and foreclosures in the area, which is not insignificant. She then showed the vacancies along the main commercial corridors of Broad and Linden Streets, and they include some larger commercial developments that have not seen any movement. Ms. Lysaght reported in 2012 the City undertook a blight study to determine some areas of blight and you can see there is some significant overlap with the lack of lines above Broad Street, and that encompasses this district as well. She added we know we are targeting an area that has been identified as having some significant indicators of blight in the past. These are the major economic development opportunities that lie in the district that we hope will spur some movement with the implementation of this LERTA. There is the Miller Wholesale Building, the Silk Mill and Kuhnsmans, which are three of the bigger buildings in the City that are in the district. The average assessment of a home on Goepp Street is \$39,000 dollars. Ms. Lysaght continued with some commercial assessed values of projects that have stalled that include 810 Monocacy, which is Miller Wholesale. Ms. Lysaght then mentioned the Boyd Theater, which is assessed far

higher, but is a highly developable property that has stalled. Ms. Lysaght pointed out that LERTA is just on tool in our tool kit and will not solve the problems of this neighborhood, but we have some programs that we can couple with it. She pointed out the City has a very robust Housing Rehab program that which can give up to \$20,000 dollars for owner/occupied buildings, so if LERTA improvements can help some rental units, the Housing Rehab can help some owner/occupied. She continued we have an exterior building improvement loan for mostly commercial or mixed use properties which is any improvements done on the exterior of a building that includes ADA improvements, facades and sidewalks. We have deconversion funds through CDBG if someone is looking to buy a home that is currently apartment units that the want to convert back into a single family home. We also have façade funds for up to \$5,000 in matching funds for façade improvements for homes in this area. Ms. Lysaght stated they are hoping that bundling these tools and resources together will spur people to take on some new projects.

Ms. Lysaght continue tonight is the first vote on this and if passed on final reading on April 18, we will go before the Bethlehem Area School District Finance Committee. We will be in front of their full board in May and then we will approach Northampton County and ask for their approval as well. We are looking for an implementation date of October 1, 2017 which is doable if our timetable holds.

Mayor Donchez pointed out he and President Reynolds had a press conference yesterday. Mayor Donchez stressed he supports these new boundaries. It is a unique program that should be used on the north side. He remarked as we said before, and looking at the broad reach, it is not just commercial development but also residential development, so he strongly supports this program.

President Reynolds added as Mayor Donchez stated they had a press conference yesterday and talked about a larger Northside 2027 effort. When we had that conversation last year, and the School District talked about it briefly at one of their meetings, even though they took no action on it, their desire is to do something larger in this area. President Reynolds noted that Ms. Lysaght referenced that this is just one tool in what needs to be a much larger effort, which he certainly agrees with. He pointed out once we started looking at this area we thought of how to organize that larger effort, and this was probably a good time to organize that larger effort. President Reynolds has worked with Mayor Donchez and the Administration as far as what other efforts have been done throughout the City on a similar level. On the south side we have the Southside Vision 2014 which has been updated to be Southside Vision 2020. That program involves community partners such as the School District and Lehigh University and Community Action Committee in the City that has been able to leverage a lot of investment there. As we started to talk about this, the Northside 2027 was thought of a steering committee to be put together to be able to leverage these different community partners to give these neighborhoods the attention and investment they probably have not seen before. President Reynolds advised this starts with some type of cohesive plan and reaching out to the different partners. President Reynolds recognized Moravian College President Bryon Grigsby who is in attendance tonight, and noted that Moravian College has been looking to do more and more investment in these neighborhoods. They have partnerships with the School District, and last week spoke about a few scholarships they are offering. President Reynolds has had conversations with people from the School District and they spoke of some things that Ms.

Lysaght touched on, that while not directly covered as far as LERTA is concerned, are the type of issues that affect these neighborhoods. He thinks when we take a look at this we are paying attention to an area in many ways and LERTA is just but one important aspect of how we will invest in these neighborhoods.

*Public Comment*

Bryon Grigsby, Moravian College President informed he echoes the comments made by President Reynolds about seeing something happen on the north side and Moravian is fully supportive of the ventures the City is taking to improve the north side. He remarked we will support the School District and City Council and the Mayor in whatever fashion they need.

Bill Scheirer, 1890 Eaton Avenue mentioned he did not know when he was growing up in the City that he would someday have grown up in a LERTA district at 236 East Ettwein. He mentioned there are two typos. The first is in the presentation where it says it includes Liberty High School. He noted, as he looks at the map it carefully avoids Liberty High School, it does include where many of the students live, but it does not include the school. Mr. Scheirer noted the second typo is on the agenda. In the description, in the first paragraph in the beginning when it gives the boundaries it goes South to Union Boulevard and then West on Union Boulevard to Main Street, and that would send it over into West Bethlehem. He remarked it should say East on Union Boulevard to Main Street.

Colleen Marsh, 1017 Center Street stated she wanted to say she is excited about what City Council has put forward for the plans for north side Bethlehem. As someone who lives in that neighborhood and walks her daughter to preschool in that neighborhood and works at Moravian College, much of her life will be impacted by the changes that come through. She is looking forward to this since she is also doing community organizing for the Bethlehem Food CO-OP, and a significant portion of our area of interest overlaps with this area identified by the LERTA proposal.

President Reynolds advised Bill No. 2017-14 is listed on the agenda for First Reading. The Resolution to amend the boundaries will be placed on the April 18 2017 Council agenda along with Final Reading of Bill No. 2017-14.

President Reynolds adjourned the Public Hearing at 7:30 pm.

2. APPROVAL OF MINUTES

The Minutes of March 21, 2017 were approved.

