

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street – Town Hall
Bethlehem, Pennsylvania
Tuesday, December 19, 2017 – 7:00 PM

INVOCATION

Deacon Bill Urbine, Notre Dame of Bethlehem Church, offered the invocation 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.

2. APPROVAL OF MINUTES

The minutes of December 5, 2017 were approved.

Resolution to be Added to Agenda

President Reynolds mentioned before Public Comment the Administration is asking to add a Resolution to the agenda. He remarked for purposes of Public Comment he is asking a representative from the Administration to introduce what will be discussed later on in the agenda.

Mayor Donchez explained he will make a brief comment, and then Alicia Karner, Director of Community and Economic Development and City Solicitor, William P. Leeson will make some addition comments. We are offering a Resolution dealing with the CRIZ and the TIF. Ms. Karner and Solicitor Leeson will provide more detail.

Ms. Karner stated we are asking the Resolution that is before you to be added to the agenda. It is looking at some plans that City Council or the CRIZ Authority had certified in years past, which would be the TIF Plan that was certified in 2000 and the CRIZ application and strategic plan which was done in 2013, in hopes of incorporating these two documents as a master development plan for the City. She is happy to answer questions now or at the time of consideration.

President Reynolds noted if anyone has any questions we can ask them at the time of consideration. He explained that he just wanted a brief explanation in case someone from the public wanted to make a comment.

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

None.

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

Golf Course

Jack Toy, 621 Main Street, explained his concern is the Golf Course. He would like to make three points. Number one is the condition of the course. He has heard some people say is not very good, but last summer it was very good. He has played golf for 66 years and played at private clubs, public courses and public courses. In his opinion, our golf course is in very good shape. The only recommendation he would make is to just give up on the sand traps on the 9 hole course and fill them in with top soil and put seed down and just use them as grass. Mr. Toy noted that is because people that play there do not care, and they are not that good so they just as soon not have them and it would make maintenance a lot easier. Number two, is the management of the golf course. The gentleman who is the manager is a great greens keeper and does a good job, at that but on the other hand he does a very poor job at management. Mr. Toy is sorry that he found out that we spent \$800,000 dollars a year for labor. He expressed they cut grass and that is a lot of money to cut grass. The trail fee was the biggest mistake that has been made in that course management in a long time. Mr. Toy knows of at least 40 men who play every Friday and Saturday morning, weather permitted, from the first of April to the end of November who now play at Southmoore. These are good players, and they are not coming back because they walked not to save money; they walked for the physical exercise. The City is charging them \$12 dollars to do something that is healthy, and that was the kiss of death. It has been rescinded, but by the time it was rescinded these men who were regulars are now up at Southmoore. Mr. Toy figured out that those men probably brought in between \$80,000 to \$100,000 dollars of revenue a year, and now that is gone. Number three, has to do with management. He explained you cannot afford to pay people to cut grass at \$100,000 dollars a year, and there are seven Full Time Equivalents. He queried, what do they do four months a year at the golf course? Mr. Toy mentioned the bottom line in his opinion is to get a new manager. Do not get rid of the man as a greens keeper, he is good for that, keep him for that but get a new manager with business experience who knows that operating income has to equal or exceed operating expense. Then develop some things that bring people that want to play golf. That being said, if you do not do any foolish things like trail fees and you get another manager in there you will be back where you need to be. Again, something has to be done about the salary of these people who cut grass.

5. OLD BUSINESS

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

6. COMMUNICATIONS

- A. *Director of Water and Sewer Resources – Recommendation of Award – Steven G. Lowry & Associates, Inc.*

The Clerk read a memorandum dated November 17, 2017 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Steven G. Lowry & Associates, Inc. for annual engineering services for the Department. The term of the contract is January 1 through December 31, 2018 and the fee for the contract is \$65,000.

President Reynolds stated Resolution 10 A is on the agenda.

