

BETHLEHEM CITY COUNCIL MEETING  
10 East Church Street - Town Hall  
Bethlehem, Pennsylvania  
Tuesday, January 16, 2018 - 7:00 PM

INVOCATION

Pastor Dwight Mikesell, Crosspoint Church, offered the Invocation which was followed by the pledge to the flag.

PLEDGE TO THE FLAG

1. ROLL CALL

President Waldron called the meeting to order. Present were Michael G. Colón, Eric R. Evans, Shawn M. Martell, Olga Negrón, J. William Reynolds and Adam R. Waldron, 6. Absent: Bryan G. Callahan, 1.

PROCLAMATION

*Proclamation Honoring Historic Officer Chris Ussler*

Alicia Karner, Director of Community and Economic Development explained that Historic Officer Chris Ussler notified the Department months ago that she was going to step down as the Historic Officer and that was not an easy time for us. Ms. Karner highlighted that it was probably not an easy decision for Ms. Ussler, and she reflected on how they were going to replace Ms. Ussler, especially with all that she accomplished in her 30 years as the Historic Officer. She continued to say the print she has made on the south side and on the north side prior to that will live on for generations. Ms. Karner expressed when she reflects on 30 years as a woman in that position, she is sure that was a pretty big deal and probably a fairly lonely place to be. Ms. Karner remarked that she has learned a lot from Chris; with Historic Preservation it is patience, research, understanding, cooperation, flexibility and many of things that Ms. Ussler taught her in the four years she has been with the City. Ms. Karner then read the proclamation for Ms. Ussler on behalf of the Mayor. City Council applauded Ms. Ussler and wished her well in future endeavors.

2. APPROVAL OF MINUTES

The Minutes of January 2, 2018 were approved.

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

*Peron Project at the Bethlehem Armory*

Christine Roysdon, 421 Second Avenue, advised that in a few weeks City Council will be considering the Armory Project once again and the vacation of Second Avenue. As Council

knows the Zoning Hearing Board has approved all of the numerous variances requested by Peron Development for this project. These variances permit parking in a front yard of a four story over wide apartment building. Vehicles are snug to the building; there is a long line of cars with an uninterrupted little green space in the plans. She noted that despite all the concessions, the project is still 24 parking spaces short of the number of spaces generally required. Ms. Roysdon suggested that Council do a little exercise of data driven decision making similar to what she does in her workplace. She continued to say there are three concerns that City Council might want to address before deciding to permit this street vacation. First, she would ask Council to gather some data on the current parking situation in our neighborhood. We have done some sample counts at 6:00 AM in November of the 300, 400, and 500 blocks of Second Avenue. They are essentially parked up at 6:00 AM with resident's cars. The 300 block residents not only park along the eastern curve, but on the sides and in between the current median strip that will disappear if there is a street vacation. Ms. Roysdon stressed if parking for the Armory project is on the west side for them then there will not be much space left for those extra 24 cars that are projected. A second idea that was suggested by the developers was striping and using the old Second Avenue ramp as a way of relieving some of this parking. That ramp was abandoned with the construction of Route 378 and has been sitting there ever since. She pointed out we all have read about the new Hill to Hill Bridge renovation project and also the suggestion that this ramp may come down as part of that project. Ms. Roysdon thinks that would be a good piece of data for Council to be sure about. As she walked to work last week she found a sizable chunk of concrete on the sidewalk in front of her. This ramp, like the bridge, is 100 years old, and she wonders if it is safe. Her experience would suggest not. She wonders if this ramp is structurally sound, and if anyone knows the answer to this question. This is data that you must find out before making a decision like this. Ms. Roysdon noted the projects from the planners for the Hill to Hill Bridge renovation project now have a local office, so why not give them time to think about this and study this question before it is simply vacating the street. Finally, the surprising situation is that no use for the Armory has been identified. We have no data as to what it will be used for and no data as to what parking requirements or driving requirements will be once a use is identified. Ms. Roysdon continued to say no matter what happens there will be new parking needed and it will come solely at the neighborhoods expense, there is no other place to go. Ms. Roysdon remarked we already share parking in our neighborhood; we share it heavily in front of our houses that were built a century ago and more. It is from an era of different urban transportation with closely spaced houses and a dependence on public transportation that we no longer have. Our zoning process and our Council are charged with balancing the needs of current residents with those who want to build something new, and in this case we feel that the zoning process has failed our neighborhood. There is still an opportunity for the Council to search for a better solution. Ms. Roysdon asked Council to collect this data and take a look at it and see what it tells you.

