

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street - Town Hall
Bethlehem, Pennsylvania
Tuesday, August 21, 2018 - 7:00 PM

INVOCATION

Reverend Amy B. McClenithan, Central Assembly of God, 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, Shawn M. Martell, Olga Negrón, J. William Reynolds, Paige Van Wirt, and Adam R. Waldron, 6. Bryan G. Callahan was absent, 1.

PUBLIC HEARING

President Waldron stated prior to the consideration of the regular Agenda items; City Council will conduct two Public Hearings:

The First Public Hearing is to review and accept public comment on the proposed use of funds to be received under the 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$33,922.

The Second Public Hearing is to receive public comment on the request for the Inter-municipal Transfer of Restaurant Liquor License No. R-9219 from 1034 Flory Street, Pen Argyl, Plainfield Township, PA, Northampton County, to 510-514 East Third Street, Bethlehem, Northampton County, Pennsylvania.

Public Hearing No. 1

President Waldron called the First Public Hearing to order and stated he will recognize Police Chief Mark DiLuzio to make the presentation and then accept public comment on the proposed use of funds to be received under the 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$33,922.

Chief DiLuzio explained this is a grant they apply for every year through the Department of Justice. It is for \$33,922 and we use this money for continued improvements in computer hardware and software for the Police Department. We use the funds for laptops in the cars, and computers on the desks. It is also used for our Kalar DMS Document Management Hardware that we use for accreditation in managing department directives along with purchasing any assorted hardware or software that goes with that. Many of the programs we have need to be updated each year. This is a grant and that is what the funds are used for, they cannot be used for anything else so they are only used for hardware.

President Waldron queried how this amount is compared to previous years.

Chief DiLuzio noted this amount is actually higher this year. Some years we were down to \$20,000 but this year we are up to \$33,922 and this is the highest he has seen since he has been Police Chief.

President Waldron wondered what percentage this amount will coverage within those needs.

Chief DiLuzio related over the course of the year considering the cost of equipment in the Police cruisers and desk equipment, it should cover all the new cars that come into the fleet. It also should cover at least 6-8 replacement computers in City Hall that are outdated.

President Waldron asked if any of this money can be used for body cameras.

Chief DiLuzio stated no, that is a separate grant we got, that is the \$90,000 JAG grant.

Public Comment

None.

President Waldron adjourned the First Public Hearing at 7:05 pm.

Public Hearing No. 2

President Waldron called the Second Public Hearing to order and stated he will recognize Attorney Seth Tipton to make the presentation and then accept public comment on the request for the Inter-Municipal Transfer of Restaurant Liquor License No. R-9219 from 1034 Flory Street, Pen Argyl, Plainfield Township, PA, Northampton County to 510-514 East Third Street, Bethlehem, Northampton County, Pennsylvania.

Attorney Tipton explained he is here on behalf of Shelby Brothers, LLC which is the applicant for the Inter-Municipal Transfer of Restaurant Liquor License No. R-9219. The applicant applied for this license at auction in April, 2017. The original site that this was located on was the Wonder Bar at 1034 Flory Street, Pen Argyl, Pennsylvania. The applicant intends to move this license into Bethlehem to the 510 Flats Building which is on East Third Street. The actual physical address which is in the application is 528 East Third Street which would be the corner anchor location which is on the street level of the 510 Flats Building. Because this license was acquired at auction under the LCB law we have a statutory deadline to submit an application to the LCB for the transfer of the license. Attorney Tipton continued to say that the local approval for the movement of this license into the City requires prerequisite test filing of that application and that is why we are here today. Shelby Brothers LLC acquired this license as part of the overall construction, revitalization and improvement of the building with the hope to use it for a high end restaurant on the corner anchoring that building which would be the other side that the Starbucks is open on already. Attorney Tipton added that with him tonight is Robert deBeer who is one of the owners of Shelby Brothers LLC. They would be happy to answer any questions Council may have.

Dr. Van Wirt explained this is the first time she has weighed in on a liquor license transfer since she has been on Council so she has a few basic questions. She queried if all liquor license transfers into Bethlehem require a public hearing.

Attorney Tipton stated all liquor license transfers from another jurisdiction into the City require a public hearing. Under the new laws the transfer of licenses within the County are permissible as long as the receiving jurisdiction has a public hearing if they meet certain criteria in Bethlehem that would require it for all inter City transfers.