- B. *Director of Planning and Zoning – Recommendation of Award – George Donovan – Historic Officer for HARB*

The Clerk read a memorandum dated December 8, 2017 from Darlene Heller, Director of Planning and Zoning recommending a contract with George Donovan to serve as the historic officer for the Board of Historical and Architectural Review. The term of the contract is one year with options for two additional one-year extensions. The fee for the contract is \$15,300 for year one, and if renewals are exercised: \$15,600 in 2019 and \$15,900 in 2020.

President Reynold stated Resolution 10 D is on the agenda.

- C. *Director of Planning and Zoning – Recommendation of Award – Jeffrey Long – Historic Officer for HCC*

The Clerk read a memorandum dated December 8, 2017 from Darlene Heller, Director of Planning and Zoning recommending a contract with Jeffrey Long to serve as the historic officer for the Historic Conservation Commission. The term of the contract is one year with options for two additional one-year extensions. The fee for the contract is \$15,300 for year one, and if renewals are exercised: \$15,600 in 2019 and \$15,900 in 2020.

President Reynolds stated Resolution 10 E is on the agenda.

- D. *Director of Water and Sewer Resources – Recommendation of Award – Emerson Process Management Power & Water Solutions, Inc.*

The Clerk read a memorandum dated December 11, 2017 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Emerson Process Management Power & Water Solutions, Inc., for the 2018 licensed software support for the SCADA System at the Water Treatment Plant, Water Distribution Control, Wastewater Treatment Plant, and support services for licensed firmware and software on an as needed basis. The term of the contract is January 1, 2018 to December 31, 2018. The fee for the contract is \$43,901.28, and \$159 dollars an hour plus cost and 10% on an as needed basis.

President Reynolds stated Resolution 10 G is on the agenda.

- E. *Director of Water and Sewer Resources – Recommendation of Award – Mette, Evans & Woodside*

The Clerk read a memorandum dated December 13, 2017 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Mette, Evans & Woodside for the Wastewater Treatment Plant NPDES permit review. The term of the contract is from the notice to proceed until March 31, 2018 and the estimated fee is \$5,000.

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

F. City Solicitor – Resolution – PennDOT Utility Relocation Reimbursement Agreement

The Clerk read a memorandum dated December 14, 2017 from City Solicitor William P. Leeson, Esq., to which is attached an amendment to the Utility Reimbursement Agreement with PennDOT for the Water Facility Relocation for the Route 412, Section 001 construction project.

President Reynolds stated Resolution 10 H is on the agenda.

G. City Councilman – Compensation Increase – Zoning Hearing Board

The Clerk read a memorandum dated December 14, 2017 from Councilman Eric R. Evans to which is attached a Resolution to set the compensation for the Zoning Hearing Board Members at \$35 dollars per day for attendance at officially convened public meetings. The current rate of \$25 dollars was set in 1983.

President Reynolds stated Resolution 10 I is on the agenda.

H. Director of Planning and Zoning – Zoning Ordinance Amendments

The Clerk read a memorandum dated December 15, 2017 from Darlene Heller, Director of Planning and Zoning to which are attached three Zoning Ordinance Amendments which will clarify permitted use in the CB and CL zoning districts; revise building coverage requirements in the RT, the High Density Residential Zoning District; and revise the definition of a hotel.

President Reynolds stated he will accept a motion and second to schedule a Public Hearing for Tuesday, February 6, 2018.

Mr. Callahan and Negrón made the motion to schedule a Public Hearing for Tuesday, February 6, 2018.

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

President Reynolds stated a Public Hearing has been scheduled for Tuesday, February 6, 2018, and he will also refer this to the Lehigh Valley Planning Commission for comment.