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

*Noise Problem*

Judith Ross, 317 Rauch Street informed she has lived here since 1970 and she bought her home in 1983 where she has a great view where she lives. She handed a copy of a letter that she

wrote to Council a year ago. Ms. Ross mentioned that spring is coming and soon the Wooden Match, which is a wonderful bar down the street from her, will have good food and music, however she does not want to hear it. She lives 8 minutes away by walking from the Wooden Match, and has to listen to their music starting every evening from now until fall for four nights a week. Ms. Ross does not think this is fair. She has been complaining about this for four years. She expressed the music is nice, but she does not want to hear it; she wants to hear the crickets or the wind blowing. She queried if people are subject to noise from bars when they live so far away. She thinks her house may be an anomaly because she has more noise than people below her on the hill. Ms. Ross does not want to move but she will have to move. She is at this meeting because the music has not started yet but she is sure it will start this week. If you live near a bar you should expect to hear music but if you live 8 minutes away, she wondered what the Ordinance is for sound? She has spoken to the Mayor twice; he has been helpful and she has spoken to Ronnie Younes who runs the Wooden Match and he tried to move the speakers so that they go in a different direction. Ms. Ross does not know what the standards are for the City but she cannot live like this any longer. She wondered if she could present this to Council because she has not heard from anybody. She has spoken to the Mayor and he managed to get the music turned down for a short time, but it went back up. Ms. Ross noted her final thing, which she will not say publicly what happened with the last Police report she made, but if she does not get some kind of result, she will put that in paper. She thanked Council for paying attention to her but it is the center of her life to stop this noise.

President Reynolds asked Mayor Donchez if it is possible to have Police Chief Mark DiLuzio speak to her after the meeting.

Mayor Donchez stated absolutely.

#### *Parking Problem*

Artie Curatola, 813 Laufer Street stated he has a problem that he has presented that has been going on for three years. The Parking Authority and the Bethlehem Police are letting people park right up to the stop sign and past the stop sign on Fifth Street near the Webster Street intersection and at other dangerous intersections. Mr. Curatola believes this is an accident waiting to occur and a pedestrian will be injured or killed. He stated the people driving up Webster Street have the right of way so they are driving the speed limit, but the people driving down Fifth Street are parallel to a car that is parked illegally by a stop sign and they cannot see the people coming up Webster Street. People on Webster Street are slamming on their brakes because someone is in their lane. Mr. Curatola informed people have to get over to the other lane. Mr. Curatola stated these people need to be ticketed, they are traffic hazards. The residents get tickets for illegally parking by the corners of intersections or in the Parking Authority parking lots while unloading groceries or for street cleaning. He noted people park on Webster Street but there is a big parking lot across the street and they cannot go over there to park. Mr. Curatola asked Mayor Donchez if he can work it out to give the people from Lehigh permission to park by the meters in the lots so they are not an obstruction to traffic. He stated the Mayor mentioned two or three years ago that blue lines would be painted there, car owners would be towed at their own expense and fines would be heavier, but that still has not happened. He remarked maybe you might want to think about putting that into effect and bring that in front of City Council. He requested to please do something about this.

*Speeding on Fiot Avenue*

Paul Giacalone, 707 Fiot Avenue stated they have a lot of traffic that goes down Fiot Avenue and one of the issues is that because it is the only one way going down to Broadway, many people take it. Aside from exceeding the speed limit they go through that intersection fairly quickly. He stated that he has seen numerous accidents at that corner. The problem is with the parking. He explained many people park on Sioux Street, and they do not see the stop sign and keep on going and that causes an accident. Mr. Giacalone noted his main concern is not so much that, but there are many children in the area who do not know any better and just cross that intersection. He is asking that perhaps this could be looked into.

*Courtesy of the Floor*

Stephen Antalics, 737 Ridge thanked President Reynolds for the way he was addressed because of the tongue and cheek comments that he made at the last meeting. Mr. Antalics hopes that this courtesy continues and he would like to ask President Reynolds to extend that courtesy to a very good citizen, Dana Grubb. Mr. Antalics reported what he was going to say at the last Council Meeting, but was at the wrong venue, was that Mr. Scheirer like Mr. Grubb is a respected citizen and contributes greatly to the City. Sometime ago he made a suggestion that having the Courtesy of the Floor on voting issues before they were voted on or discussed deprives the speaker of commenting. Mr. Antalics would suggest to move that Courtesy of the Floor to the end of the meeting where it was before because if the people who will not speak on the issue, they have the courtesy the first time around, and if a person wants to speak on a voted issue they can make comments after he heard what Council has to say. If he does not hear anything that is offensive to him then he may not want to speak at the second courtesy of the floor, so he has the ability to speak then and later. Mr. Antalics highlighted the fact that he spoke to one or two Council people outside of a meeting and they saw wisdom in that choice, so he would strongly urge Council to reconsider and respect Mr. Scheirer's suggestion. Mr. Antalics reiterated that he thanks President Reynolds for addressing him.

*Third Courtesy of the Floor suggestion*

Bill Scheirer, 1890 Eaton Avenue informed that the system we have now for Courtesy of the Floor is okay as far as it goes, but it does not go far enough. When the Courtesy of the Floor was moved to the beginning of the meeting it was so people could comment on issues to be voted on that evening before they get voted on, that was a good thing but sometimes the discussion of a matter stimulates thoughts in members of the audience that might be beneficial to Council, especially if something is tabled. Mr. Scheirer suggests that we add a third Courtesy of the Floor, at the end of the meeting limited to items that were voted on during the meeting. He concluded right now we have to wait until the next meeting. So at the end of the meeting another Courtesy of the Floor could be just on items voted on during the meeting.

*Trees on Martin Tower Property*

Martin Romeril, 26 West Market Street mentioned his comment concerns the trees on the Martin Tower property. At the October 6, 2015 meeting there was an exchange between a member

of City Council and a member of City government about the trees on the property. The City Council person said they were concerned about the “many beautiful and mature trees throughout that site.” The City employee responded that the City has two Ordinances, one that deals with street trees and one that deals with trees on a property that is being developed and if you do not replace trees of a certain size you have to give money to the City so that the City could put trees somewhere else in the City to maintain the tree canopy. Mr. Romeril emphasized that was interesting, but he has been thinking about this in light of the large number of trees that have been cut down already on the property and piled up in the parking lot. He contacted the City Forester and was curious if there was a census of trees on any private property in the City and she said no, and mentioned the Zoning Ordinance relates to trees that are 8 inches or larger in diameter and those are the ones that have to be accounted for and either replaced on the property by the developer, in the development plan or money has to be given to the City so that trees can be placed somewhere else within the City limits. He remarked we do not know how many trees are there and trees are being cut down. He understands that there is no development plan yet; they are just doing remediation work. Mr. Romeril understands that maybe trees had to be cut down to move construction equipment to certain places on the property but if no one is counting the trees who is to say when they put a development plan through that the development plan accounts for the actual number of trees that were there before development. Mr. Romeril stated he is just curious who is counting the trees and who will keep the developer honest. He wonders who will make sure that the trees are accounted for and whether the City will put trees somewhere else like the long stretches on West Broad and North New where there no longer are trees. He commented those streets were tree lined on every block, and now most of the blocks do not have any or two old maple trees on the left that will have to come down soon and there will be zero trees on the other side. Mr. Romeril just thought that someone should ask before we say it is too late. He noted you could just go on Google Earth and take a screen shot of that you could count the trees and he is sure there are several hundred trees on the property that qualify for this Ordinance.

