

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street – Town Hall
Bethlehem, Pennsylvania
Tuesday, June 6, 2017 – 7:00 PM

INVOCATION

Pastor David Brown, Holy Cross Evangelical Lutheran Church, offered the invocation which was followed by the pledge to the flag.

PLEDGE TO THE FLAG

1. ROLL CALL

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

PUBLIC HEARING

President Reynolds stated that prior to the consideration of the regular Agenda items; City Council will conduct two Public Hearings. The First Public Hearing is to consider Amendments to the Zoning Ordinance to include regulations for medical marijuana. The Second Public Hearing is to consider Amendments to the Zoning Ordinance to clarify regulations pertaining to Hospitals, Behavioral Health Facilities and Psychiatric Facilities.

Public Hearing No. 1

President Reynolds called to order the First Public Hearing to consider Amendments to the Zoning Ordinance to include regulations for medical marijuana, adding definitions and regulations; amending Article 1302-Definitions, Article 1305-Allowed Uses in Primarily Non-Residential Districts, and Article 1322-Additional Requirements for Specific Uses.

Communication 6 A – City Planning Commission – Zoning Text Amendments

The Clerk read a memorandum dated May 15, 2017 from Tracy Samuelson, Planning and Zoning Bureau regarding Article 1322.03hh(c)(3), removing the section of the Medical Marijuana Ordinance that requires a separation distance between grower/processor facilities and a school or daycare. An advisory letter from the Lehigh Valley Planning Commission on April 18, 2017 correctly noted that the PA Medical Marijuana Act stipulates that requirements for grower/processor facilities cannot be more stringent than similar facilities within the same district. Although the separation distance is a requirement in the Act for medical marijuana dispensaries, it is not a requirement for grower/processors. The amendment with the section requiring a separation distance for grower/processors has been removed and was recommended for approval by a 3-0 vote of the City Planning Commission Members.

Communication 6 B - Lehigh Valley Planning Commission - Zoning Text Amendment - Medical Marijuana

The Clerk read a communication dated May 26, 2017 from the Lehigh Valley Planning Commission regarding the Zoning Ordinance Amendment related to Medical Marijuana. The proposed amendment, which has been revised to eliminate potentially overly stringent restrictions on the location of grower/processor facilities, is generally consistent with the County Comprehensive Plan.

Darlene Heller, Director of Planning and Zoning pointed out that this was originally scheduled for a Public Hearing about a month ago. We prepared amendments to the Zoning Ordinance to address the new enabling legislation for medical marijuana. The initial letter that we received from the Lehigh Valley Planning Commission noted that one of our provisions was more restrictive than the State legislation and so they recommended that we revise that and we did do that. Ms. Heller highlighted that we are here about a month later and what you have before you is the revised ordinance. She explained that the Medical Marijuana Act is actually quite a detailed document. We are only pulling out that those provisions that related to land use issues because that is really all we need to consider, everything else is going to be related at the State level and reviewed at the State level. All we need to do is make sure that they have a State license before we allow for any permits. Ms. Heller commented on the first page of the amendment we pull out some definitions that are in the Act and are really copying them word for word here, these are the only ones that relate to land use issues. She continued to say that mostly it is definitions of the uses that we are going to allow here. There are three uses, Medical Marijuana Academic Clinic Research Center, Medical Marijuana Grower/Processor, and Medical Marijuana Dispensary. Ms. Heller denoted on the second page we show through the use chart where those are proposed to be permitted. Mostly we are proposing to permit these where similar uses are already allowed. She continued for the Clinical Research Center the zoning is where we already allow similar uses for University research and other medical research. Those would include Light Industrial, Industrial, Planned Industrial, the Research Center District, Institutional, CMU and OMU which are along Eighth Avenue. For the Medical Marijuana Grower Processors those are very similar to food manufacturing and pharmaceutical manufacturing and so we allow this in similar zoning districts, Light Industrial, Industrial, Planned Industrial, and CM which is Research. Ms. Heller mentioned the third category is Medical Marijuana Dispensaries which is very similar to a pharmacy. This is where the map comes into play and there is a 1,000 foot separation distance required between any dispensary and a school or a daycare center. She remarked we mapped all of our schools and daycare centers and laid out the 1,000 foot separation distance and pointed to a map in front of the podium that shows all of the gray areas that denote the separation distance. She highlighted there is not a whole lot left in the City, not a whole lot of room. Ms. Heller pointed out there are only a few zoning districts where we are allowing them such as CG, General Commercial and CS, Shopping Center. There are some areas in both of those zoning districts that would allow for the Medical Marijuana Dispensary beyond that 1,000 foot separation distance and also IR, which is Industrial Redevelopment and we allow a very broad range of uses there. Because these are so restricted in the State law they really will be very similar to a pharmacy. Ms. Heller continued to say on the next page they started to break down for each of those three uses the special provisions they would need to meet. We are really pulling from other sections of the Zoning Ordinance here. For the Clinical Research Centers we have provisions for parking and