7. REPORTS

A. President of Council

Committee of the Whole Meeting/December 31, 2017

President Reynolds emphasized that a Committee of the Whole meeting took place on Wednesday, December 13, 2017 to review the City's climate action plan and the goals of the Climate Action Working Group. He has spoken a lot about this before and he hopes that everyone had a chance to see the presentation and some of the exciting things that Council, the Administration and the Community will be working on in 2018 as part of Phase I and Phase II. He looks forward to talking a lot about this at City Council Meetings in 2018 as well as continuing that work at the Environmental Advisory Committee Meetings. He knows that Lynn Rothman, who is the Chair the EAC, is looking forward to all of their capabilities and being involved in this plan moving forward.

B. *Mayor*

Merry Christmas

Mayor Donchez wished everyone a Merry Christmas and a safe New Year. He thanked City Council for their cooperation during the course of 2017, and he is looking forward to working with City Council in 2018.

8. ORDINANCES FOR FINAL READING

A. *Bill No. 38 - 2017 - Adopting the 2018 General Fund Budget*

The Clerk read Bill No. 38 - 2017 - Adopting the 2018 General Fund Budget, on Final Reading.

Voting AYE: Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, and Mr. Reynolds, 6. Voting NAY: Mr. Callahan, 1. Bill No. 38 - 2017 now known as Ordinance No. 2017 - 38 was passed on Final Reading.

B. *Bill No. 39 - 2017 - Adopting the 2018 Water Fund Budget*

The Clerk read Bill No. 39 - 2017 - Adopting the 2018 Water Fund Budget, on Final Reading.

Voting AYE: Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. Bill No. 39 - 2017 now known as Ordinance No. 2017 - 39 was passed on Final Reading.

C. *Bill No. 40 - 2017 - Adopting the 2018 Sewer Fund Budget*

The Clerk read Bill No. 40 - 2017 - Adopting the 2018 Sewer Fund Budget, on Final Reading.

Voting AYE: Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. Bill No. 40 - 2017 now known as Ordinance No. 2017 - 40 was passed on Final Reading.

D. Bill No. 41 - 2017 - Adopting the 2018 Golf Course Enterprise Fund Budget

The Clerk read Bill No. 41 - 2017 - Adopting the 2018 Golf Course Enterprise Fund Budget, on Final Reading.

Mr. Evans stated that he will be voting for the Golf Course budget this evening with obvious concerns that many of us have. So it is not without concern that he votes for this, he votes for this with the plan going forward that the Administration and Council will work together very closely monitoring each of the steps in hopes that by June of 2018 we have some progress, and can make a decision on the future and direction of the course. Mr. Evans mentioned because of the late date that everything came to us, he does believe that we need to support the budget presented this evening.

Mr. Callahan explained he will be voting no on this based on the cuts that he proposed last week, and he echoes the remarks made by Mr. Evans.

President Reynolds informed he would like the Golf Course to be open in 2018 and believes that there is hopefully a plan moving forward from the Administration to look at different ways to improve the Golf Course. He believes that conversation will continue into 2018.

Voting AYE: Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, and Mr. Reynolds, 6. Voting NAY: Mr. Callahan, 1. Bill No. 41 - 2017 now known as Ordinance No. 2017 - 41 was passed on Final Reading.

E. Bill No. 42 - 2017 - Adopting the 2018 Liquid Fuels Fund Budget

The Clerk read Bill No. 42 - 2017 - Adopting the 2018 Liquid Fuels Fund Budget, on Final Reading.

Voting AYE: Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. Bill No. 42 - 2017 now known as Ordinance No. 2017 - 42 was passed on Final Reading.

F. Bill No. 43 - 2017 - Adopting the 2018 Capital Budget for Non-Utilities

The Clerk read Bill No. 43 - 2017 - Adopting the 2018 Capital Budget for Non-Utilities, on Final Reading.

