

BETHLEHEM CITY COUNCIL MEETING  
10 East Church Street - Town Hall  
Bethlehem, Pennsylvania  
Tuesday, June 18, 2019 - 7:25 PM

INVOCATION

Pastor Robert Rentler, New Covenant Church, offered the Invocation which was followed by the pledge to the flag.

PLEDGE TO THE FLAG

1. ROLL CALL

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

*Postpone Indefinitely Agenda Items 8A, 8B, 8C and 8D*

President Waldron announced prior to public comment Council received a request from the Mayor to postpone Final Reading of agenda item 8A (Bill 19-2019), which established new Article 961 titled "Special Event Activity Permits, Agenda items 8B (Bill 20-2019), 8C (Bill 21-2019), and 8D (Bill 22-2019) which are bills with conforming changes linked to Bill 19. Thus, postponement of Bill 19 will necessitate postponement of the linked bills as well.

Mr. Callahan and Mr. Reynolds made the motion to postpone indefinitely agenda items 8A, 8B, 8C, and 8D.

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

President Waldron explained that we pulled those agenda items off of our agenda and will not be taking any action on them this evening. The public will have an opportunity to make comments on that Ordinance. He will start with the sign-up sheet and then open it up to anyone on the floor if anyone would like to speak. At this point Mayor Donchez would like to make a few remarks on this Ordinance.

Mayor Donchez thanked President Waldron for allowing him to make comments about Bill 19-2019 also known as the proposed Article 961. He wanted to clarify the history of this Ordinance and the Administration's goals. Two years ago we were approached by ArtsQuest to see what could be done to address concerns arising from an organized highly vocal group who occupied an ArtsQuest outdoor location on the south side during a public event. They insulted members of the public, used terrible language. Some members of the public inquired if the City could exclude such groups from demonstrations on public property. Mayor Donchez reported it was quickly understood that on our part that the First Amendment considerations do not allow an exclusionary solution Ordinance. However, he considered it reasonable to give ArtsQuest the opportunity for its representatives to contribute ideas about how to address their concerns. Our

Assistant Solicitor Edmund Healy was assigned to work with them to develop some procedures and if reasonable an Ordinance. We submitted this Ordinance to Council early in April and it has been in the public domain for two months and surprisingly attracted very little attention from the public. City Council recently conducted a Public Safety Committee Meeting on the Ordinance and no one from the public appeared to speak. It has only been during the last several days that the most public concern has surfaced. We welcome the public's interest in this important matter. Mayor Donchez has requested the postponement of tonight's final vote indefinitely; he wants to make sure three points are clear for the record. First, he has always been a very strong supporter of First Amendment rights; this is shown in his record as an Elected Official since 1996. Second, through this Ordinance we seek to employ reasonable and constitutional time and place regulations so that the City is well positioned to make use of its resources to both accommodate free speech and make sure everyone can participate safely. This is consistent with his support of the First Amendment rights. Third, one of his responsibilities as Mayor is to be responsive to public concerns. He is glad that the public has shown interest. It was only a short time before the final vote was scheduled on this Ordinance, however, because of many comments he considered it best and responsive to take the time needed to take all of the constructive comments including those from Members of Council. Therefore, he is requesting to Members of Council to postpone action on this Ordinance indefinitely.

President Waldron thanked Mayor Donchez for his comments. He wanted to clarify on our public comment this evening. Effectively, we have taken these agenda items off of our agenda so under the two opportunities to speak, the first being on any subject or Ordinance not being voted on this evening. There are seven names on that list and there are another nine names on second public comment which is Ordinance and Resolutions to be voted on this evening. Effectively if you are here to speak on Article 961 those names on that list will be transferred to first public comment. So we will go through both of those lists and then open it up to the floor so anyone who would like to make a comment would be able to do that this evening, whether it is on Article 961 or another topic entirely. As we start our opportunity to speak this evening President Waldron asks when you step up to the microphone to give your name and address for the record. We also have a five minute time limit to adhere to which will give everyone the opportunity to be heard because we do have a lot of folks here who want to express their opinion, which we would like to hear but we want to give everyone an opportunity to do that.

## 2. APPROVAL OF MINUTES

The Minutes of May 22, 2019 and June 4, 2019 were approved.

### *Point of Order*

A member of the audience stated he had a point of order to ask a question. Prior to the start of this meeting or about the start of this meeting a vote was taken and moved this.

President Waldron noted we took a vote to remove Article 961 from our agenda that is correct.

The audience member mentioned when you took that vote that would be considered an action of government, is that correct?

Council Solicitor John J. Spirk stated if Council wants to vote again after the discussion they can do that. If they want to vote again after the public comment they can.

The audience member informed the reality is you should have opened up the floor to public comment on that subject prior to taking your vote.

Solicitor Spirk stated he has no objection to that.

President Waldron noted for clarification after public comment if it is the will of Council we will take another vote to effectively remove this from the agenda again.

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

*Article 961-Special Event Permits*

Mary Toulouse, 1528 West Market Street, remarked since you are planning on reviewing this Ordinance on Special Events she would like to comment. She is here to express her concerns about the changes in the Special Events Ordinance. The Ordinance requires that people have money to pay for the permits and have \$1 million dollars in liability insurance with all this in order to exercise their right to assembly and free speech. The changes in the Ordinance are apparently being made to address a Musikfest problem. She does see that the creation of an Ordinance limiting group size of all gatherings in the City to be a bit of overkill and specific to a problem that should be addressed individually by the Police as part of the Ordinance on disorderly conduct. She does recognize there is a need of some structure that ensures peaceful demonstrations in the divisive times that are facing our Country. Ms. Toulouse is sure that answer is not in this new Ordinance. Bethlehem is not just a sleepy little town like it used to be. On September 9, 2017 a group called Unite the Right planned a demonstration for the Rose Garden Park. She mentioned Unite the Right is the same group that organized the Charlottesville Rally and subsequent riots. This was a hate rally that targeted Immigrants, Muslims, Jews and people of color just to name a few. After that this group planned 30 other rallies across the United States including the one in Bethlehem. The rallies were eventually canceled by the organization after an uproar about them in Boston. For that demonstration in Bethlehem the City had granted a Special Event Permit and according to her sources for some reason was not going to revoke it, even when it was pointed out what this group was known for. After the Charlottesville riots it was obvious what could happen in Bethlehem and at the time she had many neighbors who was concerned. Ms. Toulouse questioned if the changes in this Ordinance as it stands requiring groups larger than 5 people would stop a demonstration like the one in 2017 that had a Special Event Permit and would this Ordinance assure public safety of all Bethlehem citizens or is it useless for that purpose. She wonders who will review the Special Event Permit and decide who can get a permit and who cannot. She thinks we should strengthen a disorderly conduct statute and make it a real deterrent.

President Waldron noted if anyone is watching online we are having some technical difficulties with our camera so we should be getting audio for our YouTube stream but not video at this time.

Beverly Hernandez, 3820 Farmersville Road, Easton, stated she is concerned about what is going on with Article 961 because she lives close to Bethlehem. She thought it would not be very long before neighboring communities get the idea bridging the free exercise of the right of the people to assemble is a good idea. This will have a chilling effect on the willingness of the people to get politically involved which is a right protected by the constitution. The aim of the First Amendment is to allow Americans to critique their government, not just to get together. This Ordinance minimizes the freedom and smothers any event of the people totally ending any spontaneous events. Ms. Hernandez informed Bethlehem would become the byword for socialist government for surrounding communities instead of a model good government. If this is successful we will see a progressive tiptoeing towards more and more control until we get to totalitarianism, it does not happen overnight but will have dire consequences. There is a scripture in proverbs that says when the righteous rule the people rejoice and when the wicked rule the people mourn. She asks Council to vote righteously.

Melissa Gallagher, 4050 Freemansburg Avenue, Bethlehem Township pointed out where the Mayor said that the citizens did not come to address this previously but many of us work and have lives and are busy and do not watch everything that goes on. Many times we find things through Facebook or social media. It is hard to get a permit two weeks in advance when we had already only just found out about something two days prior. She does not think that getting permit for 5 people or more is going to make the City any more or less ready, they should be ready for anything possible. Ms. Gallagher thinks that our Police Department is ready for anything, our first responders, our EMT's are ready and are very good people. This is restricting law abiding citizens, those of us who are law abiding, we will follow the rules and get the permits. It is the law breakers who will not. You are making more rules and more hoops for those of us who are already law abiding citizens. Ms. Gallagher stated she is with the Lehigh Valley Tea Party and every rally that we have, every protest, everything on a public street, we already notify the Police and let them know ahead of time that we will be there. That is just so they know there will be a group of people, not because we cause harm, but just because we are the law abiding citizens, the ones who will obey the rules and regulations.

