

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

INVOCATION

Pastor David Brown, Holy Cross Evangelical Lutheran Church, offered the Invocation which was followed by the pledge to the flag.

PLEDGE TO THE FLAG

1. ROLL CALL

President Waldron called the meeting to order. Present were Michael G. Colón, Olga Negrón, J. William Reynolds, Paige Van Wirt, and Adam R. Waldron, 5. Bryan G. Callahan and Shawn M. Martell were absent, 2.

CITATIONS

Honoring Scott McEllroy

President Waldron presented a Citation to Scott McEllroy on the occasion of his retirement from the Police Department after over 25 years of service. The Members of Council applauded Mr. McEllroy and wished him well in his retirement.

Honoring Scott Weber

President Waldron stated that the Citation for Scott Weber on the occasion of his retirement from the Police Department after 20 years of service will be mailed to him since he was unable to attend this evening.

Honoring Michael Mish

President Waldron stated that the Citation for Michael Mish on the occasion of his retirement from the Police Department after more than 20 years of service will be mailed to him since he was unable to attend this evening.

Honoring Mark German

President Waldron stated that the Citation for Mark German on the occasion of his retirement from the Police Department after more than 20 years of service will be mailed to him since he was unable to attend this evening.

Honoring Christopher Eline

President Waldron stated that the Citation for Christopher Eline on the occasion of his retirement from the Fire Department after 25 years of service will be mailed to him since he was unable to attend this evening.

2. APPROVAL OF MINUTES

The minutes from June 18, 2019 were approved.

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

Plastic Bag Ban

Beth Behrend, 637 Hamilton Avenue, remarked she is at this meeting to speak about the concerning provision in the State budget that bars any bans or taxes on plastic bags and other plastic packaging, which was passed a few weeks ago. This spring the Bethlehem Environmental Advisory Council (EAC) submitted a proposal to City Council to consider banning the use of plastic bags or applying a tax to these bags given to customers at the point of sale. At the end of June State lawmakers snuck a 3 paragraph provision into the 2020 State budget which would prohibit municipal bans or taxes on plastic bags for one year while legislative agencies study the impacts these bans would have on the economy. This provision was put into the bill at the eleventh hour and attached to the State budget meaning that Governor Wolf had no other choice but to pass the provision. In 2017 Governor Wolf vetoed a similar bill that would have prohibited plastic bag bans. She believes this provision is a violation of the single subject rule which means the State cannot pass a budget and also strip local control in the same bill. Because of this single subject rule there are groups in some Cities that will challenge this law. Ms. Behrend recommends that the City of Bethlehem move forward with a proposal from the EAC and include language that says our Ordinance would go into effect on July 1, 2020 which is when the States provision expires. If Bethlehem's Ordinance goes into effect on July 1, 2020 it would be grandfathered in. She spoke with the Executive Director of Penn Environment and he is willing to work with the City of Bethlehem, our lawyers and City Council and support us an also provide recommendations.

First Terrace Project Development

Anne Evans, 464 Montclair Avenue, thanked Mayor Donchez for opposing the First Terrace Project Development. She noted that zoning is our last best defense for preserving the quality of life for people who chose to live on the south side of Bethlehem. She feels that Bethlehem has already acquiesced to the needs of Lehigh University students enough. It took neighbors several years ago to get the City Council to pass the regulated rental housing Ordinance. However, that Ordinance missed the point of trying to save working class neighborhoods. Once you get more students in a block than permanent residents the complexion of the neighborhood completely changes. People do not want to raise their children there because they do not want them to hear loud partying and noise after bedtime and have their neighborhood look a mess, as our neighborhood often does during party weekends. Ms. Evans explained neighborhoods that are a mix of residents and students can work but that is not what we have around Lehigh University. Her street now has the exact opposite of when they moved in, about half dozen family owners in the neighborhood and the rest are students. We need development but it should not be done at the cost of obliterating all of these things that made the south side attractive to develop in the first place. Ms. Evans stated we need to use our zoning and maybe even strengthen parts of our zoning to protect the neighborhoods on the south side of

Bethlehem. The first step is getting developers like the people who wanted to develop First Terrace to respect the integrity of the neighborhood.

