

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street – Town Hall
Bethlehem, Pennsylvania
Wednesday, May 17, 2017 – 7:00 PM

INVOCATION

Father Alexandros Petrides, Presbyter, St. Nicholas Greek Orthodox 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 R. Waldron and J. William Reynolds, 7.

CITATION

Welcome to Boy Scout Troop 209

President Reynolds welcomed Boy Scout Troop 209 and thanked them for being part of the civic process.

Honoring Gerald Kametz

President Reynolds presented a Citation to Gerald Kametz on the occasion of his retirement from the Bethlehem Police Department after 27 years of Service. The Members of Council applauded Mr. Kametz and wished him well in his retirement.

Mr. Kametz thanked Council for the well wishes.

Historic Conservation Commission Awards

President Reynolds announced before tonight's meeting the Historic Conservation Commission (HCC), observing May as Historic Preservation month, would like to present awards to three property owners for their historic preservation efforts. President Reynolds then called on Philip Roeder, Chairman of the Historic Conservation Commission to begin the presentation.

Mr. Roeder thanked City Council and the Mayor's Office for hosting the Preservation Awards in observation of the month of May as preservation month. He remarked we will be presenting three awards tonight, two of the awards are for adaptive reuse of a building and one is for building maintenance. Although there is no set criteria for choosing the recipients we as a group found it easy to make a selection based on scale, the ability to work with the Board under changing circumstances and of course completion of the rehabilitation. Mr. Roeder noted with

each award it is easy to see the visual benefits of the rehabilitation but it is also important to understand the benefits of continuing improvements to the adjoining neighborhoods. When you visit any of the buildings you can feel the positive impact. The HCC's third Monday evening of the month meeting brings its challenges to the table but each Board Member brings particular levels of experience and expertise to enable solutions for all applicants. During any given Board Meeting the amount of time given to a particular applicants request is worth the effort when you see the results. Mr. Roeder invited Gary Lader to the podium to present the first award to Touchstone Theatre-321 East Fourth Street.

Mr. Lader noted that this award recognizes the efforts made by Graham Stanford and Touchstone Theatre in restoring the rear trabeated porch structure of the building. This structure was in a severely deteriorated condition at the time the work was undertaken. The posts, columns and trim work installed are sensitive to the architectural style of the building. Of particular note are the decorative brackets they installed. The brackets also serve a structural function in bracing the posts and beams of the porch. Mr. Lader noted that Mr. Stanford could have done a simpler design but instead chose to do a design that ties into the ornamentation of the front of the building which shows that even the small details can make a big difference. In making the building more beautiful they will inspire other property owners and businesses in the district to do the same. Mr. Lader informed they commend Graham Stanford and Touchstone Theatre for its positive impact on the South Bethlehem community.

Ken Loush, Board Member of the HCC presented the second award for Bonn Place Brewery-310 Taylor Street for adaptive reuse of the property, which is owned by Steven Elek. Mr. Loush informed this award is a celebration of a job well done and a project well executed but it is also a celebration of the people who came before us who had the vision and insight to create these historic districts within our community. Mr. Loush noted it is a celebration of the Bethlehem Historic Conservation Commission and the HARB group as well on the north side and the process that we go through when we get applications for Certificate of Historic Appropriateness. It is a celebration of the reuse of an existing building and it is a celebration of a new business which landed at this building and all the benefits that came with it, the jobs and taxes and so forth. Mr. Loush expressed he is talking about 310 Taylor Street, the owner is Steven Elek. The applicant is Samuel Masotto of Bonn Place Brewing Company, who employed the architect Phillips and Donovan. In July of 2015 the Historic Conservation Commission reviewed an application for a Certificate of Appropriateness submitted by Sam Masotto of Bonn Place Brewing Company. This meeting was the Commission's introduction to an awesome proposal to reuse a nondescript garage, converting it into a cozy brew pub. We gained insight into the story behind the project learning that Sam and his wife Gina were touring actors that starred in Tony and Tina's Wedding which made a stop at the Musikfest Café. He pointed out that while touring many cities, Sam and Gina decided that south Bethlehem was where they wanted to start their business. In August of 2015 a follow up visit to the Commission provided additional information on the proposed work. Mr. Loush continued to say that Sam's passion for micro brewing overflowed into their building renovation like the head of a smooth ale on an iced pint mug. The work included addition of Sunbrella awnings, new aluminum framed clear glass windows, new doors, repair of existing sidewalks and the addition of an ADA compliant ramp, keystone shaped sign with company logo and new lighting and exterior wall sconces. In July of 2016 a Certificate of Occupancy was issued and this was one more milestone in the execution of Mr. Masotto's vision. The Bethlehem Historic Conservation Commission is very

pleased to have worked with the owner and the tenant on this project and honored to present them with the renovation and adaptive reuse award.

Mr. Roeder mentioned that this next award is for 128 West Fourth Street and recognizes an individual who has gone the extra mile to repurpose an almost discarded building on West Fourth Street. This site was formerly a vacant building but after numerous visits to the HCC with ideas of well-prepared plans and a great willingness to follow all of our recommendations this building at 128 West Fourth Street was painstakingly transformed into the landmark building it is today. Currently the building houses the offices of the owner's real estate company, a hair salon on the first floor and two well-appointed apartments on the second floor. Mr. Roeder mentioned the bulk of the work was performed in 2011 including the addition of a second floor and a completely new façade treatment a ramp was also added at the time to facilitate compliance with the American Disabilities Act. It features all new storefront doors, superior quality windows and a cementitious stucco system. Additional architectural features were appropriately placed on the building; these features include gooseneck lighting, step parapet, cornice moldings and a shed style awning. Mr. Roeder noted that more recently two business signs were placed in the pre-planned sign blank area above the front doors which serve the district well as a representation of how owners and the agency work well together and for others to follow. Mr. Roeder expressed that they commend Bruce Campbell, owner of the building for investing his time as well as improving the general well-being of the neighborhood. This building stands as a remarkable effort towards restoration, preservation in our community and its positive impact on the local community.

President Reynolds thanked Mr. Roeder, Mr. Loush and Mr. Lader for everything that the HCC does. He expressed his thanks to Touchstone Theatre, Mr. Campbell and Bonn Place Brewery for all the hard work that was put into these properties to improve them, increase their value, and to beautify them. They should take pride in what they are doing, he added. President Reynolds stated it is this type of investment that really drives our City. He knows that with the HCC sometimes we do not get to hear as many of the success stories, sometimes it is negative things we hear and not positive things but he thanked the HCC for their hard work as well as Alicia Karner, Director of Community and Economic Development, her department and everyone in the Administration.

PUBLIC HEARING

Prior to 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 industrial property bounded by Union Station to the West, the Lehigh River to the North, Riverport to the East and Second Street to the South and the industrial property bounded by Columbia Street to the South and Polk Street to the East.

Communication 6 A – City Planning Commission – Southside LERTA Renewal

The Clerk read a memorandum dated May 12, 2017 from Tracy Samuelson, Planning and Zoning Bureau stating at the May 11, 2017 meeting the Planning Commission unanimously recommended approval of the amended Article 342 Ordinance pertaining to the LERTA District

of the Southside of the City, the modification of its boundaries, and the extension of the program to December 31, 2022.

Ms. Karner began by stating she will provide an overview, show the map and the amendments, and go through the assessment schedule and what they consider when evaluating the south side LERTA District. She will provide a regional tax comparison, talk about the impacts to the City and what some of the recent projects are. Ms. Karner spoke to the time lapse slide in her presentation and noted in 2005 the part of the LERTA that is included to the east of the former Bethlehem Steel property had very little in it in. It had U. S. Cold Storage and in 2008 LVIP constructed their office buildings, Brandenburg Industrial, Lehigh Valley Rail Management came into this as did Eastern Engineered Wood Products also that is located off of the Easton Road area. By 2010 Cigars International and Synchronoss located here and in 2012 the first Walmart Building and the Liberty Property Trust Building came on line. In 2014 Primark and Crayola came into the Majestic Center and then in 2017 we included Zulilly, which was the former Liberty spec building at the time of construction, CSTK, the second Walmart, which is an ecommerce facility, Curtiss-Wright and REEB Millwork. Ms. Karner stated there are projects currently under development that include Ecopax which is close to being finished, Vastex which is going to have its groundbreaking on Saturday and a dialysis center that is in the center of the southern portion of LVIP. The time lapse slide shows over time the development that occurred as a result of an incentive like LERTA.