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

*Bamboo and LERTA*

Eddie Rodriguez, 701 Main Street informed he wanted to read something he copied from the Library with reference to bamboo. He remarked he has seen the running bamboo and clumping bamboo on Pawnee Street, and Easton Avenue. He pointed out there is a difference between running bamboo and clumping bamboo, and explained that clumping bamboo spreads very slowly, they have a pachymorph rhizome system which means that the underground buds turn upward and become canes immediately, as opposed to the running types which can travel several feet outward producing canes along the way each season. They are considered non-invasive. Running bamboo spreads at moderate to fast paces. They have a leptomorph rhizome system which means the rhizomes do not usually turn up and become canes. Instead as they push through the soil the lateral buds produce either canes or new rhizomes perpendicular to the parent rhizome. He noted there is 20 to 30 foot running bamboo that is on Pawnee Street. He wanted to bring this up because he hopes Council does something to try to stop this and make sure it does not go into the City. There are 100 different species of bamboo. He gave a handout about bamboo to City Council. Mr. Rodriguez mentioned regarding the LERTA district, real estate companies in the area do not care about how they rent to people in

the City. When he began to come to Council Meetings that was something he talked about as well as drugs in the City. He expressed LERTA is a great idea, but you need to get rid of those properties that are a burden to the City and deal with the real estate agents and landlords that live out of town and do not care who they rent to and if they are not properly inspected, they still rent. Mr. Rodriguez wonders how this is allowed to happen.

*Bamboo*

Jamie Lantz, 537 Pine Street handed out to Council an article on controlling bamboo by putting in a bamboo shield. He noted that personally he does not like it when government can tell us what we can or cannot plant. He believes this should be a civil matter. Mr. Lantz mentioned it is our first duty that as a citizen, if we have a problem with our neighbor we should try to mitigate it with our neighbor first. If that does not work, then take it to a judge and let him decide, because this is just a plant. Mr. Lantz stated when a root grows once it is segregated from the parent plant it will not grow unless you will allow it to grow into another parent plant. Once you mow, mow, mow it will disappear. He does not even know if this is constitutional, not the U. S. Constitution, but the Pennsylvania Constitution. Mr. Lantz observed that Mr. Callahan had asked about cost. Mr. Lantz stated calling many bamboo removal sites he was told a base price of \$11 to \$15 dollars per square foot. Referencing Jennings Street, he stated they are all parent plants, but how will you determine who has to pay for it. He remarked you would have to get a permit from the City to do the work and you would have to call for any utilities underground before you do any digging or trenching, you would have to remove it and dispose of it and he does not know if the compost site will take it. Many other municipalities say to burn it but we cannot burn in Bethlehem. Mr. Lantz added if we dig up our neighbor's yard, who will pay for the remediation. He continued what about the people on fixed incomes or elderly people who bought properties with bamboo and did not even know? Or what about his neighbors that like bamboo so they groom it themselves but if they sell their property the next person might not like it so they will put in a complaint against him and he will have to remove it. Mr. Lantz related that the Health department said that a barrier is the best thing to stop the roots from spreading. With the rhizomes, after you plant the barrier and those roots grow and as long as you mow the root will die and will not be on an adjoining property. Mr. Lantz noted he feels this is a frivolous Ordinance. He thinks we can work together on this and build friendships with our neighbors, rather than having an Ordinance that may or may not be constitutional.

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Bill Scheirer, 1890 Eaton Avenue informed he just read the minutes from the last meeting and they were already approved but there is something that will be voted on this evening so maybe this qualifies. In the description of what he said at the last meeting about keeping the 911 center where he said it would equate to about a 15% increase in property tax which he feels is not a significant amount of money. Actually he does feel it is a significant amount of money and what he meant to say it is not an insignificant amount of money.

5. OLD BUSINESS

A. Members of Council

- B. Tabled Items
- C. Unfinished Business

6. COMMUNICATIONS

B. *Director of Public Works – Recommendation for Award – Hanson Aggregates Pennsylvania*

The Clerk read a memorandum dated March 20, 2017 from Michael Alkhal, Director of Public Works recommending a contract with Hanson Aggregates Pennsylvania for milling and overlaying select City streets to augment and support in-house paving efforts and the design and construction of 41 concrete curb ramps, and incidental work related to the project. The term of the contract is 120 days from the notice to proceed. The fee for the contract is \$662,506.50.

President Reynolds stated Resolution 10 B is on the agenda.

C. *Director of Public Works – Recommendation for Award – Portner & Hetke Architects*

The Clerk read a memorandum dated March 24, 2017 from Michael Alkhal, Director of Public Works recommending a contract with Portner & Hetke Architects for engineering support services for the design of a City-owned dog kennel. The term of the contract is from the notice to proceed until October 31, 2017. The fee for the contract is \$20,000.

President Reynolds stated Resolution 10 C is on the agenda.

D. *Director of Water and Sewer Resources – Recommendation for Award – D’Huy Engineering, Inc.*

The Clerk read a memorandum dated March 24, 2017 from Edward Boscola, Director of Water and Sewer Resources recommending a contract with D’Huy Engineering for structural engineering services to investigate a damaged concrete slab at the Wastewater Treatment Plant maintenance shop and provide an appropriate design solution to repair or reinforce the structure. The term of the contract is from the notice to proceed to September 30, 2017. The fee for the contract is \$3,500.