#### *Zoning Hearing Board Meeting*

Mary Toulouse, 1528 West Market Street, explained she has a concern that was brought to her attention. Basically it deals with the fact that our government even at the local level is based on the separation of powers, legislative, judicial, and executive branches. Along this line of thought she would like to read the following excerpt from the Pennsylvania Municipalities Planning Code. The code number is 10909, and it delineates who and what are entitled to appear at a Zoning Hearing. Specifically this section provides "The parties for the Hearing shall be one; the Municipality, two; any person affected by the application, and three any other person

including civil or community organizations.” She expressed in summary that means participants at a Zoning Hearing, a part of our judicial branch may include the Municipality, individual citizens and/or a civic or community organization. Ms. Toulouse would like to thank Council for the integrity that shown in November when you refrained from holding the initial hearing on the Street Vacation of Second Avenue. You did that with the intent of not influencing a judicial hearing, and that was greatly appreciated by everyone. That showed true respect for the separation of powers that our government is based on. However, unfortunately this does not always work out in terms of individuals. There was a recent violation of the separation of powers where a City employee, without bearing the imprimatur of this Council appeared to represent the City’s interest in favor of an individual applicant at a judicial hearing. The Pennsylvania Municipality Planning Code would permit the City’s participation by its Solicitor on behalf of the City but not an individual City employee on his or her own accord. Ms. Toulouse queried as to what happens when a City employee improperly appears as an individual at a hearing. It seems to the public, to the residents, and to the citizens as if he or she is an advocate and witness in support of a specific applicant. It also seriously hurts public confidence in City employees and in City government. Residents become reluctant to work with these people on committees or even ask questions of City employees because the residents cannot be sure that they will receive unbiased information and be treated fairly. Ms. Toulouse communicated that through the fall of last year and all your deliberations on the importance of ethics on Council she would ask that you review with City employees their own ethical responsibilities to the community and to our branches of government.

*Prospect Avenue Traffic*

Sheena Guthrie, 810 Prospect Avenue, explained she moved to Prospect Avenue about a year ago, just up the block from Spring Street. Within a few weeks of living on Prospect Avenue she learned quickly how dangerous it could be putting her daughter, who was then four months old, into her car safety seat. Every morning and evening she watches for cars driving by for her to open the door to attempt to get her daughter out of the car. She also has a three year old getting in and out on the sidewalk side. A few times a week someone drives very fast past her possibly only a foot or two away from the door. The door will sway, she cringes and on one occasion she was brought to tears wondering if one of these days her two girls will watch her get killed getting in and out of the car. Ms. Guthrie expressed that the road narrows right at their block by about 10 feet which is 25% of what the width is between Sixth and Seventh Avenue. She wonders what if the cars do not swerve, what if someone keeps going straight down the middle of the road if they are coming westbound from Seventh Avenue and what if they do not make the swerve and keep going straight. If that happens they will hit her and her daughters would be there to see this. She expresses that last Wednesday evening, January 11<sup>th</sup>, around 8:00 PM she was in the house and they heard a thud and their dog went crazy. There was a car half on their sidewalk and in their yard, they swerved to miss another car and went up onto the curb and into the yard between our house and our neighbors. She pointed out luckily no one was injured, but what if that happened in the morning with all of the kids in west Bethlehem walking to Calypso or Nitschmann along Prospect Avenue or what if someone was out walking their dogs. Ms. Guthrie is not just complaining about speed, but her biggest concern is the road narrowing. It is not common and drivers are not always preparing themselves mentally to adjust to these big shifts in roadways. If the road was wider the driver could just continue their trip and maintain a safe distance on both sides. The lines are not marked on the west end, most drivers including herself just drive down the middle of the block unless there is an oncoming car. There is plenty of

space for everyone, but instead on our block the road narrows and the driver has to correct unexpectedly. Ms. Guthrie spent the past year seeing speeding; that does not concern her, what concerns her is seeing the car on her lawn which made her wake up and reach out for help. She wants to discuss what we can do to make that narrow transition safer. She has a few ideas and understands there are limitations to stop signs and speed bumps, but there are other creative ideas that the City can take that are widely used in other cities. Ms. Guthrie would like to discuss these options and creatively brainstorm a solution to hopefully make this area safer for those living in the surrounding area. She thinks that if changes were made it would affect the entire west end if done properly. She would like a name or contact for someone who can brainstorm with us.

President Waldron stated Council did receive her email last week which he replied to and forwarded to Tiffany Wells who is the Traffic Superintendent for the City. She has replied and we can speak about this after the meeting.

