

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street - Town Hall
Bethlehem, Pennsylvania
Tuesday, August 6, 2019 - 5:30 PM

INVOCATION

Father David J. Kozak, Incarnation of our Lord Roman Catholic 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, Shawn M. Martell, Olga Negrón, J. William Reynolds, Paige Van Wirt, and Adam R. Waldron, 6. Bryan G. Callahan was absent, 1.

2. APPROVAL OF MINUTES

The minutes from July 2, 2019 and July 16, 2019 were approved.

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

Committees, Boards and Authorities/South Side/Polk Street Garage

Ed Gallagher, 49 West Greenwich Street, thanked Mayor Donchez for sending the memorandum to the Committees, Boards and Authorities that meet late afternoon urging them to change their meeting times to nighttime and to have their meetings in Town Hall. He explained that perhaps more people could attend those meetings and that we have those meetings videoed for future reference. He noted that one of those Committees made the right move in the right direction in complying with the Mayor's request. Mr. Gallagher stated he has been with two or three of the other meetings where this has been discussed and the response of the members of those Authorities, Boards and Committees has been sometimes funny and sometimes chilling in regard to facing change, just in the matter of an hour or two. He especially would like see pressure be put on the Parking Authority to get them to move to Town Hall. They are in a kind of bunker over there in their headquarters. Mr. Gallagher has been going to their meetings and he is not sure where business occurs but it does not seem to occur at the meetings. Mr. Gallagher asked the Mayor and Council to fight the good fight for the pleas that are coming from the south side. For him the letter of Louis James from the South Bethlehem Historical Society on May 22nd to Council and the Mayor really struck him hard. He reposted this recently on his blog and he will repost it periodically. His blog has been dominated since May 22nd by those south side issues. We are in a kind of world where things happen quickly that you forget about things. He would like to read some statements in reference to those pleas for help from the south side. From the Louis James letter of May 22nd, we write to implore you to consider the economic impacts progress has on the residents of south Bethlehem and the changes to the character of the neighborhoods. From the statement by Seth Moglen at the last Council Meeting where there were several moving comments by south side residents he said, our neighborhood now faces an

existential threat. What we are asking you now is this; we want you to develop the tools that City government requires to stop this kind of predatory speculation. Mr. Gallagher then spoke of the recent essay Stephen Antalics put in the Morning Call. This thing about the zoning allowing 5 people to consider a family is a little bit like the Flying Dutchman. Bethlehem's planning officer should consider amending the family definition to reflect the wisdom of other college community planners. Mr. Gallagher noted the Parking Authority is not here but he believes they will be here on August 20th since they said at their last meeting in their August 28th Board Meeting they are going to sign some papers in regards to the Polk Street Garage. It looks like the Polk Street Garage is a done deal but it seems to him that there were issues he does not feel comfortable about. Number one; there is the question of the ruins lots. He has been reading Jeff Speck who did a report for the City in 2009 and he said to do parking garages but make sure there are no other good options. The option of using the ruins lots is still up in the air to him. He noted that Councilman Callahan shot that down a few meetings ago but Mr. Gallagher thinks that is hearsay and was from a conversation he had with someone from Wind Creek. He queried if it is legal according to our zoning codes or whatever to put a parking garage at that location, is it not out of some district and therefore makes it illegal. That question has been raised half a dozen times over the past year and a half and never answered. Mr. Gallagher then asked about the question about total debt service. He noted that in 2024 when Walnut Street comes online the debt service for the parking garage will be 41% of its projected revenue. He does not think he can get a mortgage if his payments are higher than 30% of his income. He queried if 41% of the Parking Authority's projected income is a reasonable kind of debt service or is that problematic.

