

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street - Town Hall
Bethlehem, Pennsylvania
Tuesday, April 16, 2019 - 7:00 PM

INVOCATION

Reverend Anthony R. Pompa, Cathedral Church of the Nativity, 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, Bryan G. Callahan, Michael G. Colón, Shawn Martell, Olga Negrón, J. William Reynolds, Paige Van Wirt, and Adam R. Waldron, 7.

CITATIONS

Honoring Jane Persa – Recreation Director

President Waldron presented a Citation to Jane Persa on the occasion of her retirement from the Recreation Department as Recreation Director after 40 years of service. The Members of Council applauded Ms. Persa and wished her well in her retirement.

Ms. Persa expressed she is grateful that she was able to work for 40 plus years with the City of Bethlehem and have the opportunity to meet and work with such great people. Also, she is thankful that her daughter and son-in-law and her three grandchildren have moved home and will keep her busy. She loves her job but this one she will love better.

2. APPROVAL OF MINUTES

The Minutes of April 2, 2019 were approved.

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

Martin Tower Project

Diane Szabo Backus, 1925 Troxell Street, Allentown, which is in Hanover Township, Lehigh County attended tonight to speak about the Martin Tower project. She highlighted her grandfather worked at Bethlehem Steel and they have a plaque there that says there was 278 years of Szabo's working at Bethlehem Steel. One of them was killed in 1943 so she feels she can speak about this subject. Ms. Szabo Backus just wanted to bring a little different perspective. Ms. Szabo Backus informed she attended Catasauqua School District and referenced the 3-2 vote by the East Allen Township Board to allow the FedEx project. It will never come down like Martin Tower will and they cannot go back. Ms. Szabo Backus remarked that she used to live across the

street at Woodmont Mews. She attended the Planning Commission meeting and can say there was not one person that liked any idea of the site plan for Martin Tower, not the placement of it, not the pocket park, not something that is so disrespectful of the town's people and her family that labored on the south side. She can imagine how the people who live nearby the property feel. Ms. Szabo Backus reported she begged the Mayor at the time to have FedEx go into the brownfield development by Route 78 and that never happened. She thinks all elected people need to go back to the drawing board because Mr. Herrick and Mr. Ronca will make a lot of money no matter what they do, but this town has to live with what those people allow us to accept.

Electric Vehicles/Martin Tower Site

Brian Hillard, explained he is at this meeting on behalf of the Environmental Advisory Council (EAC). When the Climate Action Plan was first enacted he had the opportunity to sit in on that group. One of his first ideas to initiate was the introduction of electric vehicles into the City fleet. He explained electric vehicles have a great potential to reduce emissions, and reduce costs to clean up the air quality of our City. He did an assessment with cost figures and it was forwarded to members of City Council. He did this to suggest that the City consider adopting electric vehicles in their fleet. Mr. Hillard believes in the spirit of the Climate Action Plan of reducing emissions and if the City wants to fill some of those considerations with the Climate Action Plan it would be a very good decision. At the end of that assessment there were studies citing the fact that air pollution in the City can significantly impair a child's brain development and we all agree that pollution in general has a negative effect on the well-being of our residents. Mr. Hillard pointed out he had the opportunity to speak on the Martin Tower development and in the spirit of Climate Action and sustainability and keeping our City green he was not happy with the plans for the Martin Tower area. Mr. Hillard expressed we have an opportunity to make a resounding statement as to what we envision for the City. With the resolution towards creation of the Climate Action Plan in February 2017, the City made a statement declaring that dedication towards sustainability. Mr. Hillard stated unfortunately the plan for this property, even in its rudimentary state, falls short. There is a large degree of impervious surfaces and this plan has little regard to open space aside from the undeveloped land that this plan calls for. Preservation of existing trees should be made a priority and any trees that are removed should be replaced at a two to one basis. In addition, a centralized inclusive park should be included for the residents. Mr. Hillard remarked energy use of the structures in this plan should be a prime consideration; there have been great strides in sustainable building design. As the City looks forward to how we envision our future we must respect how climate change can impact this and the responsibility we have to act on it. The actions we may take are simple; the role we play, the impact it has on climate change and how we may address those roles with the impact. With this opportunity at the Martin Tower site, we may have that impact.

Dog Barking

Arthur Talagin, 1007 Main Street, stated he addressed his matter a few months ago at a Council Meeting involving an incident with his neighbor's dogs. There is a constant nuisance of their dogs barking. Prior to the meeting there were three calls made but no one was cited. He acknowledged he did have a discussion with Chief Mark DiLuzio after that Council meeting and the Chief had an officer stop out to his house and she said he can call any time about this and ask for her. Mr. Talagin, did reach out again, but she never came back. He does not know if she was

not given the message. He asserted since after that Council Meeting he made three calls about the matter was told by a dispatcher never to call again; a Desk Sergeant told him not call again and he hung up on him; another officer told him "Why don't you just move." He expressed he loves Bethlehem and lives here by choice. Recently he walked into his house and spent two hours listening to his neighbor's dog bark non-stop through his wall. He was afraid to call the local police because every time he does he is made a fool of and his neighbor is not cited. He has had officers stop by and say they heard it, but what do you want us to do. Mr. Talagin wants them cited and make them stop. This is an inconvenience and an inconsideration. Mr. Talagin is just asking for help for someone to come over and listen to this dog barking. This is not fair to him.

President Waldron understands his frustration; it does not seem like a fair situation. He does not think that you should be treated in the way you are saying by the City. Unfortunately, we on Council cannot do much, but he will point Mr. Talagin to Chief DiLuzio to have another conversation and have an action plan to get peace in your home.

Martin Tower Site

Stephen Antalics, 737 Ridge Street, remarked he has followed the Martin Tower property since day since it was bought by the current owners. One of the owners was listed as SWB Company and the person wrote himself off as a media mogul in New Jersey; it was the Herrick Company which is a multi-billion dollar company in real estate, sporting goods, sporting teams, thoroughbred horses, art collection. At that time Mr. Pektor posed himself as the owner looking for a TIF, state tax money. He since relinquished his interest to Mr. Ronca and Mr. Herrick. The tax records are still sent to Boca Raton, Florida. The point he is making is that we have a multi-billionaire owning property in Bethlehem. He asserted 62.5% of the property belongs to him. So where will all of the profits go and how do you maximize the profits? By giving him a minimum plan. Also, it is now in the CRIZ zone which means this multi-billionaire in South Florida is getting State tax money. Mr. Antalics wonders how the people in Bethlehem or Lehigh County feel about that. He remarked the accurate statement is that Mr. Herrick has never been in Bethlehem, he has never seen the site and he could care less because he is interested in profit. He has a spokesperson, Mr. Ronca who only owns 26.5%. Mr. Herrick has been catered to so he can maximize his profits at the expense of the City of Bethlehem and Lehigh County. Mr. Antalics remarked if he owned 62.5% of a property he would like to at least see it. He expressed someone is getting away with something here and you people have the responsibility to save the citizens of Bethlehem from getting you know what.