President Reynolds stated Resolution 10 D is on the agenda.

E. *Director of Water and Sewer Resources – Recommendation for Award – Arcadis U. S. Inc.*

The Clerk read a memorandum dated March 24, 2017 from Edward Boscola, Director of Water and Sewer Resources recommending a contract with Arcadis U. S. for Wastewater Treatment Plant process evaluation services. The term of the contract is from the notice to proceed until December 31, 2017. The fee for the contract is \$49,800.

President Reynolds stated the Resolution 10 E is on the agenda.

*F. Recreation Director – Recommendation for Award – Chilewski Enterprises*

The Clerk read a memorandum dated March 28, 2017 from Jane Persa, Recreation Director recommending a contract with Chilewski Enterprises for installation of four playground structures at Bayard Park, Elmwood Park, Martin Luther King Park, and Sand Island Playground. The estimated completion date is June 2, 2017. The fee for the contract is \$57,677.

President Reynolds stated Resolution 10 F is on the agenda.

*G. Director of Water and Sewer Resources – Recommendation for Award – T & M Associates*

The Clerk read a memorandum dated March 28, 2017 from Edward Boscola, Director of Water and Sewer Resources recommending a contract with T & M Associates for the inspection and evaluation of a water line location relative to an on-lot septic drain field. The term of the contract is from the notice to proceed until September 30, 2017. The fee for the contract is \$2,300.

President Reynolds stated Resolution 10 G is on the agenda.

*H. Director of Public Works – Recommendation for Award – Entech Engineering, Inc.*

The Clerk read a memorandum dated March 28, 2017 from Michael Alkhal, Director of Public Works recommending a contract with Entech Engineering to conduct an evaluation of select facilities owned and maintained by the City. The term of the contract is five months from the issuance of the notice to proceed. The fee for the contract is \$29,200.

President Reynolds stated Resolution 10 H is on the agenda.

*I. Director of Public Works – Recommendation for Award – Construction Masters Services, LLC*

The Clerk read a memorandum dated March 24, 2017 from Michael Alkhal, Director of Public Works recommending a contract with Construction Masters Services for construction of a reinforced, cast-in-place staircase connecting the Greenway to Hobart Street. The term of the contract is 90 days from the notice to proceed. The fee for the contract is \$174,807.

President Reynolds stated Resolution 10 I is on the agenda.

*J. Director of Public Works – Recommendation for Award – Wheeler Lumber, LLC*

The Clerk read a memorandum dated March 24, 2017 from Michael Alkhal, Director of Public Works recommending a contract with Wheeler Lumber, LLC for furnishing and delivering a 68' x 10' pre-fabricated steel pedestrian bridge to be placed over the Monocacy Creek. The term of the contract is 90 days from the notice to proceed. The fee for the contract is \$51,150.

President Reynolds stated Resolution 10 J is on the agenda.

K. *City Solicitor – Use Permit Agreement – ArtsQuest – Lehigh Valley Grand Prix*

The Clerk read a memorandum dated March 27, 2017 from William P. Leeson, Esq., to which is attached a proposed Resolution and Associated Use Permit Agreement. The permittee is ArtsQuest and the event is the Lehigh Valley Grand Prix. The duration of the agreement is June 18, 2017 and a rain date of July 2, 2017. The location is First Street from Polk Street to the eastern terminus, Founders Way from Second Street to First Street.

President Reynolds stated the Resolution can be placed on the April 18 agenda.

L. *Director of Planning and Zoning – DCNR Grant Application – Monocacy Park Trail System*

The Clerk read a memorandum from Darlene Heller, Director of Planning and Zoning to which is attached a Resolution for a grant application request to the PA Department of Conservation and Natural Resources. The request is for the upgrade and expansion of the trail system in and around the Monocacy Park Complex. The Northampton County Open Space funds grant application request for this project was approved by City Council and the DCNR funds is the proposed matching grant.

President Reynolds stated Resolution 10 K is on the agenda.

7. REPORTS

A. *President of Council*

B. *Mayor*

1. *Administrative Order – Mark Wimmer – Bethlehem Human Relations Commission*

Mayor Donchez appointed Mark Wimmer to membership on the Bethlehem Human Relations Commission to replace Judith Deltuva, who resigned, effective through January, 2020. Mr. Martell and Mr. Colón sponsored Resolution 2017-080 to confirm the appointment.

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

*Health Bureau Accreditation/Sewer Improvement Grant*

Mayor Donchez congratulated Kristen Wenrich, Health Director for achieving National Accreditation from the Public Health Accreditation Board. He believes there are less than 200 that are accredited nationwide and he attributes that to Ms. Wenrich and her department. Mayor Donchez remarked that Edward Boscola, Director of Water and Sewer received a grant of \$250,000 from the Commonwealth Finance Authority for a sewer collection system for improvements going from Pierce Street to Fifth Street in South Bethlehem.

President Reynolds extended Council's congratulations to Ms. Wenrich and Ms. Karner's department for what he knows is the hard work that it took to achieve that recognition.

8. ORDINANCES FOR FINAL READING

None.

9. NEW ORDINANCES

A. *Bill No. 14 - 2017 - Amending Article 342 - Local Economic Revitalization Tax Assistance*

The Clerk read Bill No. 14 - 2017 - Amending Article 342 - Local Economic Revitalization Tax Assistance, sponsored by Mr. Martell and Mr. Colón, and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
ARTICLE 342 OF THE CODIFIED ORDINANCES  
ENTITLED LOCAL ECONOMIC REVITALIZATION TAX  
ASSISTANCE - ENTERPRISE DEVELOPMENT AREA.

Mr. Martell communicated it is important to recognize what we have before us is somewhat of a doubling down on the original plan which is to protect and reenergize these neighborhoods. We talk about the importance of neighborhoods in Bethlehem. This is an iconic blue collar area of the City, and it represents in many ways the microcosm of the heart of Bethlehem. The original intention was to protect that and to keep that going was right, just and headed in the right direction. Mr. Martell noted when you look through the specifics of this you see the same merits and then some. He knows that many worked hard on this starting with the Mayor's office and the Community Development Department and then with the Bethlehem 2027 idea with President Reynolds and reaching out to the school directors and different non-profits. Mr. Martell remarked this really tells the tale of the City partially in what we are trying to do here and with all the people that stepped forward saying they wanted to be part of this. Mr. Martell stressed this is one part of a broader plan and there is a lot that will come during the next few months and years to get it to the point where we would like it to be. He definitely thinks this is a huge step in the right direction and he commends everyone who put the hard work into this, and he will be supporting this tonight.