Seth Moglen, 726 Hillside Avenue, mentioned he is a professor at Lehigh and serves on many Boards of Directors of organizations in the City of Bethlehem including the Community Action Development Corporation. He is here to speak about a very urgent threat that our neighborhood faces and we are here to ask for your help. We live in exactly the kind of neighborhood that all of you and everyone in City Hall, everyone at Lehigh, everyone in the local business and arts community say we want. It is racially and ethnically diverse, mixed income and a stable and integrated healthy neighborhood of single family home owners and working class renters. Everyone knows each other by name and look after each other. Our neighborhood now faces an existential threat. He begs Council to come to their neighborhood. There is not a single member of City Council or the Mayor who would remain in your homes however much you love them if you knew that six months from now you were going to be entirely surrounded by students partying weekend after weekend and vandalizing your cars. Mr. Moglen remarked one developer has purchased at least 14 houses in our small tight knit neighborhood and proposed tearing 4 single family homes down to create a luxury student apartment complex originally for 50 students in one tiny portion of his holdings. Mr. Moglen thanked Mayor Donchez for speaking out publicly against the outrageous variances this developer asked for. The variances were outrageous because the neighborhood is not zoned for this type of apartment complex. We are grateful to Mayor Donchez for his leadership on this but everyone here understands that a 20 something New Jersey real estate developer who has never set foot in our neighborhood is not going away. He will come back. There are many corporate investors who are circling our neighborhoods proposing out of scale development projects which will wipe these neighborhoods away forever. These developers are knocking on doors of old people saying if you do not sell to us now your home is going to be worthless. We are asking Members of City Council to collaborate with Mayor Donchez and with Alicia Karner, Director of Community and Economic Development and with Darlene Heller, Director of Planning and Zoning to develop the tools that City government requires in order to stop this kind of predatory real estate speculation. People say if this happened on Market Street or Prospect Avenue City Council and the Mayor would act vigorously and quickly but will not act to protect the south side. Many of his neighbors will not come to Council because they are convinced you will not represent them but we are here tonight because we believe you will. For those who want to know more please attend the Southside Vision Housing Committee Meeting, this has been our top agenda item all year. We have done a lot of research which has been passed to Ms. Heller and Ms. Karner.

Kristin Handler, 726 Hillside Avenue, remarked she is a homeowner who has put a lot of money and energy to make her home a house she does not want to leave. We are here today and call ourselves "Bethlehem Residents for Responsible Development." Ms. Handler noted the developer who wanted to put this 50 bed luxury student housing on First Terrace calls itself Lehigh Properties but has nothing to do with Lehigh University. Ms. Handler noted that Lehigh University has made public statements to that effect. The other thing about Lehigh University is that they will build their own housing for all the new students coming in. There is no need for these high density luxury student rentals. Ms. Handler remarked they are not opposed to development in their neighborhood. We feel there is an opportunity to work with developers about affordable housing, mixed income housing for a diverse range of people and building houses for Lehigh University staff and faculty would be a genius idea because they want to move in near campus so they can walk to campus. Ms. Handler explained she has been a Lehigh

University faculty member for 20 years and she loves being able to walk to work. They are also not opposed to students, she loves teaching them. They are basically good kids but the party culture on campus is intense and it often brings out the worst in them. For example one of her neighbors, in a home next to them there was a party in which they had students climbing their fence and coming into their yard and urinating in their yard and in front of their children. They actually went to the expense of putting up a tall wooden fence in place of the chain link fence that was easy to climb over. Mr. Handler reiterated they are not against students but the culture of putting them all in one place and having these parties, they are not responsible enough to realize other people live near them and they should respect them. We are asking for help in creating something that would prevent putting whatever number of student rentals into our neighborhood and into other stable and diverse neighborhoods.

Kira Mendez, 735/737 Hillside Avenue, stated she agrees with all of the comments about First Terrace that was said. She and her husband own 735 Hillside and it is subdivided to 737 but there is only one house on it. We bought three years ago and moved in two years ago after extensively renovating it. We turned it back into a single family home; it had been rented for students where the living room was turned into two bedrooms and two bedrooms upstairs and an illegal kitchen which had to be torn out. Ms. Mendez remarked they intentionally chose this neighborhood and are familiar with the area. She and her husband graduated from Lehigh University 36 years ago and she has been involved as an alum ever since. The last few years she has worked for Lehigh as well. We looked at homes throughout the area and chose this home because we like the neighborhood, it is mostly single family homes, and it is diverse and friendly. Ms. Mendez related their biggest concern with First Terrace was the density and nature of the development. There are so many positive investments that can be made in this neighborhood and they made one in their home. It would not take very much to change the neighborhood. We have a house with a bunch of students on the alleyway our home fronts on. It is not a problem because it is one house and is surrounded by three or four other homes where families live. The students learn to live in the neighborhood but if you have house upon house it becomes more like a dormitory or fraternity and not a neighborhood. We want to make it known that we value this neighborhood.

Gretchen Starke, 412 First Terrace, remarked she and Christopher Long have lived in their home for almost 10 years now and they love their neighborhood and City. We know our neighbors but that has slowly dwindled over the past 10 years. Every time a home goes up for sale it is terrifying to us. She thanked Mayor Donchez for opposing the drastic zoning variances being asked for regarding our neighborhood. Parking is a huge issue on First Terrace already, she and Chris have invested \$14,000 dollars on their property to add off street parking and this was possible because they have a double lot. Ms. Starke remarked that one of her neighbors has moved mostly because of the parking, the flow of garbage and the flow of constant student parties. Our street is very unique and is a special place to live within Bethlehem. The developers obviously agree with us that it is special because they have tried to cash in on it and tried to drastically change in the process many times. This developer is different, he does not mow the lawns, he does not take the garbage out and do things that us as homeowners are expected to do. Ms. Starke stressed they are a tight knit community and would like to stay there and keep it that way and hold onto the investment in their home.