#### *Zoning Hearing Board*

Beall Fowler, 409 Center Street, noted he does appreciate freedom of speech but that is not why he is at this meeting. He believes that Council and the citizens of Bethlehem should be made aware that our Zoning Hearing Board went rogue at their meeting last week on June 12, 2019. They were presented with their very first request for a special exception based on the corner lot Ordinance 1304.04 (b) which Council passed last December. No doubt you all remember that event and the details of the conditions required for a property to be eligible to be considered by this Ordinance. There was a lot of discussion about that. The first condition states the lot shall be at the corner of two streets and shall contain some form of a non-conforming retail or commercial use in combination with a single family dwelling. There was considerable discussion about single family dwellings versus multi-family dwellings and conversions. That is what the Ordinance says that Council passed. Mr. Fowler noted at the meeting last week the petitioners admitted that their property did not in fact contain the required single family dwelling. That fact was expanded on with subsequent testimony and discussion yet the Zoning Hearing Board chose to ignore the single family dwelling condition and approved the petition. They have set a precedent that subsequent petitioners may exploit in the framework of this Ordinance contrary to your intent. You intended that there should be a single family dwelling to be converted to office use. From

now on the only conditions because of the precedent will be a corner lot containing a non-conforming use. There will be no need for a single family residence. Without any authority they have expanded the Ordinance well beyond what Council passed. This Ordinance has by the interpretation of the Zoning Hearing Board become a potential minefield for further exploitation. Mr. Fowler knows that Council has no control over the actions of a rogue Zoning Hearing Board however; your prudent recourse to control this damage would be to immediately repeal Article 1304.04 (b) of the Zoning code so that no further damage can be done and he urges Council to do so.

*Zoning Hearing Board/Article 961/Ordinance Enforcement*

Bruce Haines, 63 West Church Street, stated he is not here to speak about what Mr. Fowler spoke about but was at the Zoning Hearing Board and they basically stepped on a landmine again. It will cost the City extensive litigation, expense, time and valuable money for a complete disregard of the law. He also thinks it is great that Council is not passing this Ordinance, Article 961 because Ordinances in Bethlehem do not seem to get enforced anyway. We are once again back to an outdoor dining season and he brought this issue last year and Mr. Callahan had brought this up because the outdoor dining experience can be terrible because of the loud motorcycles and low cars with mufflers or loud music. Basically, you cannot carry on a conversation. We have the advantage of outdoor dining on Main Street but the enforcement of noise is something we have asked for many years now. He has spoken to the Mayor and Police Chief Mark DiLuzio to figure out a way and maybe put a sign at the entrance coming off of Route 378 that the City noise Ordinance will be enforced on Main Street. He applauded Mr. Callahan for bringing this up last year but now we are into the season again and hopefully we do something about this before it is October.

*Plastic Bag Ban*

Dan Miller, 637 Hamilton Avenue, he would like to speak about a potential plastic bag ban, on single use plastic bags in Bethlehem. Information about pollution and climate change has been made known to many people and he believes it is the time to make positive impacts on the environment now. Mr. Miller noted as a person of faith and a Moravian Pastor serving here in Bethlehem a spiritual ancestor of the founders of the City, as his Ordained brother called us to remember in the Invocation, he believes the care of our planet is a way of caring for our neighbors just as we would have others care for ourselves. This is something many people, not just Moravians abide by. He has been living in Bethlehem for 6 years now and he would encourage the City to take measures like a plastic bag ban to help the environment and the community in which we all live.

Mary Jo Miserendino, 58 East Wall Street, stated she is also at this meeting to support the proposal presented to you by Beth Baran of the EAC to ban single use plastic bags. More and more we are hearing about the global concern for the amount of plastic being generated worldwide. The concern is complicated further by the fact that Countries, particularly China, are cutting back on accepting plastics to be recycled. Even with recycling centers available today too much of our plastics end up as litter in our highways, in our towns, in our green spaces and more seriously in our waterways and oceans. Several States in the United States have taken the lead to ban single use plastic, Pennsylvania is among the States that has not signed into law any ban on plastics. In Pennsylvania the small borough of Narberth in Montgomery County is the only one

that has passed an Ordinance to restrict plastic usage. The EAC has presented an opportunity to Bethlehem to become the first City to begin to address this problem; it will only grow as an environment and health hazard. We have an opportunity to be recognized as a progressive City that is continuing to confront challenging issues. Ms. Miserendino noted it is said that a picture is worth a thousand words and for this reason she shared some pictures she took the morning of April 15<sup>th</sup> while walking her dog. They walked down West Lehigh Street behind Moravian College over to Sand Island and then to the historic industrial site behind the Bethlehem Hotel and finally home by way of Church Street. When walking down Lehigh Street there is an island in the middle of the Monocacy Creek that collects discarded plastics. She also saw trash discarded in the parking lot and an overflowing trash receptacle. She saw plastic hanging from trees lining the Monocacy Creek. She wants to give these photos to Council and hope they will be reminded of why the proposal ban on single use bags is an important first step for our City. It is her hope that at least one Council Member will realize the importance for action and help to move this proposal forward.

#### *Historical Vignettes*

Ed Gallagher, 49 West Greenwich Street, informed he wanted to talk about history. Since the beginning of the year he has had a project going called Bethlehem Moments. At 9 Council Meetings he and Barbara Diamond at one time presented short historical vignettes of Bethlehem. The idea is that without a sense of our shared history we can never be a true community. He cannot do those Bethlehem Moments all of the time so he has opened it up and from now until the end of the year he has 12 people signed up to deliver a Bethlehem Moment at a Council Meeting. He thanked them publicly. Mr. Gallagher explained he has 12 Bethlehem residents who are willing to do a little research about our history and share that. In a short while he will try to line up people for the first six months of next year.

#### *Elected Officials*

David Francis Bradley Sr., 330 Airport Road stated prior to any act of your government he highly suggests that you recognize that the people should have a voice. The reality is when you wanted to get elected you probably campaigned to those people so they would vote for you but they did not do that so you would make the decisions for them. They did that so you would listen to them and for you to represent them. He will ask rhetorically, of all the money you spent on the campaign how much did this Council spend to ask the people for questions prior to making a decision. Did you send out a letter to everybody and say we will spend \$4.5 million on one pool instead of helping the community pools and see what they think before you decided to borrow money on their backs with their interests? Did you ask them, do you want us to spend tomorrow's money today and borrow more money? Prior to any of these decisions you are supposed to ask them.

#### *Article 961- Special Event Activity Permits*

Scott Frey, 2118 Schweitzer Avenue, remarked with this Ordinance this meeting opened up with the Mayor talking about the alleged behavior of an unnamed group at an unspecified public event. It seems like that one incident is where a lot of this came from. It is unconstitutional and the constitution supersedes local, state and federal law. From a different perspective we have Mark DiLuzio and the fine men and women of our Police Department and

they as a group are our law enforcement. Their duty is to enforce the constitution against unlawful Ordinances like this. Instead of your unconstitutional Ordinance giving us fines and jail time he would call on Mark DiLuzio and the Police Department to refuse in the future, if you should vote this law in, to refuse to enforce that law and maybe turn it around and impose fines and jail sentences on all of you who would vote for it.

*Free Speech/False Statements*

Bill Scheirer, 1890 Eaton Avenue, explained he has learned one thing from all of this, in the City of Bethlehem; free speech is not free because of the cost of permits. There might be the argument of bringing the cost down to zero. At the last meeting he made a statement about the streets in Bethlehem. He acknowledged that some streets have been treated very nicely recently. He noted there was a beautiful job that was done on Center Street. It is his perception that people may be driving more slowly out of respect for the beauty of the reconstruction. Mr. Scheirer stated he has also been thinking about false statements and fact checking. The bottom line is that we have to allow for opinions. The statement that is clearly an opinion is not a false statement because it is only an opinion. Conversely, an opinion presented as a fact is a false statement. Suppose you make a statement that is clearly an opinion, if I would call it a false statement I am the one making a false statement. If I respond by offering my own opinion as a fact then I am making another false statement. When it is uncertain whether or not a statement is an opinion the words "in my opinion" would be useful. Mr. Scheirer then wanted to illustrate with the proposed number of apartments on the Martin Tower tract. The 528 apartments proposed is a fact assuming the press coverage has been accurate. When he says it is difficult for him to imagine someone wanting to live there that is clearly an opinion. When I say that the proposed number is bad planning and bad marketing that is also clearly an opinion since there is no way I could state that as a fact. Mr. Scheirer mentioned that Woodmont Mews has 204 apartments and this is a fact, if the website is correct. It is also a fact that the Martin Tower apartments would be two and a half times the number of Woodmont apartments. Mr. Scheirer remarked that there will be some people that will find Martin Tower too much of the same thing but would not feel the same way about Woodmont Mews. This is clearly an opinion since there is no way of knowing this beforehand. If this opinion turns out to be true, then it would be harder to fill up the Martin Tower tract than it was to completely rent Woodmont Mews. This is a true statement that depends upon an "if" clause. To sum this up, an opinion is not a false statement if it is clear that it is an opinion. If he were to declare an opinion as a false statement then he is making a false statement. It is also a false statement to declare his opinion as a fact.

*Fireworks Ordinance/ Article 961*

Dana Grubb, 2420 Henderson Place, reminded everyone that July 4<sup>th</sup> is a little more than 2 weeks away and he noted last year an Ordinance was passed that limits the use of consumer grade fireworks between the hours of 9:00 am and 9:00 pm. Hopefully this will be promoted for several days leading into our nation's birthday, enforced the night before, the day of and the day after. Put extra Police on to do the enforcement if you must but please enforce this. He will guarantee that many in this community will operate as usual with complete disregard for family pets, wildlife, their neighbors, and those suffering from PTSD. Mr. Grubb then mentioned with Article 961 like many people in here, nobody on Council, he grew up in the 1960's so let's talk about civil discourse, civil rights, women's rights, the Vietnam War. There were no restrictions placed on it and it brought societal and political changes that changed this Country for the better.

