

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street – Town Hall
Bethlehem, Pennsylvania
Tuesday, July 21, 2015 – 7:00 PM

INVOCATION

Pastor Keith Harke, of West Side Moravian Church, offered the invocation which was followed by the pledge to the flag.

PLEDGE TO THE FLAG

1. ROLL CALL

President Reynolds called the meeting to order. Present were Bryan G. Callahan, Eric R. Evans, Cathy Reuscher, Louis N. Stellato, Adam R. Waldron, and J. William Reynolds, 6. Michael D. Recchiuti was absent, 1.

PUBLIC HEARING

President Reynolds stated prior to the consideration of the regular Agenda items, City Council will conduct a Public Hearing to review and accept public comment on the proposed use of funds to be received under the 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$19,270.00. President Reynolds called the Public Hearing to order.

Police Chief Mark DiLuzio stated the JAG grant is one of the grants that we apply for yearly and it is used by the Police Department to purchase software and computer equipment for police vehicles including the mounting system. Police Chief DiLuzio informed that presently the grant is for \$19,270.

Mr. Waldron queried if there are any matching funds required for this grant.

Police Chief DiLuzio advised he does not believe so but he can double check and added there is a line item for this grant in their budget for this year.

President Reynolds stated the appropriate Resolution will be placed on the August 4, 2015 Council agenda.

The Public Hearing was adjourned at 7:15 pm.

2. APPROVAL OF MINUTES

The Minutes of July 7, 2015 were approved.

3. PUBLIC COMMENT

Zoned Hauling Pilot Program

Peter Crownfield, 407 Delaware Avenue, mentioned he wanted to make a few points and ask a few questions about the trash collection Ordinance that is on the agenda for this evening. Mr. Crownfield remarked he has a question that probably will not be answered tonight but he wonders what the process was for asking the residents of the south side what they thought about the idea of this change because he did not hear about the process for zoned hauling. Mr. Crownfield asked as to what has changed and why do they need to start picking up at 5 a.m. instead of 6 a.m. The trash for the same customers is being picked up and perhaps on a different day by the same trash haulers and 6 a.m. has worked for them. He expressed it made no sense to now do this at 5 a.m. Mr. Crownfield asked if there is any reason for this or is this just something that is being done because someone wanted to do it. Finally, he finds it very troubling that the City would pass an Ordinance like this, relaxing protections enjoyed by the citizens south of the river while preserving north of the river. He noted that he finds that very discriminatory.

4. OLD BUSINESS.

A. Members of Council

None.

B. Tabled Item

C. Unfinished Business

None.

5. COMMUNICATIONS

A. *Mayor –Request to Fill Vacancy – Water and Sewer Department*

The Clerk read a memorandum from Mayor Robert J. Donchez requesting to fill the position of a part-time Sample/Laboratory Technician for Water and Wastewater. The budgeted salary is \$46,000.

President Reynolds stated Resolution 9 C is on the agenda.

B. *Public Works – Recommendation for Award – Turner Hydraulics, Inc.*

The Clerk read a memorandum from Michael Alkhal, Director of Public Works recommending a contract with Turner Hydraulics, Inc. for the installation of a Heavy Duty Vehicle Lift with a 60,000 lb. capacity. This will replace a 25 year-old in ground lift with a 30,000 lb. capacity. Installation will be completed 45 calendar days from Notice to Proceed and the price to the City for initial term is \$127,800.

President Reynolds stated Resolution 9 D is on the agenda.

C. *Director of Planning and Zoning – Grant Application Resolution - TreeVitalize*

The Clerk read a memorandum from Darlene Heller, Director of Planning and Zoning requesting a Resolution in support of a grant application to the Department of Conservation and Natural Resources for the TreeVitalize program to allow for the development of a street tree inventory in Bethlehem. The grant request is for \$34,000 and a Resolution is a requirement of the application.

President Reynolds stated Resolution 9 E is on the agenda

D. *Director of Planning and Zoning – Grant Application Resolution – Multimodal Transportation Fund*

The Clerk read a memorandum from Darlene Heller, Director of Planning and Zoning requesting a Resolution in support of a grant application to the PA Department of Community and Economic Development through the Multimodal Transportation Fund Program. The grant request is in the amount of \$450,000 to support the continued installation of street lights on West Broad Street. A Resolution is a requirement of the application.

President Reynolds stated Resolution 9 F is on the agenda.

E. *Director of Planning and Zoning – Grant Application Resolution – Northampton County Community Investment Partnership Program*

The Clerk read a memorandum from Darlene Heller, Director of Planning and Zoning, requesting a Resolution in support of a grant application to Northampton County for: a \$25,000 Community Planning and Technical Assistance grant to complete a market study for various retail areas in Bethlehem; a \$50,000 Community Improvement grant to install a variety of streetscape enhancements in South Bethlehem; a \$50,000 Community Improvement grant to manufacture and install signs as a part of an ongoing signage and wayfinding program; and a

\$50,000 Community Improvement grant through the Façade Program to assist in façade improvements in targeted commercial and residential areas.

President Reynolds stated Resolutions 9 G, 9 H, 9 I and 9 J are on the agenda.

F. *City Solicitor – Use Permit Agreement - VegFest*

The Clerk read a memorandum from City Solicitor William P. Leeson, Esq., attached to which is a proposed Resolution and associated Use Permit Agreement for the 2015 Bethlehem VegFest on the Bethlehem Greenway between South New Street and Taylor Street and intersecting streets that will be closed for the event. The duration is August 22, 2015 from 11 am to 6 pm.

President Reynolds stated the Resolution will be listed on the August 4, 2015 agenda.

6. REPORTS

A. *President of Council*

B. *Mayor*

1. *Administrative Order – Joseph B. Hoffmeier, Jr. – Parking Authority*

Mayor Donchez reappointed Joseph B. Hoffmeier, Jr. to membership on the Parking Authority effective through July, 2020. Mr. Evans and Ms. Reuscher sponsored Resolution No. 2015-166 to confirm the reappointment.

Voting AYE: Mr. Evans, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 6. The Resolution passed.

2. *Administrative Order – Silagh M. C. White – Fine Arts Commission*

Mayor Donchez reappointed Silagh M. C. White to membership on the Fine Arts Commission effective through October, 2018. Mr. Evans and Ms. Reuscher sponsored Resolution No. 2015-167 to confirm the reappointment.

President Reynolds commented that Silagh has done an excellent job on the Fine Arts Commission.