Ms. Negrón highlighted she echoes what Mr. Martell stated and she is very proud to have been part of Southside Vision 2020 and has seen the great work that has been done in the south side of Bethlehem. Just the idea of combining what LERTA can be with the Northside 2027 is superb and she commends all who put this together. She also has some questions but she will reach out to the Administration. She does understand that this not an NPP which is a totally different thing. Ms. Negrón does believe because this was so successful on the south side of Bethlehem that it could be perfect for the north side. She is excited, although she knows we need to take care of the entire City, not just one area, but we are going in the right direction having Moravian being a part of this.

President Reynolds pointed out they reached out to Mr. Alan Jennings at the CACLV and all of the great work that was done with Southside Vision 2014 with Ms. Negrón being the Chair of the Board for a while. One of the things that he had mentioned was that while these areas might not be exactly the same as far as an NPP is concerned, many have a lot of the same opportunities as far as leveraging different funds with financial institutions, banks and our State elected officials. State Representative Steve Samuelson and State Senator Lisa Boscola have volunteered to do whatever they can for these neighborhoods. President Reynolds mentioned around 15 years ago when they applied for the NPP it was to direct that, but he can say that Mr. Jennings has volunteered to be a part of the steering committee as well. He does think there will be some opportunities down the road with these institutions that include the City, Moravian, and the School District with the relationships that were successful with the Southside Vision 2014, where there could be some potential similarities here.

Mr. Callahan thanked the Administration and the Mayor for getting the Community and Economic Development Department on board and President Reynolds for getting City Council's Community Development Committee on board. He thinks when we look back at the notes when we first voted on this last summer one of his statements was that he did not see the hurt in just moving this forward and allowing some time to go by for us to hear from Moravian and from the School District. Mr. Callahan is glad we are where we are, and he wanted to thank President Grigsby and Moravian College for their leadership and recognition of the importance of including this neighborhood in the LERTA zone. Mr. Callahan also wanted to thank the Bethlehem Area School District, Dr. Roy and the School Board for not only being supportive of the expansion, but also for advocating for it to move forward until we got it right.

President Reynolds pointed out when you look at the possibilities with these neighborhoods there are many things we do not know, but there is a lot of potential and he is happy that so many people in the community with these institutions have stepped up and offered their support and assistance. Many of the things that Ms. Lysaght mentioned tonight are not only solved by LERTA. LERTA is only one tool that is part of a larger strategic plan and vision of what we have for what these neighborhoods can be. As we know, the backbone of Bethlehem is neighborhoods, and this is about winning our neighborhoods.

Voting AYE: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, and Mr. Reynolds, 7. Bill No. 14 - 2017 was passed on First Reading.

*B. Bill No. 15 - 2017 - Amending Article 1739 - Regulated Rental Unit Occupancy*

The Clerk read Bill No. 15 - 2017 - Amending Article 1739 - Regulated Rental Unit Occupancy, sponsored by Mr. Colón and Mr. Waldron, and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
ARTICLE 1739 OF THE CODIFIED ORDINANCES OF  
THE CITY OF BETHLEHEM TITLED  
"REGULATED RENTAL UNIT OCCUPANCY"

Mr. Waldron queried how this Ordinance would affect a few newer trends that are happening such as Airbnb or Couchsurfing.

Alicia Karner, Director of Community and Economic Development stated this Ordinance is not amended or changed to address any of those issues.

Mr. Waldron asked if the City regulates either of those things as far as property sharing on a short term basis.

Ms. Karner informed we have nothing that is specific to property sharing.

Mr. Waldron noted it will not affect those things.

Ms. Karner stated it should not.

Voting AYE: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, and Mr. Reynolds, 7. Bill No. 15 - 2017 was passed on First Reading.

*C. Bill No. 1 - 2017 - Amending Article 1161 - Health Nuisances*

The Clerk ready Bill No. 1 - 2017 - Amending Article 1161 - Health Nuisances, sponsored by Ms. Negrón and Mr. Waldron, and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
ARTICLE 1161 OF THE CODIFIED ORDINANCES OF  
THE CITY OF BETHLEHEM TITLED  
"HEALTH NUISANCES"

President Reynolds reminded as a refresher, Council voted on an amendment to the Ordinance on February 7, 2017 when the Ordinance was on the agenda for First Reading. The amendment that was voted on by Council was at the request of Ms. Wenrich to remove Invasive Plants as a definition in Section 1161.07 of the proposed Ordinance from when it was first presented to City Council. The amendment is with the Ordinance for reference. President Reynolds pointed out that Council did not vote on the Ordinance as amended, rather following and taking into consideration remarks during Public Comment and from the Members of Council, the Ordinance was referred to the Community Development Committee for further review. The Committee met on March 20, 2017 and recommended sending the Ordinance, as amended back to full Council for consideration and that is what is before us tonight. President Reynolds reminded this is the First Reading despite the conversation of this particular Ordinance. So in order for it to become law it would have to pass on April 18, 2017, which is our next Council Meeting. Council is able to make any amendments by that time as well.

Mr. Callahan knows there were a few Members of Council that were not at the Community Development Committee Meeting so he asked Ms. Wenrich to explain again how invasive bamboo is, the growth of it, and why this is being presented to us at this time.

Ms. Wenrich emphasized this started because over the course of the last few years we received complaints about bamboo. When this was originally presented this was not something we just decided to immediately take action with; we spent the time to do research to evaluate complaints. Ms. Wenrich stressed bamboo is very invasive, as has been stated, and is one of the fastest growing plants in the world with reported growth rates of up to 36 inches in 24 hours, so it can spread very quickly. That is the concern and we want to be proactive. If we do not do something now, bamboo in the existing areas will continue to grow and property owners will continue to be able to plant bamboo. Ms. Wenrich stated this could turn into a larger problem than it is today.