We do not need laws restricting demonstrations in Bethlehem. This proposal should have been dead on arrival. The United States constitution is not like a restaurant menu where you pick one from column A and one from column B. This Ordinance also smacks very strongly of 1920's, 1930's and 1940's fascist movements in Europe when restrictions were placed on the general public and what they could or could not do to express themselves. Mr. Grubb explained he was on First Street the night that this demonstration took place, it may have taken place other nights but he was down there in 2017. He observed what happened that evening and he felt threatened by neither the demonstrators nor the public passing by who heckled them. Quite a few of them were carrying alcoholic beverages. If anyone did feel threatened why were not the Police asked to intervene. Deal with the knuckleheads but do not penalize the masses. Is this for my protection? He does not think so.

*Article 961/Free Speech*

Tricia Jennifer Mezzacappa, West Easton, stated she is representing the Tea Party from West Easton Borough. She would also like to touch on the free speech Ordinance from a different angle. She is a Pennsylvania State Constable and proud to have been trained by the Philadelphia Police Department. During that training a Lieutenant stated that social media will be the downfall of our Country and she thinks he is correct. She then mentioned a hypothetical situation that could happen. If the Ordinance was passed and a permit was received by the City the permit is a public record. So when the permit is a public record hypothetically an 18 year old wants to hold a pro-gun rally in the City and the 18 year old submits his application to hold the rally and the permit being a public record ends up on the internet and someone puts it up on Twitter and it goes viral. The kid's life will then be ruined, his life is in jeopardy and his family is threatened. Ms. Mezzacappa informed she has been a victim of the consequences of open public records. She was harassed online. She is asking that Council pass a Resolution called the Head Up Resolution where people can voluntarily give an anonymous tip to the Mayor's Office or to the Police Department about any kind of assembly; the Tea Party does it all the time. She does see a need for doing that, no one wants an angry mob marching past their home. She is not in favor of this Ordinance.

Mike Garcia, 72 East Church Street stated he is proud to say that he here as a first generation and that his father came here in 1922. As Ms. Tate stated before with protests and rallies, he does not think he would even be here without that, he may have been back in Mexico. Thank goodness we have a good Country; we have people jumping over fences to come here. Please do not come up with any other ridiculous Ordinances like you just did. Remember, we have an election coming and we need to get better people in office that will care about the American people. He has seen a big change in our local government but he added "God Bless the U. S. A."

Ziona Brotleit, 412 Second Avenue, commended her fellow citizens at this meeting for their eloquent and intelligent statements regarding Article 961. She agrees with what was said. The goal may not be to restrict free speech but the effect will be exactly that. It is also important to be aware it is a broad Ordinance and broad applicability is a problem not a solution. We need to remember we have laws to handle unruly behavior. We do not want to create impediments to peaceful assembly. Ms. Brotleit stressed Musikfest is undeniably a very important part of Bethlehem City culture and finance but it is not more important than the protection and



preservation of our constitutional rights. It is dangerous if you begin to enforce legal impediments to constitutionally lawful peaceful assembly.

Stephen Antalics, 737 Ridge Street, remarked that violence is an interesting term. When we think of violence we think of physical violence but it can have other forms. There can be verbal violence which can be as dangerous as physical violence. Where he is standing is a forum for people like himself to speak about issues involving the government and the welfare of the City. The people behind him are well intended but when we get to character assassination or demeaning a person in a public forum that crosses a line. When we speak to you and state either an opinion or give you facts and you then go to New Business and our integrity is questioned that is dangerous because as elected officials people look upon you as being the authority and the ones who know. They may then assume that what the person said here at the podium is not correct. Also, in all the years he has been at Council he has rarely heard exchanges of opinions of character between Council Members; it is uncalled for and is verbal abuse. If a person makes a statement here and in New Business the integrity of the speaker is questioned that speaker should then have recourse through freedom of speech. Mr. Antalics noted that freedom of speech can go too far when you get into character assassination. So be careful, do not confuse violence with freedom of speech. Council does have the gavel and good judgement would recommend gaveling statements which are approaching character assassination.

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

*Article 961- Special Event Activity Permits*

Andrew Snyder, Box 4310, Bethlehem, noted he had some suggestions for Council's consideration about the proposed Article 961- Special Event Activity Permits. This contains language that is in violation of the individual rights protected by the United States Constitution. Because it is unconstitutional it should not be approved by City Council. He applauds the decision to postpone this Ordinance. The notion that law abiding citizens can be fined and jailed for exercising free speech and First Amendment rights is unconscionable. The City of Bethlehem has an obligation to protect the rights of its citizens and to protect the public safety. That can be accomplished by specifically banning those activities that endanger the public and must be limited to only those activities. Mr. Snyder mentioned establishing an Ordinance that violates rights traditionally understood, expected, regularly enjoyed elsewhere by American citizens invites accidental violation which increases the risk of conflict resulting from attempts to enforce a rule that a reasonable American would recognize as unconstitutional. The likely public legal battles will reflect badly on leadership of the City of Bethlehem and be costly to the citizens of Bethlehem. Mr. Snyder explained we recognize that justice delayed is often justice denied. Similarly free speech delayed is free speech denied. The rights to peaceable assembly and to free speech are unalienable and legislation that restricts and eliminates these rights is unconstitutional. He urges Council to never pass this legislation.

Paul Saunders, 1327 Woodland Circle, informed he is at this meeting representing the Lehigh Valley Tea Party and its Bethlehem City members. He urges Council to vote against Bill 19-2019 which adds a new unconstitutional and un-American law to the Ordinance of Bethlehem requiring prior restraint of government authorization on citizens before they can exercise their unalienable right to assemble and to freedom of speech. If Bill 19-2019 passes into law those

rights to peacefully assemble and freely speak an opinion will be gone. Mr. Saunders stated this unconstitutional law will shackle, cripple and violate the individual rights of everyone in Bethlehem, not just conservative or tea party groups. Two months ago 6 or more democrats or socialists could freely assemble and freely protest, We hate Trump Policies, but we want open borders or say make the rich pay their fair share. If this law passes the Police will make the demand that those democrats and socialists show me your papers. If they do not show papers they will be fined, imprisoned, or both. In addition under this bill they will be banned for one entire year for applying for another activity permit. Mr. Saunders noted George Washington allegedly made the profound that accurate observation that government is not reason, it is not eloquence, it is force. This new law is force in the form of fines or imprisonment or both. The totality of this unconstitutional bill is an affront to the freedom of Americans everywhere. In sharp contrast the founders of American openly stated that the individual was the fundamental unit of moral and political power in the nation and that each person possessed unalienable and individual rights that the government may not violate including the right to assembly and free speech. This bill says you may not assemble 6 or more people anywhere on public property to express and opinion or point of view. This bill would force 6 or more Christmas carolers in the Christmas City to have a separate activity permit for each day they sing their point of view on the streets of Bethlehem and draw appreciative onlookers. Mr. Saunders stressed Bill 19-2019 is a large incremental step down the path towards the suicidal establishment of an all-powerful government, a totalitarian State that controls every aspect and choice of your life. He urges Council to vote against this bill.

Jacob Stofko, 1040 South 12<sup>th</sup> Street, Allentown, reported he comes to this meeting because of freedom of speech. If you do not have free speech you cannot go out and let the public know what is going on if something happens. We need the right to go out and demonstrate against things that are not right or what we believe is not right. We need the right to demonstrate and protest because of things that happen, as long as it is in a lawful way. The First Amendment says the Congress shall make no law respecting an establishment religion or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press or; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances. Mr. Stofko noted without the First Amendment the government would go wild.

Nancy Tate, stated she lives in Riegelsville but has worked since 1974 for the LEPOCO Peace center and most recently at our 313 West Fourth Street office. As an organization they have a lot of experience holding events, vigils, demonstrations, bike walkathons, etc. in this City. We are always grateful that there are locations like the Tondabayashi Garden, the Peace Pole in the Rose Garden, the busy corner of Fourth and Wyandotte, the Fields that were called the Christmas City fairgrounds where such events can be held. Some of these places hold great public symbolism and others provide public visibility. Ms. Tate cannot read clearly the motivation of those proposing this Ordinance but she can clearly predict some of its impact. At a time where we are worried about voter suppression we do not need to suppress or make more difficult another form of citizen participation. At a time when hatred and racism confront us we need to be calling our citizens to speak out, to urge them to do this, not setting up roadblocks for them if they want to speak out. Public sidewalks are public sidewalks and unless you are blocking others they should be available for public activity without a permit whether that is holding a sign for peace or walking to the Library. As one of the Muhlenberg five she will remind you that the Pennsylvania Supreme Court ruled our public witness, by five people on that college campus where the public was invited was protected under the First Amendment; no permit

required. Ms. Tate finds the fines and jail time to be an especially troubling part of the proposed Ordinance. It is also troubling that those who created the Ordinance are assuming demonstrations lead to bad behaviors. Indeed the bad behavior described in the Ordinance are covered by existing laws and are much more likely to occur in an alcohol laden event like some of our festivals than at vigils, rallies and demonstrations. You do not, you cannot ban the most dangerous items, guns and many of the demonstrations are to protect us from guns. This Ordinance is full of overreach and minutia that indicate the authors must be fantasizing about problems that in reality do not exist. We as an organization used to pay \$25 or \$35 dollars for a permit to use the Tondabayashi garden or the Rose Garden but a few years back it jumped to \$75 dollars which seems high when we are using no City services. She hopes the indications that this Ordinance will be nixed are more than accurate. Ms. Tate thanked the newspapers for letting us know that this Ordinance was being considered. She also stated she supports the plastic ban that was discussed. She urged people who are for the plastic ban to also urge our Governor to stop the fracking in our State and the building of plants that are used to make the plastics.