Ms. Karner continued in 1977 the Commonwealth of Pennsylvania authorized the use of LERTA and in 1984 Bethlehem implemented the LERTA program. In 1986 we expanded to the north side, and in 1991 it was brought into the south side. From what she can tell her predecessors always evaluated the need of LERTA and where it was most useful within the City. So you saw a reassessment and a reduction in the year 2000 and in 2012 the expansion of the south side was not just the LVIP but it was expanded back into the downtown all the way over to the five points. The present expansion is what we will go through today. Ms. Karner emphasized when you look at the Resolution you will see parts to the Resolution, Parts I through VI. She then showed a slide to explain and understand what all those words, descriptions and boundaries mean. Ms. Karner informed there are two additions to this LERTA. The addition that is on the western portion is the Weldship Corporation. She noted that this is a curious parcel for the City. We had long included the tank farm, as we casually call it, which is across the street from the Weldship headquarters and in the bulk of their operations. Ms. Karner noted the business itself was not included. We thought it best that while there are no plans to expand or to move that business if there is an opportunity for the company to expand in that location we wanted to provide incentive to do so. They employ 70 people, and they are a long standing company within the City at this location. However, if they do arrive at a conclusion that they are landlocked and need additional opportunity for growth we wanted to include it so that it provides an opportunity for a reuse project. Ms. Karner continued to say that the other parcel is 315 Columbia Street and that is to the western end of the south side and is a long use industrial parcel that had been part of Bethlehem Steel many years ago. The owner had consolidated operations back to their Bakertown facility and had put the property on the market and while under agreement we are not including it because we know of specific plans for an expansion, but we wanted to provide an opportunity if there was growth at that location to expand sooner rather than waiting. Ms. Karner stated the schedule is remaining the same. We have a ten-year growth; 10 percent incremental increase. So you always pay the base tax, in

year one you would pay the base tax and zero percent of the increase in assessment. In year two you would pay the base tax and 10 percent of the new assessment and it continues on from there. The LERTA for the north side has a flat assessment. We decided that was a different set of circumstances and we are comfortable continuing the standard assessment, as we would call it, on the south side for these parcels.

Ms. Karner stressed they believe this is a proven tool for the south side, it has incentivized significant developments and it is fiscally responsible. By that we mean we are not giving things up we do not currently get. She continued one of the reasons we need to use it is that when we look at who we are competing with it is a significant green field competition and green fields have lower development costs. Most of these areas are brown fields, whether it is environmental contaminants, irregular shaped parcels, whatever it is this makes it much more challenging for developers to develop on this property. We want to make sure that these properties get back on the tax rolls. She advised we certainly would rather see our former industrial parcels reused rather than trying to develop green field parcels in other places in the County or region. Ms. Karner highlighted that renewing it every five years provides us with the opportunity to consider if it is working, where it is working and where can we remove it from and where should we add it. Ms. Karner noted that we also understand that when we are building these buildings they have a lifespan of 50 years or more. If you want to compare LVIP I and the age of the buildings in that industrial park it certainly is well beyond the 10 years in what we would say is essentially the 5 years of tax abatement through that incremental increase over the 10 years. So really we are looking at 45 years of tax ratables for the City, County and School District as a result of this 10 year LERTA. When looking at regional tax comparisons we pulled a couple of numbers from the Lehigh Valley and beyond. The Majestic Center development is at 80 mills approximately and LVIP is predominately in the 82.9 mills range. We need to keep in mind that the School District is partially covered by the Bethlehem Area School District and partially covered by the Saucon Valley School District so that is why you see the difference in those rates. If you look at Lower Macungie it is 21.84 mills and that is what we are competing with. So if a company is looking to locate or grow here and they look around at what taxes they will pay without the LERTA we are 80 plus mills and Macungie is in the 20 mills range. During the committee meeting we were questioned as to whether or not that is accurate because it seems unreasonable. We need to keep in mind that Lehigh County went through a reassessment, those numbers do encompass the local, the County and the School District taxes so it is significant difference. Ms. Karner continued that looking elsewhere in Pennsylvania we see the area is at 21.83 mills, York County is 32 mills, and Harrisburg is 71 mills. She noted that Harrisburg, the City itself has exempted all property tax. They have LERTA in their entire City. We are watching curiously to see what the impact is, but we see that other communities are providing the same incentives. The impact of the LERTA in Bethlehem is that we have had 29 new applications over the past 10 years, which is a great number for us. If we look at 10 years prior we did not have that much opportunity for development and it is easy to see why. There is significant land at this location but in those 29 applications we have a number of 4,000 full time employees. She continued to say that \$193 million was privately invested to date and the assessments are over \$114 million. We have other taxes that have been collected by the City and the School District as a result. In the last four years the Earned Income Tax number is over \$400,000. With the Business Privilege tax we need to keep in mind that those are due to be submitted by the end of this month so not all the tax numbers are in but that is over almost \$1.5 million dollars. Ms. Karner noted that LST was

\$300,000 dollars, so that equates more than \$2 million dollars. That is \$2 million dollars that we arguably would not have if we had not incentivized development. Some development could have occurred there but we will not know that the pace of development was as strong and was as swift as it is with the LERTA as it would have been without the LERTA. Ms. Karner pointed out that real estate taxes are equally as impressive. The City of Bethlehem, based on the \$114 million dollar assessment, is close to \$2 million, Northampton County at \$1.3 million, Bethlehem School District at more than \$4.5 million, Saucon Valley School District at \$4.5 million and that total tax generation number is \$9.4 million. She pointed out that we need to keep in mind that is what it is at with the assessment; not what we have collected, but at the end of the ten years, that is the number for the development that has occurred thus far.

Ms. Karner explained that Curtiss-Wright is a defense contractor with an 180,000 square foot facility. They are a committed company and they participated recently in our manufacturing forum that the LVEDC and the Chamber hosted within the City, and could not say enough about Bethlehem regarding the employment opportunities, the developer, and the location. They are very pleased with their decision to locate here. It is a \$13 million dollar investment with almost 100 full time employees. We have REEB Millwork and we like this project because it is another manufacturer and it a 175,000 square foot facility that was completed. Phase II is almost done and there is a Phase III. So there will be more than 700,000 square feet of manufacturing in one location and this is a win for us. They moved from Fountain Hill because they needed to grow and they saw this location as their logical next move. Ms. Karner noted this was more than an \$8 million dollars investment and they have 429 full time employees which is impressive. They are one of the largest distributors of custom mill work products on the east coast, they are family owned and have been a great partner for the City. Ms. Karner mentioned the last project she will highlight is Primark and they are an international company and are Irish owned. This is their first distribution center in the United States. They have retail operations up and down the east coast. It was a \$1.7 million dollar investment and this was a building that had sat vacant. They built it on spec and were able to attract Primark with 45 employees.

Ms. Karner expressed her presentation would not be complete without highlighting the infrastructure investment. LVIP put more than \$20 million dollars into streets and public improvements and we would not see the development in this location without that investment. They prepped the land, provided the opportunity for developers like J. D. Petrucci to come in and really move forward quickly with development of these parcels. This has not just been about private investment. It has also been about LVIP's non-profit investment, partnerships with the Commonwealth and the County. Ms. Karner stated we have seen significant infrastructure dollars at this location. She noted they have provided some testimonials such as that from Cigars International. Curtiss-Wright and Ecopax have also expressed their pleasure and we provided a number of letters from end users to tell the story of how important LERTA is to them.

Ms. Karner noted in conclusion we again believe it is a fiscally responsible tool for redevelopment of underutilized properties and it expands our tax base. As she has pointed out, neighboring communities continue to be aggressive with their incentives and so we believe it is important for us to continue to provide this LERTA benefit to this region to attract the high quality companies, the high quality industrial warehousing and manufacturing companies that

we have attracted so far.

Mr. Martell stated he wanted to make note that Ms. Karner did go over this quite extensively in Committee and we had a rather good discussion about some of the things that Ms. Karner highlighted. He remarked this is a very thoughtful plan and appreciates that Ms. Karner brought it forward now to get the ball rolling since this LERTA District is set to expire at the end of the year. A 5-year renewal provides stability for the area. It was mentioned that people are investing a lot of money and taking a big risk and they need to know that there will be stability with continuation of this program. Mr. Martell noted it is appropriate to look at LERTA as really a win/win situation. The argument cannot be made that we are giving up taxes when we can look at Broad Street and the north side where there was not that kind of investment. So that baseline that was referenced, that 100% will stay the same and over time you will generate 50% more because you would generate some of that investment and then over time when that fades out you will be getting 100% of the increase. When we look at the raw numbers, 4,000 plus jobs, \$1.9 million in real estate taxes, \$2.1 million split in various other taxes, the diversification of the economy in that area, it is all good news. Mr. Martell mentioned one thing we have learned from Bethlehem Steel is that when you put all your eggs in one basket that can be a bit dangerous. One of the things that we also talked about is much of the development and benefits highlighted here are weighted towards the recent past few years. When we take a snapshot of what is going on in Bethlehem and what is going on in the Valley that can continue if we all continue to be thoughtful and it is important to make sure we are not just taking things for granted but invest in things like this. Mr. Martell will be supporting the LERTA renewal. He pointed out is a big effort and there is a lot of public/private partnership with this and that is creative and part of the reason why this is a success. He knows there are some representatives here tonight from business sector, LVIP, the City, County and Commonwealth, which is another testament to the program's merits.

Mr. Evans remarked that LERTA has been successful on the north and south sides of the city. He then queried if it was recent that Harrisburg covered the whole city with LERTA.

Ms. Karner replied it has been in the last two years. We looked at that when we were starting the evaluation process for the north side LERTA and it was too new to see what the impact was, but that occurred under the current Mayor of Harrisburg.

Mr. Evans asked if that was the only place in Pennsylvania that she has seen that does this.