Christopher Long, 412 First Terrace, thanked Mayor Donchez and Councilwomen Van Wirt and Negrón for publicly opposing the First Terrace Development Project and added that

parking is certainly an issue. What bothered him mostly was the way he was approached about the subject. They have a super who watches over their properties and he was basically told that he should sell now or consider it and he felt he was getting bullied a little bit while he was fixing up his own property. He is not anti-development, there are examples, and on a street 500 feet away in their area a developer knocked down an old home but built a twin home in its place that fit the scale of the property. Mr. Long foresees a problem with the vacant rentals because Lehigh is now considering having all the students on the property so there might be many vacant rentals.

Historical Vignette/South Side Bethlehem/Foreign Districts

Kate McVey, 1221 Lorain Avenue, noted that this Bethlehem Moment historical vignette is contributed by John Smith who could not be at this meeting and it is from an article in the Globe Times from 1906 so the words are very different than they would be today. "A trip through south Bethlehem's foreign district last night was a revelation. More than three hours were spent in the residential district of 5,000 or more south Bethlehem's foreign population. Every type of foreigner, men, women and children were observed. Their modes of living were noticed and their methods of recreation after a hard day's work were especially observed with the illumination of only the house coal oil lamp. The trip grew in interest step by step. The men were sitting in parties beside beer kegs. Although it was now 9:00 many of the women were still doing housework, some were ironing, others were washing clothes and others baking or sewing. The children were allowed to roam about the yard and entertain themselves as best they could. An evening party here in a room no more than 6 by 10 feet in the midst of all of this furnishing including bedding, tables, chairs, etc. dancing was indulged by at least 4 couples. The music was furnished by members of the party alternatively playing the mouth organ. The making of a strudel, a favorite dish was keenly watched. The housewife makes what appears to be a dough, she then spreads a cloth over a 3 by 4 table and she places the dough and rolls it, the full length and width of the table. The dough prepared and rolled, she proceeds to place in the dough various kinds of vegetables into the shape of a sausage, and this is placed in an oven, baked and served. It is beer from morning to night and sometimes from night to morning. While there are many who have their liquor in their homes, there are still many more who patronize the various saloons. The proprietor of one saloon said he had as high as 700 come into this place in one night and he only keeps open until 10:30. What appeared singular was the fact that quiet reigned. There was no fuss, not even loud talking and at least a dozen or more nationalities elbowed past one another. Another fact noticeable last night was the positive evidence that the low or objectionable class of foreigners, the class the public hears about, is not in south Bethlehem to an alarming degree. There seems to be the more of the better class that keep to themselves and hustle after the dollar day in and day out."

Parking Authority/Polk Street Garage

Ed Gallagher, 49 West Greenwich Street remarked that parking is in front of us again. He enjoyed the discussion at the last Council Meeting and he understands that the parking folks will be back at another meeting soon with their final proposal. Mr. Gallagher stated he and the Parking Authority do not get along really well, it comes from the experience he has had with them over the past year. He seems like the Parking Authority holds the cards and it will be interesting if Councilwoman Van Wirt has something to say about that. If they will do a private loan and do not need money, he guesses we will have a Polk Street Garage. It will be interesting if the Parking Authority does not need money, will there still be an increase in the fines. Mr.

Gallagher does not trust the Parking Authority; he believes he was lied to here at an open meeting by the Parking Authority. He believes he was lied to on a Right-To-Know request. It is curious that they skipped two meetings before coming to Council at the last meeting so what they presented was not discussed at a Board Meeting. Mr. Gallagher wonders about the participation of the Board members and where work happens at the Parking Authority. He has been asking about the Parking Authority taking up the variable rate request that the Mayor suggested to the Parking Authority when he approved the meter increases. That was not discussed and he heard they hired a consultant to make a report on the variable rate parking. If they entered a contract to do that study that would have to be approved at a Committee Meeting, he thought. Mr. Gallagher queried if it is legal and okay with zoning that the proposed Polk Garage site is outside of the business district. That question has been asked before but never answered.

Blast Furnace Situation/Lighting/Casino

Dana Grubb, 2420 Henderson Place, remarked about the exemplary job that our public safety officials did last weekend at the blast furnaces. What could have been a very tragic situation was dealt with, diffused and he hopes that the young man who was on top of the blast furnaces gets all the help he needs. Mr. Grubb stated last week he attended a South Bethlehem Historical Society Board Meeting and then driving home came north on South New Street and looked at the new office building and saw a bad display of lighting up on the terrace, something you might find in your back yard. It is basically wires with lightbulbs hanging from it. He would question whether it has been reviewed by the Historic Conservation Commission. There is an example on the corner of what lighting could be up there with recessed lighting and it would look better. Mr. Grubb remarked about a headline in the Morning Call "Sands Brings Big Hitter to Lobby for New York Casino." We need to be careful in Bethlehem and this needs to be monitored. We know that many commitments made by the Sands Casino were not honored. The new owners have made a number of representations which we hope will be honored. They are a business to make money and not to help Bethlehem. Whatever is going to happen in New York City unfolds he thinks City officials need to monitor this very closely because the new casino owners will not do everything they promise to do.