Dr. Van Wirt asked if it has anything to do with the saturation of license per citizen heads.

Attorney Tipton noted he is not aware of the specific requirement, it may very well be. We were told point blank from the LCB that it is a prerequisite of our transfer application that we have to submit.

Dr. Van Wirt mentioned when she read this license there was a question about if it is within 300 feet of any Church, Hospitals, Schools, etc. So it is within 300 feet of Northampton Community College and she asked if they were made aware of this.

Attorney Tipton state yes. The notice is published 10 days in advance of this meeting in accordance with the law.

Dr. Van Wirt asked if anyone reached out to them.

Attorney Tipton explained we sent them certified mail about this.

Dr. Van Wirt noted she asks this because a majority of the students are under age with Northampton County Community College and she is just wondering if anything is being done to make sure that underage drinking will not occur in this facility.

Attorney Tipton clarified that this is not a bar; this will be a high end restaurant. The restaurant license is specifically designed to accommodate a restaurant service feel. Also, obviously any applicant with any licensee will be required to adhere to all of the normal requirements. They would be subject to inspections, police monitoring for compliance with LCB laws. Beyond that he does not know of any additional steps but quite frankly the building has yet to be built out. The restaurant has not been identified publicly.

Dr. Van Wirt asked if there will be a separate bar from the restaurant in the facility.

Attorney Tipton stated no, this would function like a bar within a restaurant.

Dr. Van Wirt is just asking if there will be a bar there.

Attorney Tipton stated yes.

Dr. Van Wirt asked if they will have the hours of service liquor beyond when you serve food.

Attorney Tipton does not know the answer to that at this point. That is part of our LCB application and will be part of that approval. As this pertains to this, we are not there yet; the process has not gotten to that point. This is a little unusual in the sense that we are required to do the local approval for the transfer of the license into the City prior to the application of the LCB. So in some ways we are doing this before, we are not even allowed to publicly identify the restaurant yet. He noted their negotiations are on the eleventh hour on that front.

Dr. Van Wirt explained she is not asking these questions because she has any problem with a restaurant serving liquor; that is part of economic development. She just wants to make sure that the process by which we do this is maintained and done in an open way. Along those lines, she had a letter from a concerned citizen about the fact that a charitable institution was not included in this which was the Valley Victory House. This is a homeless men's transitional unit and if you map it from the back door of your facility it is 187 feet. She wonders if they were notified at all.

Attorney Tipton believes they sent over 300 notifications and did it within 500 feet. So if they were on the list, they received it. We have receipts for every single one of the notifications that went out and he will be happy to check on that. He pointed out our folks are competent with that part of the process but it is possible that they were missed. Attorney Tipton explained also that with this 510 Flats Building there will be 100 luxury rental units above this and they want to absolutely maintain the integrity and value of those units. This will not be something that will have late nights.

Mr. Reynolds queried if this is on the other end of the building from the Starbucks.

Attorney Tipton stated that is correct, on the corner.

Mr. Reynolds mentioned that it will be right next to where the Social Still is now.

Attorney Tipton noted that is correct.

Mr. Reynolds explained he was not sure of the addresses yet.

Attorney Tipton related they were assigned that address where the demising wall will be. The side of the building that is directly next to the Social Still would be end wall of this restaurant.

Mr. Reynolds asked if the parking will be the same parking that will be used for the Social Still.

Mr. deBeer noted the parking lot that is next to the Social Still now has 100 plus parking spaces and there is also another parking lot next to the Starbucks side that has 44 public parking spaces that are available for both tenants and visitors to this building. So there is adequate parking for all the uses.

President Waldron noted in his time on Council we have been a pro-liquor license group. He does appreciate all the comments.

Public Comment

None.

President Waldron informed they will place this on the September 4 agenda.

President Waldron adjourned the Second Public Hearing at 7:13 pm.

2. APPROVAL OF MINUTES

The Minutes from August 7, 2018 were approved.