we refer basically to the same performance standards that we would refer to for other uses for emissions of dust, fumes, vapors, odors and things like that. Ms. Heller explained they have a requirement for buffer planting. We do require that they submit documentation and that they comply with the State Act and we include some provisions that are in the Act that they may only grow Medical Marijuana for the purposes upon onsite clinical research, etc. She mentioned that mostly it is language taken out of the Act. Ms. Heller informed the second is Medical Marijuana Grower/Processor and this is where we have the revision but we are just pulling basically right from the Act and we are including performance standards. Grower/Processors are not permitted to be located on the same site as a dispensary; that is in the Act and we reflect that here. This also includes parking requirements, buffer plantings, loading and off-loading areas, basic provisions that we require for similar uses. The third is the Medical Marijuana Dispensary and most of the provisions are very much the same. Ms. Heller explained we have a section that also talks about things like no drive-through service, no outdoor seating and things like that and we include the 1,000 foot separation distance requirement. She added that parking, buffering, loading and off-loading is also included and that is basically the limitation of what we have included here. Ms. Heller concluded that they tried to keep this simple and in compliance with the State Act that has already been adopted.

Mr. Waldron commented that in reference to dispensaries Ms. Heller mentioned that as far as requirements, they are similar to the pharmacies. He asked if there is a requirement that a pharmacy be 1,000 feet from a school.

Ms. Heller replied no.

Mr. Waldron queried if the State came up with that 1,000 feet.

Ms. Heller stated yes, it is their requirement.

Mr. Waldron asked if there is an idea of why they said this should be 1,000 feet from a school.

Ms. Heller replied that she does not know how they came up with 1,000 feet; she just thinks they are trying to have provisions in there that would eliminate controversy. She is not sure because if you think about what could be dispensed at a pharmacy, certainly there are a lot of medical provisions there that may require the same type of protection. Ms. Heller noted this is really a reflection of what is in the law itself.

Mr. Waldron remarked that law, the 1,000 feet is quite limiting.

Ms. Heller mentioned in most urban areas it is going to be.

Mr. Waldron added that there still seems to be some pockets that are viable.

Ms. Heller reported there are along Stefko Boulevard and Eaton Avenue. There are also some on Elizabeth Avenue.

Mr. Waldron then asked if anyone has approached the City in reference to this.

Ms. Heller stated we have had some inquiries but have had no actual applications. She does not know if anything will come of that or not. They have not issued the license yet, so we do not know who will get what. She remarked it was in the newspaper that Bethlehem Township just did review a formal application so maybe those are happening in other places across the State, she is not sure.

Mr. Callahan believes that what happened was when Pennsylvania looked at this they basically took a lot of what Colorado has done and tried to replicate that. He believes that is where the 1,000 foot restriction came from. He mentioned when he was in Colorado he noticed that they have these in warehouse areas, so it is away and out of the Main Streets, which is a good idea. Mr. Callahan mentioned he noticed that they have businesses that are popping up around them; taco trucks and a brewery. So he thinks we need to plan ahead and know that there will be other things that will happen.

Ms. Heller is not very familiar with the Colorado law, but noted that it is very different in that it includes more than just medical marijuana. This is only for medical purposes and the law states very clearly what ailments are able to be treated with it and it also states very clearly what forms the medical marijuana must be in. It is a pill or an oil and something like that; the Colorado law is very different in those regards.

Mr. Callahan knows we have no control over it once we zone it, but he would just prefer this be in an industrial area and not on Stefko Boulevard or Schoenersville Road.

Ms. Heller noted for the dispensary it is really essentially a retail use. A pharmacy is a retail use and is very similar to that. We do not at this point allow those uses in the Industrial Zone. So we try to separate out the grower/processor as being more of an industrial use and the dispensary more of a retail use.

There was no comment from the public on the matter of the First Public Hearing.

President Reynolds stated the Ordinance will be listed on the agenda for First Reading on June 20, 2017.

President Reynolds adjourned the First Public Hearing at 7:17 PM.