Parking Authority

Artie Curatola, 813 Laufer Street, remarked he makes arrangements and pay to have the garbage and weeds removed from his neighbors parking lot because if he does not it will remain there. He has a long list of neighbors who will back him up on this statement. There have been many times when unsealed plastic bags of garbage were left in the lot with a bad smell and bugs. There have been box springs and mattresses that have been infested with bed bugs that he had to make arrangements to remove. His two cats are 8 years old and like to go outside and he has them trained to stay in their own area but sometimes they will go out of the area but then they come into the house and then he has to deal with the bed bug infestation. He has to cut and remove their weeds because a certain neighbor vents to him that he needs to take care of his property. On July 1st he came home at 11:00 pm to find blood and feces all over his house from his cats that got sick from all of this and he had to take them to the vet. The doctor stated that if the cause was infestation the problem would come back without giving medicine. His cat had burnt off her lips probably from someone who worked on their car and left some antifreeze there. His cat has no more issues now, she is better. Had she been somebody's child they most likely would have sued the owners of the lot, but she is only a cat. The Bethlehem Parking Authority

owns this lot and they are clearly above the law. He would like to move for a motion to have an Article passed for a \$350 dollar fine for anyone leaving debris on a public street, lot or anywhere, after working on their vehicle.

First Terrace Project Development

Murdoch Saunders, 727 Hillside Avenue, informed he is a sales representative and works in the Philadelphia region. He and his wife and children about two months ago were sitting and talking and it was the time when all of the parties were happening with Lehigh students. His son said that this neighborhood sucks and that there are no kids to play with anymore. All the kids are gone and his son was afraid that the next door home which is being foreclosed will have more college kids move in there. Mr. Saunders stated he drove home three hours from the beach to come to this meeting but could not get his son to come with him; he wanted to stay at the beach. Mr. Saunders just wanted to share the perspective of a child with everyone. We choose to be in Bethlehem and we are the family that takes that family walk down Hillside Avenue to go to our new Starbucks. When we do that we have to walk through the trash and through the parties. We want to stay in this neighborhood and we want our kids to stay here and maybe go to Lehigh or any of the other great schools we have in the Lehigh Valley.

Connie Daniels, 829 Broadway, remarked that attending this meeting has been a long time coming. She has been doing research online and looked at some of the ordinances and reviewing a report that was done not long ago through a consulting company that stated 50% or more of the properties on the south side of Bethlehem are rentals. It is very evident in the way the properties are kept for the most part. If there is any possible way where these ordinances can actually be tackled by an employee of the City. She understands there is a ticketing process that can be put in place for things such as high weeds or painting needing to be done. There are many derelict homes on the south side and specifically in her area, unfortunately. She believes this is due to having a number of slumlords on the south side of Bethlehem. They should be held accountable, along with property owners. She would like to stay in her home and keep it in the family but the way the south side is going she does not think that is possible. Ms. Daniels feels that the south side caters to Lehigh University and the businesses on Third and Fourth Street and everything outside of that corridor is left to their own devices. Ms. Daniels stated us taxpayers should be able to live a better life in the City that we love.

President Waldron knows that the City does the best they can as far as inspecting and trying to find some of those issues like high weeds and some of those blighted looking properties. He added that a big driving force is the complainant process and how that is handled as far as individuals reaching out to the City and letting them know of a property that has ongoing issues and to please send someone out to check. We try to be as responsive as possible and he asked Ms. Karner the best process to rectify those issues.

Ms. Karner stated to make it easy she would suggest that people call the new Bethlehem Service Center number. That is something that is available 24/7 so people can call anytime. The phone number is 610-865-7000 for folks to call.

President Waldron remarked that should start the complaint process in order to try to help get an inspector out there.

Ms. Karner explained it would be put into the computer system, we would be able to track it and it is very helpful to have specific addresses or at least the 1200 block of such and such a street.

President Waldron noted if Ms. Daniels would like, she could have a personal conversation with Ms. Karner in the hallway now.

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

None.

5. OLD BUSINESS

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

6. COMMUNICATIONS

A. *Police Chief - Resolution Request - Firearm Purchase*

The Clerk read a memorandum dated July 10, 2019 from Police Chief Mark DiLuzio to which is attached an agreement and Resolution for the purchase of a duty weapon by a retired Officer of the Bethlehem Police Department. Retired Officers purchase their duty firearms at fair market value and according to the Third Class City Code regulations.

President Waldron stated Resolution 10 A is on the agenda.

B. *City Solicitor - Use Permit Agreement Amendment - Greater Lehigh Valley Chamber of Commerce by and through its Downtown Bethlehem Association - Tunes at Twilight Amendment*

The Clerk read a memorandum dated July 10, 2019 from City Solicitor William P. Leeson, Esq. to which is attached a proposed Resolution and associated Use Permit Agreement Amendment. The Permittee is the Greater Lehigh Valley Chamber of Commerce by and through its Downtown Bethlehem Association and the event is a Tunes at Twilight Amendment to add two additional dates, August 22, 2019 and August 29, 2019. The location is Nevin Place, adjacent to the Sun Inn Courtyard.