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. *Councilman Reynolds – Resolution in support of the Restore Pennsylvania Initiative*

The Clerk read a memorandum dated April 9, 2019 from Councilman J. William Reynolds to which is attached a proposed Resolution urging the Pennsylvania General Assembly to support Governor Wolf's Restore Pennsylvania initiative. Many of the goals of Restore Pennsylvania run parallel to existing City government initiatives aimed at improving quality of life and economic opportunities for our residents.

President Waldron stated Resolution 10 A is on the agenda.

B. *Assistant City Solicitor – Establishing New Article 961 – Special Events Activity Permits; amending Article 721 – Streets and Sidewalks; amending Article 941 – Parks; amending Article 951 – Pedestrian Mall*

The Clerk read a memorandum dated April 9, 2019 from Edmund J. Healy, Esq. to which is attached a proposed consolidation Ordinance regulating permits for Special Events, Uses, and Demonstrations. Also attached are proposed Ordinances to amend Article 721 – titled Streets and Sidewalks, Article 941 – titled Parks, and Article 951 – titled Pedestrian Malls. These revisions will remove language expected to be redundant or inconsistent with the anticipated enactment of Article 961 – but preserve essential regulations as needed.

President Waldron stated the Ordinance can be placed on the May 7 agenda for First Reading.

C. *Police Chief – Recommendation of Award – Communication System Integrators, LLC (CSI) – City Hall Upgrades*

The Clerk read a memorandum dated April 9, 2019 from Police Chief Mark DiLuzio recommending a contract with Communication System Integrators for City Hall Security Upgrades. The term of the contract is one year and the fee for the contract is \$265,428.00

President Waldron stated Resolution 10 F is on the agenda.

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

The Clerk read a memorandum dated April 10, 2019 from Michael Alkhal, Director of Public Works recommending a contract with Gaver Industries dba Barker & Barker Paving for the 2019-04 Street Overlay and Curb Ramps. The term of the contract is 90 days for Lehigh Street and Goepp Street; 90 days for Johnston Drive and the fee for the contract is \$1,214,484.00.

President Waldron stated Resolution 10 H is on the agenda.

E. *Police Chief – Resolution Request – Firearm Purchase*

The Clerk read a memorandum dated April 11, 2019 from Police Chief Mark DiLuzio to which is attached an agreement and Resolution for the purchase of a duty weapon by a retired Officer of the Bethlehem Police Department. Retired Officers purchase their duty firearms at fair market value and according to the Third Class City Code regulations.

President Waldron stated Resolution 10 I is on the agenda.

- F. *City Solicitor – Use Permit Agreement – ArtsQuest – Step Outdoors Lehigh Valley, including Your First Mud Run*

The Clerk read a memorandum dated April 11, 2019 from City Solicitor William P. Leeson, Esq. to which is attached a proposed Resolution and Associated Use Permit Agreement. The permittee ArtsQuest and the event is the Step Outdoors Lehigh Valley/First Mud Run. The duration of the agreement is June 1 through June 2, 2019. The location is First Street from Polk Street to the Eastern Terminus; and Founders Way between First Street and Second Street.

President Waldron stated the Resolution can be placed on the May 7 agenda.

- G. *City Solicitor – Use Permit Agreement – ArtsQuest – Tacofest*

The Clerk read a memorandum dated April 11, 2019 from City Solicitor William P. Leeson, Esq. to which is attached a proposed Resolution and Associated Use Permit Agreement. The Permittee is ArtsQuest and the event is Tacofest. The duration of the agreement is June 9, 2019 and the location is First Street from Polk Street to the Eastern Terminus; Founders Way between First Street and Second Street.

President Waldron stated the Resolution can be placed on the May 7 agenda.

- H. *City Solicitor – Use Permit Agreement – Holy Infancy Roman Catholic Church – Portuguese Heritage Celebration and Multicultural Festival*

The Clerk read a memorandum from City Solicitor William P. Leeson, Esq. to which is attached a proposed Resolution and Associated Use Permit Agreement. The permittee is Holy Infancy Roman Catholic Church and the event is the Holy Infancy Portuguese Heritage Celebration and Multicultural Festival. The duration of the agreement is June 7 and June 8, 2019 and June 14 and June 15, 2019. The location is Webster Street between Fourth Street and Mechanic Street, and the Greenway between Webster Street and Adams Street.

President Waldron stated the Resolution can be placed on the May 7 agenda.

- I. *City Solicitor – Use Permit Agreement – Mount Airy Neighborhood Association – West Side Farmers Market*

The Clerk read a memorandum from City Solicitor William P. Leeson, Esq. to which is attached a Use Permit Agreement for public property with the Mount Airy Neighborhood Association for the West Side Farmers Market. The duration of the agreement is the dates listed in the agreement and the location is the Bethlehem Rose Garden.

President Waldron stated the Resolution can be placed on the May 7 agenda.

- J. *Director of Public Works – Recommendation of Award – Pennoni – Structural Evaluations*

The Clerk read a memorandum from Michael Alkhal, Director of Public Works recommending a contract with Pennoni Associates for consulting and engineering services for structural evaluations at City Hall. The term of the contract is 10 weeks from the Notice to Proceed and the fee for the contract is \$20,500. No renewals are anticipated but the maximum dollar value of all renewals is \$17,200.

President Waldron stated Resolution 10 J is on the agenda.

7. REPORTS

A. *President of Council*

B. *Mayor*

1. *Administrative Order – Valerie McLendon – Bethlehem Housing Authority*

Mayor Donchez reappointed Valerie McLendon to membership on the Bethlehem Housing Authority effective through March, 2024. Ms. Negrón and Dr. Van Wirt sponsored Resolution No. 2019-088 to confirm the reappointment.

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

2. *Administrative Order – Dr. Christopher Alia – Bethlehem Board of Health*

Mayor Donchez reappointed Dr. Christopher Alia, MD to the Bethlehem Board of Health effective through April, 2024. Ms. Negrón and Dr. Van Wirt sponsored Resolution No. 2019-089 to confirm the reappointment.

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

3. *Administrative Order – Seth Cornish – Historic Conservation Commission*

Mayor Donchez reappointed Seth Cornish to the Historic Conservation Commission effective through April, 2022. Ms. Negrón and Dr. Van Wirt sponsored Resolution No. 2019-090 to confirm the reappointment.

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

Tree City USA

Mayor Donchez announced the City received notice this week that we received again one of 3,500 Cities in the United States in 2018, the title Tree City USA. He congratulated Michael Alkhal, Director of Public Works and his department.

Revitalization of Hayes Street

Mayor Donchez remarked the City of Bethlehem will be a partner in the revitalization of the Hayes Street neighborhood as well as the future revitalization of the Five Points and Indian Hills neighborhoods. The City was awarded \$250,000 in HUD funds to CACLV/ Lehigh Valley Community Land Trust to purchase five homes on the south side needing upgrades and repairs. The goal is to increase homeownership among people who have been excluded from the housing market. Mayor Donchez concluded by saying homeownership strengthens neighborhoods, provides stability for families and leads to the best of neighborhoods.