Voting AYE: Mr. Evans, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 6. The Resolution passed.

3. *Administrative Order – A. Flexer Illick –Electricians’ Examining Board*

Mayor Donchez reappointed A. Flexer Illick to membership on the Electricians’ Examining Board effective through July, 2018. Mr. Evans and Ms. Reuscher sponsored Resolution No. 2015-168 to confirm the reappointment.

Voting AYE: Mr. Evans, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan, and Mr. Reynolds, 6. The Resolution passed.

C. *Community Development Committee Meeting*

Mr. Callahan, Chairman of the Community Development Committee Meeting, presented an oral report of the meeting that was held on Tuesday, July 14, 2015 at 6:00 pm in Town Hall. The Committee heard a presentation by the Administration regarding the Zoned Haulers Pilot Program that will begin in October, 2015 on the south side. The Administration sent a proposed Ordinance amending Article 935 to City Council that changes the start time of residential collection from 6 a.m. to 5 a.m. in south Bethlehem. The Committee made a positive recommendation to move the proposed Ordinance to City Council for consideration and approval.

7. ORDINANCES FOR FINAL READING

A. *Bill No. 28-2015 – Amending the General Fund Budget for 2015.*

The Clerk read Bill No. 28 – 2015, Amending the General Fund Budget for 2015, on Final Reading.

Voting AYE: Mr. Evans, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan and Mr. Reynolds, 6. Bill No. 28-2015 now known as Ordinance 2015-28, was adopted on Final Reading.

B. *Bill No. 29-2015 – Amending the 2015 Capital Budget for Non-Utilities*

The Clerk read Bill No. 29 – 2015, Amending the 2015 Capital Budget for Non-Utilities, on Final Reading.

Voting AYE: Mr. Evans, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan and Mr. Reynolds, 6. Bill No. 29-2015 now known as Ordinance 2015-29, was adopted on Final Reading.

C. *Bill No. 30 – 2015 – Amending the 2015 Water Capital Fund Budget*

The Clerk read Bill No. 30-2015, Amending the 2015 Water Capital Fund Budget, on Final Reading.

Voting AYE: Mr. Evans, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan and Mr. Reynolds, 6. Bill No. 30-2015 now known as Ordinance 2015-30, was adopted on Final Reading.

8. NEW ORDINANCES

A. *Bill No. 31-2015 – Amending Article 935 – Municipal Waste Collection and Disposal*

The Clerk read Bill No. 31 – 2015, Amending Article 935 – Municipal Waste Collection and Disposal, sponsored by Mr. Evans and Ms. Reuscher and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
ARTICLE 935 OF THE CODIFIED ORDINANCES
ENTITLED MUNICIPAL WASTE COLLECTION AND DISPOSAL

Ms. Reuscher queried if Mayor Donchez could address a few of the questions that Mr. Crownfield had as to what initiated the need for zoned hauling.

Mayor Donchez stated he would be glad to and advised that Justin Poremba, Assistant Director of Community and Economic Development and Alicia Karner, Director of Community and Economic Development will also have some additional comments.

Mayor Donchez noted the genesis of his first question about community input is that he discussed this at numerous Block Watch meetings beginning when zoned hauling was presented by the previous Administration. Mayor Donchez stated there has always been community-wide support for it. When he did his walking tour of south Bethlehem last year and this year followed by Community Town Hall meetings, there was support for this matter. Mayor Donchez advised south Bethlehem was selected simply because of the fact that when he met with the haulers to discuss the concept of zoned hauling they looked at the whole City. Unfortunately with 23 haulers it was logistically impossible and would be very challenging to do it all at once. One of the ideas, with the input of the haulers, was to start with south Bethlehem and pick up on a Monday and Tuesday. This is due to the density and the parties on the campus of Lehigh on the weekends. In addition, Mayor Donchez mentioned the 5 a.m. pick up was selected because it is important for the trucks to get in and out of the neighborhoods early as a safety issue and he referenced Broadway Avenue, Wyandotte Street, Route 378, Third Street, and Hayes Street. Mayor Donchez stated they discussed this internally and thought this was a very good idea and that is why south Bethlehem was selected and why Monday and Tuesday was selected. He expressed the Monday and Tuesday pick up days gives us the ability for enforcement on Wednesday, Thursday and Friday. Mayor Donchez advised there will be a

grace period of October through December, and enforcement and fining will begin in January. Mayor Donchez stressed the importance of starting this process in October before the winter weather.

Mr. Callahan thanked the Mayor for tackling this issue. He added it is a tough issue and it has been around for a long time. He believes out of all of the Third Class Cities in the State of Pennsylvania there is only one other City besides us that does not have a single hauler. Mr. Callahan affirmed two years ago a majority of the people did not want to go to a single hauler. Mr. Callahan congratulated Mayor Donchez on trying to resolve this issue because we do have a garbage problem in the city, not only with illegal dumping but also with garbage being out multiple days a week. Mr. Callahan mentioned in answering Mr. Crownfield's question the main reason to start on the south side is because 57% of all of the garbage complaints are on the south side. He remarked it would make more sense to start off in the area which is the most affected. Mr. Callahan noted if we had a single hauler system and we tried to reverse that to go to 23 different haulers running up and down our streets it would not make any sense. Right now we have haulers driving up and down our streets with 23 different trucks instead of one truck driving up the street and picking up garbage on that one day. He continued the garbage issue with all of the illegal dumping in the City is a problem and not only is it a problem but it costs the taxpayers a lot of money. Mr. Callahan pointed out if someone illegally dumps in the City there is a phone call made to the Health Bureau and we send out an investigator to see if this is illegally dumped. We then have to send out a truck with City paid employees to pick up that garbage and take it to the landfill. The City taxpayers who are abiding by the laws by having contracted hauling are now paying the fees for that illegally dumped garbage. Mr. Callahan stated this is happening weekly and we need to resolve this issue. Mr. Callahan noted he was at the meeting two years ago until 1 a.m. and the majority of the people did not want to go to a single hauler, but this idea now hopefully is a fix to a bad problem. He added he hopes this plan works. Having garbage out on two days of the week is certainly better than five days a week. Mr. Callahan noted, if we can narrow down the number of people that are abusing the system by putting garbage out on the street; are not contracting a hauler; and using someone else's property to dispose of their garbage, that would solve our problem. Mr. Callahan hopes this will work and that we can expand this to the rest of the City.