Ms. Karner informed for an entire City to her knowledge, although she does not know for some of the smaller communities. We know that locally there are LERTAs in other communities and a long history of LERTA in other communities. At one time there probably were half a dozen or more in Northampton County that had LERTA programs but she would argue none as successful as Bethlehem's LERTA.

Mr. Evans mentioned we had a discussion when we talked about the north side and identified the neighborhood and each of us had other neighborhoods in mind. At what point would Ms. Karner consider blanketing the City with LERTA.

Ms. Karner would not recommend that. She advised that we need to look at each area of the City for what their needs are at the time. The programs are more competitive from the Commonwealth than they have ever been so she would always try to tailor the needs of whether it is a neighborhood or a sector for what will help with development. So it may make sense in some areas and not make sense in others. She would not be surprised to see a recommendation like that from the Department of Community and Economic Development right now.

Mr. Evans queried if she would agree it is much more effective in commercial districts versus residential.

Ms. Karner denoted there always a bigger benefit when you are talking about raw land and you build a building on the land. The incentive is proportional so if you have a large property and you put a few thousand square feet on it, it is a huge benefit but if you are a small business owner and you are doing a smaller project, that benefit could be just as impactful.

Ms. Negrón informed she wanted to echo what Councilman Martell mentioned. She is excited about this because she lives on the south side and bought her home 21 years ago on the south side. She still remembers her sister telling her she made a mistake buying a home on the south side but she attended meetings and stayed with what was happening. Ms. Negrón is just excited about this presentation and looks forward to taking a tour of the space. She will fully support this.

President Reynolds thanked Ms. Karner for the presentation and all her efforts. This work here on LERTA has gone through multiple Administrations with some of the benefits we have seen. The numbers she spoke about tonight are very important. When you look at those tax revenue numbers and how many different tax bodies that affects, Mr. Martell called it a win/win but when you see how many people are getting tax revenues on this there are about seven different wins. Those are between the School District, County and others. President Reynolds noted when we look at the competition we see how cutthroat that competition is to get those job producers and revenue producers in our City. He mentioned in the past few years he has run into people who mention they got a job at Synchronoss or they got a job in the warehouse on Route 412. As was said there is no way to prove that nothing would have happened but the numbers here are impressive. The story that was told by the Administration about what kind of tax, what kind of revenue and what kind of jobs have been produced is why we do this. The legitimate question we have, which is something that he and Mr. Martell are working on, is finding a way to track this information. When these incentives come up it is not just that someone wants an incentive to expand their business, but what are the concrete numbers. President Reynolds referenced the Resolution regarding Financial Accountability Incentive Reporting (FAIR), and remarked we are able to track just how beneficial these programs are for the City and the program participants. He continued to say that when these renewals come up and programs come in front of us it is not to just to say they work; it is how much they work. President Reynolds noted at some point we listen to the data and we trust the professionals because we are here part time. The members of the Administration are here every day meeting with people and finding out what does and does not work and studying what neighborhoods to invest in. That is the job of the professionals, and it is our job to support them in programs the work. He thanked the Administration for their work.

President Reynolds noted with no public comment the Ordinance will be listed for First Reading on June 6, 2017. The Resolution to amend the boundaries will be placed on the June 20, 2017 Council Agenda along with the Final Reading of the Ordinance.

President Reynolds adjourned the Public Hearing at 7:25 PM.

2. APPROVAL OF MINUTES

None.

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

Tree Issue

John Wood, 640 Barclay Drive, expressed the fact that Council has probably received a few of his letters and this regards the practice of the Ordinance that the City has been using to charge individual property owners for replacement of trees in front of their property. He noted that he is having his attorney look over a few of the arguments that the City sent to him on April 28, 2017. Mr. Wood remarked when you buy a piece of property you think that those pins bound the property. He brought the original map from when the house was built and it shows the exact dimensions of each lot. The City is saying that Barclay Drive is the boundary but there is nothing here that says it is the boundary. This plot plan was drawn up in accordance with the Zoning Ordinance. Mr. Wood continued to say that the Zoning Ordinance specifies that there is a boundary between the City right-of-way and the lot itself, so that is part of this. He continued to say this is an uncommon practice. He stated he has relatives in Philadelphia and they do not do this. When the City has to replace something there it is part of the overall property tax and that is also true of all of his relatives out in California. Mr. Wood emphasized this is not that big a deal for him because he is working but in principle that hurts people hard once you retire. He remarked the way this is implemented is arbitrary and capricious. He does think this is a violation because one of his neighbors had to replace his tree and said how come he has to and these two other ones went down and they did not have to be replaced. He was told by the Forester that they decide which ones have to go in and which ones do not. He reiterated that is arbitrary and capricious and not equal application of an Ordinance. Mr. Wood denoted if the City were to do all of this on its own, charge everyone in the property tax for this then the claim of arbitrary and capricious goes away because the City can do whatever it wants on that. He is concerned about the City saying that we own to the middle of the street because that means if the City decides there have to be repairs to the street he wondered if he will be charged for that work. He noted that he has a number of neighbors who are very angry about this. They had no idea they owned to the middle of the street. He expressed if the City does just what most of the Country does then he does not see this as a problem. He is asking that the City consider revising the way the City handles this and do this the way most of the Country does.

Ethics Ordinance

Barbara Diamond, 425 Center Street, informed she is here to support the Negrón/Colón Ethics Ordinance that was submitted in January. Like the F.A.I.R. Districts Initiative the Ethics Ordinance is also a good government initiative but it addresses a problem at the local level,

specifically the lack of a sound ethics program that meets current standards for City government. Many Cities have moved beyond a simple code like we have here now in Bethlehem to embrace a much more robust ethics program that includes requirements for conducts such as prohibiting gifts, hiring relatives, the revolving door, and those kinds of things. Ms. Diamond advised it also includes training and ongoing advising for officials, enhanced financial disclosures and oversight by and independent volunteer, non-partisan Board of Ethics. The Ordinance incorporates best practices and is similar to programs in Easton, Reading and Philadelphia. The Negrón/Colón Ordinance is based on the State ethics statute but goes farther in requiring a higher standard of conduct and disclosure for public officials. Ms. Diamond expressed it is important to understand that the State statute focuses on conduct that is outright corruption, that is the exchange of things of value for official action. That is why the penalty for violation of that statute is considered a felony punishable by prison up to 10 years and a fine of up to \$10,000 dollars or both. One of the statutes weaknesses is that it relies on intent which is difficult to prove without some record of the explicit quid pro quo. The Negrón/Colón Ordinance focuses on conduct that increases accountability and transparency, penalties are administrative and designed to reform rather than punish. Ms. Diamond noted it prohibits or requires conduct that assures citizens that their public officials are dealing fairly and in the public interest. If conduct upon investigation looks like corruption that is referred to the proper authorities. It is not the purview of the Board of Ethics. The State statute requires reporting gifts and circumstances over \$250 dollars but does not prohibit them unless there is the expectation of official action. She highlighted their Ordinance prohibits gifts of more than \$100 dollars in the aggregate per year, prohibits gifts of money from anyone seeking official action from any person who has a financial interest in a matter at or around the time of official action, and also prohibits public officials from seeking gifts in those same circumstances. Ms. Diamond added that their Ordinance also states public officials must disclose and withdraw from voting on a matter that would benefit a campaign donor and they would not even be allowed to be part of the deliberation. Contracting is also an area, especially no bid contracts, where influence by lobbyists and other people who want something from government can stray into corruption. Our Ordinance requires a public official or his family or business that receives such a contract with the City to reveal much more information than the State requires including information about campaign contributions and they may not even be able to obtain a contract depending on the circumstances of those contributions. Ms. Diamond continued to say in the area of public disclosure officials must disclose creditors, interest rates, direct and indirect sources of income and much more at a more restrictive level than the State. So she would say that the Negrón/Colón Ordinance seems to be making its way slowly through the process. She urges Council to take up this Ordinance and pass it without undercutting it by addressing ethics in a piecemeal way.