Governor's Award

Mayor Donchez pointed out Executive McClure, Mayor Panto and he received, along with other cities, the Governor's Award for Local Government Excellence. The award was for health and wellness initiatives. The City of Bethlehem, City of Easton, and Northampton County have bonded together to make our goal of making the aging housing stock safe for children. The immediate focus is to try to remove lead paint hazards from pre-1978 homes. Money has been received from the State and this is a great partnership between the County, the City of Easton and the City of Bethlehem.

Martin Tower Site

Mayor Donchez commented about Martin Tower and expressed he thinks that Darlene Heller, Director of Planning and Zoning did an excellent job in her memorandum that is the official statement from the Administration. Some of the points she outlined and he certainly agrees with is the lack of green space. There should be more walkability with green space and a plaza. He did tell Mr. Ronca there is an excessive number of percentage of parking and macadam, which is very over the limit. Also, City Council did go through this debate about four years ago and we arrived at mixed use; that was the point of the rezoning. In his opinion it should be more integrated and he agrees with Ms. Heller. He wanted to go on record that Ms. Heller did a very good job outlining her concerns and recommendations to the developers.

C. *Finance Committee Meeting*

Chairman Callahan announced a Finance Committee Meeting met Tuesday, April 16, 2019 at 6:00 pm in Town Hall. The Committee voted to recommend that City Council adopt Ordinances and/or Resolutions for the following: General Fund transfer; General Fund adjustment; 9-1-1 Fund adjustment; Non-Utility Capital Fund adjustment; Water Fund adjustment; Water Capital Fund adjustment; Sewer Fund adjustment; Sewer Capital Fund adjustment; Golf Course Enterprise Fund adjustment; Liquid Fuels Fund adjustment; and the Community Development Block Grant Budget amendment. The Ordinances are on the agenda for First Reading tonight, as is the Resolution for the General Fund transfer.

8. ORDINANCES FOR FINAL PASSAGE

None.

9. NEW ORDINANCES

A. *Bill No. 09 - 2019 - Amending General Fund - Department contracts - Operating Supplies*

The Clerk read Bill No. 9 - 2019 - Amending General Fund - Department contracts - Operating Supplies, sponsored by Dr. Van Wirt and Mr. Reynolds and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE 2019 GENERAL FUND BUDGET.

Voting AYE: Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Mr. Martell, and Mr. Waldron, 7. Bill No. 9 - 2019 was passed on First Reading.

B. Bill No. 10 - 2019 - Amending 9-1-1 Fund Budget - Transfer to Non-Utility

The Clerk read Bill No. 10- 2019 - Amending 9-1-1 Fund Budget - Transfer to Non-Utility, sponsored by Dr. Van Wirt and Mr. Reynolds and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE 9-1-1 FUND BUDGET FOR 2019.

Voting AYE: Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Mr. Martell, and Mr. Waldron, 7. Bill No. 10 - 2019 was passed on First Reading.

C. Bill No. 11 - 2019 - Amending Capital Budget for Non-Utilities - City Hall Security Upgrades

The Clerk read Bill No. 11 - 2019 - Amending Capital Budget for Non-Utilities - City Hall Security Upgrades, sponsored by Dr. Van Wirt and Mr. Reynolds and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE 2019 CAPITAL BUDGET FOR NON-UTILITIES.

Voting AYE: Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Mr. Martell, and Mr. Waldron, 7. Bill No. 11 - 2019 was passed on First Reading.

D. Bill No. 12 - 2019 - Amending Water Fund Budget - Capital Appropriations

The Clerk read Bill No. 12 - 2019 - Amending Water Fund Budget - Capital Appropriations, sponsored by Dr. Van Wirt and Mr. Reynolds and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE WATER FUND BUDGET FOR 2019.

Voting AYE: Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Mr. Martell, and Mr. Waldron, 7. Bill No. 12 - 2019 was passed on First Reading.

E. *Bill No. 13 - 2019 - Amending Water Capital Fund Budget - Various Projects*

The Clerk read Bill No. 13 - 2019 - Amending Water Capital Fund Budget - Various Projects, sponsored by Dr. Van Wirt and Mr. Reynolds and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE WATER CAPITAL FUND BUDGET FOR 2019.

Voting AYE: Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Mr. Martell, and Mr. Waldron, 7. Bill No. 13 - 2019 was passed on First Reading.

F. *Bill No. 14 - 2019 - Amending Sewer Fund Budget - Capital Appropriations*

The Clerk read Bill No. 14 - 2019 - Amending Sewer Fund Budget - Capital Appropriations, sponsored by Dr. Van Wirt and Mr. Reynolds and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE SEWER FUND BUDGET FOR 2019.

Voting AYE: Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Mr. Martell, and Mr. Waldron, 7. Bill No. 14 - 2019 was passed on First Reading.

G. *Bill No. 15 - 2019 - Amending Sewer Capital Fund Budget - Various Projects*

The Clerk read Bill No. 15 - 2019 - Amending Sewer Capital Fund Budget - Various Projects, sponsored by Dr. Van Wirt and Mr. Reynolds and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE SEWER CAPITAL FUND BUDGET FOR 2019.

Voting AYE: Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Mr. Martell, and Mr. Waldron, 7. Bill No. 15 - 2019 was passed on First Reading.

H. *Bill No. 16 - 2019 - Amending Golf Course Enterprise Fund Budget - Sponsorships - Capital Projects*

The Clerk read Bill No. 16 - 2019 - Amending Golf Course Enterprise Fund Budget - Sponsorships - Capital Projects, sponsored by Dr. Van Wirt and Mr. Reynolds and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE GOLF COURSE ENTERPRISE FUND BUDGET FOR 2019.

Voting AYE: Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Mr. Martell, and Mr. Waldron, 7. Bill No. 16 – 2019 was passed on First Reading.

I. Bill No. 17 – 2019 – Amending Liquid Fuels Fund Budget – Snow Operations – Improvements

The Clerk read Bill No. 17 – 2019 – Amending Liquid Fuels Fund Budget – Snow Operations – Improvements, sponsored by Dr. Van Wirt and Mr. Reynolds and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE 2019 LIQUID FUELS FUND BUDGET.

Voting AYE: Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Mr. Martell, and Mr. Waldron, 7. Bill No. 17 – 2019 was passed on First Reading.

J. Bill No. 18 – 2019 – Amending Community Development Block Grant Budget – CDBG 2017 – HOME Grant 2018

The Clerk read Bill No. 18 – 2019 – Amending Community Development Block Grant Budget – CDBG 2017 – HOME Grant 2018, sponsored by Dr. Van Wirt and Mr. Reynolds and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE 2019 COMMUNITY DEVELOPMENT BLOCK GRANT
BUDGET

Voting AYE: Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Mr. Martell, and Mr. Waldron, 7. Bill No. 18 – 2019 was passed on First Reading.

10. RESOLUTIONS

A. Support Resolution – Governor Tom Wolf’s Restore Pennsylvania Infrastructure Initiative

Mr. Reynolds and Ms. Negrón sponsored Resolution No. 2019-091 that urges State officials in the Lehigh Valley to support Governor Tom Wolf’s Restore Pennsylvania Initiative, a new infrastructure initiative which will invest \$4.5 billion over the next four years in significant, high-impact projects throughout the Commonwealth.