Parking Spaces/Library

Bill Scheirer, 1890 Eaton Avenue, remarked as a Board Member of the South Bethlehem Historical Society everyone knows where he stands on some issues. He would like to suggest that perhaps next year that this meeting of City Council be postponed one week because he came down Saturday, yesterday and today at 3:00 pm each time wanting to go to the Library and each time he just managed to find a parking space. The parking seems to be worse than ever. It cuts down on the public attendance at the meetings. So maybe the second meeting in August could also be postponed a week and it might still be two weeks before the first meeting in September because August does have 31 days. As for parking the Parking Authority and Musikfest have done it again on Sakon Place which is a little street just west of here. This year they are only taking one side of the street as a drop off/pick up spot for Uber and Lyft. There is the one side of the street that is fully parked and the other side of the street is fully vacant. Mr. Scheirer remarked it is only for Uber and Lyft. He does not understand the discrimination against licensed taxi cab companies. They somehow do not rate as highly with the Parking Authority as Uber and Lyft. As some of us know the meeting background documents were not available on Saturday on the website but were available yesterday. In getting them off the website he had a chance to study the photo when you go on www.bethlehem-pa.gov there is a photo and anyone who is not familiar with Bethlehem would be excused for thinking it is a City of warehouses. You look at that photo and the main feature of that photo is the warehouses in the industrial park. Mr. Scheirer believes we could do a lot better with that introductory photo to the City of Bethlehem. He mentioned about the destruction of perfectly good books at the recycling center which he has spoken of before. The City Administration is on board and are willing to do something about it. Mr. Scheirer has been told that they could have a little place up there but it is the Library that is opposed. He has heard from the person in charge of the book sales that they have more than they can handle and that Josh Berk the Director of the Library is opposed to it on the grounds that the

money they would get from it would not be worth the cost involved in processing the books. He did appear before the Board of Trustees on this and they voted that a letter should be sent and he understood that a letter did go to the Recycling Bureau but Mr. Berk has been quoted as saying he is opposed to this. Mr. Scheirer noted he feels that the Library should stand more for than just cost benefit analysis and should be concerned about this. The only option here is to somehow shame the Library into doing the right thing. The idea is simple, we could have a place where people could deposit worthy books and then a volunteer or staffer would come by and unlock it and do some sorting right there. Then the ones that were not worth preserving would go into the dumpster and the others would come here for the sale. Mr. Scheirer mentioned one thing that occurred to him would be a Council Resolution saying this seems to be a worthwhile idea. He will be talking to Council so hopefully we can get something on this. This is not a huge issue, he estimates a couple thousand books a year get destroyed but it is the principle of the matter. He thinks it is a shame this is happening in a City that prides itself on education and knowledge.

President Waldron noted that it sounds like the Library might be in need of a volunteer to do some sorting.

Student Housing/Family Zoning Definition

Stephen Antalics, 737 Ridge Street, remarked about an unabridged version of what occurred in the local paper and wanted to highlight some key points that Mr. Gallagher brought attention to. How do other communities in our State which are homes to institutions of higher learning address the student housing issue? He mentioned that Penn State University, Radnor Township the home of Villanova University, Lower Merion the home of Haverford and Bryn Mawr Colleges, the City of Philadelphia the home of University of Pennsylvania, Temple, and Drexel plus a number of smaller schools, the City of Pittsburgh the home of the University of Pittsburgh and Carnegie Mellon, the City of Easton the home of Lafayette College all have restrictive individuals in their family zoning definitions. Why is this? He noted this limit of 3 makes it unprofitable for landlords to convert to student housing. Mr. Antalics explained after extensive research into the matter Bethlehem may be the only community college in the State allowing 5 unrelated students to be classified as a family. He thinks that Bethlehem should consider amending the family definition to reflect the wisdom of other college community planners as Professor Gallagher has said. This potential revision possibly could allay the suspicions of many citizens that the interests of landlords and developers are higher than those of the community. This is an opinion often expressed by concerned citizens at these Council Meetings. We need to go back to the idea of why is Bethlehem possibly the only community allowing 5 unrelated students to be classified as a family. From the article it appears that the 40% higher rental profit margin of student housing only possible in Bethlehem is not missed by big business. Mr. Antalics added there are 71 student houses in Bethlehem owned by Campus Held Enterprises whose home office is in Hong Kong. He mentioned another non-resident company owning a large number of student houses is Stone Bridge Properties. At the last Council Meeting we heard the tremendous pressure and threats being placed upon single family homeowners to sell their properties. It is in direct contradiction on the study that the City has made that the key to good community is the single family. Mr. Antalics noted someone needs to explain to us why 5 unrelated and if we do not get an answer it becomes incumbent upon you on Council to get an answer for us. This is a battle that has been going on too long. What is happening is contrary to the welfare of the south side. Mr. Antalics expects an answer, why 5 and why not 3.

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 22, 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 D is on the agenda.

B. *Councilman Martell - Amend Article 349 - Economic Development Incentive Reporting and Evaluation*

The Clerk read a memorandum dated August 1, 2019 from Councilman Shawn Martell with an attached proposed ordinance amending Article 349 of the Codified Ordinances of the City of Bethlehem, entitled Economic Development Incentive Reporting and Evaluation.