*Aggressive Driving/Armory Project*

Bill Scheirer, 1890 Eaton Avenue, informed he recently returned from a trip to Appleton, Wisconsin whose population is almost identical to that of Bethlehem. The reason he brings this up is the driving habits. There is very little aggressive driving in Appleton, and when he came back last week he remembered he was back in Bethlehem and that is part of what Ms. Guthrie is talking about. It is aggressive driving, not only too fast, but pure aggressiveness. He hopes that our Police Department can do something about this. Mr. Scheirer had an Officer tell him once that on Eaton Avenue he clocked vehicles going 65 miles per hour in a 35 mph zone. That is not only speed, that is aggressiveness. He wishes we could do more about it and make Bethlehem special in that respect. On the question of the Armory, he told the Zoning Hearing Board that he feels they violated their own Ordinance. That is because the Ordinance says the variance shall not alter the essential character of the neighborhood. They approved 11 variances. That project is so massive there is no way that it does not alter the essential character of that neighborhood. There are a significant number of people there who are literally distraught at what will happen to their neighborhood. Mr. Scheirer continued to say you have a vote tonight on a street vacation. He would suggest that the vote will not be just about a street vacation because if you do not approve the street vacation the project will have to be downsized. It would then be more compatible with the neighborhood. So if you approve the street vacation you are not only approving the vacation of a street, you also are approving the size of that project. Mr. Scheirer noted that is what is before you tonight and he hopes that you can exercise your powers of oversight to say no, this project is too big; we will not vacate the street for a project of this size.

President Waldron explained that the street vacation is listed as a Communication this evening and the First and Second Reading will take place in February, so there will be no vote on that this evening.

*Chris Ussler/South Side Bethlehem*

Stephen Antalics, 737 Ridge Street, remarked he wanted to follow up on the comments made about the citation for Chris Ussler. Over the years Mr. Antalics has learned to respect her and what really impressed him about Chris was that she came out and fought for Broughal Middle School. She went out of her way much to the chagrin of many people in the City, but

unfortunately it did not work out. Also, with some recent developments she felt regret to what had happened. That kind of oversight needs to be kept in the City so that the person who will be replacing her should have that sensitivity to the needs of the City. Mr. Antalics continued to say that a number of people have asked him what he thinks about the building on Third and New Streets. To him that is just a continual meaning of the south side and the destroying of its streetscape and its sense of community which all started way back when the borough became a City. There was terrible animosity and the first act that started to break that down was the tearing down of the Market Place on Third and Adams Streets. Mr. Antalics explained that Philadelphia had a similar problem with the Reading Terminal Market which was supposed to be demolished. But then Philadelphia had a visionary, Ed Bacon, father of actor Kevin Bacon and he fought to keep the Reading Terminal Market. That is now the centerpiece known to the entire world, everyone wants to go to the Reading Market to get a cheesesteak or a Philadelphia pretzel. Mr. Antalics explained the south side is deteriorating because when that ten-story building goes on Fourth Street that will continue the demise of the South Side. What is sad is that Ordinances passed by previous Councils have said this should not happen because the guidelines were to keep the streetscape as it is with four to five stories. That did not work because it appears to many that private interest outweighs citizen's interests. In your work with a new President of Council and another new Council Member he thinks Council should take it upon themselves to stop the demise of the south side because it has been subtle, but continuous over 100 years. Mr. Antalics asks Council to consider that, and added his congratulations to Chris Ussler for the good work.

*Police Department*

Bruce Kovacs, 703 Yeates Street, stated he was born in Bethlehem and lives in a house that his father built in addition to other houses built behind Kricks Bakery. He remarked that the Streets Department only plowed his street four times in 80 years even though they are right behind the salt pile. Mr. Kovacs continued on to speak about people being able to hear and feel before they die and related that experience when his father was dying. Mr. Kovacs explained his son died in the attic of his garage and his wife cried for hours. She asked that a certain Police Officer not come to the house. He expressed they called on a separate occasion and the same officer called back and told him to shut up. Mr. Kovacs noted that he has this all on recording and the CS lady allowed him to record it. The Police Officer, after showing up and telling everyone to leave said our family needs to grow up and never again call the Police. He related the officer said that is why your son killed himself. Mr. Kovacs stated the officer had no right, and if Mr. Kovacs had heard that, the Police Officer would be on the ground. Mr. Kovacs related the officer went back to the Police Department and called his house many times, and said each time the officer would call and hang up until Mr. Kovacs called and said to stop calling or he would press harassment charges. Mr. Kovacs has left 92 messages on the Mayor's phone line, and only received one phone call back. He remarked that is because you are worried about what the Chief of Police wrote down about his dead son. That is the only way he will get his gun back. Mr. Kovacs stated some week he will sit at the Police Department, and maybe run out of oxygen or get his stuff back; it will be, one of the two. He remarked that he read the report from the coroner and can say his son was the victim already of a crime. He was slammed down on the ground by cops; at one time he was made to walk backwards over a whole block. Mr. Kovacs pointed out his son was Principal Honors before a bad surgery in Philadelphia, he dropped out of tenth grade and he had his own business going. This report says after the cops told us he was dead and you were not satisfied with that; they had the audacity to go up there and handcuff him first. Mr.

Kovacs explained when he finds out which cop put the handcuffs on him; he will shove those handcuffs down his throat. The last thing that his son felt was handcuffs being placed on him. He queried what do you do when you see an accident, do you handcuff the guy first and then help him? Mr. Kovacs stated his son was picked on for four to five years. Mr. Kovacs mentioned he had a 40 caliber handgun that was stolen and called three times to send a police officer out to make a report. He left a message on the Mayor's line but no one came out to make a report.