President Waldron stated the Resolution can be placed on the August 6, 2019 agenda.

C. *City Solicitor - Use Permit Agreement - ArtsQuest - SemperFi Fest*

The Clerk read a memorandum dated July 10, 2019 from City Solicitor William P. Leeson, Esq. to which is attached a proposed Resolution and associated Use Permit Agreement. The Permittee is ArtsQuest and the event is the SemperFi Fest on August 17, 2019. The location is First Street from Founders Way to the Eastern Terminus.

President Waldron stated the Resolution can be placed on the August 6, 2019 agenda.

D. *City Solicitor – Use Permit Agreement – ArtsQuest – Oktoberfest 2019*

The Clerk read a memorandum dated July 10, 2019 from City Solicitor William P. Leeson, Esq. to which is attached a proposed Resolution and associated Use Permit Agreement. The Permittee is ArtsQuest and the event is the Oktoberfest 2019 on October 4, 5, 6, 11, 12, and 13, 2019. The location is First Street from Founders Way to the Eastern Terminus.

President Waldron stated the Resolution can be placed on the August 6, 2019 agenda.

7. REPORTS

A. *President of Council*

B. *Mayor*

Steel Stacks Incident

Mayor Donchez explained he spent 10 hours over at Steel Stacks and he wanted to say he was very impressed with the level of professionalism by all of various entities that were involved in this process. He has spoken to all of the leaders of the various government agencies. Just for the record he wanted to compliment the Lehigh County Special Operations Technical Rescue Team that were there, the Lehigh County Drone Surveillance Team, the Pennsylvania Task Force 3 from Montgomery County came up to assist, the Allentown Police Crisis Negotiation Team, the Allentown Fire Technical Rescue Team, Norfolk Southern Police, Scranton Fire Technical Rescue Team, the Nancy Run Fire Department, Northampton County Emergency Management, Lehigh County Emergency Management, ArtsQuest and Wind Creek who provided food and water. Mayor Donchez pointed out that many were there 22 hours and it was a very intense 22 hours. The level of professionalism demonstrated by the negotiation teams, and we have outstanding members in our department, where you would have 4 and 5 members go up below the landing of the gentleman that would walk that beam for 22 hours. It was just unbelievable. Right below him was the rope teams from the various entities. Mayor Donchez informed that he learned a lot of how they would rotate the crisis management team every 2 hours. He added that it took 25 minutes to go from the bottom of those blast furnaces to the top. This gentleman who climbed up the blast furnace of course needs help but he had no water, no bathroom and nothing to eat for 22 hours and we do not know what happened to him prior to that. The level of professionalism that was demonstrated by all the parties, the coordination and the fact that ArtsQuest and Wind Creek provided food and water for probably at least 100 people, was amazing. You cannot have the same people negotiation for 5 or 6 hours, they had to rotate every 2 hours and at the end of this at 4:30 when he began to come down the ladder they did an outstanding job with a very positive ending with no one getting hurt or injured. Mayor Donchez wanted to go on the record complimenting everyone involved in that process. It was very tense but it was very professional.

Plastic Bag Ban

Mayor Donchez informed he asked City Solicitor William Leeson to review Governor Wolf's position on the order that pertains to plastic bags. Mayor Donchez explained his Administration was presented with the proposal by the Environmental Advisory Council and its

Waste Reduction Taskforce. They recommended the adoption of an ordinance banning retail distribution of single use plastic bags in the City of Bethlehem. There were rumors that this might happen, Governor Wolf signed budget legislation including provisions imposing a one year ban on municipal ordinances taxing or banning plastic bags. He supports the States plan to study the issue and consider the merits of a State wide ban. Although passing an ordinance in the eyes of Attorney Leeson, at this time, is not possible, the State's decision to study the problem provides good cause for the City to state its position to go on record while the State is conducting its review. Therefore, he suggests and supports City Council adopting a resolution in the spirit of the EAC recommendations encouraging the State to enact the legislation where it authorizes municipalities to do so.