Diane Dilendik, 506 West Third Street, mentioned as a long time taxpayer in Bethlehem she is very opposed to the new registration policy for demonstration or a rally. She thinks you are making a mountain out of a molehill and security concerns are very over blown. Your thought of 2 Policemen for each demonstrator, which she had to reread in the news article, is absurd. Do we not have laws that take care of the behavior, whether at a demonstration, rally, or any other gathering? She was asked to leave Musikfest 10 years ago. She was registering people to vote, Democratic, Republican, whatever your choice was, she could register anyone. She understands not that this is no longer illegal and she could do it again. Ms. Dilendik noted that Musikfest provides a whole different set of problems than demonstrations and making your voice heard. It is huge crowds and it is alcohol, there will be problems. Ms. Dilendik noted many rallies or demonstrations are planned in response to a just announced event or government, federal, state or local policy. Five days later the impact can be lost. This new registration policy is actually criminalizing free speech with fines or even jail time. Again, we have laws in place for illegal behavior. She does not believe our demonstrations and making our voice heard in public spaces is a problem at this time. She urges Council to vote no on this new proposed policy that she thinks is ridiculous.

Steven Kraft, 1256 Moffitt Avenue, noted he is happy to see that Council and the Mayor have decided to reconsider this ill-advised Ordinance on public demonstrations. On the issues he only agrees with half of the people who have spoken against this. We can all agree that this flies in the face of the First Amendment. Mr. Kraft does not think that any sort of demonstration that does not require City services should be subject to a permit. A permit implies that permission can be denied. The 5 people limit that was suggested in the original draft is clearly going to go by the wayside but even if it is 50 people, if they are just on a public space and are not violating any other laws, he thinks that should be permitted. He has lived in this City for over 50 years and back in the last century Bethlehem was regarded as a beacon among the Cities of the Lehigh Valley in terms of its respect for rights. He hopes we will not change that now. Allentown does not require this and he does not think Easton does either. He would not like to see us set the precedent to do that. It was implied that the driving force behind this was ArtsQuest and clearly they have a problem with dealing with crowds at Musikfest. Mr. Kraft noted you folks are the elected representatives, they are not elected and to have them being the driving force behind this is to his opinion letting the tail wag the dog.

Mary Lou Hatcher, 925 Prospect Avenue, noted many people have spoken eloquently about the First Amendment and the right to freedom of assembly and freedom of speech. Maybe we should pause for a moment because there are a lot of folks in this room on the political left of things and the political right of things and we are all here together and are having a civil conversation about the good governance of our Country. We should just take a moment and say this is a really good thing, we have come together. Ms. Hatcher then shared the title and author of a book, Timothy Snyder called "On Tyranny." The byline is 20 lessons from the 20<sup>th</sup> Century. She noted that Timothy Snyder is an historian of Eastern Europe and he documents the rise of totalitarian regimes on the right and the left and how democracies fail by sliding down a slippery slope. One of her favorite lessons in this book is "Look your neighbor in the eye, know who they are, call them by name and never consider them your enemy."

5. OLD BUSINESS

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

6. COMMUNICATIONS

A. *Police Chief – Musikfest – Special Event Parking*

The Clerk read a memorandum dated May 30, 2019 from Police Chief Mark DiLuzio to which is attached a Resolution and a proposed boundary map for Special Event Parking during Musikfest 2019. The time covered will be from 12:00 pm on Friday, August 2, 2019 through 11:59 pm on Sunday, August 11, 2019. The special events Parking Districts will need to remain the same as last year, including the extension into the south side.

President Waldron stated Resolution 10 B is on the agenda.

B. *Director of Water and Sewer Resources – Recommendation of Award – Hach Company – Water Filtration Plant – Turbidimeter Replacement Project*

The Clerk read a memorandum dated June 6, 2019 from Edward Boscola, Director of Water and Sewer Resources recommending a contract with Hach Company for the Water Filtration Plant Turbidimeter Replacement Project. The term of the contract shall run from the Notice to Proceed until December 31, 2019. The fee for the contract is \$81,947.94. There are no renewals.

President Waldron stated Resolution 10 D is on the agenda.

C. *City Solicitor – Use Permit Agreement – ArtsQuest – Levitt Concert Series*

The Clerk read a memorandum dated June 13, 2019 from City Solicitor William P. Leeson, Esq. to which is attached a Resolution and Use Permit Agreement for public property with ArtsQuest for the Levitt Concert Series. The duration of the agreement is June 21, 22, 28, 29; July 5, 6, 12, 13, 19, 20, 26, 27; August 16, 17, 23, 24, 30, 31; September 6, 7, 8, 2019. The location is First Street from Polk Street to the Eastern Terminus, Founders Way from Second Street to First Street.

President Waldron stated Resolution 10 E is on the agenda.

*D. City Solicitor – Use Permit Agreement – ArtsQuest – Sangria Fest*

The Clerk read a memorandum dated June 13, 2019 from City Solicitor William P. Leeson, Esq. to which is attached a Resolution and Use Permit Agreement for public property with ArtsQuest for Sangria Fest. The duration of the agreement is July 13, 2019. The location is First Street from Polk Street to the Eastern Terminus, Founders Way from Second Street to First Street.

President Waldron stated the Resolution can be placed on the July 2, 2019 agenda.

*E. City Solicitor – Use Permit Agreement – Greater Lehigh Valley Chamber of Commerce by and through its Downtown Bethlehem Association – 2019 Bethlehem VegFest*

The Clerk read a memorandum dated June 13, 2019 from City Solicitor William P. Leeson, Esq. to which is attached a Resolution and Use Permit Agreement for public property with the Greater Lehigh Valley Chamber of Commerce by and through its downtown Bethlehem Association for VegFest 2019. The duration of the agreement is July 13, 2019. The location is the Daniel Rice Field.

President Waldron stated the Resolution can be placed on the July 2, 2019 agenda.

*F. City Solicitor – Use Permit Agreement – ArtsQuest – Yuengling Concert Series*

The Clerk read a memorandum dated June 13, 2019 from City Solicitor William P. Leeson, Esq. to which is attached a Resolution and Use Permit Agreement for public property with ArtsQuest for the Yuengling Concert Series. The duration of the agreement is August 18, 2019 and September 22, 2019. The location is First Street from Polk Street to the Eastern Terminus, Founders Way from Second Street to First Street.

President Waldron stated the Resolution can be placed on the July 2, 2019 agenda.

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

The Clerk read a memorandum dated June 13, 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 firearm at fair market value and according to Third Class City Code regulations.

President Waldron stated Resolution 10 F is on the agenda.

*H. Director of Public Works – Recommendation of Award – Urban Research and Development Corporation – Monocacy Way Improvements – Schoenersville Road to Illick’s Mill Road*

The Clerk read a memorandum dated June 13, 2019 from Michael Alkhal, Director of Public Works recommending a contract with Urban Research and Development Corporation for Monocacy Way Improvements from Schoenersville Road to Illick’s Mill Road. The duration of the agreement is 18 months from the date of contract. The fee for the contract is \$88,766.

President Waldron stated Resolution 10 G is on the agenda.

7. REPORTS

A. *President of Council*

B. *Mayor*

*9-1-1 Consolidation*

Mayor Donchez remarked last week we had a press conference in Northampton County officially announcing the 9-1-1 consolidation with Northampton County which includes the whole City of Bethlehem including West Bethlehem. He then asked Director of Emergency Management Robert Novatnack to give a short power point presentation to Council explaining the new Bethlehem Service Center.