The Clerk read the Amendment to Bill No. 43 - 2017:

SECTION 1. which reads as follows:

SECTION 2. Appropriations in the sum of Ten Million, Seven Hundred Twelve Thousand, Thirty (\$10,712,030) Dollars are hereby made from the sources indicated in Section 3 hereof as follows:

Public Safety	
Fire Apparatus Replacement Program	299,086
Self-Contained Breathing Apparatus	581,000
Trunking System Radios	<u>75,000</u>
Total Public Safety	<u>955,086</u>
Public Works - Traffic	
Isolated Intersections	388,896
Traffic Safety Improvements	<u>70,000</u>
Total Public Works - Traffic	<u>458,896</u>
Public Works - Streets	
City Hall Complex Parking Lay-bys Reconst.	140,000
Lehigh Way	60,000
New St - 3rd St to 4th St	80,000
Street Overlays	486,608
W Garrison St Reconstruction-Main to N New	<u>145,000</u>
Total Public Works - Streets	<u>911,608</u>
Public Works - Storm Sewers	
Linden St Storm Sewer Upgrade/Replacement	161,200
Miscellaneous Drainage Structures	118,650
Stefko Drainage Swale	20,027
W Laurel St to Monocacy Creek	<u>146,250</u>
Total Public Works - Storm Sewers	<u>446,127</u>
Public Works - Facilities	
City Center Improvements	162,102
Fire House Improvements	90,000
Mechanical System Upgrades	125,000
Roof/Safety/and Code Requirements	<u>75,000</u>
Total Public Works - Facilities	<u>452,102</u>
Public Works - Grounds	
Eastern Gateway	180,946
Greenway-Hobart Street Connection	192,292
Greenway - Plaza Development	200,000
Greenway/Saucon Park Ball Fields Connection	850,619
Grounds Capital Improvement Plan	55,711
Page 2 Amendment to Bill 43-2017	
South Bethlehem Greenway	<u>75,000</u>
Total Public Works - Grounds	<u>1,554,568</u>
Public Works - Other Projects	
Animal Shelter	76,500
Bridge Repairs	191,000
Citywide Wayfinding Signage	227,890
Geographic Information System	80,000

Lynn Avenue Bridge	712,500
Pedestrian Improvements	93,792
Shared Lane Markings	65,500
Storage Tanks	28,206
Tree Replacement	8,981
W Broad St Lighting - 3rd Ave to 5th Ave	285,000
Total Public Works - Other Projects	<u>1,769,369</u>
Recreation	
General Pool Improvement	146,000
Golf Course Improvements	[550,000]
Memorial Pool Complex Improvement	2,587,000
Municipal Ice Rink	100,000
Park System Master Plan	176,000
Total Recreation	<u>[3,559,000]</u>
Administration	
IT Improvement Plan	255,274
Total Administration	<u>255,274</u>
Community & Economic Development	
Blighted Property Acquisition	350,000
Total Community & Economic Development	<u>350,000</u>
Total Non-Utility Capital	<u>[10,712,030]</u>

SECTION 3. The expenditures listed in Section 2 hereof shall be made from the following sources:

2017 Bond	\$	3,717,854
2015 Bond		292,200
2013 Bond		280,000
Federal & PA Grants		2,587,131
Cash/Misc.		<u>[3,834,845]</u>
TOTAL		\$ [10,712,030]

Shall be amended to read as follows:

SECTION 2. Appropriations in the sum of **Ten Million, One Hundred Sixty-Two Thousand, Thirty (\$10,162,030) Dollars** are hereby made from the sources indicated in Section 3 hereof as follows:

Public Safety	
Fire Apparatus Replacement Program	299,086
Self-Contained Breathing Apparatus	581,000
Trunking System Radios	75,000
Total Public Safety	<u>955,086</u>
Public Works - Traffic	
Isolated Intersections	388,896
Traffic Safety Improvements	70,000
Total Public Works - Traffic	<u>458,896</u>
Public Works - Streets	