Mr. Reynolds remarked early last week he received a phone call from someone who works in Governor Wolf’s office to talk about the Governor’s Restore Pennsylvania initiative. The Governor proposed this with his budget about two months ago. When you read through this and

look at what the people of Pennsylvania are being asked to do, you understand it is to invest into a lot of things that we are already trying to advance and what we are already doing in Bethlehem. The idea is that a severance tax would allow for investment over the next four years in the amount of \$4.5 billion dollars. The Governor tried his severance tax over the last couple of years to help fund education and educational priorities such as Fair Equitable Funding for our public school district. Mr. Reynolds applauds the way this is structured because the priorities included in here are not solely beneficial to cities or to the rural areas that are important as far as the votes in Harrisburg are concerned, but it is a combination. Many of the things in the Restore Pennsylvania initiative include high speed internet access, storm preparedness and disaster recovery, investing in businesses, demolition revitalization and renewal. We are looking at investing in Pennsylvania going forward, but we as a city are doing many things through our own Climate Action Plan, our own Flooding Mitigation, and we have talked about blight, to name a few. Mr. Reynolds stated he and Mayor Donchez have been meeting with the Bethlehem Area School District about the idea of expanding internet access to people in the City of Bethlehem, the issue of digital equity. He thinks this has a better chance of passing than previous attempts, including a severance tax just because it really does have a lot included in there for the rural areas of Pennsylvania that have fallen behind our urban and suburban areas. Mr. Reynolds noted when he received the call, he put together a Resolution, sent it out to Members of City Council, and he thought it was something for us to go on the record as supporting.

President Waldron thanked Mr. Reynolds for putting this together for us.

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

B. Records Destruction – Fire Department

Ms. Negrón and Dr. Van Wirt sponsored Resolution No. 2019-092 that authorized the disposition of the following public records in the Police Department as stated in Exhibit A.

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

C. Authorizing Use Permit Agreement - - BEDCO, SouthSide Arts District, and Ruth, Inc. t/a Molly's Irish Grille and Sports Pub (as SubPermittee) – SouthSide Arts and Music Festival

Ms. Negrón and Dr. Van Wirt sponsored Resolution No. 2019-093 that authorized to execute a Use Permit Agreement with BEDCO, the Southside Arts District and Ruth Inc. trading as Molly's Irish Grille and Sports Pub for the SouthSide Arts and Music Festival. The Festival will be on the Greenway between New Street and Adams Street and the date is May 4, 2019.

President Waldron asked the Clerk to read the amendment to Resolution 10 C provided by the Law Bureau.

Ms. Negrón and Dr. Van Wirt sponsored the Amendment to Resolution 10 C.

Use Permit Agreement – SouthSide Arts and Music Festival

The following time periods which reads:

4. Duration: May 4, 2019 from 5:00 p.m. to 10:00 p.m.
5. Event Date/Times: May 4, 2019 from 7:00 p.m. to 9:30 p.m.

Shall be amended to read as follows:

4. Duration: May 4, 2019 from **5:00** p.m. to **9.00** p.m.
5. Event Date/Times: May 4, 2019 from **6:00** p.m. to **8:30** p.m.

Voting AYE on the amendment to 10 C: Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Mr. Martell, and Mr. Waldron, 7. The Resolution passed.

Mr. Reynolds remarked there are a few people here tonight who are associated with this festival and he wanted to thank them for the work here, as well as the interest that is going into this arts and music festival. Mr. Reynolds related he saw Mr. Colón at the South Side Cleanup on Saturday and he had a brief conversation with Ms. Hartney about this. There is a lot of exciting things associated with this event. The business owners on the south side deserve a lot of credit for coming together to support the festival.

Voting AYE on Resolution 10 C as amended: Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Mr. Martell, and Mr. Waldron, 7. The Resolution passed.

D. *Authorizing Use Permit Agreement – Greater Lehigh Valley Chamber of Commerce, by and through its Downtown Bethlehem Association – Tunes at Twilight*

Ms. Negrón and Dr. Van Wirt sponsored Resolution No. 2019-094 that authorized to execute a Use Permit Agreement with the Greater Lehigh Valley Chamber of Commerce, by and through its Downtown Bethlehem Association for the Tunes at Twilight at Nevin Place on May 2, 9, 16, 23, 30, June 6, 13, 20, 27 and July 11, and 18, 2019.

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

E. *Authorizing Use Permit Agreement - BEDCO, SouthSide Arts District, and Ruth, Inc. t/a Molly's Irish Grille and Sports Pub (as SubPermittee) – Spring on the SouthSide*

Ms. Negrón and Dr. Van Wirt sponsored Resolution No. 2019-095 that authorized to execute a Use Permit Agreement with BEDCO, the Southside Arts District and Ruth Inc. trading as Molly's Irish Grille and Sports Pub for Spring on the SouthSide at New Street between Fourth Street and Morton Street on April 27, 2019.

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

F. *Authorizing Contract – Communications Systems Integrators, LLC – City Hall Security Upgrades*

Ms. Negrón and Dr. Van Wirt sponsored Resolution No. 2019-096 that authorized to execute an agreement with Communication System Integrators for City Hall Security Upgrades.

Mr. Colón mentioned we spoke about this during the budget hearings, but he asked for an explanation of what this money will get us in terms of security upgrades.

Police Chief DiLuzio informed presently at City Hall we have a security system that is outdated and basically does not work. It is comprised of multiple vendors and half of them no longer exist. With CSI there will be one system that is modern; secures all of the doors and elevators in City Hall, and provides security for all of the floors in City Hall. The reason for this is so we do not have people walking through City Hall, and have missing purses, strange people that confront people in elevators and other issues that have happened in City Hall over the last 10 years. The project is basically a computerized project. There will be a security station in the lobby right at the elevators. When people come in they will check in with the City Hall monitor, and be issued an ID card. If they are going up to the fifth floor they will be able to do so, but they cannot get off on any other floors. It limits access to floors so it will create a more secure building. You will be able to come in through the Ground Floor at the Police entrance, like you do when you park your cars in the garage. Chief DiLuzio noted it will not cut off any entry or exit points in City Hall. What it will do is secure those points, there will be more monitoring and there will be a person there who knows who is coming in and out of City Hall. You cannot ask people for identification when they come in, but the next best thing is to keep a tab of who comes in and out of City Hall, and make sure the person who comes in at 4:00PM leaves when the building is secured so that he is not in here somewhere in the building. Chief DiLuzio then introduced Emily Schenkel, who is a representative from CSI, for an explanation of the breakdown of the project and the technical terms.

Mr. Colón asked if we will be installing additional cameras.

Ms. Schenkel stated this proposal does not include cameras.

Mr. Colón asked if we have cameras currently in the interior of City Hall.

Chief DiLuzio stated yes we do, and that was done four years ago.

Mr. Colón mentioned that is monitored down at the dispatch center that is now moving to the 311 center.