Mayor Donchez added as discussed at the Community Development Committee Meeting it is the intent of the Administration to have a complete revision of all of the garbage Ordinances presented to Council hopefully by the end of the year.

Mr. Waldron stated he wanted to clarify that the only thing Council is being asked to vote on this evening as an Ordinance change is moving the start time of trash pickup from 6 a.m. to 5 a.m.

Mayor Donchez noted that is correct.

Mr. Waldron remarked the only thing we are changing is to allow the haulers to pick up an hour earlier. There is no Ordinance change on the specific days as we discussed at the Community Development Committee Meeting. It is a rule that we would like them to abide by but the Health Bureau and the Police Department do not have the tools it seems to properly enforce that rule. Mr. Waldron commented we had talked a little at the Committee Meeting about the Administration possibly revisiting the idea of strengthening the Ordinance to allow for proper enforcement. He queried if there was any conversation about this because Council has not received any memos that this was a change.

Mayor Donchez reported it is just the hour that is changed in the Ordinance.

Mr. Poremba advised to answer that question; yes we are just focusing tonight on the 5 a.m. change. We are working on drafting guidelines and as we know Article 935.02 does allow the Community and Economic Development Director to set guidelines that would be enforceable for the implementation of the days as well as following the Ordinance. Mr. Poremba stressed they are working on those guidelines and we met today and will be working with the Solicitor's office to get a draft of that to Council in the upcoming weeks.

Mr. Waldron queried why we do not have the guidelines in place the same time as we are changing the Ordinance so that we have all of the information. Right now it just seems like this is a win for the haulers because if we let them haul whenever they want, it seems like 4 a.m. or 3 a.m. would be the time they are looking for. Mr. Waldron remarked as an Ordinance this is

a win for the haulers and he is not sure if the residents would agree this is something they would want.

Mr. Poremba informed as they put this Pilot Program together there was a lot of information and dialogue that took place with the haulers. They worked with the haulers to come to the table and identify a need to get into a zoned program. Mr. Poremba remarked we worked very closely and listened to the public and people that took an active part of coming to the Mayor's open door and to the Town Hall meetings focused on garbage, specifically on the south side. All of that feedback was put together. Mr. Poremba stressed they feel working with the haulers helped and having them own a part of this program that we could start implementing the Pilot Program, get it up and running, educate the public, and have a grace period to educate and not cite anyone. In that time we could get the guidelines drafted and get them to Council as well. He continued, the Mayor had stated we would be working to clean up all of the garbage Ordinances and move them to Council. We feel we could implement the Pilot Program and get the guidelines then to Council.

Mr. Waldron pointed out something that kept coming up at the Committee Meeting was the ability to be flexible and adjust to the needs as the Pilot Program rolls out. Mr. Waldron queried why not leave the start time as it is, at 6 a.m. and then we could adjust from there. He commented once we go to 5 a.m. he does not see it going back to 6 a.m. We do not really know if there is a problem with the 6 a.m. pick up until we start this program.

Mr. Poremba informed they will be working with the haulers and the residents to be flexible during this Pilot Program. As mentioned, if there is inclement weather or if there is a heavy move out day at Lehigh University we would just require the haulers or the customers to call our Director of Recycling or Community and Economic Development Director to work with them. Mr. Poremba stated they were looking for the flexibility to make sure that Monday and Tuesday worked as the program moved forward. He stated, the big issue, and the reason we were so focused on 5 a.m. is safety. The reasons for safety is to clear Wyandotte Street, Broadway, Fourth Street and other streets before school children and school buses are out as well as a concern regarding rush hour traffic in this area. Mr. Poremba added one concern of the haulers was the fact that all of the local landfills close by 4 p.m., if not sooner, and it violates Pennsylvania State law to store their garbage in their trucks overnight. We were working with the haulers and as they were buying into this Pilot Program we tried to meet some of their needs as they were meeting our needs.

Mr. Waldron understands the possibility of the safety issue but we would not know this until we rolled out the program. As for the 4 p.m. final drop off time, he does not ever know if he has seen a trash truck in the City past noon, so he does not think that is a fair argument to make to pick up earlier. Mr. Waldron added the last point that came up at the Committee Meeting is that we currently have an Ordinance stating a 6 a.m. start time and you can see trash trucks picking up at 5:30 a.m. He stated if we go to 5 a.m. start time who is to say that we will not see trucks at 4:30 a.m.

Mr. Poremba advised they will definitely be working with Chief DiLuzio and heavily monitoring that they are not abusing and stepping beyond 5 a.m. and being compliant once these guidelines get implemented.

Mr. Waldron informed he is not sure he is comfortable enough because this Ordinance is not quite strong enough to really give the Police Department the tools, in his opinion, to enforce this properly.

Assistant Solicitor Matthew Deschler mentioned that if the fear is that we will have a start time pushed back until 5 a.m., prior to implementation of the program in October, it is possible that Council could delay the effective date of the Ordinance, the date the Pilot starts. Regarding the enforceability of the Ordinance, Article 935 provides that by the authority of the Article, violations of regulations issued by the Director of Community and Economic Development are enforceable just as if the Article itself were violated. Attorney Deschler added if you violate a provision in the Article we can cite you for that and if you violate a regulation issue pursuant to the Director's authority under the Article, we can cite you for that. So he does not want to leave the mistaken impression that these are just guidelines and they are just suggestions. The regulations have the same teeth as an Ordinance. Attorney Deschler stated they will publish the regulations as required by law. Attorney Deschler informed he spoke

today with the Law Library in Northampton County and she said they can place the regulations along with the City's Codified Ordinances just like she does every time the City amends its Ordinances, because we are required to put those on file with the Law Library. Attorney Deschler does not think there is any problem with notification with publicizing the effort. People will be aware if they violate the regulations. As to the days on which garbage will be collected we can cite you just as if you violated the Ordinance in terms of the pickup start times.

Mr. Waldron remarked, we will see.

Attorney Deschler mentioned the Ordinance will be enforced because the Article does give the Community and Economic Development Director the authority to issue regulations and we have regulations actually as recently as about 20 years ago. There have not been more issued but they are in a similar format. This is whereby a violation of the regulation does count as if it were a violation of the Article itself.

President Reynolds noted it seems as though the regulation that Council is more concerned about are the simple words of adding Monday and Tuesday into the proposed Ordinance. When this came up at the Committee Meeting he asked if this was a conversation that took place internally and the Administration said they did discuss putting Monday and Tuesday in the Ordinance. President Reynolds queried as to what the concern is from the Administration regarding not specifying Monday and Tuesday as the pickup dates for the southside in the proposed Ordinance, rather than creating this regulation.