Fair Districts PA

Fritz Walker, 2552 Covered Bridge Lane, South Whitehall, stated he is at this meeting representing Fair Districts PA. He is the State coordinating team chair for Fair Districts PA and the leader of the Lehigh and Northampton County local group. Mr. Walker informed Fair Districts PA is a non-partisan organization and formed under the League of Women Voters in conjunction with Common Cause Committee of Seventy and numerous other good government organizations. Mr. Walker stated in most elections in Pennsylvania at the Congressional, State Senate and House level your votes do not count because the outcome has been predetermined

and it has been predetermined by gerrymandering. That is the redrawing of political districts to favor one political party over another. The way we do it in Pennsylvania is different with our Congressional versus our State legislative districts. With the Congressional Districts it is a bill that is passed by the legislature, the State legislative districts is a committee of five people, the House and Senate majority and minority leaders, that is four and a fifth person they agree upon. Mr. Walker they never agree so the fifth person is appointed by the Supreme Court. Partisan politicians are in charge of the process and that is an inherent conflict of interest. He continued to say that no other advanced democracy in the world does it this way. We are urging that instead of having partisan politicians do this that we create an independent citizens commission, an impartial independent citizens commission would be in charge of the process. He noted in the 7th Congressional District you see a bizarre shape that all of a sudden appeared in 2013 and that district winds through five counties. It goes through Berks, Lancaster, Chester, Delaware, and Montgomery Counties and is done with exquisite detail to carve out Republican pockets and jam them into this district and leave overwhelmingly Democratic majorities in other districts in the Philadelphia area that already were overwhelmingly Democratic. It has terrible ramifications. Reading is carved out of the district and out of that space that it would normally be with. He noted that Reading is in part of the district that is mostly Lancaster County which is mostly agriculture and tourism and partly as a result Reading has the highest percentage of poverty in the United States and it has the most underfunded school district in Pennsylvania. They are not getting represented. Mr. Walker informed the reason this is happening and is so dramatically different than it used to be is because of computer technology, data mining capabilities and a lot of money running into campaigns that is not being carefully tracked. He stated we are not getting competitive races in Pennsylvania and that means the winner is largely determined by the Primary. He asserted we all know that in the Primary it is the most partisan voters that come out so the left gets lefter and the right gets righter, we do not compromise and are not electing politicians anymore to solve people's problems. Mr. Walker referenced the data from the efficiency gap in the handout that he provided to Council Members and noted this is from a lawsuit in Wisconsin to overturn their maps. He pointed out it was accepted at the lowest court level, it was appealed and accepted at an appellate level of the circuit Court and it will probably go before the Supreme Court. The important point is by this measure we are worse than Wisconsin; we are the worst State in the Country by the efficiency gap measurement in our Congressional Districts. He expressed they are urging Council to support this Resolution for redistricting reform. He highlighted in the House we already have 89 co-sponsors and the Bill just got introduced last week. We need your help in order to make this happen so please support redistricting reform.

President Reynolds thanked Dr. Walker for coming to this meeting. He knows that this organization has reached out to City Council and most of us absolutely agree that there is a no more important issue facing our democracy other than gerrymandering. President Reynolds pointed out that he worked for Representative Steve Samuelson 15 years ago and he talked about how this was a problem. In Harrisburg you would think with 203 House members you can get to 102 sponsors and somehow this would guarantee that the majority of the people are sponsoring this Bill and it will come out of committee, but it does not happen that way. When you also look at Washington there are 435 Congressmen and Congresswomen and how many are competitive districts. President Reynolds added that his sister is a Congressional Fellow for The Brookings Institution and she mentions all the time about how everybody is much more worried about being attacked from the left or the right rather than losing in a general election.

He highlighted generally it has been City Council's tradition not to pass a Resolution as much as to write a letter and have Council Members sign the letter. We have that information and he would leave this up to his colleagues as far as the next step to take. President Reynolds can say that a majority of us, if not all of us, are absolutely on board and will be getting some type of support document.

Tree Problem, Gerrymandering, Ethics Ordinance

Peter Crownfield, 407 Delaware Avenue, pointed out he is in an unusual position of strongly agreeing with everything that has been said so far, which does not happen that often. Referencing what Mr. Wood said about the tree replacement he stated there have been trees missing for five years or more and nothing has been done about it and others are done promptly. He commented, you do not have to leave it to the City to do, the homeowner can do it and it would be cheaper, but it should be done more evenly. The Ordinance about keeping trash cans behind the houses is not enforced evenly and not enforced at all as far as he can tell on the south side. Mr. Crownfield mentioned with gerrymandering, we all know this needs to be done. He also strongly supports the original Ethic Ordinance that was introduced in January because it actually strengthens the ethics environment for the City as opposed to the existing State code which is nationally recognized as fairly weak.

Megan Angelo, 1816 Maple Street mentioned the other speakers were very thorough about the advantages of this Ethics Ordinance that she supports from Council Members Negrón and Colón. She was here in January when the Ordinance was introduced and listened to the discussion. Ms. Angelo thanked Councilman Martell for answering her email about some of that conversation. She thinks that the finer points aside that can be debated amongst Council; it is hard to see a practical reason for not adopting a comprehensive Ethics Ordinance like this. Ms. Angelo informed from a personal standpoint she thinks, as she has said, this may seem like the kind of thing that does not resonate for everyone, but in the environment we are currently living in people are sick of seeing elected officials find their way around easy ethical wins. This happens at every level of government now. Ms. Angelo would appreciate swift and thoughtful movement on this Ordinance.

Article 717-Noises

Artie Curatola, 813 Laufer Street informed he would like to speak about Article 717 unnecessary noise, a nuisance that is also in accordance with the Liquor Control Board. He remarked Article 717 is politically, journalistically, grammatically against the Constitution of the United States of America. He continued this impedes the livelihood of the musicians and takes away their artistic ability and away their freedom of speech. Mr. Curatola stated he held back many musicians that wanted to come here tonight to speak but that would have taken a lot of time. Council should think very seriously about revamping this Article because otherwise it will be the same thing with the Bamboo; the musicians and club owners will come to speak. Mr. Curatola pointed out that noise in every dictionary is unpleasant sounds but music is harmonious notes played melodically with vocals and/or instruments. Some people may consider certain music not pleasant and maybe too loud. He noted that musicians try to make a living and if they are playing reasonably loud, not even as loud as fireworks, they are shut down. Mr. Curatola noted that with rap music they will use foul language but musicians

playing peacefully should be able to play their music. He believes this is a personal issue; if you do not like the music, not a City or Federal matter. Mr. Curatola expressed it is against freedom of speech and is impeding the livelihood of musicians. He is here tonight because he talked to many and they all want to speak about the rights of musicians and club owners. He remarked to think about Article 717.01 and have it revamped.

Ethics Ordinance

Karen White, 407 Center Street mentioned she would like to echo what Ms. Diamond and others have said with respect to advancing the Negrón/Colón Ethics Ordinance. She spoke about serving as a juror during the Senator Vincent Fumo trial. Ms. White mentioned early in the trial they heard from the Chair of the Pennsylvania State Ethics Commission and he shared with us that essentially the ethics code did not have a lot of teeth. Ms. White pointed out that during their deliberations, which was over a week, our jury specifically talked about the fact that we would have appreciated if there was a strong code of ethics at the State level that would have intervened in and perhaps stopped crimes being committed. Ms. White stressed at a local level she has to say she was very encouraged to hear about the work that was being done by two of the members of City Council as well as a local committee. She was hopeful that this would work its way through, but she understands that there has been some stalling of this and a change in looking at this with the Martell Ordinance, which is very similar to what is going on at the State. Ms. White noted she is a proud resident of Bethlehem and thrilled that we are one of the best places to live and retire but she really would like to recognize our City government as being another one of the many jewels that Bethlehem has. She believes that Council can make that happen by giving some teeth to this code of ethics that is before them.

Bill Scheirer, 1890 Eaton Avenue mentioned that he stood for the latter half of the discussion at the last meeting on the Ethics Training Ordinance because he could no longer sit when he heard irony expressed that citizens arguing for transparency in their government were not willing to reveal their names. He stood to identify himself as an unindicted co-conspirator to quote another member and if he had been asked to reveal that some members of our group are afraid to be identified he would say yes. They are afraid of personal attacks and even retribution. Some citizens are afraid of being punished for helping to formulate practices for good government. He said this provides a fourth purpose of the comprehensive Negrón/Colón Ethics Ordinance, reducing fear as well as stimulating trust, limiting campaign contributions and mitigating conflicts of interest. We also heard the leftover anger from the Martin Tower situation may be the reason for this Ordinance. It is true that Martin Tower was occasionally mentioned during the first meetings, now well over a year ago, but Martin Tower has not been mentioned in Committee Meetings for some months. Mr. Scheirer stressed it is no accident that the League of Women Voters will highlight this proposed Ordinance in their State convention in June. The City has a golden opportunity here to be known not only as the best place to retire but as a model of good government. Mr. Scheirer wanted to add what Mr. Walker spoke about the Fair Districting and the court suit in Wisconsin. He pointed out Justice Kennedy, he understands, has been asking for a measure on gerrymandering and they may have come up with it in Wisconsin. It is quite simply the percentage of votes that are wasted. Mr. Scheirer reported that votes can be wasted in two ways; one is if you have much more than you need to win a district; and another is to have not quite enough to win a district. He added, a lot of votes are going to be wasted in the normal course of events, but with gerrymandering

that percentage goes up because let's say the party in power has its votes distributed as a minority or packed into one district where they have a lot more votes than they need. So there is possibly hope at the end of the tunnel on both Fair Districting and on Ethics Ordinances.