President Waldron stated the ordinance can be placed on the August 20, 2019 agenda for First Reading.

C. *Form Space Design Architects - Rezoning Request - 11 & 15 West Garrison Street from RT to CB*

The Clerk read a memorandum dated June 19, 2019 from Dennis R. Connell of Form Space Design Architects requesting an amendment to the City's zoning map by changing the zoning district of two parcels, 11 and 15 West Garrison Street. These parcels are currently RT, High Density Residential District. The petitioner is requesting that they be rezoned to CB, Central Business District. The petitioner is the sole owner of the subject parcels additionally the petitioner owns 7 adjoining parcels located on the 700 block of North New Street, from West North Street to West Garrison Street. The rezoning request is related to the proposed development of a multi-story building.

Scheduling Public Hearing

President Waldron stated he will accept a motion and a second to schedule a Public Hearing on Tuesday, September 17, 2019 at 7:00 PM in Town Hall.

Mr. Reynolds and Dr. Van Wirt moved to schedule a Public Hearing on Tuesday, September 17, 2019 at 7:00 PM in Town Hall.

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

D. *Blake Street Properties, LLC, Rezoning Request – Blake Street Parcels from RS to RG*

The Clerk read a memorandum dated July 31, 2019 from Holzinger, Harak & Scomillio representing several joint petitioners requesting an amendment to the City's zoning map by changing the zoning district of several parcels fronting Blake Street Parcels from RS, Single Family Residential to RG, Medium Density Residential. This rezoning request is related to the proposed development of 6 semi-detached units that front on Blake Street.

President Waldron stated he will accept a motion and a second to schedule a Public Hearing on Tuesday, October 1, 2019 at 7:00 PM in Town Hall.

Voting AYE: Mr. Reynolds and Dr. Van Wirt moved to schedule a Public Hearing on Tuesday, October 1, 2019 at 7:00 PM in Town Hall.

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

E. *City Solicitor – Amend Article 941 – Entitled Parks – Definition and Alcoholic Beverages*

The Clerk read a memorandum dated August 1, 2019 from City Solicitor William P. Leeson, Esq., to which is an attached proposed ordinance amending Article 941 of the Codified Ordinances entitled Parks.

President Waldron stated the ordinance can be placed on the August 20, 2019 Council agenda for First Reading.

7. REPORTS

A. *President of Council*

B. *Mayor*

RACP Money/ Musikfest

Mayor Donchez explained we did receive news from Harrisburg from Senator Patrick Brown and Senator Lisa Boscola for some RACP (Redevelopment Assistance Capital Program) money. We received \$750,000 dollars for the Boyd Movie Theatre, \$750,000 dollars for Riverport and the Banana Factory received \$500,000 dollars. Hopefully that money especially for the Boyd project might be able to jump start that project. He pointed out that Mr. Jefferson will be coming in a few weeks to discuss this. He then asked Police Chief DiLuzio to discuss the security regarding Musikfest.

Chief DiLuzio explained that Musikfest brings in about one million people every year in 10 days to our City of 75,000 people. They come from all over the place and one of the rules of the Police Department along with its Federal, State and County partners is to recognize what is going on around the world and around the country. The past two weekends we had some horrific shooting incidents in California at the Garlic Festival, in El Paso and Ohio. Since then and every year we do field threats against Bethlehem and Musikfest every time it opens up. As in other years this year we do have some threats that we are investigating along with the FBI and NYPD. One we were able to debunk this morning and one we are still working on. The one we are working on he will not go into detail of it and hopefully tomorrow we should have a resolution to it. Chief DiLuzio will say he believes that threat has been rendered not a threat at this point. What you have read in the newspapers is basically the information we are releasing. Because of the events from the past weekend and other issues around the country we did increase security in certain measures throughout the festival as in other years. When there were incidents of trucks driving into crowds a few years ago we have placed some barriers out there which is the proper way to stop a truck from doing so. We tweak our security plan every year, basically almost every day to look at what happened the day before and to tweak it and make necessary what is needed. We do have some new security measures this year because of what is going on across the country. Chief DiLuzio stressed to ignore what goes on around you would be neglect in the law enforcement field and you have to recognize what goes on around the world and nation and not think it cannot happen here. If it can happen in an Amish school house it can happen in any community in the United States. Chief DiLuzio pointed out all they are doing is we are being prepared and he will err on the side of caution at any time to make sure public safety is the number one priority. That is the best he can describe this without divulging security plans for Musikfest for these 10 days. He is available for any questions; he will be working 16 hours a day for 10 days.