Mr. Novatnack remarked we were under the gun with mandatory consolidation with the State and on June 10<sup>th</sup> our center was officially decommissioned down there as a 9-1-1 Center. We removed all of our 9-1-1 lines so we no longer could accept 9-1-1 calls if we wanted to. Northampton County now has received all of our 9-1-1 calls in Northampton County and even in parts of Lehigh County that are in the City of Bethlehem. The mandatory consolidation is considered complete. The command center at Northampton County is state of the art; they have a lot of new equipment. They have been overhauled to handle all of our 9-1-1 calls up there. In addition we retained our radio system; we have access to all of our radio channels we did have which is one of our goals in the beginning when we started the consolidation. We also added a University channel for Lehigh University and for Moravian and also for our Police officers to talk at the same time because as we see our Police are intermingled with Lehigh/Moravian Police all the time. Now they have a channel, they do not have to be separated when they are doing a pursuit of someone or if something is happening on campus. They could be in touch with each other immediately by radio. We also added an addition Bethlehem Service Center channel for what we are retaining here in the City of Bethlehem. Under the MOU for the tower sites, they were completed and also the deal for our radio system to the County, that was also completed. Mr. Novatnack stated we have 24/7 coverage down there, a staff of 10 full time call takers, 4 supervisors, and 6 specialists. The supervision will be under his supervision. We eliminated the Deputy Director position and the responsibility will fall on him. So what is going to be left in Bethlehem? It is simple what will be left; it is what will be necessary. What is necessary is our street level camera system. Mr. Novatnack implores Council to call him any time and come down there and see the system we have. We have access to cameras all throughout the City, over 160 and we have Lehigh University cameras. We will be working on getting Moravian's cameras and also what is called a Federation License for the Bethlehem Area School District in case we have some type of incident at the schools we could access their cameras. He then spoke of the National Crime Information Center and that is where the Police will look up anybody that they may need to find about their license on their car or if they are showing their ID. Next is the EOC and if we have another Hurricane Sandy or a big snowstorm, we are on generator power down there and we can still function. Next would be Special Events for public safety. We are in talks right now with the County how we will handle Musikfest and Celtic Fest and Runners World, all the big events we have that are not 9-1-1 phone calls because the County will do those but here we will still have to run special events. They are more than 9-1-1, it is many things moving like roster

duty and dealing with ambulances and fire equipment. Mr. Novatnack noted we will have one single number for all the calls that come into the City. They will monitor extra duty Police and that will be at special events or even DUI checkpoints or aggressive driving, we would be following those for the safety of our officers. We will also monitor the Police in their emergency response team in vice operations. Mr. Novatnack mentioned with City Hall security, we are working throughout the City with the Administration improving our security here at City Hall and that will also involve cameras. We also have radio communications for all City Departments that will stay in place just like it saw; we did not lose anything when we went to the County. We will be a liaison between Lehigh University, Moravian and the Bethlehem Parking Authority. The Parking Authority still have a need for a radio and be monitored in the street if there is something aggressive happening. Also any City wide notifications maybe through Council or from the Mayor's office, if something big is happening in the City it will all go through our comp center downstairs. A new item for us will be the service request. If you have been in the City for a while we have something called Community Plus that we get City services done with. We streamlined that. Those are the essential job functions that will be handled by the 10 employees that are in there. With the Supervisors workstation we did that at low cost, we used equipment we have and we used equipment from our backup center. We added a couple of monitors because of the number of cameras we have but we used the furniture we had and did not ask for anything new. We had to get rid of some of our equipment that was purchased by the County but we kept everything we could that we had here because it was in good condition. We are still retaining a list for calling out our employees, there are 160 Police Officers and they get called out for different reasons. We have been doing that for years and we have it nailed down to a system. We are also the liaison with Northampton County and that would be if we get a call here, someone who dials our number and says they are having chest pains that would be a 9-1-1 calls that would go to Northampton County for a dispatch so there is no delay. We screen calls to make sure they are legitimate calls. The Knowledge Center that is where the State knows what is happening in Bethlehem or in Hellertown or in Northampton County. It is a network where if there is an incident it gets typed into the system so the State knows what is going on in case there is a lot of something like flooding in Bethlehem. That is how the State tracks what happens in Bethlehem, through the Knowledge Center. Mr. Novatnack noted that we have about 140 special events in the City but only 10 are really large. For the person that will be operating the cameras they are in charge of all of the camera systems. We are continuing training on that; the cameras are a great tool for Police and Fire. Whenever Northampton County gets a 9-1-1 call we have it up on the screen so we know what is happening in the City also. The Police come in sometimes to check where they are at on certain calls. Admin alerts is when we notify any of the law enforcement upper management or anybody that is in the City that needs to be called at a management's level to call extra personnel. Mr. Novatnack reiterated that City Hall security will be coming into play in our Bethlehem Service Center and we will be using Community Plus. The other thing we had to retain, not the audio anymore that goes to Northampton County. When someone calls 9-1-1 they have to record it but the video, we do that here and that is used daily and nightly, just looking at vehicles moving through the City after crimes are committed. Our Police are in there every day looking at videos. We will keep that in house here because the County does not do that; we will be doing that here. We also integrated the Water Control Department; water control was in the garage down in the southeast corner. They managed our SCADA system which is the control for our water system. It is not just Bethlehem; our water system goes to other municipalities. Part of the SCADA was moved up to the Filtration Plant. We fully integrated them with us. Sometimes there would be one employee down there but now he is in a room with another one of our call takers and a supervisor. In the last month we integrated them with us,

which is working out fine. There are two shifts, day and middle, but at night our workers in there are doing the emergency 8-1-1 digs. Say there is a sinkhole in the City or something happens we will cover that at night but during the day the regular business of the water department, they will make the emergency and non-emergency notifications. They are not under his budget; they are under the Bethlehem Water Authority. Mr. Novatnack explained that public safety is our concern here and if a citizen calls 9-1-1 that goes to Northampton County center and Police, Fire and EMS get dispatched and the citizen gets their service, the County does that now. We used to do that but by law they had to take that over. The citizen could also use eGov, if they have an eGov account they could go to into that, request a City service and the citizen gets their service taken care of and the Mayor could track and follow it. The way he thinks things will mostly get used will be the phone number 610-865-7000, that will be our new number. That number will come into the comp center here and the staff there will take care of it. If it is a 9-1-1 emergency they will immediately get it to the County and in the last two or three months that has not happened very often. When someone dials that number if they need a service from the City we will fill out a service request, send it to the proper department and get it through our system here, the City will respond to the problem and the citizen gets their service and we can track it. He then spoke of the Bethlehem Service app, even though it does not say 3-1-1. We debated this, the expense of doing 3-1-1 system like the big Cities have, you would still have to have trunking lines and that is very expensive, millions of dollars to retain that. So we will have a Bethlehem Service Center app and he is fortunate that we have Wayne Wastler here who will explain how that works. Off of that app we will have it go into the City of Bethlehem service center and then they can get a City service out of that which will take the same path. In addition we have an email now, you can email [bethlehemservicecenter@bethlehem-pa.gov](mailto:bethlehemservicecenter@bethlehem-pa.gov) and tell us what your issue is. The staff will take care of this and respond to the problem the same way. Mr. Novatnack remarked in the City Service Center there are things that do not go to the City, we still get phone calls from PEMA, other government agencies if they have a problem and they call and need Police or they have something going on that is on our line. With PPL and UGI we still get involved with them and inform them when there is a problem in the City.

Mr. Novatnack pointed out they are doing training on the Bethlehem Service Center application and the staff is very well prepared to do it, there are a few more trainings next week for the rest of the City that will receive service requests. We will have a set date down the road when Administration and the other departments agree we are ready to go. It should be soon but we do not have a definite date at this time.

Mr. Wastler then explained the Bethlehem Service Center App which will be able to be used on personal cellphones. He explained it is a cross platform app that he has been developing that will work on Android devices, Apple devices, and Window devices. The app will be available from the Apple store or whichever store you get your device from. We just need to complete some testing and make sure that the security keys are in place so you know you are getting our app from the City of Bethlehem and not a knock off. If you open the app you are presented with two choices. You can create a new service request or if you have created on prior you may have some in your saved folder. So you do not have to submit things immediately, you can review them before you submit them. He then created a new service request by clicking on the New button and you get information to remind you not to use this for emergencies and not to use this while operating a vehicle. It will tell you all of the different avenues you use to access the Bethlehem Service Center. If you agree to that then you simply enter the type of service request, they are organized into categories. Basically it shows buildings, health and safety, nuisance,



roads, streets, and utilities. For his example he chose public buildings and then the map will come up and you can use your GPS location. If you are not at the location you need the service at you can click on search and put in an address within the City. So for his example he put in the location of City Hall and a light that is out and then clicked next and then it will bring up a place where you can add a photo, you can have three attachments that include audio.

Mr. Novatnack remarked that once people get used to this it would get quicker.

Mr. Wastler noted so far they have not asked for any personal information because this app is submitting items anonymously. If you want to track the service request you would do so through the eGov software with your login and registration. He then entered the subject and then once you submit the item it will send the image as well as the report and it will tell you that you have submitted it successfully upon completion. When you are done it takes you back to the main page. If you feel there is something else you need to follow up with you can always choose the menu item at the top or you could email the BSE.

Mr. Novatnack remarked the next news we hear will be down the road when we agree that we are ready to deploy the Bethlehem Service App and also when we will start shortly the seven thousand number and also the eGov account.

Mr. Reynolds sees a lot of good things with this but tonight is probably not the night for us to get into this with all of what is in there. It looks awesome as far as what road we are going down with Open Data and Social Media. The next question will be how to let people know about it and how to get that message out there. He thanked everyone involved.

Ms. Negrón asked if this presentation can be emailed to Council.

Mr. Novatnack stated he will email this to Council and next time they will make sure to have hard copies of everything.