Public Hearing No. 2

President Reynolds called to order the Second Public Hearing to consider Amendments to the Zoning Ordinance to clarify regulations pertaining to Hospitals, Behavioral Health Facilities and Psychiatric Facilities; amending Article 1302-Definitions - Section 1302.56-Hospital and Section 1302-.132 - Treatment Center.

Communication 6 C - City Planning Commission - Zoning Text Amendments

The Clerk read a memorandum dated May 15, 2017 from Tracy Samuelson, Planning and Zoning Bureau regarding Article 1302.56, amending the definition of Hospital and Article 1302.132, amending the definition of Treatment Center. This amendment clarifies the definition

of the term “hospital” in the Zoning Ordinance and the placement of potential behavioral health facilities and psychiatric hospitals within the City. This amendment also categorizes health facilities and psychiatric hospitals as treatment centers. Each of these amendments were recommended for approval by a 3-0 vote of the City Planning Commission Members.

Communication 6 D – Lehigh Valley Planning Commission – Zoning Ordinance Amendment – Definition Clarification – Hospital and Treatment Centers

The Clerk read a communication dated May 18, 2017 from the Lehigh Valley Planning Commission regarding the Zoning Ordinance Amendment related to definition clarification – Hospital and Treatment Center. The proposed amendment, which clarifies regulations pertaining to Behavioral Health Facilities in the City of Bethlehem, is generally consistent with the County Comprehensive Plan.

Ms. Heller remarked this is another amendment proposal that she believes is also straightforward. We found recently that there was some ambiguity in our definitions for Hospitals and Treatment Centers. Sometimes the types of facilities that can be proposed are changing all the time and so we need to change our zoning definitions to keep up with that. Ms. Heller stated there are only two definitions that are proposed to be revised. One is the definition of a Hospital. What we are proposing is that we add a clause that just states that behavioral health facilities and psychiatric hospitals are permitted as a part of a hospital as long as they do not occupy more than 25% of the floor space. We only have one hospital facility at this point in time and they do provide these services but it is a nominal part of the general hospital services that they do provide. Ms. Heller continued to say that the second revision is to the definition of a Treatment Center. You can see in the amendment that there are many different types of treatment centers that we addressed here and we propose to add behavioral health facility and/or psychiatric hospital to that list, meeting the requirements of all laws and regulations. That is an area of a facility that we really do not address in the Ordinance right now and it seems logical and appropriate that it would be included as a treatment center and be permitted where those facilities are permitted now.

Public Comment

William Moran, 1825 Center Street mentioned that he is at this meeting on behalf of the North Bethlehem Action Committee. We have been interested in the development on the property on the southeast corner of Dewberry and Center Street. He noted that various proposals have been made for the use of that property including a proposal which actually was not brought forward to the Zoning Hearing Board but was discussed publically, and that is a psychiatric facility on that corner. Mr. Moran commented that the group he is involved in wholeheartedly support the proposed amendments because they clarify provisions of the existing Zoning Ordinance. This is something that we are perfectly satisfied with.

President Reynolds stated the Ordinance will be listed on the agenda for First Reading on June 20, 2017.

President Reynolds adjourned the Second Public Hearing at 7:22 PM.

2. APPROVAL OF MINUTES

The Minutes of May 2, 2017 were approved.

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

Bike to Work Week Certificate

Anne Felker, 421 Fifth Avenue advised she is at this meeting to present a certificate to the City in thanks for participation in Bike to Work Week a few weeks ago. The City of Bethlehem came in as the first municipality in the Lehigh Valley, the first place winner and as a second place winner as an employer in the Lehigh Valley. She congratulated the City.

Reading of Declaration of Independence

Tom Carroll, 248 East Union Boulevard invited everyone here and members of the public to the annual reading of the Declaration of Independence at City Hall on July 4, 2017 at 11:00 AM. We are privileged to have our Mayor, Chief of Police and State Representative as part of the group that will be reading the Declaration. He reiterated this is at 11:00 AM on July 4th which is Tuesday this year and everyone is invited to attend.

Write-In Candidate for Mayor

Artie Curatola, 813 Laufer Street mentioned he read in all of the newspapers that Mayor Donchez is running for Mayor of Bethlehem unopposed. He remarked that this is not quite true. Mr. Curatola informed that he is doing a very extensive campaign and is a write-in candidate. He expressed whether he wins or not he will go on with other things and still work hard for our City. He mentioned that people are asking him if there will be a debate and he noted that he would welcome that because he has answers for many things. Mr. Curatola pointed out there are Ordinances and Articles that are taxing to the common people. He feels that elected officials are being paid too much and \$50,000 is more than enough for any elected official that is doing full time work. That would be more money for the City. Mr. Curatola added that we could put more money into crime prevention. He pointed out that concealed weapons should not be permitted unless you are in law enforcement and they should be wearing guns on a locked holster. He pointed out the worst weapon that you could ever carry is a key to defend yourself.