Mayor Donchez commented that we plan for Musikfest 12 months of the year. We have a great partnership with ArtsQuest and we work with many various police agencies throughout the year. The last 4 or 5 months before Musikfest we meet monthly and have a great game plan because public safety has to be number one. We tweaked a few things over the past few days. There is very good police presence, uniform and undercover on the north side and south side with a good number of cameras. All the governmental entities that are involved in this along with ArtsQuest have done a very good job as they did a few weeks ago when we had the incident over at the blast furnaces when we had Scranton Police here and Montgomery County, Lehigh County, Northampton County, Allentown Police and Fire, the coordination was remarkable from his point of view. The coordination we have had with all of the police agencies involved in Musikfest, not just this year but all of the years, we all agree that public safety is number one.

C. *Finance Committee Meeting*

President Waldron stated the Finance Committee met on Tuesday, July 23, 2019 at 6:00 PM in Town Hall. The Committee received overviews by Administration representatives on three agenda items related to proposed budget adjustments. The Committee voted to recommend that City Council pass Ordinances for the following: Amending the 2019 Golf Course Enterprise Fund Budget, Amending the 2019 Non-Utility Capital Fund Budget and Amend the 2019 Community Development Block Grant/HOME Budget. The ordinances are on tonight's agenda for First Reading.

8. ORDINANCES FOR FINAL PASSAGE

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, on Final Reading.

Voting AYE: Mr. Reynolds, Dr. Van Wirt, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Waldron, 6. Bill No. 26-2019 now known as Ordinance No. 2019-22 was passed on Final Reading.

9. NEW ORDINANCES

A. *Bill No. 27-2019 – Amending Golf Course Enterprise Fund Budget – DCED Equipment Grant*

The Clerk read Bill No. 27-2019 – Amending Golf Course Enterprise Fund Budget – DCED Equipment Grant, sponsored by Mr. Colón and Mr. Reynolds and titled:

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

Voting AYE: Mr. Reynolds, Dr. Van Wirt, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Waldron, 6. Bill No. 27-2019 was passed on First Reading.

B. *Bill No. 28-2019 – Amending Non-Utility Capital Improvement Fund Budget– Memorial Pool Complex*

The Clerk read Bill No. 28-2019 – Amending Non-Utility Capital Improvement Fund Budget – Memorial Pool Complex, sponsored by Mr. Colón and Mr. Reynolds and titled:

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

Dr. Van Wirt stated she will be voting against this tonight, she knows it is just a symbolic vote but she will continue to not endorse the plan for the budget for the Memorial Pool on a single basis that we do not have plans for the community pools. She would like to understand what we are doing with the community pools before we dedicate enormous amounts of money to the Memorial Pool. She will be voting no tonight.

Voting AYE: Mr. Reynolds, Mr. Colón, Mr. Martell, and Mr. Waldron, 4. Voting NAY: Dr. Van Wirt and Ms. Negrón, 2. Bill No. 28-2019 was passed on First Reading.

C. *Bill No. 29-2019 – Amending CDBG Block Grant Budget– Adjustments*

The Clerk read Bill No. 29-2019 – Amending CDBG Block Grant Budget –Adjustments, sponsored by Mr. Colón and Mr. Reynolds and titled:

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

Voting AYE: Mr. Reynolds, Dr. Van Wirt, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Waldron, 6. Bill No. 29-2019 was passed on First Reading.

10. RESOLUTIONS

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

Ms. Negrón and Mr. Colón sponsored Resolution No. 2019-180 that authorized to execute an amendment to a Use Permit Agreement with the Greater Lehigh Valley Chamber of Commerce, by and through its Downtown Bethlehem Association for the Tunes at Twilight at Nevin Place for two additional nights, August 22, 2019 and August 29, 2019 according to the agreement.

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

B. *Authorizing Use Permit Agreement – ArtsQuest – SemperFi Fest*

Ms. Negrón and Mr. Colón sponsored Resolution No. 2019-181 that authorized the execution of a Use Permit Agreement between the City and ArtsQuest for use of First Street from Founders Way to the Eastern Terminus for SemperFi Fest on August 17, 2019, according to the Agreement.

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

C. *Authorizing Use Permit Agreement – ArtsQuest – OktoberFest 2019*

Ms. Negrón and Mr. Colón sponsored Resolution No. 2019-182 that authorized the execution of a Use Permit Agreement between the City and ArtsQuest for use of First Street from Polk Street to the City’s Terminus and Founder’s Way from Second Street to First Street for OktoberFest 2019 on October 4, 5, 6, 11, 12, and 13, 2019, according to the Agreement.