*C. Public Safety Committee Meeting*

Chairman Colón stated the Public Safety Committee met on Wednesday, June 5, 2019 at 6:00 PM in Town Hall. The Committee considered Bill 19-2019, establishing new Article 961 titled "Special Event Activity Permits, Demonstrations, and Use Permits." The Committee discussed various possible amendments to the bill and there was consensus that certain amendments should be developed and proposed following the committee meeting and prior to the June 18, 2019 Council meeting. The Committee voted to forward Bill 19-2019 to full Council for consideration and Second Reading, as amended by the amendments up for consideration at tonight's meeting. Bill 19-2019 is on the agenda tonight for Second Reading. We have heard tonight that Council will not be taking any action on this bill.

*D. Finance Committee Meeting*

Chairman Callahan stated the Finance Committee met on Tuesday, June 18, 2019 at 5:30 PM in Town Hall. The Committee received an overview by City Business Administrator Eric Evans of the status of the proposed Memorial Pool construction project. The Committee voted to recommend that City Council pass the following Ordinance: Bill 25-2019, Amending Capital

Budget for Non-Utilities – Memorial Pool Construction. This Bill is on the agenda tonight for first reading. The Committee voted to recommend that City Council adopt the following Resolution: Resolution 10 C, Amending Capital Budget for Non-Utilities – Memorial Pool Construction. This Resolution is on tonight's agenda.

8. ORDINANCES FOR FINAL PASSAGE

President Waldron noted if there is no objection from Council we will revisit the motion we made earlier to remove all four Ordinances for consideration tonight, 8A, 8B, 8C, and 8D.

Mr. Callahan and Dr. Van Wirt made the motion to postpone indefinitely Bill No. 19-2019, Bill No. 20-2019, Bill No. 21-2019, Bill No. 22-2019.

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

President Waldron explained this is the same action Council took earlier, reconsidering the agenda after hearing comments this evening that Article will be pulled indefinitely until the Administration decides to take any further action.

E. *Bill No. 23-2019 – Establishing New Article 1719 – Pennsylvania Neighborhood Blight Reclamation and Revitalization Act*

The Clerk read Bill No. 23-2019 – Establishing New Article 1719 – Pennsylvania Neighborhood Blight Reclamation and Revitalization Act, on Final Reading.

Ms. Negrón mentioned this bill was presented to us for the first time at the last meeting. When we voted on this last time she did not get a chance to speak about this. She wanted to hear more about this Ordinance because she is excited about this because she knows the challenges of blighted properties. Many individuals have several properties and are not taking care of many of them yet they keep requesting permits and are given them although they have other properties that are falling apart.

Alicia Karner, Director of Community and Economic Development explained they have two goals via this Ordinance. That is to pull permitting for folks who have tax delinquency in the City and to withhold permitting on those projects that are not associated with the blighted property because certainly if someone has a blighted property we want them to get permits to fix it up. But it will be for property owners who have multiple properties that have code violations. Blight is a generic term that we use and it is also an official term under the State Redevelopment Authority laws. What we are saying is those property owners who have citations that are no longer appealable and have been convicted in the court system, we can withhold permits for them to do work on other properties. Again, always trying to balance the need for improvement in the community and balance the need to fix up the properties with someone who is just buying property after property and not really addressing those in the worst conditions.

Ms. Negrón mentioned when she worked for the City of Allentown in economic development she knows that the Mayor created something where they are trying to shame those slum lords that have properties that are in bad condition. She really likes this approach, we will

not give you a permit to do anything else if you have homes that need work or if you are delinquent in your taxes. She queried how you will know, how will you find out if they have code violations or tax delinquencies.

Ms. Karner remarked we have a better handle on those property owners that are tax delinquent or have code violations within the City of Bethlehem. We will start by taking baby steps and we will try to address those property owners first. We do have a system which has been referred to earlier tonight which is Community Plus. That has all of our properties in it, so trying to place holds on those properties that are associated with convictions on code delinquency is one way. Another way is for us to independently track, we have 600 property owners as of the first of this year that were delinquent for more than half a million dollars in the City. We will start by looking at those who have the highest delinquency or owe the most money, \$5,000 dollars or more as a starting point. Ms. Karner stated in addition to that we are going to modify our forms, we have not unveiled them yet, but when you are applying for a permit we are asking you to sign that you are not delinquent and you have no code violations. If you are or do we are asking you to list those properties and provide us with an explanation as to why you have these issues. Sometimes people have set a payment plan and so technically they are considered delinquent in our system but they are paying. So it is that balance, who are we really going to try to put on the straight and narrow.

Ms. Negrón believes this is the best way to start and she says thank you for moving this forward. That is one complaint that she gets from constituents that their neighbor has a home and has four more and they are falling apart. This is a good way to channel that and she wishes them good luck with this.

Dr. Van Wirt remarked the devil is the details in these types of agreements. Certainly with code violations it is pretty easy to see. She wondered if this law also applies to people who are purely tax delinquent and they want a new permit. She asked if this will be applied evenly across the board because you are acting on the honor system that people will tell you that they are delinquent when they want to build something else. Dr. Van Wirt asked if there is a safeguard to make sure that we are enforcing this Ordinance equally across everyone. She noticed that a lot of the verbiage in there is that we may deny issuing a permit, there is a lot of latitude there.

Ms. Karner noted as stated we are starting out with those that are delinquent \$5,000 dollars or more equally. She thinks that is an appropriate threshold to begin these efforts. She will say that uniformly we will not be issuing permits for property owners that have a delinquency of \$5,000 dollars or more.

Dr. Van Wirt asked if you will know that, it will not be based on just what they tell you.

Ms. Karner stated we will know, we track that within our system.

Mr. Reynolds remarked this is a step in the right direction; we have had this conversation now for a couple of years. Mr. Reynolds asked, jokingly, whether the City can withhold permits from companies who do not pay their deed transfer tax. He knows that Ms. Karner has expressed frustration about this. Much of this goes back to when it one of our newspapers that ran an article about all of the delinquent taxpayers in the City of Bethlehem over a certain amount. We had further conversations when we were talking about the FAIR Ordinance about not paying taxes.

There is nothing that infuriates people more than when we have to pay our taxes and then we see other people that find ways around doing that. Mr. Reynolds agrees with his colleagues that this is another step in the right direction but it needs to continue to be the type of thing that is talked about to the point that there is pressure then when people go for tax incentives. He agreed, the devil is in the details because he could have an LLC with 7 different members of Council and have a different LLC with 3 different members of Council and those would be 2 different LLC's. This is another step in the right direction but to go back to the conversation we had about the deed transfer tax, the spirit of that going forward is that we need to put our foot down when we have the leverage about what people are doing. We are talking about transferring a lot of money here having to do with the pool and different projects. Mr. Reynolds mentioned he is in the process of purchasing a home next Friday and he will be paying the deed transfer tax, that is included in the closing there and people that make a lot more money than people sitting up here are finding ways around paying that. He applauds the Administration for bringing this forward but he thinks it needs to be part of a bigger conversation about what is fair when it comes to paying taxes. If people are not going to pay taxes and find ways around doing it legally, it is the spirit of the fact and what infuriates people about government when people find ways around doing things that have a lot more resources than we do.

Voting AYE: Mr. Colón, Mr. Martell, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, and Mr. Waldron, 7. Bill No. 23-2019 now known as Ordinance 2019-23 was passed on Final Reading.

9. NEW ORDINANCES

A. *Bill No. 24 – 2019 – Amending Article 925 – Storm Water Management*

The Clerk read Bill No. 24 – 2019 – Amending Article 925 – Storm Water Management, sponsored by Mr. Callahan and Mr. Colón and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
ARTICLE 925 OF THE CODIFIED ORDINANCES OF  
THE CITY OF BETHLEHEM TITLED “STORMWATER  
MANAGEMENT REGULATIONS”.

Voting AYE: Mr. Colón, Mr. Martell, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, and Mr. Waldron, 7. Bill No. 24 – 2019 was passed on First Reading.

B. *Bill No. 25 – 2019 – Amending Capital Budget for Non-Utilities – Memorial Pool Construction*

The Clerk read Bill No. 25 – 2019 – Amending Capital Budget for Non-Utilities – Memorial Pool Construction, sponsored by Mr. Callahan and Mr. Colón 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

Ms. Negrón stated she made some comments during the Finance Committee Meeting. She is concerned that we keep on calling Memorial Pool a destination pool. What she has learned through living 20 plus years in Bethlehem is that it has always been the destination pool. She has a hard time understanding why we need to create so many fancy things that cost so much money when it is already a destination pool, it does not need anything else fancy. We need a new pool; she agrees with that, we need the pool open and functioning. The climbing wall was taken off, which is good. She thinks there are ways for us to recreate what we had without spending so much money. Her other concern is knowing how much it will cost for maintenance. We got a great presentation today during the Finance Committee Meeting. We do not even know what the cost will be for maintenance and the price to pay to keep that \$4.5 million dollar pool is that we might end up closing all the other pools in our community. Her other concern comes from the budget itself. When we were going over the budget last year we were trying to figure out how to allocate money for the Rose Garden after the community got together and had a plan with things that needed to be done. It was hard to find money and we thought we would get money from the Casino tax but that will not happen. Ms. Negrón noted all of a sudden we have money but that was not here last year when we were talking about the Rose Garden. She has a problem with all of this, not just the Rose Garden but the Pedestrian Bridge; we allocated money in the budget for those two things from the wish list. Now it seems like this might not happen. She has a problem that we found money for something that does not need to be spent for. So she cannot support this Ordinance today.