Police Arbitration

Eric Evans, Business Administrator stated he wanted to give an update on the conclusion on the contract for the Police, the contract for the City of Bethlehem and the Fraternal Order of Police expired on 12/31/2017 and attempts to settle the contract both before and after that date were unsuccessful. As we know the matter moved into binding arbitration which is a long and tense and difficult process for both parties. Last spring there were two hearings, those hearings are held here in Town Hall and begin around 9:00 AM and usually run through the lunch hour until 3:00 PM until the group presenting finished testimony. There is sometimes a small rebuttal and then the day ends. There were two hearings in the spring and two more hearings last fall and those were scheduled by the neutral arbitrator. They wrapped up in September and from that time until Monday morning we were on a waiting pattern to find out that decision. When the decision arrived it was Monday morning at 9:30 AM. We find out it is a 5 year deal which is a bit of a surprise and a big relieving because we are already a year and a half expired, this process that took place once the arbitrator took over lasted almost 18 months. So it is a 5 year deal and takes us from 2018 into 2019 all the way to 2022. We do believe it is a fair contract and we look forward to moving forward with the bargaining unit. Mr. Evans mentioned that Fire, the IAFF is also in arbitration and that contract expired the same time, 12/31/2017. Those hearings were completed just this past spring, all four dates were held in the last couple of months and we wait to hear. Usually there is little to no warning about when that will come up, we may hear in a matter of days that an award is on the way. But leading up to it, that is kept under wraps. We will keep Council abreast of any announcements with regard to the Fire contract and hopefully soon.

Bethlehem Service Center

Mr. Evans added that the Bethlehem Service Center which we presented to Council at the last meeting is now functional and the Mayor will be holding a press conference on Thursday at 3:30 PM here in Town Hall and that will be to push it forward. Also we want to send out the message that the Bethlehem Service Center is available and able to do a lot of things with support for visitors and residents of the City of Bethlehem. The way to reach it is 610-865-7000; they are taking the phone calls. Mr. Evans had something in his neighborhood and called anonymously and is pleased to see it was taken care of. We also talked about the app and that is now functional. So if you want to this is available on the apple store and we will display this at the press release on Thursday. The idea going forward is that we want to push out the phone number 610-865-7000 to as many people as we talk to as well as the web application which is in development.

8. ORDINANCES FOR FINAL PASSAGE

None.

9. NEW ORDINANCES

A. *Bill No. 26-2019 – Pennsylvania Municipal Retirement System (PMRS) Plan Amendment Ordinance*

The Clerk read Bill No. 26-2019 – Pennsylvania Municipal Retirement System (PMRS) Plan Amendment Ordinance, sponsored by Mr. Colón and Mr. Reynolds and titled:

AN ORDINANCE OF BETHLEHEM CITY, NORTHAMPTON COUNTY, COMMONWEALTH OF PENNSYLVANIA, ELECTING TO AMEND ITS NON-UNIFORM PENSION PLAN ADMINISTERED BY THE PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM PURSUANT TO ARTICLE IV OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW

Voting AYE: Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Colón, and Mr. Waldron, 5. Bill No. 26-2019 was passed on First Reading.

10. RESOLUTIONS

A. *Approving Firearm Purchase - German*

Mr. Colón and Mr. Reynolds sponsored Resolution No. 2019-175 that authorized an agreement to effectuate the transfer of the City issued handgun assigned to Mark German, Retired City Police Officer.

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

Motion – considering Resolutions 10 B through 10 E as a group

Ms. Negrón and Mr. Colón moved to consider Resolutions 10 B through 10 E as a group.

Voting AYE: Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Colón, and Mr. Waldron, 5. The Motion passed.

B. *Certificate of Appropriateness – 4 East Fourth Street*

Mr. Colón and Mr. Reynolds sponsored Resolution No. 2019-176 that granted a Certificate of Appropriateness to install antennas, cables and cabinets at 4 East Fourth Street.

C. *Certificate of Appropriateness – 9 East Third Street*

Mr. Colón and Mr. Reynolds sponsored Resolution No. 2019-177 that granted a Certificate of Appropriateness to remove old signage from windows, replace the signage with new logo and add a projecting sign at 9 East Third Street (CDB American Shaman).

D. *Certificate of Appropriateness – 129 East Third Street (New York Gyro)*

Mr. Colón and Mr. Reynolds sponsored Resolution No. 2019-178 that granted a Certificate of Appropriateness to install individual letters to wood façade on sign board at 129 East Third Street (New York Gyro).

E. *Certificate of Appropriateness – 601 East Fourth Street*

Mr. Colón and Mr. Reynolds sponsored Resolution No. 2019-179 that granted a Certificate of Appropriateness to remove all aluminum siding, exposing and restoring brick and wood trim and to demolish the rear apartment building at 601 East Fourth Street.

Voting AYE on Resolutions 10 B through 10 E: Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Colón, and Mr. Waldron, 5. The Resolutions passed.

11. NEW BUSINESS

Lehigh University Student Housing/Code Enforcement Officers

Dr. Van Wirt remarked one of the main things we need is data, there are many questions about if we even need more housing or not. Before the City can consider any action which she thinks would be appropriate if we can identify there is a problem, there may be an appropriate action like a zoning overlay or some other change. That might help address some of the problems that were brought to light tonight, that we would need some data. She queried if Lehigh University has undertaken a study or has the City in conjunction with Lehigh undertaken a study of what are the actual off campus housing needs of the University projected 5 to 10 years in the future. Dr. Van Wirt wondered if we have data on this.

Ms. Karner informed she would not want to speak on behalf of Lehigh University but we have had many conversations on their needs for the future. Lehigh University is actually building the dormitories and the on campus facilities to the needs to accommodate the Path to Prominence. That is something they have said to us privately and publicly. What we are really dealing with is the regulated rentals and the properties that she cannot control but the investors will come in and try to speculate on with the volume and number and students off campus that we have today.