City Hall Complex Parking Lay-bys Reconst.	140,000
Lehigh Way	60,000
New St - 3rd St to 4th St	80,000
Street Overlays	486,608
W Garrison St Reconstruction-Main to N New	145,000
Total Public Works - Streets	<u>911,608</u>
Public Works - Storm Sewers	
Linden St Storm Sewer Upgrade/Replacement	161,200
Miscellaneous Drainage Structures	118,650
Stefko Drainage Swale	20,027
W Laurel St to Monocacy Creek	146,250
Total Public Works - Storm Sewers	<u>446,127</u>
Public Works - Facilities	
City Center Improvements	162,102
Fire House Improvements	90,000
Mechanical System Upgrades	125,000
Roof/Safety/and Code Requirements	75,000
Total Public Works - Facilities	<u>452,102</u>
Public Works - Grounds	
Eastern Gateway	180,946
Greenway-Hobart Street Connection	192,292
Greenway - Plaza Development	200,000
Greenway/Saucon Park Ball Fields Connection	850,619
Grounds Capital Improvement Plan	55,711
South Bethlehem Greenway	75,000
Total Public Works - Grounds	<u>1,554,568</u>
Public Works - Other Projects	
Animal Shelter	76,500
Bridge Repairs	191,000
Citywide Wayfinding Signage	227,890
Geographic Information System	80,000
Lynn Avenue Bridge	712,500
Pedestrian Improvements	93,792
Shared Lane Markings	65,500
Storage Tanks	28,206
Tree Replacement	8,981
W Broad St Lighting - 3rd Ave to 5th Ave	285,000
Total Public Works - Other Projects	<u>1,769,369</u>
Recreation	
General Pool Improvement	146,000
Golf Course Improvements	0
Memorial Pool Complex Improvement	2,587,000
Municipal Ice Rink	100,000
Park System Master Plan	176,000
Total Recreation	<u>3,009,000</u>
Administration	
IT Improvement Plan	255,274

Total Administration	<u>255,274</u>
Community & Economic Development	
Blighted Property Acquisition	<u>350,000</u>
Total Community & Economic Development	<u>350,000</u>
Total Non-Utility Capital	<u><u>10,162,030</u></u>

SECTION 3. The expenditures listed in Section 2 hereof shall be made from the following sources:

2017 Bond	\$	3,717,854
2015 Bond		292,200
2013 Bond		280,000
Federal & PA Grants		2,587,131
Cash/Misc.		<u>3,284,845</u>
TOTAL		\$ 10,162,030

Voting AYE on the Amendment to Bill No. 43 - 2017: Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7.

Voting AYE on Bill No. 43 - 2017 as amended: Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. Bill No. 43 - 2017 now known as Ordinance No. 2017 - 43 was passed on Final Reading.

G. *Bill No. 44 - 2017 - Adopting the 2018 Capital Budget for Water Utilities*

The Clerk read Bill No. 44 - 2017 - Adopting the 2018 Capital Budget for Water Utilities, on Final Reading.

Voting AYE: Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. Bill No. 44 - 2017 now known as Ordinance No. 2017 - 44 was passed on Final Reading.

H. *Bill No. 45 - 2017 - Adopting the 2018 Capital Budget for Sewer Utilities*

The Clerk read Bill No. 45 - 2017 - Adopting the 2018 Capital Budget for Sewer Utilities, on Final Reading.

Voting AYE: Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. Bill No. 45 - 2017 now known as Ordinance No. 2017 - 45 was passed on Final Reading.

I. *Bill No. 46 - 2017 - Adopting the Community Development Block Grant Budget for 2018*

The Clerk read Bill No. 46 - 2017 - Adopting the Community Development Block Grant Budget for 2018, on Final Reading.

Ms. Negrón related she needs to abstain because she serves on the Board of the Community Action Committee who will receive funding from the CDBG funds.

Voting AYE: Mr. Colón, Mr. Evans, Mr. Martell, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 6. Abstain: Ms. Negrón, 1. Bill No. 46 – 2017 now known as Ordinance No. 2017 – 46 was passed on Final Reading.

J. *Bill No. 47 – 2017 – Adopting the 2018 9-1-1 Fund Budget*

The Clerk read Bill No. 47 – 2017 – Adopting the 2018 9-1-1 Budget, on Final Reading.