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

Ethics Training Ordinance

Barbara Diamond, 425 Center Street stated tonight Bethlehem City Council will take a final vote on an Ethics Training Ordinance proposed by Councilman Martell. It will likely pass and in doing so a majority of the Council will be voting for training to the minimal standards of the State Ethics statute rather than the higher standards proposed in the Negrón/Colón Ordinance. As she mentioned before the Negrón/Colón Ordinance mandates a comprehensive ethics program which applies best practices recommended by experts including training and more rigorous than the State Ethics Statute. There are many reasons why the Martell Ordinance is problematic, the most important reason being that the State Ethics Commission will only train to the State statute. Fortunately the State allows communities to enact higher standards of conduct for public officials and that is what the Negrón/Colón Ordinance does in a number of ways and establishes a Board of Ethics to provide oversight, guidance and enforcement. Ms. Diamond noted she laid out some of the ways the Negrón/Colón Ordinance provides a higher level of accountability and remarked the Martell Ordinance is unnecessary. Ms. Diamond noted while the majority of the Council who voted for Martell's Ordinance proposed that it could be amended later the fact is that it would have to be repealed so as not to undermine the ethics program. Ms. Diamond feels it should be tabled and Council should take up the Negrón/Colón Ordinance. It has already been reviewed by Council's Attorney; all that remains is the required deliberation. In your remarks last week you said that the reason to quickly enact the Martell Ordinance is so you have something that you need right away yet your timeline for implementation according to the Ordinance will not be until the first six months of 2018. If you passed our Ordinance, training would commence in 60 days. Ms. Diamond noted that you also said the Ordinance is 31 pages long so it would take longer to pass but Mr. Spirk has already reviewed and revised the Negrón/Colón Ordinance so it is ready and should not take that long. She also regrets that it is 31 pages long, sadly that is because all that verbiage represents multiple efforts by public officials to find loopholes so they can circumvent ethics requirements. Therefore the Cities that we relied on as a model for our Ordinance have had to cover all those loopholes in their legislation. If anyone wants to know more about our Ordinance or more about municipal ethics in general and how it is the foundation of good government she has left a slip on the table outside with our website which is Goodlocalgovt.wordpress.com and also another site Cityethics.org.

Steve Diamond, 425 Center Street informed he would like to say that the Negrón/Colón Ethics Ordinance was submitted first and should be discussed and given action before you vote on the Martell Ordinance. Mr. Diamond noted the State Ethics Code which is the Martell Ordinance is set at the lowest common denominator of ethics. It is directed at keeping you from corruption and breaking the law. The Negrón/Colón Ordinance aims for a higher level of behavior. Mr. Diamond stated he knows that you all went into government for the betterment of the community and you all were self-sacrificing and all want to do your civic duty. Mr.

Diamond queried why you need an Ordinance for getting educated. You are already governed by the statute since you are designated a Third Class City, so education is fair, but it appears by having an Ordinance you are stating we will not have more than this as our guide to ethics. You are circumventing the Negrón/Colón proposal. Mr. Diamond mentioned although you are all good and caring people and you mean well there are times when decisions can tax ethical decisions. Mr. Diamond stated as a physician and a government employee he has been in that situation himself. Luckily he had ethical parameters laid out for him; he had a Board of Ethics that helped him make his decisions. During those times he thought he knew what was right, but found this reasoning off center. Thankfully he had a Board of Ethics as a resource. He believes that we who work for the government have a special charge to do the best for the community, do the best for the people we represent. Business that is done the same way for years and years becomes vulnerable to new ideas and public movements and it usually gets blindsided by these new ideas. By not embracing a robust Ethics Ordinance, you will eventually become yesterday's politicians. There will be a new demand on your ethics as society changes and makes new demands. He remarked those who envision themselves running for higher offices should think how they can embrace ethics, help the community and help your own career. You will be looked at as a visionary and a leader in political thought.

Peter Crownfield, 407 Delaware Avenue believes that Mr. Martell's Ordinance makes a lot of sense if you are willing to proclaim to the public that you have not bothered in the years you have been on Council to learn the existing law that governs you. Otherwise this training is a waste of his State tax dollars because it is not needed, it will take you maybe 20 minutes to learn the very minimum of what is set out in the State Ethics Ordinance. He expressed to say that you need to waste State funds to learn this is silly. Mr. Crownfield informed more important those of you who are educators, he does not think you would think of teaching a unit to students, training them in a certain issue only to replace it the following month with a different set of facts. He stated it is stupid, is counterproductive and a waste of time and money. Mr. Crownfield mentioned the most important thing is this Ordinance does nothing to improve Bethlehem's ethics in government, it just reiterates the State code which so many people have said is weak.

Stephen Antalics, 737 Ridge Street advised Bill No. 16-2017 is really an Ordinance of examination of conscience. Mr. Antalics explained that Council Members took an oath to that responsibility which says you are responsible to us, not to yourselves. To have dedicated and educated people who love the City and express interest to come here and argue the way they do you need to remember you are their servant. He continued to say that your responsibility is to listen to them and act on their wishes, not your own. Mr. Antalics mentioned these people have given you something which is solid and as our servants you must listen to them. So if you met your responsibility it would be very clear how you would vote on this Ordinance, you would not vote on it because the Ordinance is the wish of one person on Council, well intended, but one person on Council does not reflect the will of the people. Mr. Antalics reiterated this is on your conscience to be responsible to us and how you vote tonight will tell us what you think of us, how you are serving us.

Bill Scheirer, 1890 Eaton Avenue remarked he may have figured out why there is such urgency to pass the State Ethics Training Ordinance while the far more comprehensive Negrón/Colón Ordinance remains in limbo now for four months. The latter Ordinance will

take some time to work through when you finally get around to it and you do not want to be perceived as deliberately delaying the whole subject so you want to pass something now. Mr. Scheirer stated if the stronger training portion of the Negrón/Colón Ordinance passes you will have two training Ordinances which will be a little awkward. If the weaker State Training Ordinance is the only training Ordinance passed that will be even more awkward and if you are tempted to bury the Negrón/Colón Ordinance; that you are all honorable people and you do not need an Ethics Board looking over your shoulder that would be most awkward of all. He highlighted he has been attending Council Meetings since 2003 and he has gained some sense of the civic mind in Bethlehem by his 20 years of citizen experience in Washington D. C. Mr. Scheirer feels that this effort to bring about greater trust in government is not a one shot deal about a specific project in a specific neighborhood where a decision is made and everyone has to live with it. What we have here is something we want you to do and there is not an end to our efforts until you do it. Rarely if ever has he ever seen this level of commitment in terms of the number of people involved and the resolve that is shown. This effort is more like a force, a movement that will not die, it will resist and persist until something is accomplished, it will not dissipate. This is like a wave that you can ride to acclaim as enlightened progenitors of good government. Mr. Scheirer recommends that the State Training Ordinance be referred to the Committee of the Whole.

Ziona Brotleit, 412 Second Avenue stated her fellow community members have spoken very well on a topic that she is about to address. She hopes her words reinforce this to some extent. Ms. Brotleit noted although the anger, outrage and mistrust and dismay that was evident the last time she addressed Council has been somewhat assuaged, she still wants to maintain strongly and clearly that our community would be far better served by timely review and consideration of the Negrón/Colón Ethics proposal that was submitted in January rather than rapidly approve an alternate diluted ethics training proposed Ordinance. She continued the proposal by Mr. Martell will derail fair action of the comprehensive one that is already on the table but stalled for too long in Committee. Ms. Brotleit mentioned in today's world with all the difficulties governments are having at the local and national levels in garnering confidence in their people we the community need the reassurances and clarity that the Negrón/Colón Ordinance would put in place. She noted although Mr. Martell's ordinance may be designed in good intention, it addresses only the ethics training and that training is far less complete and redundant to what you already have. Ms. Brotleit stressed that Council please vote against or at least table the Martell proposed Ordinance tonight and resume fair consideration and work on the Negrón/Colón proposed Ordinance.

5. OLD BUSINESS

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

6. COMMUNICATIONS

- B. *Director of Planning and Zoning – Resolution Request – DCED Grant Application – Trail Connections on Monocacy Way*

The Clerk read a memorandum dated May 3, 2017 from Darlene Heller, Director of Planning and Zoning to which is attached a Resolution in support of a grant application from the Department of Community and Economic Development for trail connections between the Delaware and Lehigh National Heritage Corridor and Monocacy Way. The requested grant is in the amount of \$250,000 for completion of design, engineering and construction of the trail connection.

President Reynolds stated Resolution 10 A is on the agenda.

C. *Director of Water and Sewer Resources – Recommendation of Award – ARRO Consulting, Inc.*

The Clerk read a memorandum dated May 9, 2017 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with ARRO Consulting, Inc. for the design, permitting, bidding and construction services for the non-potable water system at the Waste Water Treatment Plant. The term of the contract is 12 months from the Notice to Proceed and the fee for the contract is \$66,106.32.

President Reynolds stated Resolution 10 B is on the agenda.

D. *Director of Water and Sewer Resources – Recommendation of Award – Spotts, Stevens and McCoy*

The Clerk read a memorandum dated May 9, 2017 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Spotts, Stevens and McCoy for design, permitting, bidding and construction services for the fine bar screen and detritor upgrades at the Waste Water Treatment Plant. The term of the contract is 12 months from the Notice to Proceed and the fee for the contract is \$52,175.

President Reynolds stated Resolution 10 C is on the agenda.

E. *Purchasing Director – On-Line Auction*

The Clerk read a memorandum dated May 9, 2017 from Sandra Steidel, Director of Purchasing to which is attached a list of equipment to be sold at the next on-line auction to be held within the next 60 days.