Chief DiLuzio stated that is correct. Through a contract we did four years ago, all of the security cameras in City Hall and outside of City Hall were updated. We also added cameras at that time. This security plan will include those cameras, but there is no cost for those. This is for door security, panic button security perimeter, and to secure the building.

Mr. Colón remembers a few years ago when we spoke about the dash cams, we were not utilizing them because there was something with the software.

Chief DiLuzio reported that program was taken care of.

Mr. Colón queried if would this covers something like that if software upgrades came along.

Chief DiLuzio advised he knows what Mr. Colón is asking, but he is talking about two different uses. The dash cam issue was fixed and every car has a dash cam. We are working on the body cam issue now, which will be connected to the dash cam. This issue here centers on City Hall security and protecting the employees that work in City Hall. The cameras in City Hall were fixed about four years ago. CSI actually maintains and updated the cameras. CSI will be doing this entire project so we do not have multiple smaller vendors in City Hall. We have those smaller vendors right now and none of them communicate with each other; half of them are out of business.

Dr. Van Wirt asked if the front door entrance to City Hall will be changed to Payrow Plaza.

Chief DiLuzio explained people can come in on Church Street or Payrow Plaza.

Dr. Van Wirt remarked that was one of the main recommendations in the walkability study is to help stop that being such a dead plaza.

Chief DiLuzio related this will be user friendly.

President Waldron queried if there will be two security monitors, one at each door.

Chief DiLuzio stated no, just one because you would not be able to access any area of the building unless you see that one monitor in the main lobby. If you came in at Church Street you would be directed straight down to that lobby. You can go into Economic Development, but the inside will be secured by a partition at the service desk with a locked door there. It will be card access only.

President Waldron remarked it seems like the whole building will be secure except for the Redevelopment Authority office.

Mr. Martell asked if this project entails all of the planned upgrades or is this a project to be done in phases, and will this money cover everything you intend to do.

Chief DiLuzio stated yes, this basically is all of it. The only other phase after this might be some updates in the next few years. This is the main thing of this purchase; everything we need to keep City Hall secure will be here.

Mr. Martell wondered if our contract with CSI is for installation or will there be any maintenance costs or trouble shooting support included down the road.

Ms. Schenkel stated the proposal includes installation as well as project management so there will be some sub-contractors that come in to work on the elevator and some of the doors. We will be there from start to finish and we also do training at the end. She expressed that there is a lot of training. Ms. Schenkel is certified in the software and she has done training. She remarked she is a Bethlehem resident, and their office is in town. As far as maintenance, we

currently do have a maintenance plan with the City for your video surveillance, and we did upgrade the software to the latest version as part of that. The software is not proprietary. Software is international and is very scalable. If the City decides it wants to add more doors or do something else, you do not have to pull it out and start over; you can build to it as you want. Ms. Schenkel added this is used in the Bethlehem Area School District. As far as maintenance, this will include a full year warranty on our labor as well as up to a five year warranty on some parts, if not more. The software is already covered in the maintenance agreement we have, as far as upgrades. Moving forward, if you would like us to do maintenance agreements we can expand it to include all the access control.

Mr. Martell then asked about the timeline from the start to finish on the installation and training.

Ms. Schenkel informed for our products and our lead time generally we do about a 4-6 week lead time. There is a plexiglass part in there and barrier type pieces that are included and that will be more of a 12 week lead time because that is all made to order. As soon as we would get the confirmation to move forward we would schedule project meetings and site visits. There are a lot of parts to this so we need to do another site visit and another walk through with all of the parties. It would most likely a four to five month completion date. The training is designed not to be done at one time, but over time. The cut over from your current access control to the new access control will need to be done in a relatively short period of time. We will do as much as we can leading up to that and when we actually need to do the cut over, we will probably do a lot of work in the evening or very early morning. We will need to do training before that and we will do training after that. Ms. Schenkel explained CSI has been in business since 1975. She noted that the Bethlehem Area School District is one of our clients, as is the Bethlehem Housing Authority. We do a lot of work with the City of Allentown, the City of Scranton and their wireless video network. Some additional clients include UGI, Hershey, and some local hospitals and Kirkland Village.

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

G. *Authorizing Transfer of Funds – Law Bureau – Temporary Help*

Dr. Van Wirt and Mr. Reynolds sponsored Resolution No. 2019-097 that authorized to transfer \$22,000 in the General Fund Budget from Recreation Salaries and Prior Year Encumbrances to Law Bureau – Temporary Help to hires a part-time paralegal in the Law Bureau.

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

H. *Authorizing Contract – Gaver Industries Inc. dba Barker & Barker Paving*

Dr. Van Wirt and Mr. Reynolds sponsored Resolution No. 2019-098 that authorized to execute an agreement with Gaver Industries dba Barker and Barker Paving for the 2019-04 Overlay and Curb Ramps.

Mr. Reynolds mentioned he has a question about Mr. Alkhal's memo. It does not have to do much with the paving, but there is a page where it says that the work on Johnston Drive will only be undertaken if the Casino Realty Transfer Tax receipts are sufficiently large to cover the associate bid price.

Mr. Alkhal remarked as you recall from last year's budget we anticipate being able to allocate \$1.2 million dollars for overlays out of the Casino Transfer Tax. What that is referring to is that we are expecting roughly \$6 million, but if it comes in much less than that we were going to revisit that and potentially some of the projects and allocations might be changed. If they change in a way that makes it not feasible to proceed with Johnston Drive that is what that refers to.

Mr. Reynolds believes this is the first time we have seen a contract that includes that potential money. He recalls during the conversation at the 2019 budget hearing that when it was finally determined how much money we were going to have, the Administration will then come back to City Council for a conversation on the projects.

Mr. Alkhal stated the contract written is only authorizing Geopp Street and Lehigh Street to move forward and that is why that language is there. We are not committing to doing Johnston Drive because that is funded by the Casino money. We will still have that conversation.

Mr. Reynolds informed his question is just about that conversation. Whatever we would receive from the Casino Transfer Tax, whenever we receive it, the plan is still to come back to City Council and say these are the projects we are looking to spend money on.

Mr. Alkhal stated that is correct.

Mr. Evans remarked we had that single long list that we will need to reevaluate and present to Council. Based on what happens at the time of the Casino transfer these are the current recommendations and then we will open that up to Council for alterations or amendments from there. Mr. Evans affirmed that conversation will happen, but part of this request tonight was to line up some of the work that does take time to line up tentative projects that can get done during this paving season because it happens quickly.

Mr. Alkhal added this number is only a portion of the \$1.2 million that we are hoping to allocate to overlays.

Mr. Reynolds does not know if we will see any other potential contracts associated with potential Casino tax receipts, but asked the question of what would happen if the Administration says we want to spend our \$4 million dollars on this and then Council says we want to spend our \$4 million dollars on something else.

Mayor Donchez explained as they indicated during the budget sessions we will present our proposal to City Council for a discussion and we would be more than happy to discuss this at a Finance Committee Meeting. From all indications there is a very good chance the issue will be on the State's agenda on May 15th. If that is true, we are probably looking at a possible closing 30 days after that. Regardless of whether it is \$6 million or \$3 million, we will still have a discussion with City Council.