Voting AYE: Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. Bill No. 47 – 2017 now known as Ordinance No. 2017 – 47 was passed on Final Reading.

K. *Bill No. 48 – 2017 – Fixing the 2018 Tax Rate for All City Purposes*

The Clerk read Bill No. 48 – 2017 – Fixing the 2018 Tax Rate for All City Purposes, on Final Reading.

Mr. Callahan stated he will be voting against Bill No. 48 due to the numerous budget cuts that he proposed last week.

Voting AYE: Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, and Mr. Reynolds, 6. Voting NAY: Mr. Callahan, 1. Bill No. 48 – 2017 now known as Ordinance No. 2017 – 48 was passed on Final Reading.

L. *Bill No. 49 – 2017 – Amending Article 1737 – Fair Housing Ordinance*

The Clerk read Bill No. 49 – 2017 – Amending Article 1737 – Fair Housing Ordinance, on Final Reading.

Voting AYE: Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. Bill No. 49 – 2017 now known as Ordinance No. 2017 – 49 was passed on Final Reading.

M. *Bill No. 50 – 2017 – Amending Article 151 – Firemen's Pension Fund*

The Clerk read Bill No. 50 – 2017 – Amending Article 151 – Firemen's Pension Fund, on Final Reading.

Voting AYE: Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. Bill No. 50 – 2017 now known as Ordinance No. 2017 – 50 was passed on Final Reading.

N. *Bill No. 51 – 2017 – Amending Article 1702 – Fees for the Enforcement of the Pennsylvania Uniform Construction Code, Act 45-1999*

The Clerk read Bill No. 51 – 2017 – Amending Article 1702 – Fees for the Enforcement of the Pennsylvania Uniform Construction Code, Act 45-1999, on Final Reading.

Voting AYE: Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. Bill No. 51 – 2017 now known as Ordinance No. 2017 – 51 was passed on Final Reading.

O. *Bill No. 52 – 2017 – Amending Article 721 – Streets and Sidewalks – Dumpster and Sign Fees*

The Clerk read Bill No. 52 – 2017 – Amending Article 721 – Streets and Sidewalks, on Final Reading.

Voting AYE: Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. Bill No. 52 – 2017 now known as Ordinance No. 2017 – 52 was passed on Final Reading.

P. *Bill No. 53 – 2017 – Amending Article 907 – Poles and Wires – Utility Pole/GuyWire Fee*

The Clerk read Bill No. 53 – 2017 – Amending Article 907 – Poles and Wires, on Final Reading.

Voting AYE: Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. Bill No. 53 – 2017 now known as Ordinance No. 2017 – 53 was passed on Final Reading.

Q. *Bill No. 54 – 2017 – Amending Article 909 – Sidewalks, Curbs, Gutters and Driveways – Residential and Commercial Driveway Fees*

The Clerk read Bill No. 54 – 2017 – Amending Article 909 – Poles and Wires – Sidewalks, Curbs, Gutters and Driveways, on Final Reading.

Voting AYE: Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. Bill No. 54 – 2017 now known as Ordinance No. 2017 – 54 was passed on Final Reading.

R. *Bill No. 55 – 2017 – Amending Article 921 – Sanitary Sewer Regulations – Residential and Commercial Storm Sewer Connection Fees*

The Clerk read Bill No. 55 – 2017 – Amending Article 921 – Sanitary Sewer Regulations, on Final Reading.

Voting AYE: Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. Bill No. 55 – 2017 now known as Ordinance No. 2017 – 55 was passed on Final Reading.

- S. *Bill No. 56 – 2017 – Amending Article 925 – Stormwater Management Regulations- Residential and Commercial Storm Sewer Connection Fees*

The Clerk read Bill No. 56 – 2017 – Amending Article 925 – Stormwater Management Regulations, on Final Reading.

Voting AYE: Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 7. Bill No. 56 – 2017 now known as Ordinance No. 2017 – 56 was passed on Final Reading.

9. NEW ORDINANCES

None.