Attorney Deschler advised it was because of the flexibility concern.

President Reynolds asked for an example of the flexibility that is needed.

Ms. Karner informed if we find that Monday and Tuesday is not enough time for the haulers, we would like the flexibility of adding another day. The haulers could also come back to us and say that Monday and Tuesday does not work for us and that Thursday and Friday would be better days. We would then have the flexibility to change the day without having to come back to Council with this multiple step process.

President Reynolds wondered why would Council not want a say whether it goes beyond Monday or Tuesday.

Ms. Karner stated if Council would want to be as responsive to the haulers, they are welcome to do that. Ms. Karner mentioned what they find is that drafting regulations is much faster than changing an Ordinance, and a lot less costly. If we would want to amend the regulations we can simply do that in a couple of days.

President Reynolds mentioned the point he made at the Community Development Committee Meeting was to find a way for the haulers to buy into this and be successful. His concern is that the haulers, knowing the designated pick up days was just a regulation and not in the Ordinance, it would be easier for haulers to come back to the Administration and say we need Wednesday or Thursday.

Ms. Karner informed right now the haulers have six days to pick up. We have been working with them for a long time and we have faith that they are telling us what their needs are on the hour, which is what we presented to Council. Ms. Karner stressed that as they continue to work with the haulers they will not simply come back and dictate. We will monitor the program independently. As you heard at the Committee Meeting, we have selected neighborhoods to do visual evaluations before, during, and maybe after the Pilot Program. Ms. Karner remarked we will not just take them on their word that Monday and Tuesday is not enough. It will have to be an active participation on our part to help make that determination.

President Reynolds noted if the haulers are picking up on Monday and Tuesday beginning in January and then begin picking up on a Wednesday as well, and then come back to the Administration saying they could not do all the pickups on Monday and Tuesday as agreed, there is no strength in hand for the Administration because the agreed pickup days are not stated in the Ordinance.

Ms. Karner stated we have the regulation as you heard from Attorney Deschler, which is as enforceable as the Ordinance.

President Reynolds is just not sure why they do not put Monday and Tuesday into this Ordinance.

Ms. Karner informed that is because we can amend it a lot faster than coming back to Council.

President Reynolds added then you also have the weaker hand of the haulers if they tell you they cannot do it all on Monday and Tuesday.

Ms. Karner pointed out they found the haulers to be very agreeable so far, considering they only have asked us to modify the hour. She does not expect us to have to have a heavy hand with them. They have been very cooperative. Ms. Karner affirmed they have been a good partner and we expect them to continue to be a good partner based on our conversations thus far.

President Reynolds queried how the Administration will address the people who do not have a hauler and do not get rid of their trash.

Ms. Karner explained that we will go after them the same way we have been going after those people. We can determine if there is garbage out on other days of the week, if they stop paying their hauler and their hauler has decided to no longer pick up their garbage. We then we will have a quick understanding of the situation. We talked about the use of our enforcement officer. We can use that person to help identify those who either may no longer have a hauler or again if we see stockpiled garbage on the side of someone's house, which is an easy way to identify those who would be called into question. Ms. Karner stressed they would approach the homeowner and ask them to show us proof of hauler, which they are obligated to do at our request.

President Reynolds expressed that he still thinks it seems as if it will be hard to come back and also provide data that says how many people are putting their garbage out on a Monday and Tuesday. President Reynolds agrees with Mr. Waldron because with having just regulations without having the day changed in the Ordinance it seems the haulers are dictating this process rather than the City saying it is Monday and Tuesday going forward with the Pilot program. President Reynolds thinks this will be hard to enforce including the flexibility for them to be able to come up with different reasons by which they had to pick up on other days rather than Monday or Tuesday.

Ms. Karner advised she does understand this position but they have been negotiating in very good faith with the haulers. They have been very good partners and she cannot stress enough how nice it has been to have the cooperation of the haulers. This is their one ask of us and we felt that it was a reasonable ask.

President Reynolds remarked the time of pickup was the ask, but they did not ask to not put Monday and Tuesday in the Ordinance.

Ms. Karner replied no. The time was the ask because that is all that is in the Ordinance right now. We knew we could do that via regulation, and the enforcement mechanism is the same.

Mr. Callahan stated he is completely on board with the zoned hauling program but we had many questions at the Committee Meeting about the 5 a.m. start time and the Administration asked for flexibility for the sake of the haulers and the City, and he is on board with that also. Mr. Callahan advised after the Pilot Program is done and whether there are problems in January or February, we can make an adjustment. Mr. Callahan queried as to what reasons might come up where the haulers would say they cannot pick up on Monday and Tuesday other than a snow storm.

Ms. Karner stated capacity. If they find that they have more customers than they are able to pick up in those two days, what would their alternative be? Their alternative might be to reject customers. She is not sure of that is a reasonable expectation for business in the City. Ms.

Karner remarked that there is inclement weather and of course there will be holidays that we will factor into the regulations, but we may find that there is congestion and those two days do not work. We do not know what we do not know, so we just want to be poised to be able to be as responsive as possible in a short of time frame as possible.

Mr. Callahan noted there was a list that the Administration sent to Council with about 17 haulers on the south side and how many now are on a Monday and a Tuesday.

Ms. Karner stated the Mayor has a sheet that indicates there are about eight or nine haulers on Monday and Tuesday, and some on a Wednesday, and then there were the random other days of the week.

Mr. Callahan mentioned that Councilman Waldron had some issues with this but Mr. Callahan did not know that the City could require people who had security alarms to notify the City. He thinks that was something that might need to be addressed at some point regarding trash hauling customers. He understands the haulers reluctance to give the City their customer list but he thinks initially if all the haulers were required to give the City the list there would be an enormous amount of paperwork to process. Mr. Callahan pointed out that most of the haulers' customers stay with them a long time. After that initial collection of data there should not be a lot of additions or deletions. Mr. Callahan believes that might be the only way to know who has a hauler. He commented he would be supportive of an Ordinance regarding that matter. Mr. Callahan stressed that everyone needs to be responsible for their own trash and in making sure they have a contract for a hauler. He understands the haulers do not want to provide a customer list, but he thinks they also have to understand their customer list is not something that the City will be handing out to their competitors. There are people in the City who are not paying for contracted hauling and perhaps this might be something that the Administration and the Mayor might want to ask of the haulers because we are serious about picking up garbage in the City and keeping it clean. Mr. Callahan expressed that there are a lot of people in the City right now who are not paying their fair share and dumping garbage illegally and making people who are following the rules pay for their garbage. This is an enormous waste of time for the Health Bureau, the Community and Economic Development Department, the inspectors that have to go out but also the Parks Department and Public Works Department as well. We also have to pay for the fee at the landfill and he thinks this is something that needs to be done and this is a huge step forward. Mr. Callahan noted the Administration has asked for flexibility and we talked about this at the Committee. This is something that he would ask Council to give them for the short time period and see how things go. He is confident the Mayor will come back to us to see how things are going.