Dr. Van Wirt stated she echoes the sentiments of Ms. Negrón. When we were looking for money for sidewalks there was nothing there. She is disappointed in the fact that we are suddenly able to come up with \$700,000 dollars. The other thing that makes her uncomfortable that she did voice in Committee today is that she is not comfortable because she does not know how this will affect the community pools. She does not know what the community wants in the pools. Maybe they do want splash pads and maybe if we had put this type of money into the maintenance of the community pools they would be better utilized. So saying that we have pool utilization of the pools without properly maintaining and investing this type of money in them, it is a different mindset. Dr. Van Wirt needs more information before she would feel comfortable allocating more money here, so she will be voting no tonight.

Mr. Reynolds believes that when we passed the budget there was a portion of Rose Garden improvements that were included in the hypothetical Casino transfer tax but there also were funds that were included in the Capital Bond.

Mr. Evans stated that is correct, there was \$50,000 dollars in the bond, and Council made that adjustment and pulled \$100,000 out of streets and put \$50,000 into the Pedestrian Bridge Study and \$50,000 into the Rose Garden. Right now the Rose Garden has \$50,000 that is in the bond and there is also a \$50,000 dollar DCNR grant that is in play right now, we are waiting to hear about that, so that would be \$100,000 for the Rose Garden.

Mr. Reynolds noted for the Pedestrian Bridge we have the money coming from Northampton County which is the match for the DCNR grant.

Mr. Evans stated that is correct, that is \$60,000 dollars from Northampton County we are waiting for and the DCNR was \$40,000 dollars, so a total of \$100,000 dollars for the Pedestrian Bridge Study.

Mr. Reynolds noted to get back to the comments made by Ms. Negrón, which he can understand and see to a certain point but he thinks that City Council at the time voted unanimously for the Pedestrian Bridge and the Rose Garden improvements as a priority which reflected from the Community. We worked with the Administration who said we are going to find a way to do this. In the past six months they have come through on those commitments as well. This is the First Reading of this Ordinance and the conversation we had a few years ago and tonight at the Finance Committee Meeting, it comes down to the fact that it is will not be much cheaper if you want to rebuild a pool there. You cannot build a \$2.5 million dollar pool if you want anything that resembles the size of what existed there before. He went through his reasons about why he thinks that supporting Memorial Pool is a good idea, it is a community pool. We talked about the neighborhood things but there are not a lot of things that bring everyone together in the City of Bethlehem and Memorial Pool has brought people together for generations. Mr. Reynolds noted we have community park assets and whatever we want to call this, destination, flagship, centerpiece, as far as pool are concerned it is a place that people have gone to for decades. If it is the determination that it is not a smart idea to build a pool, he understands that and a few weeks ago that is why he wanted to postpone the vote, he was not sure what the answer was to that question, about whether or not we could build a similar sized pool that would attract people. He does not think we can do it in a responsible way for cheaper than this. He does think that going forward it is important that we follow this process to make sure it is done in the right way and also we have a maintenance plan going forward. Mr. Reynolds is confident that we will have those things and this is also an important recreation center piece for the City going forward.

Mr. Callahan stated he agrees with Mr. Reynolds. He thinks the time is now to move forward on the pool. He talked to many different developers and people involved with construction and everybody said if you delay it you will look at 3 to 4% more cost. He understands we had to pull out some things like the parking lot and things like that, but if we are going to do this we need to do it the right way and if it will cost more we should do it. Mr. Callahan pointed out the other little amenities we can work on later whether it is 3 or 4 years down the road. With the parking lot he thought it was a good idea of making the current parking lot a little bit of a grass area, a transition area, and having the main parking lot in front of the Memorial Pool. He will be supporting this tonight. He does wish we could make it an 8 lane pool. He was told it would be \$350,000 dollars. He does know a lot of swimming coaches and the difference between an 8 lane and 6 lane pool is tremendous and it affects a lot of events. He does not want to cut corners on this as far as the pool structure itself. He stated he will be supporting this Ordinance tonight.

President Waldron noted he was not able to attend the Finance Committee Meeting earlier but he wanted to say that we need to have a bigger conversation moving forward about what our pools are going to look like and what the plans will be in 5 or 10 years from now. We need to talk about what some of those other community pools function will be, what their life cycle looks like and the maintenance cost and when there may be a point of diminishing returns to make potential conversions to a different kind of use, splash pads or recommitting funds to fix those pools. We may not know what that looks like because the use demand is shifting. Much like 10 years ago a lot of kids were not on their phones using social media as much and they are drawn inside a lot more and the pools are not what they were a generation ago. That may continue to change. He does want to advocate for the fact that he thinks there should always be a pool on both the north side and the south side at the minimum but he knows that this is an essential City

service that we provide that is really beneficial to a lot of people. President Waldron thinks the Memorial Pool plan is a good balance between that idea of a hole in the ground that is filled with water but also attracts a lot of people who may not want to go to just a hole in the ground filled with water because it has a lot of other amenities that are interesting. President Waldron explained as someone with small kids, we will be a family that eventually uses that pool and some of those features will draw people in a way that may not get them there otherwise. He does not see a path forward to take this cost down that is responsible and he thinks that Mr. Callahan may not be off base by reallocating resources to make this pool really a destination or flagship pool in a bigger way. The conversation needs to be had about what our pool system will look like in 5, 10, or 20 years from now not only with locations but as well as the maintenance of them as well and what the demand and use will be as we guess how that will look in the future. This is our First Reading of this Ordinance so we have time to think about some of these conversations and maybe have some other conversations in the next two weeks about where we see Memorial Pool as well as the other pools. He will be supporting this Ordinance.

Mr. Callahan noted we received a report at some time when all pools were up and operating and we had attendance numbers at all the pools, he wondered if we could get that information.

Mr. Evans stated he will get that information to Council.

Voting AYE: Mr. Colón, Mr. Martell, Mr. Reynolds, Mr. Callahan, and Mr. Waldron, 5. Voting NAY: Ms. Negrón and Dr. Van Wirt Bill, 2. Bill No. 25 - 2019 was passed on First Reading.

## 10. RESOLUTIONS

### A. *Authorizing Records Destruction – Water and Sewer Department*

Mr. Callahan and Mr. Colón sponsored Resolution No. 2019-148 that authorized the disposition of the Water and Sewer Department public records, as stated in Exhibit A.

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

### B. *Declaring Special Condition – Parking Fines – Musikfest 2019*

Mr. Callahan and Mr. Colón sponsored Resolution No. 2019-149 that declared a Special Condition under Article 531 of the Codified Ordinances for increased parking fines during Musikfest 2019 for the period from 12:00 Noon, Friday, August 2, 2019 through 11:59 PM on Sunday, August 11, 2019, with the areas to be affected on the North Side and South Side shown on attached Exhibit A.

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

### C. *Transfer of Funds – Non-Utility Capital Fund – Memorial Pool*

Mr. Callahan and Mr. Colón sponsored Resolution No. 2019-150 that authorized the

transfer of funds in the Non-Utility Capital Fund in the amount of \$255,000 dollars from the Park System Master Plan and the Geographic Information System to the Memorial Pool Complex 2017 Bond and the Memorial Pool Complex 2015 Bond.

Voting AYE: Mr. Colón, Mr. Martell, Mr. Reynolds, Mr. Callahan, and Mr. Waldron, 5. Ms. Negrón and Dr. Van Wirt, 2. The Resolution passed.

*D. Authorizing Contract – Hach Company – Water Filtration Plant*

Mr. Callahan and Mr. Colón sponsored Resolution No. 2019-151 that authorized to execute an agreement with Hach Company for the Water Filtration Plant Turbidimeter Replacement Project.

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

*E. Authorizing Use Permit Agreement – ArtsQuest – Levitt Concert Series*

Mr. Callahan and Mr. Colón sponsored Resolution No. 2019-152 that authorized to execute a Use Permit Agreement Amendment with ArtsQuest for the Levitt Concert Series according to the agreement.

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

*F. Approving Firearm Purchase – Mish*

Mr. Callahan and Mr. Colón sponsored Resolution No. 2019-153 that authorized an agreement to effectuate the transfer of the City issued handgun assigned to Michael Mish, Retired City Police Officer.

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

*G. Authorizing Contract – URDC – Monocacy Way Improvement – Schoenersville Road to Illick’s Mill Road*

Mr. Callahan and Mr. Colón sponsored Resolution No. 2019-154 that authorized to execute an agreement with URDC for Monocacy Way Improvements – Schoenersville Road to Illick’s Mill Road.

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

*H. Certificate of Appropriateness – 450 High Street – Repaint Exterior*

Mr. Callahan and Mr. Colón sponsored Resolution No. 2019-155 that granted a Certificate of Appropriateness to repaint the exterior of the house at 450 High Street.



President Waldron noted he will not be voting on this Resolution as his business will be doing the work on the home at 450 High Street so he will recuse himself on this one Resolution.

Mr. Callahan knows when people go to Zoning Hearings everyone is asking for some type of relief. He asked if that is true for all of the Certificates of Appropriateness also. If I lived in the Historic District and I wanted to change something and if the Historic Board was in favor of it does it go to the Certificate of Appropriateness.