10. RESOLUTIONS

- A. *Authorizing Contract – Steven G. Lowry & Associates, Inc.*

Mr. Martell and Ms. Negrón sponsored Resolution No. 2017-243 that authorized to execute a contract with Steven G. Lowry & Associates, Inc. for the 2018 annual engineering services for the Department of Water and Sewer Resources.

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

- B. *Approving Fire Safety and Code Enforcement Fees*

Ms. Negrón and Mr. Callahan sponsored Resolution No. 2017-244 to establish the Fire Department fee schedules for inspection of commercial structure and premises for assembly occupancies and non-assembly commercial occupancies.

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

- C. *Approving Records Destruction – Office of the Solicitor*

Mr. Martell and Mr. Callahan sponsored Resolution No. 2017-245 that authorizes the disposition of the public records as stated in the attached Exhibit A.

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

- D. *Authorizing Resolution – George Donovan*

Mr. Martell and Ms. Negrón sponsored Resolution No. 2017-246 that authorized to execute an agreement with George Donovan as Historic Officer for HARB.

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

E. Authorizing Contract – Jeffrey Long

Mr. Martell and Ms. Negrón sponsored Resolution No. 2017-247 that authorized to execute an agreement with Jeffrey Long as Historic Officer for the HCC.

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

F. Authorizing Contract – Mette, Evans & Woodside

Mr. Martell and Mr. Callahan sponsored Resolution No. 2017-248 that authorized to execute an agreement with Mette, Evans & Woodside for the Wastewater Treatment Plant NPDES Permit Review.

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

G. Authorizing Contract – Emerson Process Management Power & Water Solutions, Inc.

Mr. Martell and Mr. Callahan sponsored Resolution No. 2017-249 that authorized to execute an agreement with Emerson Process Management Power & Water Solutions, Inc. for the 2018 Licensed Software Support for the SCADA System.

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

H. Authorizing Resolution – Amendment to PennDOT Utility Relocation Reimbursement

Mr. Callahan and Ms. Negrón sponsored Resolution No. 2017-250 that authorized to execute an amendment to the Utility Reimbursement Agreement with PennDOT.

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

I. Approving Zoning Hearing Board Compensation

Mr. Evans and Mr. Callahan sponsored Resolution No. 2017-251 that compensation of each member of the Zoning Hearing Board shall be Thirty-Five (\$35) Dollars per day for attendance at officially convened public meetings of the Board.

Mr. Evans commented in 2012 we approved the new Zoning Ordinance. The year before that we moved the Zoning Hearing Board from three officers to five and he thought that was a good change. We have all at some point sat through a Zoning Hearing Board Meeting, and they can be very difficult and complex, and lengthy. Mr. Evans noted that most Zoning Hearing

Boards are composed of five, seven or nine people. The change from three to five members has helped. He attended a number of these meetings, and the debate that it offers has been helpful. At the last few meetings that he attended it occurred to him that year to year we see what the members are paid in the budget book. It is \$25 dollars, and that was established in 1983. Mr. Evans explained he thought it was time to reset and compare to what other local and regional Zoning Hearing Board members are paid. He pointed out it is not much of a change, but he thinks we owe it to the men and women who work on that Zoning Hearing Board. They do not do this for the money; they are great public servants and are experienced and hard workers. Mr. Evans stated that is what caused him to look at this matter. He added that Easton and Allentown have a rate of \$35 dollars. He thought it would be appropriate to move the compensation from \$25 dollars to \$35 dollars. A few members of Council thought it should be higher, maybe around \$50. He continued to say that in speaking with Mark Sivak, Director of Budget and Finance, he noted this will not require a budget amendment. This can be accomplished through a budget transfer.

Mr. Sivak stated that is correct.

Mr. Evans continued to say that going from \$25 to \$35 is negligible; it is an \$800 dollar difference when you multiply the 16 estimated meetings at five members per meeting times \$35 dollars. It increases the annual budget for the Zoning Hearing Board from \$2,000 to \$2,800 dollars.