President Waldron stated Mr. Kovacs could speak with someone after the meeting.

4. PUBLIC COMMENT (on ordinances and resolutions to be voted on by Council this evening - 5 Minute Time Limit)

None.

5. OLD BUSINESS

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

6. COMMUNICATIONS

A. *Director of Water and Sewer Resources - Records Destruction Resolution*

The Clerk read a memorandum dated January 4, 2018 from Edward J. Boscola, Director of Water and Sewer Resources requesting Council to consider a Resolution for the Destruction of Records from Water and Sewer Resources listed on the attached exhibit. Mr. Boscola has reviewed the Municipal Records Retention Act and the records fall within categories where destruction is permitted.

President Waldron stated the Resolution can be placed on the February 6 agenda.

B. *Director of Water and Sewer Resources - Recommendation of Award - Arcadis U. S., Inc.*

The Clerk read a memorandum dated January 8, 2018 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Arcadis U. S., Inc. for the Wastewater Treatment Plant NPDES Re-Draft Permit Review. The term of the contract is from the Notice to Proceed until March 31, 2018. The fee for the contract is \$16,300.

President Waldron stated Resolution 10 A is on the agenda.

C. *Director of Water and Sewer Resources - Recommendation of Award - Pennoni Associates, Inc.*

The Clerk read a memorandum dated January 8, 2018 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Pennoni Associates for engineering services for the Hecktown Road Bridge Water Main Replacement. The term of the contract is from the Notice to Proceed until December 31, 2018. The fee for the contract is \$20,000.

President Waldron stated Resolution 10 B is on the agenda.

*D. Director of Water and Sewer Resources – Recommendation of Award – Core & Main, LP and Sensus USA, Inc.*

The Clerk read a memorandum dated January 8, 2018 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Core & Main and Sensus USA for Advanced Metering Infrastructure. The term of the contract is from the Notice to proceed until December 31, 2018. The fee for the contract is \$129,500 for the initial installation, system activation and first year fee. The annual fee starting in the second year will be based on the number of metered accounts converted to AMI. The initial fee estimate is \$15,000 per year and will escalate on a sliding scale as new accounts are added to the system.

President Waldron stated Resolution 10 D is on the agenda.

*E. Human Resources Director – Recommendation of Award – St. Luke’s University Health Network*

The Clerk read a memorandum dated January 8, 2018 from Michelle Cichocki, Human Resources Director recommending a contract with St. Luke’s University Health Network for the Department of Transportation Drug and Alcohol testing. The term of the contract is January 1, 2018 through December 31, 2018. The fee for the contract is \$4,700.

President Waldron stated Resolution 10 C is on the agenda.

*F. Housing & Community Development Planner – Records Destruction Resolution*

The Clerk read a memorandum dated January 9, 2018 from Allyson Lehr, Housing and Community Development Planner requesting Council to consider a Resolution for the Destruction of Records from the Community and Economic Development Department listed on the attached exhibit. All included records and documents have been saved for the prescribed time period per HUD and all other grant and loan guidelines.

President Waldron stated the Resolution can be placed on the February 6 agenda.

*G. City Solicitor – Street Vacation – Portion of Filbert Street and Portion of Second Avenue*

The Clerk read a memorandum dated January 11, 2018 from William P. Leeson, Esq., City Solicitor to which is attached the Street Vacation Ordinance for a portion of Filbert Street and a portion of Second Avenue. If there are utility lines located in the right-of-way of Filbert Street or Second Avenue, it is the Solicitor’s Office position that, prior to the final passage of the Vacation Ordinance, the utilities involved receive easements from the Bethlehem Redevelopment Authority and/or Peron Armory L.P. insuring the continuance of the utilities’ rights to maintain the line currently in place. The Solicitor’s Office will report the status prior to Council’s consideration for final passage.

President Waldron stated the Ordinance can be placed on the February 6 agenda for First Reading.

H. *Director of Budget and Finance – Recommendation of Award – The Kapoor Company*

The Clerk read a memorandum dated January 11, 2018 from Mark W. Sivak, Director of Budget and Finance recommending a contract with The Kapoor Company for Act 111 Labor and Economic Analytics Services. The term of the contract is one year. The fee for the contract is estimated at \$40,000.

President Waldron stated Resolution 10 E is on the agenda.

7. REPORTS

A. *President of Council*

B. *Mayor*

1. *Administrative Order – Sharon Zondag – Bethlehem Authority*

David Brong, Business Administrator, read Mayor Donchez' reappointment of Sharon Zondag to membership on the Bethlehem Authority effective through January, 2023. Mr. Colón and Mr. Reynolds sponsored Resolution No. 2018-005 to confirm the reappointment.