Ms. Karner stated yes.

Mr. Callahan noted everything that goes to the Historic Board would be coming to us for approval even if it is already within the guidelines of the Historic District.

Ms. Karner explained if you are replacing in kind you do not have to go to the Historic Boards.

Mr. Callahan queried if everybody that is getting a Certificate of Appropriateness tonight is asking for relief.

Ms. Karner stated they are asking for changes to the existing exterior of their properties.

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

*Motion – considering Resolutions 10 I through 10 O as a group*

Mr. Reynolds and Mr. Callahan moved to consider Resolutions 10 I through 10 O as a group.

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

*I. Certificate of Appropriateness – 450 High Street – Porch Roof*

Mr. Callahan and Mr. Colón sponsored Resolution No. 2019-156 that granted a Certificate of Appropriateness to replace the low sloped shingled porch roof with a flat seam metal roof at 450 High Street.

*J. Certificate of Appropriateness – 403 Center Street*

Mr. Callahan and Mr. Colón sponsored Resolution No. 2019-157 that granted a Certificate of Appropriateness to replace the windows at 403 Center Street.

*K. Certificate of Appropriateness – 253 East Church Street*

Mr. Callahan and Mr. Colón sponsored Resolution No. 2019-158 that granted a Certificate of Appropriateness to rebuild the front porch and stairs and remove and replace a concrete walkway and drainage swale at 253 East Church Street.

*L. Certificate of Appropriateness – 79 West Market Street*

Mr. Callahan and Mr. Colón sponsored Resolution No. 2019-159 that granted a Certificate of Appropriateness to install vinyl decal signs on the 1<sup>st</sup> floor windows at 79 West Market Street.

*M. Certificate of Appropriateness – 437 Main Street*

Mr. Callahan and Mr. Colón sponsored Resolution No. 2019-160 that granted a Certificate of Appropriateness to install wireless antennas, cabinets and generator to the existing site at 437 Main Street.

*N. Certificate of Appropriateness – 54 East Wall Street – Windows*

Mr. Callahan and Mr. Colón sponsored Resolution No. 2019-161 that granted a Certificate of Appropriateness to remove and replace exterior windows and casing at 54 East Wall Street.

*O. Certificate of Appropriateness – 54 East Wall Street – Shutters*

Mr. Callahan and Mr. Colón sponsored Resolution No. 2019-162 that granted a Certificate of Appropriateness to remove and replace shutters and hardware at 54 East Wall Street.

Voting AYE on Resolutions 10 I through 10 O: Mr. Colón, Mr. Martell, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, and Mr. Waldron, 7. The Resolutions passed.

11. NEW BUSINESS

*Speaking During New Business*

President Waldron remarked when Members of Council are discussing New Business he believes it would be helpful to not use personal names of Members of Council. If you are addressing comments of someone who spoke earlier during Public Courtesy of the Floor not to use someone's name, maybe talk about a previous speaker and speak in generalities and try to avoid using names or making direct comments to a person. He thinks that will help alleviate some of the tension that has been happening during New Business and will also be a little bit fair in allowing comments to float so they are not directed at a specific person.

*Holy Infancy Multicultural Festival*

Ms. Negrón remarked this past weekend was the Holy Infancy Multicultural Festival and she wanted to make it a point in thanking the Mayor. On Friday night we lost power on the stage and you cannot have a festival without electricity. She texted Mayor Donchez and he contacted Mr. Alkhal and he called right away and it was taken care of. She appreciates how fast that happened. The weekend before it was the Portuguese Festival and we lost power then also but it was towards the end. The Firemen who were there put an extension in from the school to give power to the stage. She would like to have more of a conversation because these are festivals we do every year and we use the City stage and we need to have the appropriate amount of power. She appreciates that this was taken care of so fast.

*Authorities, Boards and Commissions Meeting Times*

Dr. Van Wirt related about something she became aware of that has to do with the request of the Mayor and he is aware of her concerns over this. The request was to the City Authorities, Boards and Commissions to hold their meetings after six o'clock at night. She was able to listen to the BRIA and your presentation to BRIA of the Mayor's request and the subsequent unilateral decision by someone she assumes is the Chairman to not honor the Mayor's request. She was flabbergasted because she thought even though he phrased it as a request, really he is the Mayor and he nominates people for the Commission and we approve that. The rationale was that no one from the public shows up which she thought was the tail wagging the dog, also because it was more convenient for the staffers to keep it at that time. It missed the entire point of why we were trying to move these meetings to where normal working people can attend. Dr. Van Wirt remarked unless this gets resolved in some other way, because she fears it will set a precedent for other Authorities and Commissions to decide to do their own thing for the convenience of their own people, she will be forced to ask everybody who is being nominated for one of these positions if they support moving those meetings to when normal working people can attend. That is what we are supposed to be doing on City Council, opening up the processes of City government and finding the barriers to public participation and this is certainly one. She was disheartened by the whole thing.

*Demolition*

Mr. Callahan stated he wanted to correct himself; he had a family member that checked one of this statements. At the last Council Meeting he made the statement that he does not remember voting for the demolition of a project or house within a Historic District and he forgot there were properties on New Street where the garage now exists. Mr. Callahan asked if the structure is within the Historic District and it is maybe a 40 year old house does that make it a historic structure, if it is sitting in a Historic District.

Ms. Karner remarked we have a property inventory of all properties in the Historic Districts that were done at the time we needed to create the district. It really depends on the property that you are talking about. The HCC in particular has supported demoing properties like the ones he referred to and has had a harder time on other properties like the one in front of the Hispanic Center that they also supported the demo on but took a little more engagement and conversation and explanation on that property.

*Affordable Housing*

Mr. Callahan appreciates President Waldron's comments tonight and he will be on his best to number one, channel the tone of Ms. Kelchner and try to correct the record on things that are falsely stated. He wanted to bring up that he really does have strong feelings about what Ms. Negrón said and he agrees with her that we have to do something for affordable housing. He started doing some research on it and if he is wrong please let him know. He knows we had the Bartholomew House for subsidized housing and the St. Stanislaus Church on Hayes Street. He asked if Ms. Karner could get us a list on all the low income housing that we have in the City.

Ms. Karner noted certainly there are a lot of properties that have tenants that are considered low income because they have vouchers in which we do not have control of those

properties or even an understanding sometimes of which units those are. There have been others that we have supported such as St. Stanislaus, the properties on Atlantic Street and those properties we most recently supported through CACLV's efforts.

Mr. Callahan knows we have the Rooney building, Pembroke, Marvine, and others.

Ms. Karner explained some of those are Housing Authority and that is different. There is a big difference between affordable housing and low income housing. She wants to make sure that when we talk about this we are talking about affordable housing which really is targeting 80% of median income in the City of Bethlehem. We are targeting teachers, Police Officers, EMT's; we are targeting a group of people under affordable housing that is not what you are referring to as it relates to the Housing Authority.

Mr. Callahan was looking at a project right now he would like to get going if possible, but he is not sure of the particulars on it, the City Lights Project that is up on South Mountain. From what he understood, Mr. Jennings was involved with it and he said something happened with the funding. Mr. Callahan explained he drove up there and all of the infrastructure is done, the roads are done, the curbing is done, the sewers are done and he thinks the electrical lines are in there but there are just empty lots. That was supposed to be affordable housing. He wondered what happened.

Ms. Karner noted it was late last year when they bid the project and they could not find a partner. Like we talked about earlier with Memorial Pool, construction is hot right now and it is very difficult to find contractors that you can partner with. That was a funding gap despite the HOME Funds we put into the project and despite the Neighborhood Stabilization Funding they received and the monies they were going to put in the project.

Mr. Callahan asked who owns that property right now and if Ms. Karner had spoken to them in the last year and a half.

Ms. Karner explained they know the owner of the property and certainly have spoken to them but it is not something she thinks is appropriate to discuss right now.

Mr. Callahan hopes to have a discussion with Ms. Karner on this and Ms. Karner agreed.

#### *Noise Ordinance*

Mr. Callahan informed he does want to get moving on the comments made by Mr. Haines about the Noise Ordinance. He mentioned that Main Street and Broad Street is part of our Historic Downtown and is a treasure, it was on USA Today's top 10 Main Streets in the United States. He knows we had a Noise Ordinance and he thinks it was tabled. He is asking that the Public Safety Committee look at this. Maybe there are things in there that we all do not want to move together on but he thinks at the minimum we could put maybe a self-sustaining Ordinance that bans modified mufflers on cars, motorcycles and the revving of engines on Main Street in the Historic District. It is a problem because we have motorcycle riders that fly up the street with their engines very loud. We had a discussion about motorcycle riders and how they modify their mufflers so they are very noisy and when they ride at night it will scare off deer but downtown Bethlehem is not the place for that. This is an area of the City where people are trying to have an

enjoyable meal outside at all the restaurants but when you are sitting there it can be very noisy. He asks that the Public Safety Committee bring up some type of proposal that we could look at very soon.

12. ADJOURNMENT

The meeting was adjourned at 9:49 p.m.

ATTEST:

Robert G. Vidoni, Esq.  
City Clerk