

BETHLEHEM CITY COUNCIL MEETING  
10 East Church Street – Town Hall  
Bethlehem, Pennsylvania  
Wednesday, December 21, 2011 – 7:00 PM

1. INVOCATION
2. PLEDGE TO THE FLAG
3. ROLL CALL

President Robert J. Donchez called the meeting to order. Pastor Robert Rentler, of New Covenant Christian Church, offered the invocation which was followed by the pledge to the flag. Present were Jean Belinski, David T. DiGiacinto, Karen Dolan, Eric R. Evans, Gordon B. Mowrer, J. William Reynolds, and Robert J. Donchez, 7.

CITATIONS - Honoring Kenneth Easterling, Robert Eckhart, Guy W. Elliott, Joseph Motko, David C. Ruhf, Alfred Schlener, and Michael Tulio

Acting President DiGiacinto stated that the Citations honoring Kenneth Easterling, Robert Eckhart, Guy W. Elliott, Joseph Motko, David C. Ruhf, Alfred Schlener, and Michael Tulio on the occasion of their retirement will be sent to them since they were unable to attend the Meeting this evening.

4. APPROVAL OF MINUTES

The Minutes of December 6, 2011 were approved.

*Correction to Minutes of November 15, 2011*

President Donchez accepted a motion from Mr. Reynolds, seconded by Mr. Evans to amend the previously adopted Minutes of November 15, 2011. The Clerk read the corrections to Resolution 2011-194 - Termination of Police Officer Jeffrey Rogers. The Sponsors of the Resolution that read: sponsored by Mrs. Belinski and Mr. DiGiacinto, was corrected to read: sponsored by Mr. Reynolds and Mr. DiGiacinto. The Vote that read: Voting AYE: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mrs. Donchez, 7, was corrected to read: Voting AYE: Mr. DiGiacinto, Mr. Evans, Mr. Reynolds, and Mr. Donchez, 4. The Resolution passed.

5. COURTESY OF THE FLOOR

*Wyandotte Street – Left Turn Lane Elimination*

Joseph Bonita, 1106 Mt. Zion Road, Harding, Pennsylvania, remarked that he is concerned about the removal of the left turn lane on Wyandotte Street. Mr. Bonita stated he is an employee for McDonald's Restaurant on Wyandotte Street, a supervisor for the owner, and is directly responsible for that location. Overseeing the day to day business at McDonald's he can see where the removal of the left turn lane would have a dramatic effect on the business which would cause a hardship on the business and the employees. He highlighted the fact that, on a yearly basis, that location pays close to \$26,000 in different taxes to the City of Bethlehem including local taxes, wage taxes, mercantile tax, property taxes and school taxes. Mr. Bonita stressed that each one of those would be impacted by removal of that turn because there would be a decrease in their business. It would take away the ability to turn in to one of the two entrances at McDonald's. The entrance on Dakotah Street is a blind entrance and easy to miss. Mr. Bonita pointed out that it would create a hazardous situation. Mr. Bonita related there have been some accidents in this area that were not the fault of McDonald's. By taking away the left turn lane it would create even a bigger hazard for people trying to turn. This could cause traffic to stop and motorists turning in front of others. Mr. Bonita asserted that he sees more problems with eliminating the left turn lane. He commented that with the parking lot at the end of the street there does not seem to be the need for more parking along Wyandotte Street. Mr. Bonita pointed out that for years people have done without this parking although it was on the street at one time. Mr. Bonita thought that it would be a mistake to take away the left turn lane.

*Funeral Processions – Fee*

Patrick Connell, 245 E. Broad Street, representing Connell Funeral Home, addressed the proposed fee for police escorts at funerals. Mr. Connell thanked the City for this terrific service for all of these years. He communicated that many people and those who come from out of town mention how wonderful the City of Bethlehem is to have a police escort for funeral processions.