Parsifal Effect

Stephen Antalics, 737 Ridge Street informed the vote recently on the ethics training reminded him of the past voting by Council in relation to responding to the majority of comments from the people like himself. He is speaking about the nine-story building on Fourth Street, and the rezoning of Martin Tower. Mr. Antalics mentioned in the past years he told Council of a theory he has that is called the Parsifal Effect. The reason he uses that term is because it seems like Council does not listen to the people and ignores the general will of the people. Mr. Antalics explained that Parsifal is a very dramatic opera where the Knights of the Roundtable are sitting at the table and they bring up the Holy Grail. A beam comes down from heaven and the music is very profound. He related that he mentions the Parsifal Effect because

the best rationale he can come up with is that it seems that when clergy are ordained or when politicians take the oath of office the same Parsifal Effect comes down. He stated that it elevates these people above the ordinary people but they do not realize they are still on the ground because gravity is still in effect, it is a personal feeling. In that personal feeling of being above the average citizen you cannot listen to the citizens because by definition once you are ordained or take the oath of office you are above us and know more than us. Mr. Antalics explained that you are then inclined not to listen to us. He remarked that he has mentioned this to other Councils meetings. He advised in any deliberation that comes up again, and you ignore the will of the people who might be behind a very serious issue, to remember you are stuck on the surface of the earth the same as us.

May 17 Council Meeting/Ethics Ordinance

Breana Holland, 379 Carver Drive informed she is at the meeting to talk about the last Council Meeting, which she did not attend but asserted that she was copied on emails from people who were in attendance. She noted that she obtained an audio copy of the meeting and was taken back by the lack of professionalism of some Members of Council. She pointed out that the gist of the comments from the public were that they wanted Council to take up discussion of the Martell Ordinance as part of the broader discussion about the more comprehensive Ordinance proposed by Council Members Negrón and Colón and urged Council to begin a more serious conversations about the Negrón/ Colón Ordinance and not rush the Martell Ordinance through before that conversation would take place. Ms. Holland stated the response by some Members of Council was to drive the citizens who spoke for a largely misinterpreted suggestion that Council was stalling the discussion of the Negrón/Colón Ordinance. She found it offensive the way Ms. Negrón was spoken to at the meeting and expressed that telling the public how angry you are about their comments is also not a justification for treating someone that way. Ms. Holland remarked that she cannot figure out the relevancy of discussion of anyone's feelings about the conversation regarding the two Ordinances and queried if those discussions would be better left for private discussion. Ms. Holland stated this came across as a dramatic effort to deflect the real issues raised by citizens and feels it reflects a troubling tendency to ignore the perspective of citizens who do not agree with your actions. Ms. Holland feels this tendency has been institutionalized by not letting the public speak at the end of the meetings so they can rebut efforts by Council to spin narratives about their comments. She related that some on Council have suggested the difficulty of getting money out of politics should stop us from taking on that challenge through mechanisms that are in the proposed Ordinance and additional features that could be discussed and incorporated. Ms. Holland advised instead of taking on the challenge of making Bethlehem a model City in the way that many on Council have claimed they want it to be, they framed the activities of those who want to do so in a single comprehensive Ordinance as impossible. She expressed she does not find it surprising that Council may not like what is in the proposed Ordinance because passing the Ordinance would mean that Council Member's behavior would be constrained in ways that perpetuate their own power.

Mr. Antalics then asked if he could speak again.

President Reynolds noted that Mr. Antalics had his 5 minutes to speak and can speak on any Ordinance or Resolution to be voted on during the Second Public Comment.

Mr. Antalics asked to poll Council to see if he can have 30 seconds to speak.

President Reynolds stated we have rules.

Mr. Antalics noted that President Reynolds has the power to waive those rules and that he did not take notes and forgot what he wanted to say.

President Reynolds reiterated that the rules are the rules and if he would like to say something to us after the meeting he may do so.

Mr. Antalics related that President Reynolds comments are very dictatorial.

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

None.

5. OLD BUSINESS

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

6. COMMUNICATIONS

E. *Director of Water and Sewer Resources – Recommendation of Award – GHD Group*

The Clerk read a memorandum dated May 22, 2017 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with GHD Group for the Willow Brook Road water main relocation. The term of the contract is from the Notice to Proceed until December 31, 2017 and the fee for the contract is \$61,700.00.