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

J. Certificate of Appropriateness – 1 East Church Street

Mr. Callahan and Ms. Negrón sponsored Resolution No. 2017-252 that granted a Certificate of Appropriateness to install new hand painted signage on two windows at 1 East Church Street.

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

K. Certificate of Appropriateness – 129 East Market Street

Mr. Callahan and Ms. Negrón sponsored Resolution No. 2017-253 that granted a Certificate of Appropriateness to install a historic plaque on the façade of the residence at 120 East Market Street.

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

Mr. Callahan and Mr. Evans made the motion to add Resolution 10 L to the agenda.

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

L. *Designating City Revitalization and Improvement Zone and Tax Incremental Financing District as Master Development Plans*

Mr. Callahan and Mr. Evans sponsored Resolution No. 2017-254 that approved designating the City Revitalization and Improvement Zone and Tax Incremental Financing District within the City of Bethlehem as Master Development Plans.

Ms. Karner informed these are two plans that we had approved before. The TIF plan was approved in 2000, not just by City Council, but by the other taxing bodies that were participants in the TIF. The CRIZ authority was created by City Council, and while you may have not necessarily seen that plan in the format of an approval prior to the approval of the CRIZ in 2013, that certainly is a public document that has been well vetted and incorporates a number of targeted properties in the City. Ms. Karner explained moving forward we are trying to certify the properties associated with both of those initiatives as Master Development Planning documents and part of a larger master development planning process.

President Reynolds queried about the purpose of the designation of the Master Development Plan.

Ms. Karner explained there could be an advantage to the City by declaring this part of the Master Development Plan when anticipating some of the tax code changes at the Federal level.

President Reynolds then asked Solicitor Leeson for any additional comments. He knows there are some things with the tax code that will be changing or may change, and asked Solicitor Leeson to comment about how this would affect or protect previous legislation.

Solicitor Leeson mentioned allowing that this was presented rather late to the City he does not know how it came to our attention except he is aware that some credit may be due to Senator Pat Browne, in bringing this to our attention. Solicitor Leeson explained that this matter when presented to him today triggered his inquiry into looking at the Internal Revenue Code. The reason for that is that the proposed amendment in the new tax law makes a change to what he believes is Section 118 of the existing tax code. The way things have been under Section 118 is that these public contributions or benefits extended to developers as incentives for their projects are tax exempt as contributions. The tax code potentially risks the exemption of those contributions subject to certain qualifications or exceptions. The one at hand that we are dealing with this evening that is applicable to the situation is the proposal in the new law that says that the exemption will remain, will continue as long as the governmental contribution is part and parcel with an approved development plan. A Master Development Plan is the phrase that is presented in the Resolution. Solicitor Leeson noted the take on this matter is that to give the developers the best chance of avoiding any adverse implications from the new tax law on changes to existing Section 118 we are proposing this Resolution which effectively adopts or declares the Master Development Plan for the purpose of the TIF and the CRIZ. We are trying to be developer friendly. What we have otherwise, at face value, is a reading of the statutes and making our best judgment and interpretation on what is most friendly to the developers and the situation, and to keep thing status quo as they are under existing Section 118 of the code.

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

11. NEW BUSINESS

A. *Rescheduling First Meeting in January – Tuesday, January 2, 2018 – 7:00 PM*

Ms. Negrón and Mr. Evans moved to reschedule the first Meeting in January from Monday, January 1, 2018, New Year's Day, to Tuesday, January 2, 2018.

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

President Reynolds stated the City Council Reorganizational Meeting has been rescheduled to Tuesday, January 2, 2018 at 7:00 pm in Town Hall.

Happy Holidays

President Reynolds highlighted on behalf of City Council he would like to wish everyone here and their families a Happy Holiday. We will see everyone back here in January.

12. ADJOURNMENT

The meeting was adjourned at 7:46 p.m.

ATTEST:

City Clerk