Mr. Reynolds stated he is not thinking that we are going to disagree, but he also does not want it to be a situation where the Administration comes back with money and we are already putting \$600,000 dollars somewhere because a Resolution was passed to approve a contract. He knows this has not happened before so we have no idea when that realty transfer tax would go through. He queried if the transfer is approved in May, would the Administration have any other benchmarks regarding when that type of tax comes through, because he does not believe it has happened in other municipalities.

Mr. Sivak related he is not aware of any.

Mayor Donchez believes what we need is a little clarity. If it is approved on May 15th and closes within 30 days he thinks they will have a good idea when we may get that transfer tax. We were hearing it may not be on the agenda until August. He thinks that pushing it out makes him nervous even though last month they had a very good month with table games as reported in the newspaper today. He is hoping that it will be May 15th and close within 30 days. Mayor Donchez reiterated he thinks there will be more clarity after that point and we will certainly inform Council.

President Waldron remarked on this specific contract tonight we are approving the base bid and alternate bid one with the caveat of bid two based on the transfer tax.

Mr. Alkhal stated that is correct and added that this is the only Casino Transfer Tax funded project that we are starting and because this is part of a bigger project and we did not want to miss the opportunity to get competitive bids. That is why we added it on with the caveat that it would not proceed if we do not get the transfer tax.

President Waldron mentioned who is to say what is sufficient in the verbiage that we are passing? For instance, are we getting \$4 million? That is sufficient, but \$3 million is not. It seems like there is a lot of wiggle room.

Mr. Alkhal remarked what they were getting at with sufficient is if at the end of that process and when the money is finalized in terms of what projects are going to move forward and what amount, and if the amount that is dedicated to overlays covers that amount of money, then this will proceed. He remarked if not, then it will not, and keep in mind that what we were hoping to get for overlays is \$1.2 million, and this is \$600,000 dollars.

President Waldron queried if this is more of a placeholder with the paving contractor.

Mr. Alkhal stated that is correct. It is to hold the prices. The more paving they are bidding on the more competitive the unit price would be. If the contractor works with us, which we anticipate they will, and if it comes through, it is wise to have done that this way.

President Waldron remarked that makes sense.

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

I. *Approving Firearm Purchase – Weber*

Ms. Negrón and Dr. Van Wirt sponsored Resolution No. 2019-099 that authorized an agreement to effectuate the transfer of the City issued handgun assigned to Scott Weber, retired City Police Officer.

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

J. Authorizing Contract – Pennoni Associates – Structural Evaluations

Ms. Negrón and Dr. Van Wirt sponsored Resolution No. 2019-100 that authorized to execute an agreement with Pennoni Associates for consulting and engineering services for structural evaluations at City Hall.

President Waldron stated he would accept a motion and a second to consider Resolutions 10 K through 10 N as a group.

Mr. Reynolds remarked because of his spot on the Moravian Board of Trustees he will abstain on Resolution 10 M.

President Waldron retracted the motion and stated we will do the Certificates of Appropriateness individually.

K. Certificate of Appropriateness – 225 East Wall Street

Ms. Negrón and Dr. Van Wirt sponsored Resolution No. 2019-101 that granted a Certificate of Appropriateness to install a new wooden fence along the North or rear property fronting Milton Street and at the South of the Property facing 225 East Wall Street.

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

L. Certificate of Appropriateness – 424 Center Street

Ms. Negrón and Dr. Van Wirt sponsored Resolution No. 2019-102 that granted a Certificate of Appropriateness to replace a pair of secondary entrance/exit doors at 424 Center Street.

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

M. Certificate of Appropriateness – 428-444 Main Street (Moravian Book Shop)

Ms. Negrón and Dr. Van Wirt sponsored Resolution No. 2019-103 that granted a Certificate of Appropriateness to replace an existing hanging sign in the covered entrance alcove at 428-444 Main Street (Moravian Book Shop).

Mr. Reynolds stated he will abstain due to his placement on the Moravian Board of Trustees.

Voting AYE: Ms. Negrón, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Mr. Martell, and Mr. Waldron, 6. Abstain: Mr. Reynolds, 1. The Resolution passed.

N. *Certificate of Appropriateness – 216 East Walnut Street*

Ms. Negrón and Dr. Van Wirt sponsored Resolution No. 2019-104 that granted a Certificate of Appropriateness to replace an existing fence with an aluminum fence and gate at 216 East Walnut Street.

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

11. NEW BUSINESS

Executive Session/Fired Employee

Mr. Callahan stated he would like to make a formal request that at some point in the near future we have an Executive Session on the firing of a long term employee in the City of Bethlehem. He sent that request about two weeks ago to President Waldron and has not heard anything yet on this.

President Waldron informed he did receive the request, and he has not had an opportunity to find out if it is required that we would have a quorum, four people who would be in favor to have an Executive Session

Mr. Callahan asked if President Waldron would be willing to have a vote on that now. The only reason he asks is because Council has always been briefed in Executive Session on any personnel issues when it comes to lawsuits and things that are in or going into litigation. He just thinks that there are a lot of rumors and as a Council Member he is in the dark, as we all are. He does not know if anybody on Council knows what happened. He understands this is a personnel issue and it cannot be public but as elected representatives of the City of Bethlehem we have a right to be briefed on this. He does not know if this is the will of Council, but he would be happy to take a vote tonight on the quorum.

President Waldron asked if Mr. Callahan is making a motion.

Mr. Callahan stated he is.

President Waldron queried if there is a second.

Mr. Reynolds expressed he is not sure what the motion is and what it refers to.

Mr. Callahan stated the motion is to have the Administration in Executive Session brief City Council Members on the firing of a long term City employee. He expressed he does not want to mention the name. The Administration is well aware of it, as is President Waldron.

President Waldron remarked Council Solicitor John Spirk advised not to mention a name, and Mr. Callahan stated he will not do so.

President Waldron expressed there is a motion on the table from Mr. Callahan and asked for a second.

President Waldron stated there is no second, so the motion dies.

Mr. Callahan remarked he will be back.

Martin Tower Site Plan

Mr. Reynolds commented Mayor Donchez referenced Ms. Heller's letter regarding the Martin Tower site plan that she delivered and stated his support for the suggestions in the letter. He believes at the Planning Commission Meeting they voted on this master plan, but in a kind of advisory type role. He believes that whenever projects occur, they need to bring back land development plans, and asked if that is correct.

Amy Burkhart, Deputy Director of Community and Economic Development stated does not have an answer for Council but can get an answer and will certainly forward that to Council.