President Reynolds stated if Council has no objection the property listed; the same may be added to the on-line auction. If Council would like to discuss a specific item, the same shall be removed from the list and discussed at the next Council Meeting on June 6, 2017. President Reynolds queried if any Member of Council would like to discuss a specific item, have it removed from the list, and discussed at the next City Council Meeting on Tuesday, June 6, 2017. With no discussion a memo will be sent to the Purchasing Director that City Council has no objections to the property listed.

F. *City Solicitor – Use Permit Agreement – Arts Quest – Yuengling Summer Concert Series*

The Clerk read a memorandum dated May 11, 2017 from William P. Leeson, Esq. to which is attached a Use Permit Agreement with ArtsQuest for the Yuengling Summer Concert Series. The duration of the agreement is June 19, June 27, July 27 and August 27, 2017. The location is First Street from Polk Street to the eastern terminus, Founders Way from First Street to Second Street.

President Reynolds stated the Resolution can be listed on the June 6 agenda.

G. *City Solicitor – First Amendment to Intermunicipal Cooperation Agreement – Griffin Land Subdivision and Land Development in Lower Nazareth Township, City of Bethlehem, Lower Nazareth Township, Bethlehem Township and Bethlehem Township Municipal Authority*

The Clerk read a memorandum from City Solicitor William P. Leeson, Esq. to which is attached an Ordinance authorizing and ratifying an amendment to an agreement for intergovernmental cooperation known as the “First Amendment to Intermunicipal Cooperation Agreement for Griffin Land Subdivision and Land Development in Lower Nazareth for transportation through Bethlehem Township Municipal Authority Lines and Treatment at the City of Bethlehem Wastewater Treatment Plant”, between the City of Bethlehem, Lower Nazareth Township, Bethlehem Township and the Bethlehem Township Municipal Authority.

President Reynolds stated the Ordinance can be listed on the June 6 agenda for First Reading.

H. *Director of Public Works – Recommendation of Award – Construction Master Services, LLC*

The Clerk read a memorandum from Michael Alkhal, Director of Public Works recommending a contract with Construction Masters Services, LLC for the constructing a bridge structure and installing a pre-fabricated steel truss pedestrian bridge over the Monocacy Creek. The term of the contract is 60 days from the Notice to Proceed and the fee for the contract is \$333,333.

President Reynolds stated Resolution 10 I is on the agenda.

I. *Director of Public Works – Recommendation of Award – Gaver Industries dba Barker & Barker Paving*

The Clerk read a memorandum from Michael Alkhal, Director of Public Works recommending a contract with Gaver Industries dba Barker and Barker Paving for removing and replacing three brick sidewalks on Broad Street between Guetter and Long Streets and updating handicap ramps. The term of the contract is 45 days from the Notice to Proceed and the fee for the contract is \$146,495.

President Reynolds stated Resolution 10 J is on the agenda.

7. REPORTS

- A. *President of Council*
- B. *Mayor*
- C. *Community Development Committee*

Chairman Martell stated the Community Development Committee met on Wednesday, May 10, 2017 at 5:30 PM in Town Hall. The Committee received a presentation on the south side LERTA program that included a review of the history of LERTA in the City, value of the program, impact to us and recent projects. The presentation also included an extension of this LERTA district, time period and proposed modification of the boundaries to include the parcel associated with Weldship and 315 Columbia Street. The Committee unanimously recommended the Ordinance to renew this LERTA district and the Resolution to amend these boundaries to full Council for adoption.

8. ORDINANCES FOR FINAL READING

- A. *Bill No. 16-2017 – Establishing Article 131 – Requirements for Ethics Training for City Council Members*

The Clerk read Bill No. 16 – 2017 –Establishing Article 131 – Requirements for Ethics Training for City Council Members, on Final Reading.

Amendment to Bill No. 16-2017

The Clerk read the Amendment to Bill No. 16 – 2017, sponsored by Mr. Martell and Mr. Waldron.

AMENDMENT TO BILL NO. 16- 2017

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA,
ESTABLISHING ARTICLE ~~131~~ ENTITLED
REQUIREMENTS FOR ETHICS TRAINING FOR CITY COUNCIL MEMBERS
THE COUNCIL OF THE CITY OF BETHLEHEM HEREBY ORDAINS AS FOLLOWS:

SECTION 1 – Article ~~131~~ of the Codified Ordinances of the City of Bethlehem, titled “Requirements for Ethics Training for City Council Members”, is hereby established and shall read as follows:

Article ~~131~~

REQUIREMENTS FOR ETHICS TRAINING FOR CITY COUNCIL MEMBERS

~~131.01~~ TRAINING REQUIREMENTS

~~131.02~~ FAILURE TO COMPLY

Any Council Member who violates any provision of this Ordinance shall be subject to a fine of \$100.00.

Shall be amended to read as follows:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA,
ESTABLISHING ARTICLE 104 ENTITLED
REQUIREMENTS FOR ETHICS TRAINING FOR CITY COUNCIL MEMBERS

THE COUNCIL OF THE CITY OF BETHLEHEM HEREBY ORDAINS AS FOLLOWS:

SECTION 1 – Article 104 of the Codified Ordinances of the City of Bethlehem, titled “Requirements for Ethics Training for City Council Members”, is hereby established and shall read as follows:

Article 104

REQUIREMENTS FOR ETHICS TRAINING FOR CITY COUNCIL MEMBERS

104.01 TRAINING REQUIREMENTS

104.99 PENALTY

Voting AYE on Amendment to Bill No. 16-2017: Mr. Martell, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 6. Abstain: Ms. Negrón, 1. The Amendment passed.

Mr. Colón remarked that the support was not there to table this Ordinance which was the will of Council. He sees every indication that this Ordinance will pass tonight, and he will again support this tonight in the spirit of ethics. With that said he wanted to encourage City Council to get the next Committee of the Whole meeting on the schedule so we can continue to move the conversation forward and not let it stall, which some people are concerned about. This would be to address the issues that over half of us up here have already talked about that include campaign finance, reform, contribution limits, conflicts of interest clearly defined, when abstentions would be appropriate and things like that. Mr. Colón remarked Mr. Martell is a completely sincere Member of Council and he does not see this as an intention to replace what was already proposed. He looks forward to continuing the conversation, looking at what was proposed, whether it will be adopted or amended, and continuing the conversation.

Mr. Martell wanted to address a few of the concerns that were brought up. One matter he would like to address is that there has been some suggestion that the Ethics Ordinance from Mr. Colón and Ms. Negrón has been purposely stalled, but that is not his impression. He noted that we are in the process of scheduling another Committee of the Whole meeting. He queried to Mr. Colón and Ms. Negrón if that is their perception.

Mr. Colón reported he is just waiting to see what date we are all available for the Committee of the Whole Meeting. He has no legitimate concern of any kind of this being held up. He knows we are all trying to get a date for a meeting.

Mr. Martell mentioned that Ms. Negrón has worked with Council Solicitor Spirk to clean up some of the things that were brought up after the Committee of the Whole Meeting and he knows there were comments from Council Members. He wondered if it is her perception that this has been purposely stalled, because the last thing he would want people to take away is that this was intended to or any other action is attempting to slow that down. Mr. Martell would hope that she would say no but if that is her perception he would like to address that.

Ms. Negrón queried what the question was.

Mr. Martell asked Ms. Negrón if she feels like the Ordinance that she worked on for a long time and put a lot of effort into is being purposely held up.

Ms. Negrón stated she hopes not. She knows we have been going back and forth with dates since the last time we met three months ago. It has been rather difficult to find a date that works for everybody. Ms. Negrón continued to say meanwhile we have had meetings that needed to be scheduled for other Committees yet we found a date for those, but for some reason it has been challenging to find a date for all of us. She is hopeful that soon before the summer ends we will have a Committee of the Whole scheduled.