Dr. Van Wirt remarked they are projecting that the needs into the future are met by what we have right now.

Ms. Karner stated no, on what they are building now. They are building Bridge West right now and there is a lot of new construction on campus, not just academic but also residential, construction and renovations that are existing. They have a lot of dorms that they have doubles,

triples, and quads and so forth. Those are all part of their campus renovation plan that they have been talking to us and to Council about.

Dr. Van Wirt related she would like to understand better. They are expanding their student body so they are building on campus housing to meet that demand and she does not know what the demand is going to be for the off campus housing going forward.

Ms. Karner does not know if it is going to be greater than it is today, at least in the next 5 to 10 years.

Dr. Van Wirt believes it would be good to have some firm data.

Ms. Karner stated they have been telling us there is no increase in student housing off campus based on their Path to Prominence which is their growth plan.

Dr. Van Wirt wishes she would refer to that somewhere, although she knows that Ms. Karner is not in charge of that. Perhaps we could collaborate with them to have a firmer idea so that maybe the landlords who are speculating have a better idea of what the demand will be. She does not feel like there has been a firm study that has been done. If they say they will be expanding their student body and all this new housing on campus is to meet the new need then what is the actual need off campus. Dr. Van Wirt would like to look at that more closely.

Ms. Karner believes it is more about improving the quality of the housing stock for off campus students. It is about putting that product out there, they know they can get top dollar for. She cannot read the minds of all of the developers but those that we have met with and the conversations they have had with them including Lehigh Properties have all been messaged the same way, which is there is no new student population coming off of campus based on the Path to Prominence which is their growth plan.

Dr. Van Wirt remarked that is a nice segway in to the second part of what she wants to address which is last year we had Mr. Simonson up here saying we were overtaxing our Code Enforcement Officers. We had one who was pretty much dedicated to inspecting new constructions and then we had Mike and he was responsible for the rest of the City and it was too much, he could not do the Airbnb that needed to be done. The idea that we have a lot of code issues that were brought up tonight and we are going to ask even more she would ask that we start considering for the budget this fall that we increase the amount of Code Enforcement Officers we have. That is a very important quality of life issue for our residents. Dr. Van Wirt does not think we have met that need adequately. She would like to have that discussion about how do we more robustly meet that need.

Plastic Bag Ban/Bethlehem Service Center/First Terrace

Mr. Reynolds mentioned with the plastic bag ban it is a disappointment anytime the State takes away that power of local action. The goal is to reduce, educate, and eliminate the use of single use plastic bags. There is more than one way to do it. There is the ordinance way and we should take a look at that but he urges the Administration to look at other strategies. Mr. Reynolds explained he is the liaison to the EAC and he has sat through multiple meetings where this was talked about. He noted that the Administration comes forward with ordinances, we pass them but

sometimes they are tough to enforce. Laws are only as good as they are able to be enforced. Sometimes it is an employee issue, of having enough employees and sometimes it is just the nature of what it is particularly is. Mr. Reynolds believes there is the opportunity to look at how we can go about reducing that plastic bag usage in other ways. Whether or not it is working with our business community or our school community, many things the EAC has talked about. He may be amendable to take a look at a resolution to show support for the ban but at the same time there is a different strategy that should be seriously looked at. Mr. Reynolds thanked the Administration for the Bethlehem Service Center and the Service App. Many things we have talked about in the past few years is not just the work employees do at City Hall but how is it we make that work easier and how do we use technology to make it easier so we can get out into the neighborhoods with these issues. The Service App and the Service Center both are a great step in that direction and that can help us go forward in other ways. He is looking forward to that event on Thursday, he will be there. Mr. Reynolds remarked that Mr. Long who was one of the speakers tonight several months ago had reached out to him and asked about this process going forward. At the time he said he hoped the Administration would take a strong position when it came before Planning or before Zoning as far as what it could do to the neighborhood and the Administration did. One of the lessons here is the power that the Administration has to weigh in on these projects both publicly and privately. Everyone up here works hard but we are also part time people. It is not a situation where you need to look at the people that are appointed to these Boards or Commissions and say how would you vote on this or that. Obviously there will be sometimes where you might weigh in and people that disagree with your position will say they should have stayed out of it. Mr. Reynolds stated one thing he has watched for in his 12 years on Council is that a lot of these things go based on how strong a position the Administration takes before the Planning Commission and before the Zoning Hearing Board. Do they weigh in with a letter, do they weigh in by Ms. Heller or Ms. Karner, do they weigh in by Mayor Donchez? This was a situation for all of the reasons that were talked about the Administration and the Mayor decided to make a strong public statement about what is wrong with the particular situation. It was not that they should vote against this variance or vote for this variance, it was just a general feeling. Mr. Reynolds pointed out that almost everyone who spoke tonight thanked Mayor Donchez for his letter he sent expressing his concerns about the zoning appeal. Mr. Reynolds remarked as with Martin Tower, when that master plan came forward we all on Council said we agree with these thoughts and like these ideas and suggestions what is next as far as how they will proceed. We meet every two weeks, twice a month here but when we talk about Ordinances and how we enforce these things the biggest power is when the Administration and all these Planning professionals decide they either disagree or agree with something. Mr. Reynolds advised during his 12 years on Council when the Administration takes a position on any of these things it is rare for these Boards, Authorities or Commissions to necessarily say no, we disagree with what the professionals say. He thanked Mayor Donchez for weighing on this. We can pass all the Ordinances in the world but the strongest thing we have is that we have an Administration that will stand up and say they will like a project, some people do not like some elements of it but overall we like this project but sometimes there are things about a project that we find troublesome. This kind of shows this can carry a lot of weight. Mr. Reynolds remarked going forward as we talk, not just about this issue which is important but there will be other development projects throughout the City all of our voices are important but the most important one is the Mayor's.