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

Feral Cats

Julie Vitale, 621 West Broad Street, 2nd floor, explained that a ginger cat called out to her one morning on her walk to work. He came right up to her and rubbed against her leg and was purring. She sat down and he jumped right into her lap and was happy for attention. She asked neighbors but no one knew if he was owned by anyone. She told herself that he was owned by another family but he clearly was not well cared for. Ms. Vitale decided that she would rescue him and if someone was looking for him she would return him. Unfortunately it was frightened by a dog and ran away. She did not want to call animal control because she was afraid that he would be killed. She thought she would be able to rescue him later that day. She searched for him throughout the day and the next morning. Ms. Vitale called around to see if anyone had picked him up and animal control had picked him up and he was euthanized. Ms. Vitale stated if she knew that the City was working with TNR she would have called animal control rather than take this on herself. Ms. Vitale added that TNR reduces the risk of accidentally euthanizing someone's pet or in her case euthanizing a pet that could have been someone's pet. It is simply the most effective, efficient and humane way to manage stray animals. TNR helps people in the community, like her, to continue to care for cats when they do not have the time or resources to pay for a colony worth of surgeries but they can help feed and watch out for them. She loves the idea of children growing up in a Bethlehem that encourages this sort of kindness rather than turning a blind eye to the suffering of helpless animals. We do not want residents afraid to use services that protect them. Ms. Vitale ended up getting rabies shots because of this whole thing. She was not pre-vaccinated, she does not know how to rescue animals the way that someone who works in animal control does. She was originally going to donate the money that she would have spent on the life of this ginger cat to starting a TNR with the stray cats of Bethlehem. Sometimes it is not the amount of money that is a challenge but rather the process of getting that approval started. If this is helpful she would donate that money to a TNR organization to pilot the program and show that TNR is a reasonable process with more benefits than euthanizing stray cats. She has however heard that there is a contract with No-Nonsense Neutering that just needs someone to sign it. She wondered if there is something that she could do or something that Council or the Mayor could do to make sure that signature happens.

President Waldron reminded everyone that there is a 5 minute time limit for public comment and to be respectful of everyone's time.

Pastor Larry Vandever, 331 South Main Street, stated he is the administrator for the Coalition of Feral Cats of the Lehigh Valley. He is also the administrator for the Christian Animal Rescue. The woman who just spoke called him last night. As a Pastor and as a man that tore him up. He remarked that there is an area within eight miles of here, probably one square mile, and there are over 300 cats in that place. There is a colony right here in town that we are taking care of. This colony has 11 cats there and now has 9, one cat got adopted out and another did not belong there, someone dropped him off. He expressed he took the cat to the vet and now he is dead because Council is not doing what is supposed to be done. These animals did not ask to be born, they did not ask to be killed and did not ask to be out in the cold weather. Pastor Vandever noted it is time for all of us to do what is right. This will fester because it is being ignored, not because of the animals but because of us, every one of us is part of this problem. Pastor Vandever stressed this is the fourth time he has come to a Council Meeting in six months. The last time he was here the Police Chief approached him and was interested in TNR, but he has not been successful in reaching the Chief since that time. Pastor Vandever remarked that he also spoke to Deputy Chief Todd Repsher who was all gung ho with helping make this go forward. When he spoke to him the Chief said that we have a TNR program with someone else but Pastor Vandever stated he is the only true TNR program within 15 miles of here. He explained that No-Nonsense Neutering is a clinic and when he spoke to the woman who runs that she explained that they have a contract that is not signed so that is a useless piece of paper. If the colonies are taken care of properly and vaccinated and if we see a sick animal we take that away, we put cameras up to make sure these colonies are taken care of properly. We make sure every day that they get fed. It is time to move forward. Pastor Vandever noted he has offered his services time and time again, and pointed out we do not charge for what we do and we do not want credit for it. We do it because Jesus Christ asks us to and every creation of God deserves a life, not a life of hell.

President Waldron noted that our Police Chief is here this evening so he may be able to take some time to speak to Pastor Vandever.