Mr. Martell stated he is not trying to put Ms. Negrón on the spot but asked for a yes or no. He explained that the reason he is asking this question is that he would like to have that addressed because that certainly is not what he believes is happening. Mr. Martell does not think that is something that should happen nor does anyone else want to happen. We had the Committee Meeting and he felt the discussion was let's come to the Committee of the Whole meeting and collaborate and have a broader ethics conversation and see what we can do. Mr. Martell mentioned he felt blindsided by the fact that Ms. Negrón voted no at the First Reading of the Ethics Training Ordinance, and that is her right to do that, but he thought bringing this Ordinance forward was to be in the spirit of that conversation to be complimentary to the work that she was doing and to be another piece of the broader puzzle. Mr. Martell remarked that was the intent. He continued to say if that was not what was going on here he thinks is unfortunate and is a misunderstanding and in some ways a misrepresentation of what this Bill actually does. He explained where this Bill somewhat developed from came from was from conversations with Ms. Negrón and the ethics training that she went to when she first came on Council which she found to be educational and learned things she otherwise would have had to find elsewhere. There was the Ethics Seminar in Town Hall that Ms. Negrón so graciously put together, and the State mentioned they provide these training sessions. So through those discussions Mr. Martell thinks it would have been inappropriate for us to collude with Council Members on the timeline of how things should come forward and compliment things. He added, that is why he thought he should bring this forward and have this conversation we are having now. That is the origination, the intent and the spirit. He feels that is something that is important because there has been some mischaracterization of what it actually does. Regarding whether it is duplicative or not, Mr. Martell mentioned in Ms. Negrón's ordinance there was copying and pasting of the State Ordinance into the proposed Ethics Ordinance. He pointed out that as Ms. Negrón and other speakers had mentioned there are other things the State will do. One speaker mentioned even under the proposed Ethics Ordinance, if the offense reaches a certain level it would then be kicked up to the State. He remarked we are all kind of acknowledging that there is a State component here. He does not think it is a

mischaracterization to say that our Solicitor said you are not going to make the State Ethics Commission null and void; they will have some roll to play. Mr. Martell noted that everyone on Council has expressed their desire to have more Ethics Ordinances to address different issues. It would make sense to have that training in there and have a clear representation of what the City's Ethics Ordinance covers and this is what the State's Ethics Ordinance covers, which in part will be handled by that training session. Mr. Martell reiterated at the Committee of the Whole meeting he mentioned that he made several suggestions to make that Ordinance stronger. The Committee minutes reflect that to be true. Mr. Martell is looking forward to another meeting. He is sure there will other Ethics Ordinances and would have not brought this forward if he thought that the proposed Ethic Ordinance was not going to happen. He does not want the characterization or narrative that is being brought forward, at times for reasons he does not understand, to take away from what the focus and the intent of Ethics Training Ordinance is, or for his colleagues to view it in anyway than it actually is. He continued there was broad support at the last Council meeting for the Training Ordinance and commended Council for seeing the intent of the ordinance. He expressed Council Members are adding another meeting to their schedule, and that shows their commitment to addressing this ethics issue in a broader way. He remarked it shows the degree to which the Members of Council take their job and want to do it in the highest possible way. Mr. Martell hopes this clears things up.

President Reynolds commented that he thinks there have been few times that he has been as angry as at this moment. He related that it has nothing to do what is in the Ethics Ordinance; rather there is the belief that this was stalled, and the ability by some Members of Council to not give an answer to as if they think this was or was not being stalled. He pointed out the Ethics Ordinance came forward at the beginning of January, it was 31 pages long and was not something that was worked on with the Council lawyer or anyone with the Administration. We scheduled a Committee of the Whole Meeting and he believes that we have had one Committee of the Whole Meeting so far in 2017.

The City Clerk stated that is correct.

President Reynolds noted he believes a Committee of the Whole Meeting was scheduled for February 26th. He continued to say that the document that came forward that was not shared with anyone; we did not see it until a press conference that took place on January 4th or 5th. As was mentioned many times, this Ordinance was not anywhere close to being something that could be voted on by Council. The document included references to other cities, jobs that did not exist, and many things that did not necessarily have anything to do with the City of Bethlehem. He remarked we had a Committee of the Whole Meeting in which Ms. Negrón was quoted about 17 times saying this is a starting point, there are things in here that should not be in this proposal. Many Council Members brought up points, both clerical and legal, that are generally answered when they work with different members of the Administration that actually handle these matters. At that point it was decided that people needed to meet with our City Solicitor to work on some of those concerns and questions. President Reynolds informed meetings have taken place over the last couple of months despite our full and part time job schedules and everyone being busy. It was ten days ago when we were forwarded the updated Ordinance with Mr. Spirk's clerical corrections. We got that on a Friday; he believes it was May 3.

Ms. Negrón stated it was before the last Council Meeting.

President Reynolds stressed we can all agree that nothing could have been done before that, we could have not had a meeting. He noted that the Clerk reached out to Council Members to try to find several dates. As mentioned before, it is hard to find dates. He queried to Ms. Negrón if she knows how many Committee of the Whole Meetings we have had in 2017.

Ms. Negrón informed he just said it before.

President Reynolds noted Ms. Negrón mentioned that we can schedule Committee meetings but it doesn't seem we can schedule a Committee of the Whole Meeting. He pointed out that Committee Meetings consist of three Council Members, not all on Council and it is a lot tougher to schedule a Committee of the Whole Meeting for all on Council. President Reynolds noted there was indication that somehow this was stalled; the only person it could have been stalled by would be Ms. Kelchner, and that is not fair. The fact that both of you said you do not think it was stalled, but are not sure, does not insult anyone on City Council, it insults the person who schedules these meetings. He noted when people say that because they think it is part of the narrative about why we have not voted on the Ordinance, which is not close to being a final version, it is unsettling. President Reynolds stressed we can talk about why we need certain things and what we need to include in the Ordinance and that is fine. President Reynolds noted it is ridiculous that we should take something and vote on it without talking to lawyers, the Administration, the District Attorney. He pointed out the Ethics Training Ordinance is not a replacement Ordinance. He understands that some people believe that if Mr. Martell's education requirement ordinance is adopted that it will replace and water down the other proposed Ethics Ordinance. He asserted there is vast agreement for gift legislation, contribution legislation, and contract legislation. This is just one piece of what people are looking at. He noted that Dr. Mayer from Moravian College taught him that there is State government and there is Local government. He added if we created a hypothetical Ethics Board and that Board came back and said this matter is not an ethical violation, there is nothing to preclude what the people in Harrisburg have to say. President Reynolds noted all those related to Bonusgate were convicted for a violation of the State Ethics Act. When the District Attorney looked at Ms. Dolan, one of the things he talked about was the State Ethics Act. He continued it is not as if the Act is toothless; not as if it has never been used. President Reynolds continued on to quote what Mr. Evans said at the last meeting regarding the Ethics Training Ordinance, which was "This is the best thing we have ever had in front of us". Mr. Waldron noted "if Mr. Martell had done this six months ago he would be a hero rather than a villain". He noted that he heard a comment tonight that this training would be a waste of their State tax dollars. He commented Ms. Negrón did not see the need for the Department Heads to attend the State Ethics Training. President Reynolds expressed that it boggled his mind, but proved a point that there are a lot of good ideas in this Ordinance, but those who worked on this proposed Ethics Ordinance are not aware of the contracting process. He continued no one reached out to Solicitor Leeson to ask him what the internal process was or how we can increase transparency. No one reached out to Mr. Boscola, Mr. Alkhal, Mr. Brong or Mr. Yasso, the people who actually handle these contracts on a day to day basis. President Reynolds highlighted no one has a monopoly on transparency. The best way to get answers is to reach out to as many different people as possible and find out what is the best way to accomplish what we want to do. There is an absolute value in reaching out to the people who handle these things. Although

for a year people studied and put this Ordinance together there was no question of when do we put out a bid or what is the bid process. He continued no one asked Mr. Leeson what type of language do we include in the Ordinance, no one asked Mr. Alkhal how do we decide what bids to put out, or who makes those decisions. He highlighted before we became Council Members contracts did not come to Council; rather they were handled internally and no one for years had a problem with that. The contracts now come to us for authorization and that was a new level of transparency. He agrees that we need to do more regarding contracts. President Reynolds informed there is no way that talking to people about what law exists on a level that none of us serve on, is a bad thing. He stated this is a first step. He remarked there are things in the proposed Ethic Ordinance about gifts that he thinks can be stronger and things that can be done with contracts, a process including transparency, putting contracts on the website and talking about the process, to mention a few. That is how you improve these things. So when we have that conversation about the Ethics Ordinance there is broad support by Council about doing something in a lot of those ways. He expressed that he will not allow it to go unrebuted when there is an inference that the Ethics Ordinance has been stalled or that somehow training that does not preclude anything in the future, waters down and kills the Ethics Ordinance proposal.

Ms. Negrón was taken back that she is being addressed as if she said everything that was said by the public at the meeting. She remarked that she does not know half of the people that spoke in favor of the Ethics Ordinance. Ms. Negrón continued on to say that she did not tell them what to say; it was not her opinion. She remarked that she did not say she thinks they are purposely stalling this and feels words are being put in her mouth. She mentioned prior to the meeting tonight she talked to the Clerk about this being scheduled and many times she has said to her this is very difficult to get everyone together. Ms. Negrón feels it is not fair that because people are speaking and celebrating what she and Councilman Colón put together means that she told them what to say. Turning to the reason why she voted against the Ethics Training Ordinance at the last meeting she expressed she heard people who she never saw before make good points. Ms. Negrón noted she met with Councilman Martell and talked a lot about this. She was excited when she first saw the State Ethics but she researched and learned more, and even the State commented that it lacks a lot of things. That is why she went to cityethics.org to get more teeth to it. She pointed out it got to the point where she felt this should be our conversation and our Ordinance. Ms. Negrón remarked she is getting tired of this being called the Negrón/Colón Ordinance; it should be all of ours. President Reynolds is right that there is a lot that we can change and might eliminate. Ms. Negrón stated passing an Ordinance tonight that is for training exclusively on ethics, when the Ordinance we proposed includes training, is a conflict and a difference. The State will only train on the State ethics and not anything else. Our proposed ethics ordinance, whatever ends up being passed, will be tougher and different than the State ethics and that is where she believes the confusion will come in. She remarked that is why she supported Councilman Colón when he said we should table the Ethics Training Ordinance and put it to the Committee. Ms. Negrón believes there should be a conversation about this proposed ethics training ordinance along with the one we proposed and maybe we can do some merging of the wording. Again, she thinks that at both these past Council Meetings she was talked to as what everybody else said were her words. She thanks them, but those are not her words. She agrees with a lot of it, but they do not know we have been looking for dates for another Committee of the Whole for a while now.