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

2. *Administrative Order – Dr. Terry L. Marcincin, D.M.D. – Board of Health*

David Brong, Business Administrator, read Mayor Donchez' reappointment of Dr. Terry L. Marcincin, D.M.D. to membership on the Board of Health effective through January, 2023. Mr. Colón and Mr. Reynolds sponsored Resolution No. 2018-006 to confirm the reappointment.

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

3. *Administrative Order – G. Frederick Bonsall – Board of Historical and Architectural Review*

David Brong, Business Administrator, read Mayor Donchez' reappointment of G. Frederick Bonsall to membership on the Board of Historical and Architectural Review effective through January, 2023. Mr. Colón and Mr. Reynolds sponsored Resolution No. 2018-007 to confirm the reappointment.

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

4. *Administrative Order – William Kounoupis – Parking Authority*

David Brong, Business Administrator, read Mayor Donchez' reappointment of William Kounoupis to membership on the Parking Authority effective through January, 2023. Mr. Colón and Mr. Reynolds sponsored Resolution No. 2018-008 to confirm the reappointment.

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

5. *Administrative Order – Eric R. Evans – Business Administrator*

David Brong, Business Administrator, read Mayor Donchez' appointment of Eric R. Evans as Business Administrator effective as of February 5, 2018. Ms. Negrón and Mr. Colón sponsored Resolution No. 2018-009 to confirm the appointment.

Ms. Negrón explained this is very good news. She thanked Mr. Brong for his service. She is excited and knows that Councilman Evans enjoyed being on Council, but looking at his resume it is obvious that finance is his backbone. She added with his experience on Council and background as a financial individual he will bring great things to our City. She is looking forward to seeing Mr. Evans on the other side of the table.

Mr. Martell congratulated Mr. Brong on his retirement and noted that it has been a pleasure working with him, he has learned a lot from him. Mr. Martell also wanted to echo what Councilwoman Negrón said. In the two years he has worked with him he has found Mr. Evans to be very thoughtful and someone who takes issues very seriously. He has also demonstrated the aptitude for the financial aspect of things, but also the operation side of things as well. Mr. Martell highlighted this will be great for the Administration. He continued to say we will miss Mr. Evans on this side of the bench, but wanted to take this moment to congratulate Mr. Evans. Mr. Martell will certainly support this appointment.

Mr. Reynolds thanked Mr. Brong for his service. He appreciates the fact that whenever they sat down to talk he would always get a straight answer from Mr. Brong. The mark of a good Business Administrator is someone that learns how to say yes and how to say no. Not everyone agreed with your decisions inside City Hall but at the same time you were tasked with a job in which you had to make some difficult decisions, and sometimes those decisions Council would look at and say that is the right thing to do. Mr. Reynolds can appreciate the Business Administrator who has to implement those things on a day to day basis. He also wanted to echo the comments his colleagues stated about Mr. Evans. Mr. Reynolds noted that they have served together for eight years on City Council and their families have gone to East Hills Moravian Church for 20 years. He continued to say that more often than not, he and Mr. Evans agreed on things. Sometimes they disagreed, but he always found that Mr. Evans would disagree for reasons that were based on informational and analytical research he did with these matters. Mr. Reynolds expressed that he always knew that Mr. Evans had done all of his homework. He considers himself fortunate to serve on the same board as Mr. Evans and looks forward working with him in his new position as Business Administrator. There will be challenges on the horizon for the City of Bethlehem and Mr. Reynolds can take solace in the fact that he has always found Mr. Evans as someone who he can sit down and have a conversation with and tell it like it is. This is bittersweet because he has enjoyed working on Council with Mr. Evans. He will do a great job in taking over and working with the Administration and Council in moving the City forward.

Mr. Colón agrees with everything that was said, and always appreciated the insights that Mr. Evans provided as a Councilman, how he arrived at your decisions and always tried to lay

out the critical thinking. He is sure Mr. Evans will bring that same approach to the new job. Mr. Colón thanked Mr. Brong for the great job he has done for the City.

President Waldron noted that Mr. Evans has some big shoes to fill and we will also have some big shoes to fill over here on Council as well. Addressing Mr. Evans, President Waldron said thank you for all you have done for the City and for City Council over the past 8 years, and look forward to working with you for at least four more years while we are on Council.

Voting AYE: Mr. Colón, Mr. Martell, Ms. Negrón, Mr. Reynolds, and Mr. Waldron, 5.  
Abstain: Mr. Evans, 1. The Resolution passed.