Mr. Callahan knows there a lot of different species of bamboo, but there are mainly two.

Ms. Wenrich stated they are the running and the clumping bamboo and we are concerned with the running bamboo.

Mr. Callahan queried how many properties in the City have the running bamboo versus the clumping bamboo.

Ms. Wenrich remarked they really have not evaluated the clumping bamboo, but as far as the running bamboo they have documented approximately six properties where there have been issues but she is sure there are many more than that.

Mr. Callahan noted of the six properties that we know now with the running bamboo there are obviously issues with their neighbors.

Ms. Wenrich stated that is correct, and in some areas it is not just impacting one neighbor, it is impacting multiple neighbors and that is a concern if you are not proactive and take action that it will continue to expand into other neighboring properties.

Mr. Callahan mentioned he has been going back and forth with this and that we did hear from two different speakers who have different opinions and he sensitive to both. He does not have a lawn now, but at one point he did have an acre of land that he was meticulous in the care of and he did not like it when he got weeds from a neighbor. So he does understand the concerned neighbors. Mr. Callahan mentioned one of his problems is the remediation of it and how we get rid of the bamboo. We are going to require those that have existing running bamboo to have some type of polyurethane barrier.

Ms. Wenrich informed that is correct and that is what we got from the American Bamboo Society as a best practice. She knows there have been other methods that have been discussed. We also did contact several landscapers and they agreed with what we put in the Ordinance.

Mr. Callahan noted from what he understands they will have to dig down up to 30 inches deep.

Ms. Wenrich mentioned that is correct.

Mr. Callahan observed that will probably require a backhoe.

Ms. Wenrich related that it could. She added that they are trying to take the subjectivity out of it and that is why we are using that method. We did review many Ordinances and many other municipalities have put that specifically in their Ordinances.

Mr. Callahan remarked that he cannot imagine a property owner digging down almost three feet deep for a long length of an area where they have bamboo. We did see pictures at the Committee Meeting and there was one area that was about 15 to 20 feet long with bamboo. He does not think there is a question that someone would have to hire a backhoe or someone to come in with a backhoe which would be expensive.

Ms. Wenrich pointed out they tried to get estimates from landscapers, but until they could go out and evaluate, they really could not provide any estimate for us.

Mr. Callahan remarked once the trench is built he queried how wide the barrier would have to be.

Ms. Wenrich stated it would be just whatever is specified in the Ordinance so there has to be the 3 inch barrier and it must protrude above the ground and then it is installed at least 30 inches deep.

Mr. Callahan remarked that everything would have to be backfilled once the barrier is put in.

Ms. Wenrich stated that is correct.

Mr. Callahan asked if we have any idea how much that would cost a property owner to do.

Ms. Wenrich reiterated they did call a few landscapers and they felt like they could not even give an estimate because it varies as far as how much bamboo is on the property and how long it has been there. We certainly will be willing to work with property owners, we do not anticipate going in and saying they need to remediate this in only a week. This will also be totally complaint driven so if there is an area where the neighbors are not complaining about the bamboo we will not go out actively looking for bamboo. But, if there are areas where bamboo is causing issues, then this would allow us to do something. Ms. Wenrich stated that is why we brought this forth because we were getting complaints and had nothing we could do about it.

Mr. Callahan mentioned it is safe to say that because we were receiving complaints that there obviously are conflicts between neighbors that are not being worked out. He asked if the properties that currently have it now are being grandfathered in.

Ms. Wenrich stated no, that was not the plan. What the Ordinance states is that if it already exists on your property, you would need to remove it.

Mr. Callahan mentioned other than the barrier; he wondered if there are any chemicals that could be used to get rid of it.

Ms. Wenrich stated again they went with the best practice.

Mr. Evans noted that bamboo is certainly a curious plant and caused us to do a lot of research. He knows that different people he has talked to have different thoughts on what they have seen and how to handle this. Certainly if you have a neighbor that does not control it the bamboo will keep coming back. Mr. Evans mentioned at the rate this grows that is very difficult to control. The other side of the argument is that if you do have someone that takes care of it and is capable and educated, it is possible to contain the plant. Mr. Evans mentioned there are good arguments on both sides and since this was brought to our attention he has brought his up to many people. For him it comes down to a quality of life issue. Mr. Evans took in all the input; about half of the people agreed with him on this and the other half did not. There are a lot of private property rights, but there is a concern when those rights affect others and you infringe on the rights of others because of how invasive this plant is. We have read about the different types of bamboo. Mr. Evans noted that people should not have to go to courts and a lawyer should not have to be hired. The City should be able to step in and say this is not in the best interest of the City or the best interest of the neighbors. It may not affect everyone; it may be a small group. We heard earlier from a woman that was being impacted by noise, that is also a quality of life issue, she is only one but we need to step up and protect our citizens, whether one or a bigger group. Mr. Evans noted this is not a ban on bamboo; it is just a controlling of it.

Ms. Wenrich interjected if it already exists, but moving forward you will not be able to plant bamboo.

Mr. Evans stated if it is in the ground you need to control to keep it. Another example is with zoning and private property rights. We want to respect the rights as much as possible but when you infringe on others or the quality of the neighborhood it gives us an opportunity to provide codes that keep the value of our neighborhoods. That is also something we are trying to do with LERTA. Another example would be fire pits. They are very popular, especially in the township, and people will ask him why we cannot have those in the City, but that is something that is in our laws, because in some neighborhoods you might do it and no one would notice, but others might be noticeable. Mr. Evans hopes that the controls from the property lines and the barriers for the existing owners can be achieved as was stated. We will not be sending out the bamboo police looking for issues, but if it is a problem where neighbors are looking for help from the City, and then we can step in and work with the citizens. We do hear about blighted properties or properties in trouble and when we approach them we will work with them to get them back to speed. Mr. Evans stated he knows this is a double edged sword, but it is in the best interest of the City, so he will be supporting this.