President Reynolds stressed he never said Ms. Negrón was putting words in their mouth. He remarked the problem was saying you did not know if the Ordinance was being stalled. He expressed answer just given about how busy we are and how tough it is to get a date for another Committee of the Whole was information that would have been helpful to those who perceive the Ordinance is being stalled.

Ms. Negrón informed she said that before. We have been looking for dates and it looks like we cannot get everyone together at the same time.

President Reynolds believes it is being disingenuous, in his opinion, to not say “no, we have been working with Ms. Kelchner to try to find dates”, when Mr. Martell asked if it was their perception that this was being stalled.

Ms. Negrón informed she said that.

Mr. Callahan noted in adding to what President Reynolds said this Council, or a majority that were on Council three years ago, passed an Ordinance that requires all contracts over \$50,000 dollars come to Council for authorization. He asserted there are many things that we are doing regarding ethics; there are things in Mr. Martell’s proposal that will make things much easier and there are things also in Ms. Negrón’s Ordinance that we can look at and we can also vote on and pass. He noted that there are also some things in the proposed ordinance that he does not agree with. Mr. Callahan stated this is a discussion that needs to continue; it is a very lengthy proposal. He pointed out Ms. Negrón said many times that they did cut and paste for over a year, and there are many items in there that need to be reviewed. Mr. Callahan reported he will be supporting Mr. Martell’s proposal.

Mr. Evans commented he wanted to go back to the subject of education because it is important to know that until we were on Council, most of us had no idea at all that was required of Council Members. He remarked eight years ago he was a Little League President and was interested in running for City Council. Nine months later after he started going to a few zoning meetings he got excited about it. He ran for election and was successful. He expressed it does take a lot of energy to get up to speed in any kind of training or education and ethics is incredibly important. This is his eighth year as a Member of Council and he knows what to look for and who to talk to, but eight years ago it was very different for him, he added. Mr. Evans noted it would have been very helpful to have the ability to have a training session like this. It may turn out that we need to amend this down the road or blend this with what else we have, and that would also be fine. Like all on Council, he looks forward to working on the other detailed and complex proposed Ethics Ordinance. He feels this Ordinance can be part of that. It is clean, it is clear and makes sense to him, and the components will be very helpful to any future Council Member. If he is still on Council he would appreciate it as well. Even though he has been here eight years he would still like to hear the case studies that the State sees, which is more than what we would see at a local level. Mr. Evans pointed out this cannot hurt if we add them to the training and if we end up with our local training as well, they can work together. He asserted that the State Ethics Commission is not going anywhere; they are a higher level than we are and it is important to know what they see State wide that we may not even see. Mr. Evans will support this Ordinance tonight and looks forward to the conversations in the future.

Mr. Waldron explained he will be supporting the Ethics Training Ordinance too because he thinks it is a commonsense change to bring us up to par where we probably should have been. He expressed it probably should be the requirement for all local municipalities State wide to have some type of training to make sure that you are knowledgeable about the laws regardless of whatever your local laws that might put you into a higher standard. Mr. Waldron mentioned we still are required to follow the State laws and he thinks that there will be some changes coming forward that have been proposed and talked about. Even if those are at a higher standard, we will still have to follow and know the State laws. Mr. Waldron believes that training is always a positive thing. He asserted this local training will be open to the public which will help the public hold public officials accountable, and everyone will have the same knowledge and information. Mr. Waldron cannot see any other reason why you would not be in support of this other than posturing for political purposes.

Voting AYE on Bill No. 16-2017 as amended: Mr. Martell, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 6. Voting NAY: Ms. Negrón, 1. Bill No. 16-2017 now known as Ordinance 2017-16 was adopted on Final Reading.

B. Bill No. 17-2017 – Intermunicipal Cooperation Agreement – East Allen Township

The Clerk read Bill No. 17 – 2017 – Intermunicipal Cooperation Agreement – East Allen Township, on Final Reading.

Voting AYE on Bill No. 17-2017: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. Bill No. 17-2017 now known as Ordinance 2017-17 was adopted on Final Reading.

9. NEW ORDINANCES

A. Bill 18-2017 – Amending General Fund Budget – Health Bureau and Police Grant

The Clerk read Bill No. 18 – 2017 – Amending General Fund Budget – Health Bureau and Police Grant, 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
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. 18 – 2017 was passed on First Reading.

B. Bill No. 19 – 2017 – Amending Liquid Fuels Fund Budget – Cash Balance – Carryover and State Allocation

The Clerk read Bill No. 19 – 2017 – Amending Liquid Fuels Fund Budget – Cash Balance – Carryover and State Allocation, 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

THE 2017 LIQUID FUELS FUND BUDGET

Voting AYE: Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. Bill No. 19 – 2017 was passed on First Reading.

C. *Bill No. 20 – 2017 – Amending Non-Utility Capital Budget – Escrow and CADCB Grant*

The Clerk read Bill No. 20 – 2017 – Amending Non-Utility Capital Budget – Escrow and CADCB Grant, 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
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. 20 – 2017 was passed on First Reading.

D. *Bill No. 21 – 2017 – Amending Sewer Capital Fund Budget – PA Small W & S Program*

The Clerk read Bill No. 21 – 2017 – Amending Sewer Capital Fund Budget – PA Small W & S Program, 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
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. 21 – 2017 was passed on First Reading.

10. RESOLUTIONS

A. *Approving Grant Application – PA DCED Grant*

Mr. Martell and Mr. Colón sponsored Resolution No. 2017-114 that authorized a Greenway, Trails and Recreation Program grant of \$250,000 from the Commonwealth Financing Authority to be used to develop trail connections between Delaware and Lehigh National Heritage Corridor and Monocacy Way.

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

B. *Approving Contract – ARRO Consulting, Inc.*

Mr. Martell and Mr. Colón sponsored Resolution 2017-115 that authorized to execute a contract with ARRO Consulting Inc. for upgrades of the non-potable Water System at the Wastewater Treatment Plant.

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

C. *Approving Contract – Spotts, Stevens and McCoy*

Mr. Colón and Mr. Callahan sponsored Resolution No. 2017-116 that authorized to execute a contract with Spotts, Stevens and McCoy for Fine Bar Screen and Detritor upgrades at the Wastewater Treatment Plant.

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

Motion – Considering Resolutions 10D through 10H as a group – Certificates of Appropriateness

Mr. Callahan and Mr. Evans moved to consider Resolutions 10D through 10 H as a group.

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

D. *Certificate of Appropriateness – 444 Main Street*

Ms. Negrón and Mr. Waldron sponsored Resolution 2017-117 that granted a Certificate of Appropriateness to install vinyl window lettering – Bone Appetite Dog Barkery at 444 Main Street.

E. *Certificate of Appropriateness – 72 East Market Street*

Ms. Negrón and Mr. Waldron sponsored Resolution 2017-118 that granted a Certificate of Appropriateness to replace the fence along Center Street and Milton Street, the interior fence and arbor at 712 East Market Street.

F. *Certificate of Appropriateness – 242 East Wall Street*

Ms. Negrón and Mr. Waldron sponsored Resolution 2017-119 that granted a Certificate of Appropriateness to install a new fence along the rear of the property at 242 East Wall Street.

G. *Certificate of Appropriateness – 27 East Church Street*

Ms. Negrón and Mr. Waldron sponsored Resolution 2017-120 that granted a Certificate of Appropriateness to request approval of the historic plaque location at 27 East Church Street.

H. *Certificate of Appropriateness – 437 Linden Street*

Ms. Negrón and Mr. Waldron sponsored Resolution 2017-121 that granted a Certificate of Appropriateness to replace main house roof with asphalt “Architectural Style” shingles to match existing roofs at 437 Linden Street.

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

I. Authorizing Contract – Construction Master Services, LLC

Ms. Negrón and Mr. Waldron sponsored Resolution 2017-122 that authorized to execute a contract with Construction Masters Services, LLC for the Monocacy Creek Pedestrian Bridge – Site Construction.

President Reynolds pointed out that he does give credit to a few individuals who were here for the Ethics Ordinance including the discussion of contracts and staying around in case any questions came up or any discussion of how contracts work.

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

J. Approving Contract – Gaver Industries dba Barker & Barker Paving

Ms. Negrón and Mr. Waldron sponsored Resolution 2017-123 that authorized to execute a contract with Gaver Industries dba Barker & Barker Paving for the Broad Street Crosswalk Replacement Phase II project.

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

11. NEW BUSINESS

Committee Meeting Announcement

Chairman Negrón announced a Public Works Committee Meeting on Tuesday, June 6, 2017 at 6:00 PM in Town Hall. The subject will be the Parking Authority Parking Lots Agreement.

12. ADJOURNMENT

The meeting was adjourned at 9:30 p.m.

ATTEST:

City Clerk