President Reynolds stated Resolution 10 B is on the agenda.

F. *Director of Water and Sewer Resources – Recommendation of Award – Gannett Fleming Valuation and Rate Consultants, LLC*

The Clerk read a memorandum dated May 22, 2017 from Edward J. Boscola, Director of Water and Sewer Resources recommending an amendment to the contract with Gannett Fleming Valuation and Rate Consultants, LLC authorized January 3, 2017. The amendment is for the feasibility of conducting a Customer Class Demand Study pursuant to the PUC's order in the last rate case requiring the City to submit a plan to conduct a customer class demand study within 90 days of the installation of the Lower Saucon Township Authority meter pits. The term of the amendment to the contract for the service is from May 22, 2017 to December 31, 2017 and the amendment to the contract is a price increase of \$5,000.

President Reynolds stated Resolution 10 C is on the agenda.

G. Director of Water and Sewer Resources – Recommendation of Award – Derstine Company, LLC

The Clerk read a memorandum dated May 25, 2017 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Derstine Company, LLC for the South Side Pump Station renovation. The term of the contract is 300 calendar days from the Notice to Proceed and the fee for the contract is \$365,000.

President Reynolds stated Resolution 10 D is on the agenda.

H. Director of Water and Sewer Resources – Recommendation of Award – Wind Gap Electric, Inc.

The Clerk read a memorandum dated May 25, 2017 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Wind Gap Electric, Inc. for the South Side Pump Station renovation. The term of the contract is 300 calendar days from the Notice to Proceed and the fee for the contract is \$251,700.

President Reynolds stated Resolution 10 E is on the agenda.

I. Request for Intermunicipal Liquor License Transfer – 1140 Hellertown Road

The Clerk read a communication dated May 23, 2017 from Attorney Paul A. Namey representing Turkey Hill, L.P., requesting approval of an Intermunicipal Liquor License Transfer from Morici's Inc., previously having a principal place of business Morici's Inc. at 218 Cattell Street, Easton, Northampton County, Pennsylvania, to Turkey Hill, L.P., 1140 Hellertown Road, Bethlehem, Northampton County, Pennsylvania. Attorney Namey is requesting a public hearing on the issuance of a Resolution approving the transfer by Turkey Hill of a liquor license from outside the municipality to within it.

Scheduling Public Hearing

Mr. Callahan and Mr. Martell moved to schedule a Public Hearing on Tuesday, June 20, 2017 at 7:00 PM in Town Hall.

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

President Reynolds stated a Public Hearing has been scheduled for Tuesday, June 20, 2017 at 7:00 PM in Town Hall.

J. Director of Public Works – Recommendation of Award – Ankiewicz Enterprises, Inc.

The Clerk read a memorandum from Michael Alkhal, Director of Public Works recommending a contract with Ankiewicz Enterprises, Inc. for the Pierce Street Sewer Replacement project. The term of the contract is 45 calendar days from the Notice to Proceed and the fee for the contract is \$258,946.

President Reynolds stated Resolution 10 F is on the agenda.

K. *Director of Public Works – Recommendation of Award – A. J. Trunzo, Inc. – Price Increase*

The Clerk read a memorandum from Michael Alkhal, Director of Public Works recommending an amendment for a price increase to the contract with A. J. Trunzo, Inc. that was previously awarded for the Schoenersville Road Curb and Sidewalk construction. The completion date was May 12, 2017 and the amendment to the contract is a price increase of \$9,317.60.

President Reynolds stated Resolution 10 G is on the agenda.

L. *Deputy Police Chief – Recommendation of Award – WatchGuard Video*

The Clerk read a memorandum from Deputy Police Chief Todd Repsher recommending a contract with WatchGuard Video for the installation of in car video system, hardware, software and applicable end-user training. The estimated completion date for the project is fall of 2017 and the fee for the contract is \$224,310.

President Reynolds stated Resolution 10 H is on the agenda.