Mr. Waldron queried if the Administration feels they can enforce the Monday and Tuesday pickup under a list of regulations and guidelines, why not just do the time of pickup through rules. He inquired why are we changing the Ordinance at all.

Ms. Karner stated they would support that.

Attorney Deschler stressed they are changing the times because the times are actually provided for in the Ordinance itself, so we could not contradict that.

Mr. Waldron stated the days of the week are also in the Ordinance.

Attorney Deschler stated no. The days of the week is different. The Ordinance provides that trash collection shall be on a 6 day per week basis, Monday through Saturday and even once this regulation is implemented to two days a week on the south side, garbage collection can be done 6 days a week throughout the City as a whole. Attorney Deschler mentioned it is important to note that top section of the Ordinance that relates to residential trash collection states that collection shall be made on a 6 day a week basis. Now, the succeeding section regarding the commercial type of trash collection states that collection may be made on a seven day per week basis. The residential trash collection section is not designed to invest rights in people to have their trash collected 6 days of the week. It simply puts a cap on the number of days per week that residential trash can be collected. Attorney Deschler stated in another words you cannot have your trash collected on Sunday. He continued, as long as we provide for six days of trash collection, whether hypothetically we divide the City into three zones and one zone get two days, another zone gets two days, and the other zone gets two days, we are still operating on a 6 day week basis. Attorney Deschler advised what is important to note is

that the City is in compliance with the Ordinance however we divvy those up, because residential trash collection is still being made on a 6 day per week basis.

Ms. Karner added, in their research they found that other Cities, namely the City of Easton, does not indicate in their Ordinance a time for collection. The time is left up to the regulations. They have a very similar provision in their Ordinances, so they have determined via their regulations what days of the week to pick up and what the times are during those days.

Ms. Waldron noted they are saying they can do this without Council's approval anyway.

Attorney Deschler stated not with respect to the start time of collection.

Mr. Waldron added at the Committee Meeting Mayor Donchez did say that the days of the week would change to Monday and Tuesday regardless if the time change does not happen.

Mayor Donchez noted his position is that October begins Monday and Tuesday pick up for south Bethlehem.

Mr. Waldron mentioned this is regardless of the time and Mayor Donchez stated that is correct.

President Reynolds queried what the Administration would do if City Council would add into the Ordinance, starting January 1, having pick up on Monday and Tuesday.

Ms. Karner informed that would be in a tough position if there is snow or a holiday or if we find there is too much congestion.

President Reynolds remarked we have snow and holidays now.

Ms. Karner understands that but the haulers also have five other days if there is a holiday to accommodate for that pick up. If we only restrict this to Monday and Tuesday and we have a significant number of holidays, for instance starting with New Year's Day and Martin Luther King Day, we would not be able to pick up any other day on the south side except Tuesday unless they worked the holiday.

President Reynolds asked if there was something included in the Ordinance for Monday and Tuesday except as far as regulation per holiday or per emergency.

Attorney Deschler stated it would be feasible to put in a safety valve day. In other words we would still be looking at two days per week but if for whatever reason we could not collect on those two designated days there would be a third day.

Mayor Donchez advised one of the key points would be that we want to start the Pilot Program in October so the haulers have three or four months, so that is why October was selected for the Monday and Tuesday pick up. Mayor Donchez added the enforcement would then begin in January so if that is the will of Council, so be it. Again, this is a Pilot Program and we will probably have to tweak a few things. As Ms. Karner stated we have had tremendous cooperation from the haulers. One of the reasons they bought into this is because they knew of his position of being against the single hauler. The fact that he has always talked about zoned hauling over the years gave him a little credibility to tackle this issue. Mayor Donchez explained the number of haulers they spoke to that do the majority of work in south Bethlehem were very cooperative and they bought into this program. There was only one hauler that came to the meetings hoping for three days. Mayor Donchez added, again is a Pilot Program and he is sure we will be adjustments. The Administration will certainly be giving reports to City Council on a quarterly basis. Mayor Donchez thinks it is just important to try to get some control of the garbage issue and then we will be able to have the garbage pickup on Monday and Tuesday with enforcement on Wednesday, Thursday and Friday. That is something we do not have today and the largest number of violations are coming from south Bethlehem.

President Reynolds noted the flexibility he thought was internally for the Administration as far as enforcing the Ordinance would not then be connected to the haulers willingness to do this on Monday and Tuesday.

Mayor Donchez advised as Ms. Karner said we felt the flexibility was important and that is why we did not put it in the Ordinance.

President Reynolds queried if Council changed it to Monday and Tuesday starting January 1, 2016, with language for exception for days of snow or events such as that, would that be something feasible.

Mayor Donchez thinks the flexibility is very important but what is more important is to move forward on this Ordinance so at least we can start moving forward in south Bethlehem and make some progress that Mr. Callahan made reference to.

Mr. Evans stated as with the rest of Council, he does support the idea of what we are doing. We have to find a way to make this move forward and not try to find ways to hold it up. Trash hauling has been attempted to be tackled many times in the past. We talked about this before on Council and it never got off the ground. Mr. Evans does think this needs a little work and that is why he likes the idea of the Pilot Program. When we talk about changing the Ordinance, it will not be done, stamped and put up on a shelf. Mr. Evans noted this is a one year deal and we are not going to do this throughout the entire City at this time. He continued it is wise to take part of the City, zone it, and work on it. We can tweak what needs to be done over the period of a year and he believes we will have more Community Development Committee Meetings, if not the Full Council regarding the subject. This is something that is important to many people and this affects the entire City. Mr. Evans advised a few years ago when we talked about hauling, single hauler was one thing, but the zoned hauling was a separate issue, and that is what we are talking about tonight. Zoned hauling was highly supported in all parts of the City. Zoned hauling still gives everyone their freedom of choice with a hauler, which is something sensitive to the residents. Mr. Evans had a question about the bigger picture. If this is a one year program and it does go well and changes are made by the end of one year, is there a master plan put in place yet for the number of zones for the whole City?