Fireworks

Dana Grubb, 2420 Henderson Place, noted since he is unable to attend the Public Safety Committee Meeting on August 27 due to a conflict he wanted to talk about fireworks in Bethlehem. He expressed the State law that allows a broader inventory of fireworks to be purchased by consumers is ill conceived when it comes to quality of life for Pennsylvanians. Nobody in Harrisburg apparently thought beyond their noses in just another apparent tax grab. Mr. Grubb informed that both the Mayor and Council should be petitioning our State Senators, State Representatives and the Governor's office to repeal it. He added that although the proposed Ordinance that you will be reviewing will be helpful, it keeps the window open far too wide. He remarked they should stop at 10:00 pm when the public fireworks display is finished. People may like to sleep in and do not need a rocket salute at 7:00 am in the morning on any day let alone a holiday. Mr. Grubb stressed that many family pets are tormented by the noise, let alone its effect on wildlife. People and veterans with PTSD do not need the emotional upheaval and neighborhoods do not need the debris and litter. He suggested that a start time of 12 Noon and an ending time of 10 PM is quite sufficient. Mr. Grubb also commented that people in occupied structures need less exposure to the possibility of fire being started, such as one that started when the July 4th fireworks were held at Bethlehem Area School District stadium years ago. So they do start buildings on fire. Mr. Grubb informed that enforcement will be key; arrests must take place to get the point hammered home. The Communication Center should not be telling those who

call that they are backed up when they are calling to complain about fireworks, rather they should say they will get somebody out there. When an officer responds, he or she should not be directing those shooting off the fireworks onto City property such as LG Stuart Playground or private property such as the Spring Garden Townhouse Tennis Courts, which cost Spring Garden money to repair after the police moved them onto private property. Mr. Grubb stressed his neighborhood and others around the City were heavy with fireworks on Memorial Day, and also for several days around Independence Day. He queried of those nearly 100 complaints received by the City how many arrests were actually made? If you are serious about limiting how much impact those idiots have on the quality of life do not leave that window so wide open. Mr. Grubb pointed out if we can do something in Bethlehem to rein it in; you need to get it done.

Parking Authority

Bill Scheirer, 1890 Eaton Avenue, stated he wanted to refer to the Parking Authority operation on the other side of Sakon Boulevard, on the side of the Library. He pointed out this little block has seven parking spaces. On the second Friday of this year's Musikfest he arrived at about 4:00 pm to visit the Library and since it was too early to use the city garage he parked in this area. When he returned he had a \$30 dollar ticket, increasing to \$45 dollars in 14 days. Mr. Scheirer informed he looked at the signs and saw that the regular signs were covered by temporary signs that said "No parking, drop off/pick up Uber, Lyft, 11:00 am to 12:00 am". On the Monday after Musikfest, the signs were back to normal. He asserted this operation raises a number of questions, first of which is why was this necessary. Mr. Scheirer mentioned he did some cab driving in Washington D. C., a City with many more mass gatherings. When taking someone to an event, we simply got as close as we could without getting immobilized and then dropped the passengers off. We had no need for special zones, everyone understood. Mr. Scheirer stated question number two is why this particular location. It was some distance from Volksplatz and much further from the south side venue. He then asked question number three, which is why was this only for the benefit for Uber and Lyft. He spoke to a Lehigh Valley taxi driver who was not even aware of this special privilege for Uber and Lyft, that these two companies reimbursed the Parking Authority for their preferred status. Mr. Scheirer stated question number four, why was there not more of a warning. The temporary signs were no more visible than the regular signs. He continued with question number five, why did the prohibitive parking begin at 11:00 am. Even during Musikfest parking does not get credited before 3:00 pm. He mentioned question number six, why should reserve parking for Musikfest goers for many hours for dubious convenience take precedence over the needs of tax paying citizens of Bethlehem wishing to use their Library. Question number seven is, perhaps the most important question of all, how much money was raised by this operation. Examination of the ticket engenders a few more questions. Question number eight, why does it cost an extra \$2.50 if one pays online or by phone? Credit card fees are not nearly that high. Mr. Scheirer continued with question number nine, why must mail payments be sent to Tarrytown, New York. He queried is there no Bethlehem firm that could perform the service for the same price? Question number ten, if one pays in person why is the Parking Authority only open 7 hours a day including lunch. At the last Council Meeting he suggested we keep an eye on ArtsQuest. We should also keep an eye on the Parking Authority which seems to be getting steadily more aggressive.