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

D. *Approving Firearm Purchase – Sarnicky*

Ms. Negrón and Mr. Colón sponsored Resolution No. 2019-183 that authorized an agreement to effectuate the transfer of the City issued handgun assigned to John Sarnicky, Retired City Police Officer.

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

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

Ms. Negrón and Mr. Reynolds moved to consider Resolutions 10 E through 10 I as a group.

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

E. Certificate of Appropriateness – 42 East Church Street

Ms. Negrón and Mr. Colón sponsored Resolution No. 2019-184 that granted a Certificate of Appropriateness to add a mudroom at 42 East Church Street.

F. Certificate of Appropriateness – 81 West Broad Street

Ms. Negrón and Mr. Colón sponsored Resolution No. 2019-185 that granted a Certificate of Appropriateness to remove old awning sign and replace with plexiglass and new signage at 81 West Broad Street.

G. Certificate of Appropriateness – 553 Main Street

Ms. Negrón and Mr. Colón sponsored Resolution No. 2019-186 that granted a Certificate of Appropriateness to update the awning and add decals to the windows at 553 Main Street.

H. Certificate of Appropriateness – 61 West Market Street

Ms. Negrón and Mr. Colón sponsored Resolution No. 2019-187 that granted a Certificate of Appropriateness to place a 2' x 3' sign in the front left garden area of the property at 61 West Market Street.

I. Certificate of Appropriateness – 601 East Fourth Street

Ms. Negrón and Mr. Colón sponsored Resolution No. 2019-188 that granted a Certificate of Appropriateness to demolish the rear apartment, construct a new rear deck, replace windows, shutters and doors and make various exterior alterations as necessary at 601 East Fourth Street.

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

11. NEW BUSINESS

Resignation

Mr. Martell thanked everyone in this room for their efforts, support and collaboration over the last few years. It has been a great education and experience for him and he thinks we have accomplished some great things. He thanked his colleagues on Council, Mayor Donchez, all the Department Heads and staff and of course a big thank you to all of the community partners as well. Mr. Martell stated he has admired all of your professionalism and character and there is no question this is a key component of what makes Bethlehem so special. He has no doubt that you will continue to protect and advance this great City and he wishes all of you the best going forward.

President Waldron noted he can speak for everyone on Council and say that working with Mr. Martell over the past 4 years was a pleasure, it was effortless and painless. President Waldron added that Mr. Martell's ability to communicate and take each issue individually and balance the pros and cons and work out a sensible conclusion is something makes a great Council Members. He appreciates the time Mr. Martell had here and he wishes him well in his new endeavors.

Mr. Reynolds added that he wanted to thank Mr. Martell for his services as well. It has been a pleasure serving with him and certainly his rational approach was very deliberate as far as considering all the information that is something the City of Bethlehem benefited from. He also wishes Mr. Martell good luck in his next endeavor. Mr. Reynolds noted the City of Bethlehem is better because Mr. Martell served us for 4 years. He encourages Mr. Martell if he ends up in Bethlehem again to seek public service because we need more public servants like him.

Mr. Colón stated he wanted to echo some of the comments already made. He and Mr. Martell got to go through this whole process over the same timeline when we decided to run for City Council 4 years ago. We have agreed more often than we have disagreed but the times we disagreed we maintained a level of respect for each other which he will carry with him. He wishes Mr. Martell all the best.

Mayor Donchez noted he has known Mr. Martell going back to St. Anne's and has known his family for many years. He pointed out that Mr. Martell interned when Mayor Donchez was with Joe Brennan as Chief of Staff so we have been friends for a long time. He noted that Mr. Martell has served the City with distinction and integrity and as Councilman Reynolds stated the City of Bethlehem is a better place because of his service. He always studied every issue and was very objective and fair. He wishes Mr. Martell the best of luck and hopefully he will come back to Bethlehem someday.