Mayor Donchez pointed out when they first discussed doing the entire City they looked at the possibility of four or five zones and discussed this with a small group of haulers. There would be logistical problems with 23 haulers, so that is why they decided to start with south Bethlehem as a Pilot Program. Mayor Donchez noted it is a possibility that they would consider expanding but he would just like to see how this Pilot Program works first.

Mr. Evans stated certainly this is a quality of life issue for everyone in the City and it will not solve all the problems even if this plan is put into place and it works well. According to the sheet that was given to Council there are approximately 1,500 trash complaints a year and through the years 2010-2014 every year there are between 1,400 to 1,700 complaints. He added, lowering that number by a few hundred of those complaints would be good. Mr. Evans mentioned in thinking of the discussion during the Committee Meeting he did want to include the Monday and Tuesday pickup days in the Ordinance, but he has changed his thoughts during the discussion tonight to allow the flexibility to keep it out there with the guidelines. What he sees happening is if we start adding Monday and Tuesday, and into a holiday the haulers would be outside of the Ordinance, we would have to add something other than Mondays and Tuesdays to cover those situations. Mr. Evans added once we get to the big picture and we have four zones, the Ordinance becomes very burdensome in that we have haulers on Mondays and Tuesdays in one place, Wednesday and Thursday somewhere else, but if it is a snow day it would be a Saturday pickup. This would make it complicated. We do need the guidelines. He remarked as long as we have the comfort that this is enforceable, because for this to work the enforcement is the most important thing. Mr. Evans related that all of the garbage Ordinances will be coming to Council for review at some point.

Mayor Donchez stated the goal is to have a complete revision of all of the Ordinances pertaining to garbage to Council by the end of the year.

Mr. Callahan agrees with Councilman Evans and noted that everyone on the Committee at that meeting had questions about Monday and Tuesday and the adding those pickup days to the Ordinance. He expressed with all respect to the Administration, he does want this to work. This is a work in progress, and right now we do have the haulers going out six days a week. Right now asking for a trial period of three months or six months or a year to allow some

leeway is not asking too much. Mr. Callahan stated with that in mind he would respectfully ask the full Council to approve of this as is and if there are problems and issues and we have to add Monday and Tuesday to this later on or we need to change it back to 6 a.m. that is something we can tackle. Mr. Callahan expressed right now he would ask full Council to give the Administration some leeway and some flexibility in trying to get this going and hopefully clean up this problem. He was at the meeting two years ago prior to being on Council, for the trash hauling meeting that ended at 1 a.m. and at that time he was completely against the single hauler concept. After seeing the presentation with the amount of illegal dumping, he was in favor of single hauling. Mr. Callahan stated he has listened to residents and they do not want single hauling. He thinks this is a good compromise and he is asking Council to approve this as is. If there are changes that have to be made later on then he is sure we can tackle those at that time.

Mr. Waldron noted his rebuttal or point to the issues with snow days or holidays not being enough days of the week, is that the Ordinance is only as strong as its enforcement. If there was a holiday or a snow day it would be up to the City to decide if that Ordinance was going to be enforced or if there is leeway allowed because of snow or a holiday. Mr. Waldron added there are probably dozens of Ordinances on the books right now that are not enforced because they are just outdated and this could be an opportunity to get Monday and Tuesday in the Ordinance and then allow for changes based on circumstances that do not permit pick up for Mondays and Tuesdays.

President Reynolds remarked to add to Mr. Waldron's point we already have Ordinances now that are not enforced because of common sense and one point that came up at the Committee Meeting is that everyone is supposed to have a trash hauler. Yet, as we said, if someone is living next to a relative, the situation occurs throughout the City where people have one trash hauler and they put out their trash together behind their house. No one cites them and no one says you cannot do that, because it makes common sense. He would agree with Mr. Waldron in that at some level it is that balance between what should be on the books and what does not. President Reynolds remarked this is the First Reading of the Ordinance. This can be voted on today but certainly any member of Council could make any changes for the Second Reading including in reference to Attorney Deschler's point about changing the date to the beginning of October if we were worried about people picking up before 6 a.m. before October. President Reynolds noted the point of most of his questions has been making sure that the City has as much leverage as possible to make sure that the goals that the Administration and Council have here are both met. As has been discussed, and generally it has been taken off the table by many on Council and the Administration about what the different leverage options are in the future to make sure the haulers will give one hundred percent. As we know, history has shown, and Mayor Donchez can remember when he was on Council, is that there has been resistance to a zoned hauling system in the past by the haulers. President Reynolds pointed out the Mayor does deserve credit for getting them past that, but the success going forward in the Pilot Program in the south side and throughout the City does come down to making sure that the Administration has a way to make sure the haulers want to be successful with this program. If not, it will make every aspect of this more difficult. President Reynolds noted as far as the days are concerned as well as the idea of the customer list, is that they need to have as many tools as possible to enforce the laws to keep our neighborhoods as clean as possible.

Voting AYE: Mr. Evans, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan and Mr. Reynolds, 6. Bill No. 31 - 2015 was passed on First Reading.

9. RESOLUTIONS

A. *Authorize Grant Agreement - PennDOT - TAP Grant*

Ms. Reuscher and Mr. Stellato sponsored Resolution No. 2015-169 that authorized to execute a TAP Grant agreement with PennDOT for the Fourth Street Pedestrian Improvements Project.

Voting AYE: Mr. Evans, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan and Mr. Reynolds, 6. The Resolution passed.

B. Authorize Grant Agreement – PennDOT – Highway Safety Project Grant

Ms. Reuscher and Mr. Stellato sponsored Resolution No. 2015-170 that authorized to execute a Highway Safety Project Grant No. CTSP-2016-Bethlehem City-00016.

Voting AYE: Mr. Evans, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan and Mr. Reynolds, 6. The Resolution passed.

C. Approve Hiring – Sample/Laboratory Technician

Ms. Reuscher and Mr. Stellato sponsored Resolution No. 2015-171 that approves the filling of the position of Sample/Laboratory Technician in Water and Wastewater.

Voting AYE: Mr. Evans, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan and Mr. Reynolds, 6. The Resolution passed.