7. REPORTS

A. *President of Council*

Climate Action Group, Open Data Group, Social Media Group

President Reynolds informed he wanted to give an update on a few things we have going on with City Council. He mentioned that five months ago several of us got behind some proposals in our Bethlehem 2017 set of initiatives. We passed Resolutions in February to create working groups to come up with a Climate Action Plan for the City, as well as Open Data and Social Media initiatives. President Reynolds reported that several Members of Council are involved in those efforts too. He wanted to thank the Administration, Mayor Donchez and Mr. Brong and everyone in all the departments for all the help. He continued to say that they met a few times with each of the working groups. President Reynolds highlighted that the goal is to have a public meeting to provide updates on the Administration, Council and the public's ideas. The one that jumps to the front of his mind is the Climate Action Plan because we have heard a lot about subject in the past week. He knows that Mayor Donchez has signed onto a few of those Mayor's agreements today. President Reynolds emphasized the outpouring of people that want to be involved in all of the efforts, but especially our Climate Action Plan, is second to none. In between several different environmental organizations that have been sending representatives, we also have citizens that do environmental engineering in their private lives and are giving up their time to participate. The Administration has been completely supportive and has been working hard to see what other cities are doing and what we can do going forward. President Reynolds knows that Mr. Martell is in the process of scheduling a Community Development Committee meeting around the end of August about some of the ideas we have talked about with economic development tracking that we have called F.A.I.R (Financial Accountability Incentive Reporting). We passed the LERTA here on the north side and it is coming up to the School District so that is moving ahead as well. He remarked the

level of working together with Council, the Administration, City Employees and the public has never been higher.

B. *Mayor*

1. *Administrative Order – Stephen Elek – Plumbers Examining Board*

Mayor Donchez reappointed Stephen Elek to membership on the Plumbers Examining Board, effective through June, 2021. Mr. Colón and Mr. Callahan sponsored Resolution 2017-124 to confirm the reappointment.

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

Climate Action Group, Open Data Group, Social Media Group

Mayor Donchez reported he sent a memorandum to Council this afternoon that he did sign onto three different entities regarding the President Trump's climate action decision. He signed onto the Compact of Mayor's, the Mayor's National Climate Action Agenda, and the organization called We Are Still In. He strongly supports the proposal by President Reynolds and Council's proposal on Climate Action 2017. Mayor Donchez agrees that there has been a tremendous outpour of citizenry that want to be involved in all aspects, whether it be Climate Action or Open Data. This is a tribute to President Reynolds and City Council and we are fortunate when compared to other cities that we have had a very good working relationship and dialogue. He thinks that people realize this and we are fortunate to move the City forward in a cooperative way.

President Reynolds added when he had a conversation with a few Members of Council one of the things we said is that we are not just looking to find ways to do this but there will actually be concrete proposals for this. One of the things that other Mayors have signed on to that will be included in our Climate Action Plan is that the City of Bethlehem will find a way to have 100% renewable energy by 2050. A few hundred Mayors have signed onto this, and our Mayor and Administration have always found ways to support these ideas. President Reynolds noted as the year goes on and some of these things come together he is hopeful that we can create a product we can be proud of.

C. *Public Works Committee*

Chairman Negrón stated the Public Works Committee met on Tuesday, June 6, 2017 at 6:00 PM in Town Hall. The Committee moved to recommend a Resolution to authorize the Parking Lot Lease Agreement between the City of Bethlehem and Parking Authority for the parking lots at 920 Wyandotte Street and 121 West Union Boulevard to full Council for approval at the June 20, 2017 Council Meeting.

8. ORDINANCES FOR FINAL READING

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 on Final Reading.

Voting AYE: Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, and Mr. Reynolds, 7. Bill No. 18 – 2017 now known and Ordinance No. 2017-18 was adopted on Final 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 on Final Reading.

Voting AYE: Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, and Mr. Reynolds, 7. Bill No. 19 – 2017 now known and Ordinance No. 2017-19 was adopted on Final 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 on Final Reading.

Voting AYE: Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, and Mr. Reynolds, 7. Bill No. 20 – 2017 now known and Ordinance No. 2017-20 was adopted on Final 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 on Final Reading.

Voting AYE: Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, and Mr. Reynolds, 7. Bill No. 21 – 2017 now known and Ordinance No. 2017-21 was adopted on Final Reading.

9. NEW ORDINANCES

A. *Bill No. 22 – 2017 – 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 Bill No. 22 – 2017 - 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, sponsored by Ms. Negrón and Mr. Colón and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF LEHIGH AND NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA, 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 TOWNSHIP, NORTHAMPTON COUNTY, PENNSYLVANIA FOR TRANSPORTATION THROUGH BETHLEHEM TOWNSHIP MUNICIPAL AUTHORITY LINES AND TREATMENT AT THE CITY OF BETHLEHEM WASTE WATER TREATMENT PLANT" BETWEEN THE CITY OF BETHLEHEM, LOWER NAZARETH TOWNSHIP, BETHLEHEM TOWNSHIP AND THE BETHLEHEM TOWNSHIP MUNICIPAL AUTHORITY".

Voting AYE: Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, and Mr. Reynolds, 7. Bill No. 22 - 2017 was passed on First Reading.