Appointing New Council Member

President Waldron remarked that now they have to pivot here and discuss as a Council what their plan is to finish out the year which will be the remainder of Mr. Martell's term. He wrote a memo that went out a few weeks ago when Mr. Martell stated he was resigning on August 19, 2019. President Waldron confirmed with Council Solicitor Spirk that we have 30 days within that August 19th date, we must fill the seat. Each time we have been through this process it is a little bit different and challenging in its own unique way. President Waldron noted this will be his 4th time through the process for a Council Member and we also did this additionally for the

Controller and each time it was a different circumstance. For him this is the easiest of them and most obvious, we are getting a little better at this. For him there is a clear delineation of responsibility that he thought would be the easiest. Obviously with the general election coming up in November for City Council we have some incumbents that won the Primary and are essentially unopposed in the general election and one new Member of Council pending the general election. All of those candidates would be unopposed barring a write-in campaign that is not likely to be successful, just the nature of the electorate in the City but Ms. Grace Crampsie Smith who is at this meeting essentially would be the Council Member Elect after November. For all intents and purposes is in that position now already. President Waldron stated he reached out to all Members of Council individually and had conversations with them about their thoughts on transitioning and potentially bringing in Ms. Crampsie Smith in a little bit early. Instead of starting in January, she would finish our Mr. Martell's term for those three months. Since she would be sitting with us through the budget process starting in November, he thought this would be the easiest and most painless transition. Nobody had any strong objections at the time but wanted to think about it a little bit more so he wanted to have a public conversation about what everyone's thoughts are on Council and what the easiest transition would be as we move forward on this process. In the past we have accepted resumes, had hour long marathon interviews in public, reached out to people privately, we have learned from the process as we go. All of that is not required by the Third Class City Code or Robert's Rules. The only thing required is that we fill the seat within 30 days. So we do not necessarily have to have a specific meeting to have folks come in and talk to them. If everyone is in agreement we can kind of do this a little bit less formally in a large way where we are all in agreement publicly and we have this conversation now. President Waldron noted we are not going to take any action this evening until after Mr. Martell's seat is vacant as well as we need Mr. Callahan here. He is just asking if anyone has any thoughts on that process as he put out in that memorandum or if there are any other ideas in the interest of being fair to anyone who wants to contribute as well as being fair to the Council to make that transition the easiest.

Mr. Reynolds stated he agrees with what President Waldron has said. He also thinks that Ms. Crampsie Smith has continued to meet with community groups and has gotten out there and has had several meetings with Department Heads here in the City of Bethlehem. In this case and also in the past generally Council-Elect people have informally been included in the budget process and in those budget hearings. Her voice and her thoughts are going to be included there anyway and by the time she gets sworn in we have a few months, it makes the most sense. We just had an election where several individuals had put their name on the ballot and the people of Bethlehem selected Ms. Crampsie Smith. It just makes sense to pick her to fill the remaining couple of months here of Mr. Martell's term.

Ms. Negrón agrees with Councilman Reynolds and noted in the past we have picked resumes from people in the public as she had done before. It made sense before to get resumes and do what we had done, especially because there was a lot of time that was going to pass before the next election. In this case this will be the easiest thing to do because Ms. Crampsie Smith was elected and she is ready. Ms. Negrón agrees that we should get her in, the sooner the better.

Mr. Colón agrees with his colleagues and added that all things being what they are come January 1st Ms. Grace Crampsie Smith will be sitting with us on Council anyway so why delay the process. If we can avoid taking resumes and applications and field questions, why put others through that process if we all are in agreement that the election has been decided and why have

someone else for a few months. We can give Ms. Crampsie Smith a few months to get more acclimated to being up here and being more involved in the budget.

Dr. Van Wirt stated she has no objection at all and agrees and welcomes Ms. Crampsie Smith to come up early and join us up here.

President Waldron noted he had an opportunity to reach out to Ms. Crampsie Smith a few weeks ago and had the discussion with her to make sure she is available to step up early he wanted to make sure that is still the case.

Ms. Crampsie Smith replied yes.

President Waldron believes the easiest way to do this would be to look at potentially doing this the first meeting in September where we make a motion which would get seconded and we would vote on that motion to appoint Ms. Crampsie Smith. We can work on those details in-house here between Council Solicitor Spirk and Mr. Vidoni about making sure we do this in a way that is required. In the past we have had a resolution we vote on as well so that would be a good practice to continue to do that as well. Then we have to essentially bring in a Judge at either that first meeting in September or the second one to swear Ms. Crampsie Smith in and then she would sit that evening for her first Council Meeting. If anyone has any additional thoughts on that process we can figure that out in the next few weeks, otherwise that is the plan as we move forward. He thanked everyone who came to this meeting and offered that everyone continue to enjoy Musikfest.

12. ADJOURNMENT

The meeting was adjourned at 6:18 p.m.

ATTEST:

Robert G. Vidoni, Esq.
City Clerk