D. Authorize Contract – Turner Hydraulics, Inc.

Ms. Reuscher and Mr. Stellato sponsored Resolution No. 2015-172 that authorized the execution of an agreement with Turner Hydraulics, Inc. for a Heavy Duty Vehicle Lift, Rotary Lift Model EFX-60-17.

Voting AYE: Mr. Evans, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan and Mr. Reynolds, 6. The Resolution passed.

E. Authorize Grant – TreeVitalize Program

Ms. Reuscher and Mr. Stellato sponsored Resolution 2015-173 that authorized a Tree Vitalize Street Tree Inventory grant in the amount of \$34,000 from DCNR's TreeVitalize program to complete a street tree inventory for Bethlehem..

Voting AYE: Mr. Evans, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan and Mr. Reynolds, 6. The Resolution passed.

F. Authorize Grant – Multimodal Transportation Fund Program

Ms. Reuscher and Mr. Stellato sponsored Resolution 2015-174 that authorized a Multimodal Transportation Fund grant in the amount of \$450,000 from the PA Department of Community and Economic Development to continue the installation of street lights on West Broad Street.

Voting AYE: Mr. Evans, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan and Mr. Reynolds, 6. The Resolution passed.

G. Authorize Grant- Northampton County – Community Planning and Technical Assistance Grant

Ms. Reuscher and Mr. Stellato sponsored Resolution 2015-175 that authorized a Community Planning and Technical Assistance grant in the amount of \$25,000 from Northampton County to be used to complete a market study for various retail areas in Bethlehem.

Voting AYE: Mr. Evans, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan and Mr. Reynolds, 6. The Resolution passed.

H. Authorize Grant- Northampton County – Community Improvement Grant - Streetscapes

Ms. Reuscher and Mr. Stellato sponsored Resolution 2015-176 that authorized a Community Investment Partnership Program Community Improvement grant in the amount of \$50,000 from Northampton County to be used to install a variety of streetscape enhancements in South Bethlehem.

Voting AYE: Mr. Evans, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan and Mr. Reynolds, 6. The Resolution passed.

I. Authorize Grant- Northampton County – Community Improvement Grant - Signage

Ms. Reuscher and Mr. Stellato sponsored Resolution 2015-177 that authorized a Community Investment Partnership Program Community Improvement grant in the amount of \$50,000 from Northampton County to enhance the installation of signs in the ongoing signage of the wayfinding program.

Voting AYE: Mr. Evans, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan and Mr. Reynolds, 6. The Resolution passed.

J. Authorize Grant- Northampton County – Community Improvement Grant – Façade Improvements

Ms. Reuscher and Mr. Stellato sponsored Resolution 2015-178 that authorized a Community Investment Partnership Program Community Improvement grant in the amount of \$50,000 from Northampton County, through the Façade Program to assist in the façade improvements in targeted commercial and residential areas.

Voting AYE: Mr. Evans, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan and Mr. Reynolds, 6. The Resolution passed.

Motion – Considering Resolutions 9 K through 9 P as a Group – Certificates of Appropriateness

Mr. Callahan and Mr. Waldron moved to consider Resolutions 9 K through 9 P as a group.

Voting AYE: Mr. Evans, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan and Mr. Reynolds, 6. The Motion passed.

K. Certificate of Appropriateness – 77 West Broad Street

Ms. Reuscher and Mr. Evans sponsored Resolution 2015-179 that granted a Certificate of Appropriateness to install a hanging sign and install logo and business information on store front window at 77 West Broad Street.

L. Certificate of Appropriateness – 27 East Church Street

Ms. Reuscher and Mr. Evans sponsored Resolution 2015-180 that granted a Certificate of Appropriateness to replace the slate roof with GAF Slateline shingles at 27 East Church Street.

M. Certificate of Appropriateness – 129 East Market Street

Ms. Reuscher and Mr. Evans sponsored Resolution 2015-181 that granted a Certificate of Appropriateness to install step lights, sconces, hanging porch fixture, and replace porch floor with Bluestone at 129 East Market Street.

N. Certificate of Appropriateness – 61/55 West Lehigh Street

Ms. Reuscher and Mr. Evans sponsored Resolution 2015-182 that granted a Certificate of Appropriateness to install three signs at 61/55 West Lehigh Street.

O. Certificate of Appropriateness – 210 Schaffer Street

Ms. Reuscher and Mr. Evans sponsored Resolution 2015-183 that granted a Certificate of Appropriateness to re-roof the rear roof and replace damaged drip edge soffit and gutters at 210 Schaffer Street.

P. Certificate of Appropriateness – 246 West Street

Ms. Reuscher and Mr. Evans sponsored Resolution 2015-184 that granted a Certificate of

Appropriateness to install a wooden fence at 246 West Street.

Voting AYE on Resolutions 9 K through 9 P: Mr. Evans, Ms. Reuscher, Mr. Stellato, Mr. Waldron, Mr. Callahan and Mr. Reynolds, 6. The Resolutions passed.

10. NEW BUSINESS

Committee Meeting Announcement

Ms. Reuscher stated there will be a Parks and Public Property Committee Meeting on Tuesday, August 4, 2015 at 6:30 in Town Hall. The subject of the meeting is the Bethlehem Backyards for Wildlife update.

West Bethlehem Lighting

Mr. Callahan informed he received the email from Michael Alkhal, Director of Public Works about the lighting on the west side of Bethlehem that we had discussed. Mr. Callahan queried if it is possible to do this in stages. He knows the number came back a lot higher than he thought and that it was around \$800,000.

Mr. Alkhal informed they could do this in phases, block by block.

Mr. Callahan expressed he understands that the budget is tight right now, but at some point he would like to see done this for the west side of Bethlehem. Mr. Callahan added that this would benefit the City. Mr. Callahan pointed out he would like to look at this during budget time.