B. Bill No. 23 - 2017 - Amending Article 342 - Local Economic Revitalization Tax Assistance

The Clerk read Bill No. 23 - 2017 - Amending Article 342 - Local Economic Revitalization Tax Assistance, sponsored by Mr. Martell and Ms. Negrón and titled:

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

President Reynolds added he wanted to say thank you to the Community Development Committee, who held a hearing on this, and the Administration and Ms. Karner. He knows that these things are not easy to do especially when you are looking at going to multiple taxing bodies. The presentation that Council received, and more importantly the public received about how much this particular tool of LERTA has worked, is vitally important. Sometimes people wonder when they read the newspaper articles, why this is done. President Reynolds remarked it is really important to give that background information. The presentation we had last time was not only important as far as renewing LERTA, but is a window into the value of these initiatives, especially going forward. We talk about in many ways how we share that information to show that these programs are working.

Voting AYE: Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, and Mr. Reynolds, 7. Bill No. 23 - 2017 was passed on First Reading.

10. RESOLUTIONS

A. Authorizing Use Permit Agreement - ArtsQuest - Yuengling Summer Concert Series

Mr. Colón and Mr. Callahan sponsored Resolution No. 2017-125 that that authorized a Use Permit Agreement for the Yuengling Summer Concert Series.

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

B. Approving Contract – GHD Group

Ms. Negrón and Mr. Colón sponsored Resolution 2017-126 that authorized to execute a contract with GHD Group for Willow Brook Road Water Main Relocation.

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

C. Approving Contract – Gannett Fleming Valuation and Rate Consultants, LLC

Ms. Negrón and Mr. Colón sponsored Resolution No. 2017-127 that authorized to execute a contract amendment with Gannett Fleming Valuation and Rate Consultants, LLC that was previously approved January 3, 2017.

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

D. Approving Contract –Derstine Company LLC

Ms. Negrón and Mr. Colón sponsored Resolution No. 2017-128 that authorized to execute a contract with Derstine Company LLC for the South Side Pump Station Renovation – General Construction.

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

E. Approving Contract – Wind Gap Electric, Inc.

Ms. Negrón and Mr. Colón sponsored Resolution No. 2017-129 that authorized to execute a contract with Wind Gap Electrical, Inc. for the South Side Pump Station Renovation – Electrical Construction.

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

F. Approving Contract – Ankiewicz Enterprises, Inc.

Mr. Colón and Mr. Callahan sponsored Resolution No. 2017-130 that authorized to execute a contract with Ankiewicz Enterprises, Inc. for the Pierce Street Sewer Replacement Project.

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

G. Approving Contract – A. J. Trunzo, Inc.

Mr. Colón and Mr. Callahan sponsored Resolution No. 2017-131 that authorized to execute a contract amendment with A. J. Trunzo, Inc. approved October 4, 2016 for the Schoenersville Road Curb and Sidewalk Construction.

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

H. Approving Contract – Watch Guard Video

Ms. Negrón and Mr. Colón sponsored Resolution No. 2017-132 that authorized to execute a contract with Watch Guard Video for the In Car Camera System Project.

Mr. Colón noted during the Budget Hearings we spoke about the fact that the cameras were out of use in the patrol vehicles and the need for new equipment. He queried if this is upgrading the previous cameras and bringing them up to being online or are these new cameras.

Deputy Chief Todd Repsher stated this is all new hardware and software. He remarked the last remaining cameras died out probably sometime last year. We met with four different companies, two of which we decided to test and evaluate. We decided to go with WatchGuard, so this is all new camera equipment.

Mr. Colón mentioned the term of the contract is fall of this year. He asked if there is anything in there in terms of technical support or warranties safeguarding against another situation like we had.

Deputy Chief Repsher informed there is a five-year warranty on the server and we are getting a five-year warranty on all of the camera equipment. He added that are slated to purchase 35 cameras and we are only installing 34. One system will remain unused as a backup in the event one would completely get destroyed.

Mr. Callahan mentioned originally the budget called for \$88,000 dollars for dash cameras from the bond.

Deputy Chief Repsher is not quite sure how that came to be but the actual number that they got from WatchGuard for just the in-car camera systems was in the range of \$200,000. The first time they came back was with \$260,000 but we updated that to \$224,310.

Mr. Callahan believes it was \$88,000 for the dash cameras from the bond and it was \$75,000 in the bond for the body cameras.