Finance Committee Meeting

Mr. Colón announced a Finance Committee Meeting will be held on Tuesday, July 23, 2019 at 6:00 pm in Town Hall. The subject will be Budget Adjustments.

Bethlehem Service Center/Musikfest

Mr. Colón mentioned when talking about neighborhoods and on the south side and the mention of trash and garbage and just reinforcing what was said, he is very happy that the Bethlehem Service Center is up and running now. Even before that there are mechanisms in place and have been unfortunately a mattress was left out on a front porch but high weeds, there are not new to this year, this has been going on for decades. There are these processes in place so when you see something the citizens are the first line of eyes and ears that we have out there for Police, people can call and be anonymous. Mr. Colón explained he anonymously left a message to the Health Bureau a few weeks ago on a voicemail because there was a couch for three days across the street from where he lives. Then it was thankfully picked up within a day. He encourages everyone to use what we have now in place and generate those calls and make a record of it so that the people in the Health Department can go out and do their jobs. Mr. Colón remarked that at our next Council Meeting Musikfest will be well underway and he wishes all the best to the City employees. He knows that Musikfest touches almost every department at a managerial level with planning but the front line staff with Police, Fire, EMS, and Public Works, are working long days, nights and weekends for the entirety of the festival. He is glad that everything came out alright with the event at Steel Stacks last week.

South Side/Cars Racing/Latino Media/Pennsylvania Latino Convention

Ms. Negrón related since she heard so much today about the south side she will add something to the list. Just last week she posted pictures of her garden and she has a friend that lives on Third Street for 20 years that said he wishes he could work in his yard and then showed pictures of him having hives after touching poison ivy that is behind his house at his neighbor's property. Ms. Negrón visited this area and talked to the neighbors there, she knows most of them. It is not until the City shows up that this person cleans up this poison ivy. We need to do something to stop this. She took pictures of this and will send those pictures when she comes back from vacation. The address is 1212 and 1214 Railroad Street on the south side, the same properties that have been abandoned. The house is used as storage for junk and the whole yard is full of junk. It is ridiculous that we have properties like this in our City; this is not the only one. Across the street at Hobart and Third, there is a used car sales lot where they fix cars and she heard that Third Street has become a racing street. The kids that live in that area are fixing cars for racing and they race up and down the street and make a lot of noise and this is dangerous. Just as she was there walking around it happened, she saw them racing. Ms. Negrón remarked that the press conference for the Latino media for the Bethlehem Service Center, it was not sent to any of the Latino media. She sent the Administration the list of local Latino media and they are interested but they talk about the issues happening in the City. Here we have something important and they did not get the information just like with Martin Tower, no one knew. All the contact email addresses for the Spanish local media, no one got that media advisory about the press conference for the Bethlehem Service Center. Ms. Negrón added there will be the Pennsylvania Latino Convention in Bethlehem on October, 29, 30, and 31, 2019. The Latino community is extremely excited and she is proud about this. She is hoping that the non-Latino community members here take advantage to learn more about what we are about, not just during election time. We even got sponsorship from the City of Pittsburgh for \$2,500 dollars because

they want to bring the convention there next year and the City of Easton has pitched in as well and they will be sponsors. This is right before election so she hopes that those that are seeking to get elected look for Latino support and those that want to learn and know more about Latino issues, this is the place to be. She Co-Chairs the convention and she hopes for support of her community.

Rescheduling Time of City Council Meeting – August 6, 2019 – 5:30 PM

President Waldron stated he will accept a motion to reschedule the time of the City Council Meeting on Tuesday, August 6, 2019 to 5:30 PM instead of 7:00 PM, since the Meeting occurs during the week of Musikfest.

Mr. Reynolds and Dr. Van Wirt made the motion to reschedule the City Council Meeting on Tuesday, August 6, 2019 to 5:30 PM instead of 7:00 PM.

Voting AYE: Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, Mr. Colón, and Mr. Waldron, 5. The Motion passed.

12. ADJOURNMENT

The meeting was adjourned at 8:33 p.m.

ATTEST:

Robert G. Vidoni, Esq.
City Clerk