Mr. Reynolds remarked we can ask Ms. Heller and he added that Alicia Karner, Director of Community and Development could not be here tonight. The question is that last week when the Planning Commission voted to approve the tentative plan, there was some language that was included in that particular motion like the comments from the Administration or whatever that was. He thinks there was some ambiguity about what that meant going forward as far as when actual land development comes forward. Mr. Reynolds remarked Ms. Heller, as Director of Planning and Zoning, put in that letter that the Mayor had supported the content of that particular letter. His question is what will happen next, because Martin Tower is going to come down. At some point there will be land development plans that come back. He guesses that all of the land development is not going to occur at the same time. It will probably is not going to be office buildings, gas station, hotel, housing, all of those individual plans that would come back to Planning. Mr. Reynolds queried what will happen with the commentary from the Administration as far as the future. He asked if that means that every time there is a land development plan Ms. Heller will come back with those comments and say this is what the Administration believes. He is just curious as to what the process is going forward with those comments. Mr. Reynolds explained this is not whether or not the tower comes down, not even about the uses, but rather about some of the issues Ms. Heller talked about. He thinks there is some uncertainty and asked what the Administration's strategy is to make sure that the development reflects the comments of Ms. Heller.

Mayor Donchez stated Ms. Heller unfortunately went home today ill but we can certainly have her draft a memorandum to Council outlining the process. He has not been able to discuss it with her this week. He will certainly ask Ms. Karner and Ms. Heller to draft a memorandum to Council outlining the process. He does think that Ms. Heller did a very good job. Many of those issues were addressed with the developer who did tweak his plan a little bit, but Mayor Donchez stated he supports what Ms. Heller put in her memorandum. He thinks there were very good recommendations in the memorandum.

Mr. Reynolds knows they accepted the comments; he is just looking for clarification because traditionally the Administration's comments on development have a big influence, as it should. Ms. Heller is a professional planner. He would just be curious as to whether or not those comments are

going to be ones that are consistently pushed as far as what should happen as that site is built out. Many people appreciate the comments in there that do not change the fundamental nature of the tower coming down and the individual mix of uses that are in there.

Emergency Shelter

Mr. Colón thanked Police Chief DiLuzio for the memo he sent to City Council Members a few days ago with the summary of how the emergency shelter did this last winter. Mr. Colón informed he volunteers there when they need help and he thinks that the voucher system that was implemented this year was very fair. He liked the breakdown of where everyone came from. Seeing that half of the participants are true homeless with no address shows just how valuable of a service that shelter is. He is glad that is something that came together. There were certain concerns before it opened if the voucher system would deter people, but it was a fair compromise between the neighborhood, the City and everyone involved in the process.

Executive Session/Fired Employee

Mr. Callahan asked if President Waldron had a chance to brief everyone on Council about the topic he was referring to earlier, at least to explain to them what his concern was.

President Waldron stated no, and asked if Mr. Callahan has.

Mr. Callahan he did not, and that he has not heard anything from the Administration. He is just shocked that no one else on Council is even curious to find out what occurred, maybe everyone else knows and he does not. He would like to know that.

President Waldron informed he cannot speak for everyone else on Council and what their motivations are. He looked into it personally and he found answers that were satisfying to him and did not think it needed to be pursued any further.

Mr. Callahan asked if he or anyone else on Council should be aware of those things. He does not know why President Waldron was briefed on this and no one else was.

President Waldron explained he had the same conversations with the Administration that Mr. Callahan likely had.

Mr. Callahan stated he never had a conversation with the Administration. He asked a question and was told they were not allowed to discuss it.

President Waldron remarked that he made a phone call and was given some information and that was satisfactory to him.

Mr. Callahan said he will try that and get back to this at the next meeting. He just thinks that as Member of Council with oversight on the Administration it is our duty to find out what happened, or at least to be briefed. He tried to go through the Solicitors and that did not work, he tried to have a conversation with the Administration that did not work. He had a conversation with President Waldron about it. He asked politely but was told it was not to be discussed. Mr. Callahan

thinks Council has the right to be advised on what happened and if it is a legitimate reason then it is over and he will not bring it up again. But he will bring this up every meeting during New Business.

President Waldron informed after his conversation with the Administration he told Mr. Callahan what he had heard from them. He found that information to be satisfactory and Mr. Callahan told him that was not satisfactory, but President Waldron stated he cannot do anything about that.

Mr. Callahan advised President Waldron did not discuss anything with him as far as what occurred; he heard nothing. He hopes we can have that conversation with the Mayor; he does not want this to drag on. This is the first time ever we have had walls put up over a situation. We have been advised on some of the most sensitive material and lawsuits that were presented from employees.

President Waldron stated yes, during an Executive Session.

Mr. Callahan does not understand why no one on this Council is curious as to why a long term female employee was fired. He asked if Mr. Reynolds has a problem with that.

Mr. Reynolds stressed this is an entirely inappropriate situation.

Mr. Callahan asked if Mr. Reynolds knows anything about this situation.

President Waldron asked if Mr. Callahan would like to address the comments to him.

Mr. Callahan stated he would like to know, with no specifics, if Mr. Reynolds knows anything about his situation.

President Waldron stated he cannot speak for Mr. Reynolds.

Mr. Reynolds stressed that Mr. Callahan is violating several rules here not allowing him to speak. He explained he will make only one comment. He believes this is wholly inappropriate after being told that we are not supposed to talk about personnel issues. The whole point of Executive Session is to not talk about these things as it relates to the future liability of the City of Bethlehem or not. He is not sure what situation is being discussed here but he knows what the rules of Executive Session are and he trusts the legal advice of Solicitor Spirk and Solicitor Leeson as far as matters that have to do with the legality of the City of Bethlehem that are to be discussed within Executive Session. The overriding feeling he has on all of this is that this is an entirely inappropriate conversation to have publicly about whatever it is that is something that is clearly frustrating Mr. Callahan.

Mr. Callahan stated he agrees with Mr. Reynolds, that is why he asked for an Executive Session and he is stunned that no one else on Council would want to be briefed on why. He agrees that he does not want to talk about it here. Mr. Callahan stressed he will bring this up every meeting at New Business.

President Waldron remarked Mr. Callahan has made his point and made a motion which no one supported.

Mr. Callahan pointed out he will be using his time during New Business.

Emergency Shelter

Dr. Van Wirt remarked she has a few things she thinks are important to say. She thanked Police Chief DiLuzio for compiling these numbers regarding the use of the emergency shelter. She wanted to know what the impacts of the new policies were on the overall numbers of the people utilizing the shelter compared to last year. What she did not include in that email, but she does not expect him to have that right now, is she is also concerned about the number of homeless women who are in Bethlehem and the Lehigh Valley, and what was the proportion of female clients at the shelter. She is sure that Mr. Rapp has some demographic data, but thinks it is important for us to look at trends for the impact of what we are doing, because we need data to understand if we are being affective and if we are meeting our homeless people's needs.

Chief DiLuzio remarked the numbers he has is in reference to calls. He does not have the number of individuals from 2017 and 2018 because the Police were not directly involved in it then. We became more involved when we initiated the voucher system due to the problems. The Mayor wanted those problems to stop in that neighborhood so we came up with ideas and worked with Economic Development. He informed between winter months in 2018-2019 the call volume actually decreased. It was a total of 59 calls, mostly medical, and only four were criminal offenses in the winter of 2018. This past winter there was only a total of 42 calls which were service related and eight were crimes. We had a small increase in crimes, but most were summary offenses. Over all calls went from 55 to 42, so even call volume went down. Chief DiLuzio related most of the calls were medical calls. Most of these people do not get the proper treatment, they do not see doctors and they have medical issues when they come in. The staff and Mr. Rapp from Lehigh Valley Hospital, takes care of them there; he knows their issues. So it did statistically go down, also the amount of neighborhood complaints went down. We only did not admit three people to the shelter and the reason why is they were on the Megan's Law list, and that was one of the criteria where we would not admit people. Only one was turned away because he has a County bench warrant. He added that 15 had summary warrants, which Mr. Rapp worked them out and we took care of them with the magistrates to get them in some type of payment plan. Chief DiLuzio stated overall the complaints went down and we did see people from different areas, so this is not just a Bethlehem issue.