Deputy Chief Repsher noted we are moving forward in phases. Most of the officers have never been around cameras so we are first going forward with the in-car camera system. There are a few reasons for that, and that would be due to the fact that right now the legislation is a little bit behind in technology so that is why we are pushing the body camera back a bit, maybe a year. Next year we would like to test and evaluate some body cameras. In addition, compared to in-car cameras, the body cameras are a relatively new technology. As it gets further on in development there is a chance that they may become smaller and much better. Right now they are a relatively substantial size.

Mr. Callahan informed there was \$91,000 in the one bond and then \$88,000 in the other bond so that is \$179,000. He queried where we got the rest of the money for this.

Deputy Repsher noted to speak with Mark Sivak, Director of Budget and Finance about that.

David Brong, Business Administrator advised that he does not have the details of the budget in front of him but he can say that he has not seen this contract yet. This contract has not come into his office yet. What Mr. Sivak and he do is ensure that the funds available through grants or through budget line are enough to cover the contract. If that is not the case then the contract does not get done.

Mr. Callahan informed he is all in favor of this 100%, he is just curious.

Mr. Brong stated they will ensure that everything is as it needs to be once we see it.

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

Motion – Considering Resolutions 10 I through 10 K as a group – Certificates of Appropriateness

Ms. Negrón and Mr. Callahan moved to consider Resolutions 10 I through 10 K as a group.

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

I. Certificate of Appropriateness – 215 Broadway

Mr. Colón and Mr. Callahan sponsored Resolution No. 2017-133 that granted a Certificate of Appropriateness to demolish the existing building except for the front façade and reconstruct the floors, roof, and east and north walls at 215 Broadway.

J. Certificate of Appropriateness – 337 Vine Street

Mr. Colón and Mr. Callahan sponsored Resolution No. 2017-134 that granted a Certificate of Appropriateness to build an addition on the existing 2-story, mixed-use building at 337 Vine Street.

K. *Certificate of Appropriateness – 309 South New Street*

Mr. Colón and Mr. Callahan sponsored Resolution No. 2017-135 that granted a Certificate of Appropriateness to replace the existing gas station signage at 309 South New Street.

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

11. NEW BUSINESS

Rescheduling First City Council Meeting in July – Tuesday, July 4 Independence Day to Wednesday, July 5, 2017

Ms. Negrón and Mr. Callahan moved to reschedule the first City Council Meeting in July to Wednesday, July 5, 2017 at 7:00 PM in Town Hall, since Tuesday, July 4, 2017 is Independence Day.

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

Committee of the Whole Meeting Announcement

President Reynolds announced there will be a Committee of the Whole Meeting on Monday, June 26, 2017 at 6:00 PM in Town Hall regarding the Proposed Ethics Ordinance.

Running a Meeting/Cars Being Towed

Mr. Callahan expressed that he respects the commitment by Mr. Antalics to come to City Council meetings, but we do have rules. Mr. Callahan thanked President Reynolds for running a fine meeting and being professional. He pointed out that in thinking about comments made by speakers tonight, there are 75,000 residents in the City and it is very important that whether they come Council meetings or not, we need to take into consideration comments made to us by people that we see on a daily basis regarding City issues. Mr. Callahan remarked an issue was brought to his attention regarding cars being towed from private lots and vehicle owners being charged high fees for the service and storage of vehicles. In addition, these vehicles are being transported outside the City. He noted that these lots are owned by businesses that are not running any business. It is costing someone \$380 dollars to go get their car 4 or 5 hours later after it has been towed. Mr. Callahan does recognize that people should not be parking there, but feels the amount of money they are being charged is ridiculous. Mr. Callahan does not know if there is a solution to this but he thinks it is something we need to look into. He feels any car that is towed in Bethlehem should be kept in the City limits, and queried if there a way to cap how much money they can charge for towing. Mr. Callahan understands that some of these people who own these lots are leasing the rights for the towing company to tow from their lot and the property owner is getting \$600 to \$1,000 a month in regular income for the towing company to have the right to tow from that lot. Mr. Callahan stated that just does not sound right to him. He had a few people come up to him in the past year who thought this was

extremely unfair and he did not do anything about it, but then another person approached him about a week ago with the same problem. Mr. Callahan remarked when his car broke down on the way to Penn State it was towed around 14 miles and cost him \$140 dollars. Mr. Callahan believes we should look into this matter.

Mayor Donchez remarked that he did receive a letter from one citizen last week and he referred this to the Legal Department and he is reviewing the issue along with our Deputy Police Chief and we will get back to you on this.

12. ADJOURNMENT

The meeting was adjourned at 8:10 p.m.

ATTEST:

City Clerk