Parking Authority/ArtsQuest

Artie Curatola, 813 Laufer Street, informed that there are so many organizations that have a key to the City to get away with many things that regular people cannot get away with. He noted he might be the next Mayor and would give half his pay back to the city. He continued to say that he is a God conscious man in a City that is named after the City that Christ was born in, Bethlehem. Mr. Curatola agrees with Pastor Vandever that we are supposed to be the caretakers of all creatures. We need to take care of them because they had the wilderness before us; we took that away from them. He remarked that he has stated in the past that the on City highways we need to make sure that they are not roadkill; they need a bridge to crossover. Mr. Curatola stated we are animals as much as they are. He then moved on to talk about an issue with the Parking Authority as it relates to garbage. He referenced garbage in the parking lot next to his house and mentioned he can show receipts from when he has paid \$30 every time he removed garbage that they leave in their lot. For three months there was a television set in their lot that they will not remove. He has complained to the City but said the City will not do anything about it. He continued on with ArtsQuest and referred to the July 12 show and noted Mr. Hill has known him for 15 years and he had basically the same material on July 12th that he performed that night. Mr. Curatola noted that now he is considered an undesirable character. He expressed he did not threaten and would never hit Mr. Hill because that would ruin his run for the Mayor of Bethlehem. He believes that we need to get people involved in our City and make the people know that we are human beings.

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. *Police Chief – Recommendation of Award – CSI Integrated Security & Communications – Security Upgrade – City Hall*

The Clerk read a memorandum dated August 15, 2018 from Police Chief Mark DiLuzio recommending a contract with CSI Integrated Security and Communications for security upgrade and design for City Hall. The estimated completion date for the contract is 2018 and the fee for the contract is \$4,600.

President Waldron stated Resolution 10 A is on the agenda.

- B. *City Solicitor – Use Permit Agreement – ArtsQuest – Levitt Pavilion Concert*

The Clerk read a memorandum dated August 16, 2018 from City Solicitor William P. Leeson, Esq. to which is attached a proposed Resolution and Associated Use Permit Agreement. The permittee is ArtsQuest. The event is a Levitt Pavilion concert. The duration of the agreement

is August 23, 2018. The location is First Street from Polk Street to the Eastern Terminus, Founders Way between First Street and Second Street.

President Waldron stated Resolution 10 B is on the agenda.

C. *City Solicitor – Use Permit Agreement – McCarthy’s Irish Pub – Celtic Warm-Up and Celtic Fringe*

The Clerk read a memorandum dated August 16, 2018 from City Solicitor William P. Leeson, Esq. to which is attached a proposed Resolution and Associated Use Permit Agreement. The permittee is McCarthy’s Irish Pub. The event is the Celtic Warm-Up and Celtic Fringe. The duration of the agreement is September 22, September 29, and September 30. The location is Walnut Street between Main Street and Guetter Street.

President Waldron stated the Resolution can be placed on the September 4 agenda.

D. *Director of Water and Sewer Resources – Recommendation of Award – Grace Industries – Jacksonville Road Water Main Installation*

The Clerk read a memorandum dated August 16, 2018 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Grace Industries for the Jacksonville Road Water Main Installation. The term of the contract is from the Notice to Proceed until October 31, 2018 and the fee for the contract is \$98,938.90.

President Waldron stated Resolution 10 C is on the agenda.

7. REPORTS

A. *President of Council*

B. *Mayor*

C. *Human Resources and Environment Committee Meeting*

Chairman Reynolds stated the Human Resources and Environment Committee met on Tuesday, August 21, 2018 at 6:30 pm in Town Hall. The Committee reviewed the proposed classification change in the Department of Water and Sewer Resources Meter Shop. The Committee approved the request to change a Meter Reader position, which is Class 8M to a Meter Repairman, which is a Class 10M. The staff in the Meter Shop will then be three Meter Readers and three Meter Repairmen. The Clerk will send a memo to the Controller.

8. ORDINANCES FOR FINAL PASSAGE

None.

9. NEW ORDINANCES

None.

10. RESOLUTIONS

A. *Authorizing Contract – CSI Integrated Security & Communications – Security Upgrade – City Hall*

Dr. Van Wirt and Ms. Negrón sponsored Resolution No. 2018-155 that authorized to execute an agreement with CSI Integrated Security and Communications for security upgrade and design for City Hall.

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

B. *Authorizing Use Permit Agreement – ArtsQuest – Levitt Pavilion Concert*

Dr. Van Wirt and Ms. Negrón sponsored Resolution No. 2018-156 that authorized to execute a Use Permit Agreement with ArtsQuest for a Levitt Pavilion Concert on August 23, 2018 from 6:00 pm to 11:00 pm.