Dr. Van Wirt noted the number is 171 from last season but we do not have the numbers from the year before that.

Chief DiLuzio stated he does not have the numbers from the year before because he did not keep statistics for that year. He thinks that maybe Economic Development did for other years, and Dr. Van Wirt could ask the Health Director, Kristen Wenrich if she has that information.

Dr. Van Wirt remarked it would be good if we could do that. She is not critiquing the system Chief DiLuzio has set up. She is happy with this, but there is a big group of missing people in this number that is not accounted for, and that is the people who are not comfortable going down to the Police Station and getting a voucher. Those are the people we may be missing, and they are the really vulnerable people that are not accounted in this. That is the end she is trying to solve for by saying what is the difference between this year and last year. Who did we not service because they were too scared to go to the Police Station?

Chief DiLuzio stated the overall number he can get in probably two weeks, along with these numbers.

Mayor Donchez stated to check with Ms. Wenrich also to see if she has any additional numbers.

Armory Historic Covenant

Dr. Van Wirt remarked there is a Zoning Hearing Board Meeting coming up and about a month ago she had written a memo concerning the Historic Covenant that was attached to the Armory. She was asking about the overall legal structure of the deal and the setting of a proposed zoning change. She has not heard anything on that but was hoping to have those answers before the Zoning Hearing Board to share with them.

Electric Cars

Dr. Van Wirt thanked Mr. Hillard for his presentation on the cars. She read it very closely and was at the Environmental Advisory Council Meeting when he initially presented it and she read the memo. She was glad to hear that at least in the analysis of the Jeeps that are currently being used by the Parking Authority the use of an electric vehicle is a wash over time cost wise for the City. That is not even addressing the added benefits we get by showing citizens that we can use electric vehicles efficiently. She is sure Mr. Hillard would be happy to understand that as well because it is a really important part of our overall approach is being a leader by how we do things within the City. She just wanted to thank Mr. Hillard for doing all that very laborious work and she hopes that the City can take his recommendations into account. She would like to be able to put together an action plan as to how we transition our fleet over if the cost analysis that Mr. Hillard is in fact true, and she is sure it is.

Mr. Alkhal reported that he will look at the information that was submitted, they just received it today. We do have a few questions especially some of the equalizers like the maintenance numbers because of our specific situation. Budget wise, that outlay may or may not be equivalent, but we will discuss it.

Dr. Van Wirt noted taking a hard look at this and it would be a good thing.

Planning Commission Meeting/Martin Tower Site

Dr. Van Wirt continued to say during the most recent Planning Commission Meeting, which started at 4:00 PM she made a plea to the Commission. She thinks our public meetings in the City of Bethlehem should be held after 6:00 PM so working people like her can come and participate. The Planning Commissioner excoriated people who were at the 2015 meeting for not showing up for this meeting not 10 minutes after she said that it is really unfortunate that we are having this meeting at 4:00 pm because so many people who work cannot come who care and want to talk about this. In addition, the meeting was not filmed, and she thinks public meetings, particularly the Zoning Hearing Board, the Planning Commission, Parking Authority and Redevelopment Authority should be filmed because they are so fundamental to how we use our tax dollars and time. They should be filmed in Town Hall live and should be at a time when people who work can come and talk. She does not know if it is ad hoc, and each Committee

decides if they want or not want to be filmed, but she thinks we should have some standards how we as a City expect our public meetings run and be recorded for everyone.

Mayor Donchez informed he agrees with Dr. Van Wirt, and is going to send a memo to the Boards, Authorities and Commissions for 2020, and ask that their meetings begin at 6:00 or 7:00 PM. The mayor noted they will also discuss the video taping of meetings.

Dr. Van Wirt expressed there are a lot of people who are beginning to watch us now and would like to utilize it for the Boards, Authorities and Commissions.

Dr. Van Wirt informed that she attended the Planning Commission meeting. Outside of the demeanor on the Chairman excoriating the citizens who came and then excoriating the citizens who did not come, saying that the developer made all of these grand accommodations to reflect the 2015 points that were made, she felt was very misplaced. She thinks the people who come to comment at a public meeting should be honored for the care they give the City. They are not being paid; they do not have ulterior motives. They were there because they care deeply. Dr. Van Wirt cannot support this Chairman when it comes up for re-nomination because she feels that the citizens were not treated with the respect they were due. She read Ms. Heller's memo and thought it was a very good memo, however, she feels this plan should not have passed. It did not meet the Comprehensive Plan's targets and she thinks there are few opportunities in this development process that the City has a pivot point which it can exert pressure on the developers to come up with a plan that is a good \$200 million plan, uses union labor, does the development, takes the tower down, but at the same time becomes this wonderful place for the citizens of Bethlehem to use, and not just a macadam covered parking lot. She feels the Planning Commission really missed the mark because this was an opportunity to use our leverage as a City to help the developer come up with something that was going to meet the needs of the citizens of Bethlehem, not just the pockets of the people who want to build there. She also has great concerns about Monocacy Creek and the riparian issues concerning the drainage off of this enormous piece of asphalt. She does not know how that is going to be studied but thinks it is a really important part of this project, and before it goes any further, we should divide it up as this is the business plan; this is the housing plan. She thinks the issues concerning the Monocacy really need to be addressed before we take it much further. She is not trying to hold up the demolition. It is going to happen and that is fine, but she wants to make sure we are looking long range at the impact of this project on Bethlehem. The final point is that she understands that they are only using five acres of the CRIZ. She understands that we as a City cannot control the left over 48 acres of the CRIZ. What she does not understand is how those CRIZ acres can be controlled by the developer, from what she understands, to sell on the open market. She thinks this is another point where we need to be able to exert pressure as a City. She does not think a private developer should choose where our tax benefit dollars go. She thinks the City should be a major part of that and if we have to have discussions with the developer about how that happens. She continued to say we then need to have open public discussions about how that CRIZ gets allotted and what happens to it. It is almost half the CRIZ that we have, and she has no idea how that system is going to work itself out. It is a huge question that needs to be answered.

Mr. Callahan remarked that across from CVS there is a medical office building and he thought we had a meeting where several citizens came in and were complaining that the parking lot over there was not big enough. They were actually parking on the streets. He does not

remember how long ago that was, but he does remember that there were residents that came and complained that there was not enough parking.

President Waldron believes that was a Council Meeting and someone spoke under public comment and they were stating that the employees spill over into the neighborhood and park on the street.

12. ADJOURNMENT

The meeting was adjourned at 8:49 p.m.

ATTEST:

City Clerk