*C. City Council Member Resignation – Eric R. Evans*

Mr. Evans mentioned that from time to time things come up, and put your life into a kind of spin, but added that he is very excited to be here right now in this position. He thanked Council for the vote and for the kind words. He appreciated working with all on Council. He pointed out they put many hours in working together through numerous and diversified tough issues and expressed, we all want to do what we think is right. He remarked sometimes we find a consensus and sometimes we do not, but it has been enjoyable working with each of you. Mr. Evans thanked Mr. Brong for doing the great job he has done in the 15 years he has been with the City, and time he has spent with Mr. Evans in the transition. This will be a transition, and as familiar as he is with the budget as a Councilman, it is different from the point of view of the Business Administrator. Mr. Evans remarked that Mr. Brong could have left at the end of 2017, but he is still here and that is a sign of who you are in your character. He is excited for this opportunity to serve the citizens of Bethlehem and join the strong Administrative team that is in place at this time. He remembers eight years ago that Jay Leeson was moving on from Council and we had a small dinner. Mr. Evans remembered Mr. Leeson saying that being a Member of Council was the greatest privilege of his life. At that time Mr. Evans was just coming in as a Councilman, but now Mr. Evans knows what he was feeling when he said that because it is certainly true. He thanked all of the voters of the City who supported him through six elections, three Primary Elections and three General Elections, which were exciting and humbling. Mr. Evans stressed it has been a great experience working with each past and present Council Members. This particular Council has served for four years together and has been involved in a number of different initiatives and ideas and concerns that we looked to solve and work through with the City. He wishes Council the best and looks forward to working with Council going forward, just on the other side. In closing he wanted to make sure he thanked Ms. Kelchner, Ms. Kelechava and Mr. Vidoni in the City Clerk's Office and Solicitor Jack Spirk for all the time and effort and support of what we do here.

Mr. Evans then read a letter dated January 9, 2018 announcing his resignation from Bethlehem City Council as of Sunday, February 4, 2018.

President Waldron stated on behalf of City Council he would like to congratulate Mr. Evans on his appointment as the City's new Business Administrator and thanked him for his eight years of service on City Council. Later on in our agenda we will discuss the process to fill the Council vacancy of Mr. Evans under New Business.

*D. Community and Economic Development Committee Meeting*

Chairman Martell stated the Community and Economic Development Committee met tonight Tuesday, January 16, 2018 at 6:00 pm in Town Hall. The members of the Committee unanimously recommended that City Council adopt the Ordinance to establish Article 349 - Economic Development Incentive Reporting and Evaluation creating the Financial Accountability Incentive Reporting Program (F.A.I.R.).

8. ORDINANCES FOR FINAL PASSAGE

None.

9. NEW ORDINANCES

A. *Bill No. 1 - 2018 - Establishing Article 349 - Economic Development Incentive Reporting and Evaluation, Creating the Financial Accountability Incentive Reporting (F.A.I.R.) Program*

The Clerk read Bill No. 1 - 2018 - Establishing Article 349 - Economic Development Incentive Reporting and Evaluation, Creating the Financial Accountability Incentive Reporting (F.A.I.R.) Program, sponsored by Mr. Martell and Mr. Reynolds and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF LEHIGH AND NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING ARTICLE 349 OF THE CODIFIED ORDINANCES OF THE CITY OF BETHLEHEM, TITLED "ECONOMIC DEVELOPMENT INCENTIVE REPORTING AND EVALUATION," CREATING THE FINANCIAL ACCOUNTABILITY INCENTIVE REPORTING (FAIR) PROGRAM

Mr. Reynolds expressed thanks and appreciation to many people who worked hard in coordinating and preparing the Ordinance. He pointed out it took the better part of a year to draft this Ordinance. He remarked this would have not been possible if it was not for the work of Mr. Martell, Mr. Spirk, Ms. Kelchner and Mr. Vidoni and everyone with the Administration, especially Mr. Leeson and Ms. Karner who worked diligently to take a look at this. Mr. Reynolds emphasized Bethlehem would not be the City that we are in 2018 without the redevelopment and revitalization that we have seen over the last 25 years. The heart of that has been the investment from the private sector to create jobs, putting properties back on the tax rolls and building up our tax base after we lost such a huge amount of the tax base when Bethlehem Steel shut down. Mr. Reynolds stated this is about accountability, transparency, and tracking the effectiveness and efficiency of the economic development incentive programs that our City offers. He continued to say just about every municipality these days offers some type of economic development incentive on the private sector side; these programs are not going away. What we need to do as a City is to track some of our investment data a little more effectively and we need to tell that story a little bit better about all of the great things going on and why these programs are necessary and how they work. There are some pretty stringent accountability measures in here to make sure that these programs are being followed and we will also see as this goes on exactly what this Ordinance means as far as accountability is concerned. This is just a first step for us; he does not think that anyone else has anything like this in the Lehigh Valley. Mr. Reynolds highlighted that he looked at Philadelphia, who introduced something along these lines at the end of 2016. No one around here is doing this, so this will be an organic process regarding the reporting. Mr. Reynolds

reiterated his thanks to everyone who had worked on this and his colleagues who have provided support along the way.