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

C. *Authorizing Contract – Grace Industries – Jacksonville Road Water Main Installation*

Mr. Reynolds and Ms. Negrón sponsored Resolution No. 2018-157 that authorized to execute an agreement with Grace Industries for the Jacksonville Road Water Main Installation.

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

Motion – Considering Resolutions 10 D through 10 I as a group

Ms. Negrón and Mr. Colón moved to consider Resolutions 10 D through 10 I as a group.

Voting AYE: Dr. Van Wirt, Mr. Colón, Mr. Martell, Ms. Negrón, Mr. Reynolds, and Mr. Waldron, 6. The Motion passed.

D. *Certificate of Appropriateness – 11 West Market Street*

Ms. Negrón and Mr. Reynolds sponsored Resolution No. 2018-158 that granted a Certificate of Appropriateness to replace non-historic doors at the rear of the building at 11 West Market Street.

E. *Certificate of Appropriateness – 428-436 Main Street (Moravian Book Shop)*

Ms. Negrón and Mr. Reynolds sponsored Resolution No. 2018-159 that granted a Certificate of Appropriateness to replace awning at 428-436 Main Street. (Moravian Book Shop).

F. *Certificate of Appropriateness – 33 East Wall Street*

Ms. Negrón and Mr. Reynolds sponsored Resolution No. 2018-160 that granted a Certificate of Appropriateness to replace the siding, replace storm doors and windows and paint the exterior trim at 33 East Wall Street.

G. Certificate of Appropriateness – 715-721 East Fourth Street

Ms. Negrón and Mr. Reynolds sponsored Resolution No. 2018-161 that granted a Certificate of Appropriateness for renovations to the front façade of the building at 715-721 East Fourth Street.

H. Certificate of Appropriateness – 1324 Prospect Avenue

Ms. Negrón and Mr. Reynolds sponsored Resolution No. 2018-162 that granted a Certificate of Appropriateness for renovations to the detached garage at 1324 Prospect Avenue.

I. Certificate of Appropriateness – 328 South New Street

Ms. Negrón and Mr. Reynolds sponsored Resolution No. 2018-163 that granted a Certificate of Appropriateness for new signage at 328 South New Street.

Voting AYE on Resolutions 10 D through 10 I: Dr. Van Wirt, Mr. Colón, Mr. Martell, Ms. Negrón, Mr. Reynolds, and Mr. Waldron, 6. The Resolutions passed.

11. NEW BUSINESS

Public Safety Committee Meeting

Chairman Colón reminded everyone that the Public Safety Committee will be meeting this coming Monday, August 27, 2018 at 6:00 pm in Town Hall to review the proposed Fireworks Ordinance.

Short-Term Rental Housing Ordinance

Dr. Van Wirt noted in terms of the City's short-term rental housing Ordinance there have been violations of that and there was a recent court hearing, which she was able to attend. She was hoping someone from the Mayor's Office might give the citizens a one sentence update in terms of the outcome of that hearing.

Alicia Karner, Director of Community and Economic Development stated that the magistrate postponed the hearing until the Court of Common Pleas rules on the suit that has been filed by one of the operators in the Historic District.

Dr. Van Wirt then mentioned that she will condense this for the citizens that are interested in this. The lawsuit that he tabled it for in deference to, is basically contesting the Ordinance as a whole and this hearing that was done locally at the magistrate's office was to enforce or validate the citations that the City has been giving out in violation of the current Ordinance.

Ms. Karner explained a couple of very specific citations, the ones filed back in April at a very specific property.

President Waldron queried with that ruling will the City continue to enforce the Ordinance as it stands.

Ms. Karner stated we have and we do until we receive some kind of guidance from the courts otherwise. We will continue to enforce the Ordinance.

Dr. Van Wirt informed we are asking citizens to continue to call or email Michael Simonson with any concerns over those violations so they still have a way of logging those.

Ms. Karner stressed that if there is some illegal activity to please call the Police first, not to reach out to Mr. Simonson's office.

12. ADJOURNMENT

The meeting was adjourned at 7:50 p.m.

ATTEST:

City Clerk