11. PUBLIC COMMENT

Rail Authority

Kirk Raup, 818 West Union Boulevard, remarked he has a request for Council. He is asking if they will consider putting the rail proposal he had put forth almost a year and a half ago on the agenda for discussion as originally intended back in May, 2014 and again in August that same year. Mr. Raup knows that the Mayors have discussed this to some extent. He has asked to be part of that discussion but he was not allowed to do so. He knows that someone handed this to LANTA and in speaking with with their Board of Directors he was informed that they have no intentions of taking the rail concept anywhere. It is just not the business they intend to be in and they should not be forced to do so. Mr. Raup is asking to get back to where we were originally in the beginning of 2014 and to get the proposal back to Council, which was to ask Allentown and Easton to join us if we would proceed forward. Mr. Raup knows the other two cities will do that if we approach them properly. This is something he cannot do because he does not represent the City. Mr. Raup mentioned that Allentown Council as recently as last week are on record as saying they will entertain the question to proceed with this to create the Ordinance or Resolution to create a rail transit agency if it comes to them from Bethlehem Council. Mr. Raup is just looking for this to get the fair hearing he believes this deserves and has not been afforded that opportunity up to this point. Mr. Raup advised his question is if Council will consider putting this back on the agenda for discussion so that Council can see exactly what he is looking for, what the pitfalls are, what the real dangers are. Many of the points made last May in the memo from Mayor Donchez were not true. Mr. Raup believes the things in that memo were taken as fact and it is frustrating because he knows they are not true. They are just a belief that the Mayor has or maybe an idea he got from someone else. Mr. Raup stated those objections are not real. This is a straight forward proposition he is trying to move forward and he would appreciate a fair hearing at some point with Council and he would like to know if that is forthcoming.

President Reynolds asked the Administration if there is an update. He mentioned there was some comment from the Administration a few months ago regarding working with the other Mayors and added that he asked the City Clerk to send a memo sometime around June 28 or 29 asking for an update on those discussions.

Mayor Donchez stated that the last time he and Easton Mayor Panto and Allentown Mayor Pawlowski discussed this issue together was about three months ago along with

representatives of LANTA and Lehigh Valley Planning Commission. Mayor Donchez pointed out that Mayor Panto and Mayor Pawlowski had a meeting in Harrisburg with the Secretary of Transportation and that he was on the conference call and participated in this meeting for about 25 minutes to discuss rail for the whole Lehigh Valley. Mayor Donchez stressed that the three Mayors have not discussed this since that meeting but directed their Planning Directors to continue those discussions. Mayor Donchez also noted we are going to pursue a meeting with the Secretary of Transportation from New Jersey.

President Reynolds queried if the Planning Directors from the three Cities have had any meetings.

Mayor Donchez stated he would have to ask Darlene Heller, Director of Planning and Zoning, to see if they have met.

President Reynolds asked if he could get that information to City Council next week.

Mayor Donchez stated he would and if there is any additional information on this he will get that to Council.

Mr. Raup informed that LANTA is not now and has not been a rail transit agency at all and do not plan to be. He knows that they are the transportation organization for the Lehigh Valley but that does not mean they have to encompass all forms of transportation. If they want to they can but they can choose not to at this point. Mr. Raup added it has been LANTA's ongoing policy to not become a rail agency and not to pursue rail at all. It has also been their policy not to stand in the way of any other efforts and that is part of the reason he is looking to create a legitimate rail transit agency with the three cities for the Lehigh Valley.

Profanity on T-Shirts – Golf Course

Jack Toy, 621 Main Street wanted to speak about profanity on t-shirts. He recently saw a gentleman walk past him with a blatant profanity message on his t-shirt and is concerned about that kind of profanity in our City, especially with visitors coming into the city. Mr. Toy queried if we want to have that kind of profanity in our City with tourists coming in. Mr. Toy added he has also seen some bumper stickers that are getting out of hand. Mr. Toy is asking Council about putting some restrictions or rules to punish people who are so outrageous on what they say and do. He hopes that Council will look at this because he feels we cannot have this in our City.

Mr. Toy commented he is at this meeting tonight to ask the City to take a look at the management on the Golf Course and particularly on the 9 Hole Course. He mentioned he has played golf for 65 years and has a pretty good understanding about the etiquette. He continued they have no management at all at the 9 Hole Course. Mr. Toy stated he has seen things allowed to go on at the Golf Course that are dangerous. Mr. Toy stated he sees young children ages 9, 10 and 11 years old driving the golf cart by themselves, as well as a young man driving very fast near two adults walking with their bags and not paying attention. Mr. Toy stated the only man there from the City is Mr. Csencsits and all he cares about is his teaching classes. He added Mr. Csencsits closes holes on the weekend to teach three kids about golf. Mr. Toy stressed that he pays \$23 dollars to play 9 holes and he cannot play number one because Mr. Csencsits is giving a lesson and he wants nothing to do with managing that golf course. In addition to kids with the carts, he saw a young lady on the driving range top a ball, walk five or six yards out into the driving range to pick up that ball and a few others. He remarked he has seen men hit balls so sideways that they hit the wooden divider. He noted he reports things that he sees but nothing is ever done. Mr. Toy stated there is only one person collecting the money for the golf fees. There is no management around, and when this employee sees two people who paid to walk and then take a cart, he cannot leave and chase them down. He has seen multiple players playing out of one bag, which slows everything down. Mr. Toy added some golfers will play any open hole and cut in front of anyone. Mr. Toy stressed there needs to be management and if Mr. Csencsitis just wants to teach, Mr. Toy does not go along with that idea. He continued, this position should be half teaching and half watching to make sure that nothing happens on that golf course that results in a lawsuit against the City. He concluded after listening to 45 minutes of what he heard earlier he is upset at being limited to 5 minutes.

President Reynolds added he could have a conversation after the meeting with anyone if he wishes.

Mr. Toy replied he was just kidding. He felt he said enough.

Zone Hauling Pilot Program

Peter Crownfield, 407 Delaware Avenue, remarked that what he said before is that he was only speaking on reference to the change of the 5a.m. start of trash collection that is in the Ordinance before Council. Mr. Crownfield stated he supports zoned trash collection and that is not an issue with him at all. He continued, it is always great when we talk about these Ordinances and we hear how they will be enforced, but with the existing Ordinance we hear that some haulers pick up at 5:30 a.m. when the current start time is 6 a.m. Mr. Crownfield asked if they are being fined. In addition, he remarked the existing Ordinance states that trash cans may not be placed farther than five feet from the structure. It is illegal to put them by the curb, but that has never been enforced, at least not since Jean Belinski was on Council. Mr. Crownfield noted the idea that we will enforce all of these things is not a justification for writing a sloppy law. He would suggest that Council adopt an Ordinance that says we are doing a Pilot Program on zoned collection and authorize Ms. Karner to make the regulations needed to do that for a six month test, and do not put changes in the Ordinance for a Pilot period when you know they will change.

12. ADJOURNMENT

The meeting was adjourned at 8:30 p.m.

ATTEST:

City Clerk