Mr. Martell thanked Mr. Reynolds for the leadership in proposing this and getting the ball rolling with this initiative. He also thanked the Clerk's Office, and Mr. Spirk, Mr. Brong, Mr. Leeson and Ms. Karner for their work. It has been heartening through the whole process with the cooperation at every turn with this and something that everyone was excited about. As we discussed, this is new and is something that will evolve to a degree as we perfect this, and will be a challenge to the Administration and to the Council to get this right. Mr. Martell thinks that everyone will agree that this will be something that will make operations better. This will increase transparency and accountability and will allow for public engagement. He does think taken as a whole, many of these programs provide a benefit to the City, and this program is about ensuring that this continues well into the future and will institutionalize that review into the processes of the government here and our operations well beyond any of us that sit here today. Mr. Martell pointed out that this does create that report that will be reviewed at the hearing every year, so there will be opportunities every year to look back and see where we are going and see how these programs are functioning and whether they are accomplishing what we want, and if not what changes can be made.

Mr. Reynolds noted that the two words that are important are accountability and transparency. This really grew out of the question of why. Why do we have these programs and why are we doing them? One thing he has heard over his time on City Council is that many times people look at our incentive programs and say are they worth it, and should we be doing this. So much of the genesis of this was in response to citizen engagement, who reached out and asked why we are doing certain programs. It is about not just collecting that information because we do a good job of that, rather it is about making it available to people. There will probably be some growing pains there with how to make that in the most accessible manner possible. Mr. Reynolds informed that is part of a bigger technology conversation we will have over the next year or so. He thinks that this is an outgrowth of conversations that this Board has had over the past 20 years about how we create accountability for those public/private partnerships that make this City great.

Voting AYE: Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Reynolds, and Mr. Waldron, 6. Bill No. 1 – 2018 was passed on First Reading.

## 10. RESOLUTIONS

### A. *Authorizing Contract – Arcadis U.S., Inc.*

Ms. Negrón and Mr. Colón sponsored Resolution No. 2018-010 that authorized to execute a contract with Arcadis U.S., Inc. for the Wastewater Treatment Plan NPDES Re-Draft Permit Review

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

*B. Authorizing Contract – Pennoni Associates, Inc.*

Ms. Negrón and Mr. Colón sponsored Resolution No. 2018-011 that authorized to execute a contract with Pennoni Associates, Inc. for the Hecktown Road Bridge Water Main Replacement.

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

*C. Authorizing Contract – St. Luke’s University Health Network*

Ms. Negrón and Mr. Colón sponsored Resolution No. 2018-012 that authorized to execute a contract with S. Luke’s University Health Network for the DOT Drug and Alcohol Testing.

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

*D. Authorizing Contract – Core & Main, LP and Sensus USA, Inc.*

Ms. Negrón and Mr. Colón sponsored Resolution No. 2018-013 that authorized to execute a contract with Core & Main, LP and Sensus USA, Inc. for the Advanced Metering Infrastructure.

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

*E. Authorizing Contract –The Kapoor Company*

Ms. Negrón and Mr. Colón sponsored Resolution No. 2018-014 that authorized to execute a contract with The Kapoor Company for Act 111 Labor and Economic Analytics Services.

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

*F. Certificate of Appropriateness – 574 Main Street*

Ms. Negrón and Mr. Colón sponsored Resolution No. 2018-015 that granted a Certificate of Appropriateness to replace an existing blade sign with a new sign at 574 Main Street.

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

*G. Certificate of Appropriateness – 520-526 Main Street*

Ms. Negrón and Mr. Colón sponsored Resolution No. 2018-016 that granted a Certificate of Appropriateness to install two blade signs and vinyl window signs at 520-526 Main Street.

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

11. NEW BUSINESS

A. *Committee Assignments – 2018-2019*

President Reynolds announced the Committee Assignments for 2018-2019, as follows:

**Community and Economic Development Committee:**

Shawn M. Martell, Chairman  
J. William Reynolds  
Michael G. Colón

**Finance Committee:**

Bryan G. Callahan, Chairman  
Shawn M. Martell  
Michael G. Colón

**Human Resources and Environment Committee:**

J. William Reynolds, Chairman  
Bryan G. Callahan  
Eric R. Evans

**Parks and Recreation Committee:**

Olga Negrón, Chairwoman  
J. William Reynolds  
Shawn M. Martell

**Public Safety Committee:**

Michael G. Colón, Chairman  
Olga Negrón  
Eric R. Evans

**Public Works Committee:**

Eric R. Evans, Chairman  
Bryan G. Callahan  
Olga Negrón

*Boards, Authorities, Commissions, Committees - City Council Appointees/Liaisons – 2018-2019*