Ms. Negrón stressed she is struggling with this one. She had an opportunity to speak with many individuals in the community about it since she too missed the Committee meeting. In her conversations she heard a lot and the more information she received, and the more she has learned, you just treat it like any other kind of weed. Ms. Negrón noted if you cannot afford or have the time to keep up your yard you should not have a yard. We have the responsibility as homeowners to take care of our homes, just like with trash and with weeds and she does not think it should be our role to control everything. Something else she realized is if the organization has learned and has had best practices in how to eliminate, that is a great opportunity as she sees it to educate individuals in the community that have this so they know there is a problem with this plant and this is what the best practice shows in order to take care of this. If individuals are not following this then you can take it to the Magistrate, much like we do with other issues between neighbors. She expressed that she is still struggling with this and she is not ready to support this Ordinance yet. Ms. Negrón feels this should not be the role of the City; we should educate and provide information.

Mr. Colón noted learning about bamboo was not something he thought he would do on City Council, but it has been an informative few weeks. He will be supporting this tonight. He is comfortable in the assurance from the Health Bureau that this will be a complaint driven enforcement. He knows how high weeds are enforced in the City, and that the Health Bureau is too busy to go around looking for bamboo. Mr. Colón added that high weeds are something that we currently do enforce when there are issues and people call in to report problems. He feels confident that the staff will use their discretion, so he will support this tonight.

Mr. Waldron mentioned in a time when he believes our national dialogue is becoming more divisive and litigious, he thinks it is important that we empower folks and unite them, not with laws forcing them to do something, but having conversations about difficult things, and bamboo is one of those things. It is a little difficult and challenging. Mr. Waldron thinks this Ordinance demands a little too much from the homeowners that this might affect. While he can appreciate that it does affect some people in a negative way, we need to encourage folks to come together and try to find a solution as opposed to creating another Ordinance that may or may not be enforced. He will not be supporting this tonight.

Ms. Wenrich stressed that we do talk about the issue with property owners, but we also have stated about the potential for damaging infrastructure, and that needs to be part of the conversation. If it comes to City owned streets that are damaged because of bamboo, we need to be thinking of that as well so it is not just a neighbor to neighbor thing. It does have the potential to damage the City's infrastructure.

Mr. Waldron queried if there have been any examples of this.

Ms. Wenrich replied yes, not in Bethlehem but in Long Island and other communities.

President Reynolds stated he will be voting yes.

Voting AYE on Bill No. 1 - 2017 as amended: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, and Mr. Reynolds, 5. Voting NAY: Ms. Negrón and Mr. Waldron, 2. Bill No. 1 - 2017 was passed 5-2 on First Reading.

President Reynolds reiterated there will be a second vote on this on April 18, 2017 in case any member of Council would like to offer any amendments to the Ordinance.

10. RESOLUTIONS

A. *Approving Amendment to Resolution 2017 – 25 – Land Transfer Adjacent to 120 East Third Street*

Mr. Martell and Mr. Colón sponsored Resolution No. 2017-081 that authorized approving an amendment to Resolution 2017-25, land transfer of 210 square feet adjacent to 120 East Third Street.

Ms. Negrón commented she will be voting in favor of this because it is something that needs to happen, but she stated this is one project that breaks her heart every time she thinks about it. She is afraid that at some point we will regret everything we decided on with this project.

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

B. *Approving Contract – Hanson Aggregates Pennsylvania*

Mr. Martell and Mr. Colón sponsored Resolution No. 2017-082 that authorized to execute a contract with Hanson Aggregates Pennsylvania for the 2017 Street Overlays and Curb Ramps.

Mr. Evans queried if these are at the corners.

Michael Alkhal, Director of Public Works stated that primarily these are just the ADA ramps. There are a few streets on there to be paved as well.

Mr. Evans mentioned the price being \$662,000 and asked if it is around \$16,000 a corner for the ADA ramps.

Mr. Alkhal informed it is roughly \$20,000 an intersection, which is four corners with \$5,000 a corner.

Mr. Evans asked if this is for the planned list of overlays we have in the spring, summer and fall of 2017.

Mr. Alkhal replied yes.

Mr. Callahan believes we got an unbelievable deal with this because the bids on that came in a lot lower than what we assumed. He wondered if that is because we put it out early in the season.

Mr. Alkhal stated this is only part of the work that we will do for paving. We will probably end up doing close to \$2 million dollars of work.

Mr. Callahan asked what our budget was.

Mr. Alkhal recalled we started the budget anticipating around \$1 million and we were able to increase it. This came in around \$200,000 to \$300,000 less than we expected. That is primarily because we put it out very early and early on contractors tend to be very competitive because they want to load up for the coming season.

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

C. *Approving Contract – Portner & Hetke Architects*

Mr. Martell and Mr. Colón sponsored Resolution 2017-083 that authorized to execute a contract with Portner & Hetke Architects for the Bethlehem Dog Kennel.

Mr. Colón mentioned that the funding is coming from a private donation and asked if we can identify the donor.

Ms. Wenrich stated he does not want to be identified.

Mr. Colón is thankful to anyone who wants to donate \$20,000 dollars and any other support that is given.

Ms. Wenrich informed the individual wishes to remain anonymous to avoid other people coming to him and asking for donations.

Mr. Evans queried about the location.

Mr. Alkhal stated it will be located north of the Compost Center, north of the two buildings in the open space on the northern boundary of the Compost Center.

Mr. Evans asked if the employees from Mr. Alkhal's department will maintain this.

Mr. Alkhal replied no, we are doing the design and will oversee the construction.

Mr. Evans asked if the Police will maintain this because this has become a real problem in the past few years. The Police would pick up the stray dogs and drop them off at different places and when that dried up it became an issue and they were put in the garage at City Hall.

Police Chief Mark DiLuzio stated animal control will become part of the Police function with the Health Bureau.

Mr. Evans queried if this is only for dogs.

Ms. Wenrich stated yes.

Mr. Evans asked if this fits in with the budget.

David Brong, Business Administrator informed it is in the Capital Budget.

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

*D. Approving Contract – D’Huy Engineering, Inc.*

Mr. Martell and Mr. Colón sponsored Resolution 2017-084 that authorized to execute a contract with D’Huy Engineering for the damaged concrete slab investigation and repair at the Wastewater Treatment Plant.