Bethlehem Authority  
Eric R. Evans

Bethlehem Housing Authority  
Michael G. Colón

Environmental Advisory Council  
J. William Reynolds

Lehigh Valley Planning Commission  
Shawn M. Martell

Library Board  
Olga Negrón

Parking Authority  
Bryan G. Callahan

Redevelopment Authority and Blighted Property Review Committee  
Olga Negrón

*B. Discussion on Process to Fill Council Vacancy*

President Waldron stated he would like to have a discussion on the process to fill the vacancy of Mr. Evans' City Council seat that is effective on February 4, 2018. The term of the vacancy that we will be filling would be from February 6, 2018 to January 6, 2020. A municipal election will take place in 2019 and the successful candidate will fill the remaining two years of this four-year term. President Waldron explained that he and some others on Council have been through a couple Council vacancies, and in that light he forwarded his thoughts on a process that worked well when we filled the vacancy that occurred upon former Councilwoman Dolan's resignation from Council. President Waldron would like to run through that process and ask his colleagues for their thoughts.

- Members of Council will forward 1-2 questions for candidates to the City Clerk's Office Friday, January 19-Monday, January 22 at 4:00 pm.
- Candidates who wish to apply can send a cover letter, resume, and obtain the list of questions starting Friday, January 26.
- Cover letters, resumes and responses, if candidates desire, to questions from Members of Council will be accepted until Friday, February 9 at 12:00 Noon.
- Information submitted by candidates will be forwarded to Members of Council on Friday, February 9 by 4:30 PM.
- A legal ad stating the acceptance of letters of interest, resumes, and responses to questions will be placed in the newspaper and on the City's website.
- A Special City Council Meeting will take place on Thursday, March 1 for Candidates to give a five (5) minute presentation; City Council Members will initiate nominations to elect an individual for the City Council Vacancy.
- A Special City Council Meeting will take place on Monday, March 5 in the event of cancellation of the March 1 meeting due to unforeseen circumstances, or if an individual has not been elected at the March 1, 2018 Special City Council Meeting.

- The elected City Council Member will be sworn into office on Tuesday, March 6, 2018 prior to the Meeting.

President Waldron explained this is the process we went through last time when we filled Councilwoman Karen Dolan's seat and he felt this was the smoothest and allowed for the most public input. It gave Council Members enough time to reach out to those applicants and have conversations with them so we are not rushing the process but still completing it within the thirty (30) day requirement.

Mr. Colón just wanted to be clear, by March 1 we would have already received the responses, each applicant would have five (5) minutes to give their thoughts on why they should be appointed but we are not asking anyone questions.

President Waldron stated that is correct, that is the way we did this last time. We have been through this twice and before that we had a different approach where we had public interviews that lasted a long time, until 1:00 am which felt unfair to many people and seemed like not the most efficient use of time. The last time we went through the process we streamlined it and allowed for those conversations to happen privately where Council Members could reach out to the applicants and have individual conversations so we are not asking people about their thoughts at the lectern. Any applicant would have a five (5) minute time limit where they could speak onto why they would want to be appointed to Council as well as this would be open to the public to speak for five (5) minutes where they could support a candidate who is applying.

Mr. Colón expressed that he agrees with the process.

Mr. Martell communicated this process seems reasonable and fair to him, he is agreeable to the proposed process.

Ms. Negrón stated she agrees with this process because she sat through this at 1:00 am in the morning before on the other side of this table. So this process makes more sense.

Mr. Reynolds stated as always, he trusts the process.

President Waldron affirmed they will move forward as he laid it out here and he will work with the City Clerk's Office in getting this timeline and details out to the public so they can have time to prepare. The first step that will be required from Members of Council is looking for a list of ten questions that we would be putting out to all of the applicants where they would have the opportunity to respond. Some of those questions would probably be generic as to why they would be interested in the position and then others might be specific and germane to the projects and conversations that are happening within the community currently. President Waldron looked back on the questions we asked last time, and during that time in 2014, we were talking about Martin Tower rezoning and similar issues. We would be looking for Members of Council to submit one or two questions each and we can streamline that and get that down to roughly ten questions where the applicants would have an opportunity to give us some input. Once we have those questions picked out we will open it up to candidates starting on Friday, January 26, 2018. We would have a two week time period, which would end on Friday, February 9, 2018 at noon. Then we would have all that information provided to Council that same day that would give Council from February 9, 2018 until March 1, 2018 to reach out and have private conversations

with those applicants, make phone calls or emails and have those discussions as to what their thoughts are and what they would bring to the table as a potential Council Member.

President Waldron pointed out that we will continue to streamline this and reiterated that to Members of Council to reach out to the City Clerk's Office and give them their questions and we will continue our conversation and get that list of questions developed. He would like to make this process as painless as possible for all of the candidates. In previous applications we have had over ten and upwards of fourteen people who were interested in this seat. President Waldron would expect that we are going to have a good turnout again, and wishes all of those applying luck in the process.

12. ADJOURNMENT

The meeting was adjourned at 8:20 p.m.

ATTEST:

City Clerk