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

*E. Approving Contract – Arcadis U. S., Inc.*

Mr. Martell and Mr. Colón sponsored Resolution No. 2017-085 that authorized to execute a contract with Arcadis U. S. for the Wastewater Treatment Plant process evaluation services.

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

*F. Approving Contract – Chilewski Enterprises*

Mr. Martell and Mr. Colón sponsored Resolution No. 2017-086 that authorized to execute a contract with Chilewski Enterprises for the installation of playground equipment.

Mr. Waldron knows there is a Parks Committee Meeting scheduled to discuss the Parks Plan and he assumes that this work fits into that bigger plan.

Jane Persa, Recreational Director stated yes.

Mr. Waldron highlighted that he believes that it will be discussed a bit at the Parks meeting. He just feels like we are doing this a little out of order.

Ms. Persa pointed out that we have had this equipment for almost two years and some of the equipment in the playgrounds now is not in good shape. She remarked with summer coming up we would like to get this done. Since we do have the equipment we would like to get it installed.

Mr. Waldron queried if there is a reason why it has not been installed yet.

Ms. Persa informed probably one of the biggest reasons is that we should have put it out for RFP a while ago, but with Parks Director Ralph Carp leaving and then losing a Business Manager we never got the RFP out. We did put the RFP out once and it came back really high so we redid it.

President Reynolds remarked that we have had the equipment for two years.

Ms. Persa explained there is one or two of the pieces of equipment we have had close to two years. She noted that three of the structures we probably received late summer and it was too late to install.

President Reynolds queried what the RFP asked for.

Ms. Persa responded that because the people who were in our department were not there anymore we really had to go to Purchasing to figure out how to do an RFP. It was not something we normally did so it took a while to figure that out, and that was just for installation. Ms. Persa remarked we thought we could do a package because we purchased the equipment with CDBG funds and then discovered we could not do a package so then we had to split it.

President Reynolds informed he thought we bought the equipment and then did the RFP for the things we already bought.

Ms. Persa stated no.

President Reynolds mentioned there will be a Parks and Recreation Committee Meeting next Tuesday which we will announce in a few minutes.

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

*G. Approving Contract – T & M Associates*

Mr. Martell and Mr. Colón sponsored Resolution No. 2017-087 that authorized to execute a contract with T & M Associates for the inspection and evaluation of a water line location relative to an on-site septic drain field.

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

*H. Approving Contract – Entech Engineering, Inc.*

Mr. Martell and Mr. Colón sponsored Resolution No. 2017-088 that authorized to execute a contract with Entech Engineering, Inc. for facilities assessment and planning.

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

*I. Approving Contract – Construction Masters Services, LLC.*

Mr. Martell and Mr. Colón sponsored Resolution No. 2017-089 that authorized to execute a contract with Construction Masters Services, LLC for the south Bethlehem Greenway and Hobart Street Connection.

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

*J. Approving Contract – Wheeler Lumber, LLC.*

Mr. Martell and Mr. Colón sponsored Resolution No. 2017-090 that authorizes to execute a contract with Wheeler Lumber, LLC for the Monocacy Creek pedestrian bridge truss fabrication and delivery.

Mr. Colón mentioned this is for the fabrication and delivery of the bridge, but does that include installation.

Mr. Alkhal replied no, we broke up the project to make sure that we meet the timeline and get it in before Musikfest. We put out one for tearing down and removing the existing structure so that can proceed at the same time we submitted permits because we sometime have a long review time. This is for the fabrication. We will have one more contract for the installation of the structure.

Mr. Colón queried about the target date and is it by Musikfest to have the bridge operational wise?

Mr. Alkhal stated he wants to make sure it is in before Musikfest. The project team that scheduled this to lay it out is to get it done by the end of June, so that gives us a cushion of a month in case anything goes wrong.

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

*K. Approving Grant Application – DCNR Grant*

Mr. Martell and Mr. Colón sponsored Resolution No. 2017-091 that approves the application for a DCNR Grant to undertake the expansion and upgrade of the Monocacy Park Trail System.

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

*Motion – Considering Resolutions 10L through 10P as a group – Certificates of Appropriateness*

Ms. Negrón and Mr. Callahan moved to consider Resolutions 10 L through 10 P as a group.

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

L. *Certificate of Appropriateness – 202 West Fourth Street*

Mr. Martell and Mr. Colón sponsored Resolution 2017-092 that granted a Certificate of Appropriateness to recover the front canopy and add signage at 202 West Fourth Street.

M. *Certificate of Appropriateness – 407 East Fourth Street*

Mr. Martell and Mr. Colón sponsored Resolution 2017-093 that granted a Certificate of Appropriateness to install signage at 407 East Fourth Street.

N. *Certificate of Appropriateness – 129 West Fourth Street*

Mr. Martell and Mr. Colón sponsored Resolution 2017-094 that granted a Certificate of Appropriateness to install decorative panels at façade base at 129 West Fourth Street.

O. *Certificate of Appropriateness – 516 East Fourth Street*

Mr. Martell and Mr. Colón sponsored Resolution 2017-095 that granted a Certificate of Appropriateness to install aluminum signs to the building, attach dimensional address numbers, install vinyl graphics to the windows and install a flag pole banner at 516 East Fourth Street.

P. *Certificate of Appropriateness – 1006 Prospect Avenue*

Mr. Martell and Mr. Colón sponsored Resolution 2017-096 that granted a Certificate of Appropriateness to install a historic plaque at 1006 Prospect Avenue.

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

## 11. NEW BUSINESS

*Committee Meeting Announcements*

Chairman Colón announced a Human Resources and Environment Committee Meeting will occur on Monday, April 24, 2017 at 6:00 PM in Town Hall. The subject will be Carbon Fee and Dividend Proposal Presentation by the Local Chapter of the Citizens' Climate Lobby and Human Resources – Personnel Change.

Chairman Evans announced a Parks and Recreation Committee Meeting will occur on Tuesday, April 11, 2017 at 7:00 PM in Town Hall. The subject will be the review of the Comprehensive Parks and Pools Study. The Urban Research Development Corporation will present a power point to review the study they completed.

12. ADJOURNMENT

The meeting was adjourned at 9:17 p.m.

ATTEST:

City Clerk