Mr. Connell expressed his concern that at \$150 per escort there will be families that will not want to pay for this service. Explaining that the average funeral today is anywhere from 10 to 20 cars driving through town with the traffic lights and stop signs, Mr. Connell remarked they will become an open target without the help of the Police escorts. For those who are not willing to pay they will still be going through town. If they do not have an escort, Mr. Connell wondered if they will be breaking any laws as they escort a funeral through town. Mr. Connell also wondered if the fees will be the same for funerals from the funeral home when they go to a church and a cemetery. He questioned whether the fees will be the same for escorts that are not funeral related, including the escort of businesses to banks in the late hours. If there are fewer funeral escorts is the City going to reach their goal of \$50,000 that they are asking for. Mr. Connell expressed his recommendation that the rate be lowered to between \$50-\$75 and try it out for a year. Mr. Connell thought that the funeral businesses will need a clearer understanding about the liabilities they will face as they take funerals through town and the liabilities to the drivers in the funeral. If there is a trial period, consistent patterns can be developed for requesting an escort so that the services of Police Officers can be efficiently used. Mr. Connell asked that if Council is unsure about the Resolution they either consider tabling it or provide for a trial period of 6 months as part of the Resolution.

*Wyandotte Street – Left Turn Lane Elimination*

Catherine Durso, 4001 School House Lane, Center Valley, of Fitzpatrick, Lentz and Bubba, advised she is the Attorney for McDonald's Restaurant. Attorney Durso said she is at the Meeting to bring some things to the attention of Council before they take action on the proposed Resolution that would authorize the agreement to be executed between the City of Bethlehem and PennDot with regards to the removal of the left turn lane on Wyandotte Street. Attorney Durso related that McDonald's was built on the site at Wyandotte Street in 1999-2000, it was a vacant tract of land, and they worked with the City to develop it. The City of Bethlehem was interested to have some type of economic growth happen in that area. While they were going through the approval process, McDonald's raised the need to have a left turn lane so there would be access to the site both from northbound and southbound on Route 378. Through the approval process and with getting the permit from PennDot, the City was on board with that and supported the application to PennDot to allow the left turn lane to be installed and to have the street parking removed from that area. As consideration for all of that being done, McDonald's did extensive improvements to the Route 378 corridor, not just in the intersection where they are located but throughout the corridor. There were also discussions with PennDot and with the City that there would be further discussions following that if there was an issue with regards to the removal of the on site parking as to the use of the existing lot to the north of the site and the use of other areas of parking within the area. Attorney Durso remarked that nothing has changed in that area since the McDonald's was built on the reliance of the left turn lane. The businesses across the street have existed and if anything there has been more traffic through that area with the growth in downtown Bethlehem. Attorney Durso explained they would like Council to also consider that the Intergovernmental Agreement would require the City to essentially be on the hook if there were any issues with regard to the project and the improvements. Pointing out there is identification language that takes PennDot out of it, Attorney Durso said so for Council just to consider the fact that just because PennDot is allowing the City to make these improvements on Route 378 it does not mean that PennDot is saying that from a public safety standpoint that it is a 100% cure to anything out there. Attorney Durso noted that essentially PennDot would not be on the hook for anything as a result of these improvements taking place. Attorney Durso added that there has been recently a business interested in the properties across the street, and even at the Zoning hearing there was testimony presented that there was plenty of parking within the area. The testimony included the fact that there was an adjacent 70 space parking lot that was available, there was also meter parking within the neighborhood, and that they were aware of existing parking spaces that were available at night in the neighborhood. Attorney Durso pointed out that McDonald's was never contacted prior to the vote being taken in May 2008 when this started taking place authorizing the application being made to PennDot. Attorney Durso stated that McDonald's is willing to discuss with the City alternatives that would help with the parking situation but also allow them to survive as it is today with the left turn lane and not have the impact on business. Remarking that visitors going past are not going to drive up and around to go to McDonald's, Attorney Durso commented they are not the type of destination where people will go out of their way, travel through the City, and come back around to go into the facility. Attorney Durso emphasized that McDonald's would be impacted if the left turn lane was removed from that site.

Christina Curran, 104 S. State Street, Clarks Summit, stated she is a second generation McDonald's owner/operator, and her family operates the McDonald's Restaurant on Wyandotte Street. They have made significant investments both financially and personally trying to grow that business and they want to grow that business because if they are successful the community will be

successful. Ms. Curran stressed that if the left turn lane is removed it would significantly impact their business and create a hardship. They would have to have staff reductions and they would not be able to reinvest. Ms. Curran pointed out that if sales would decline they may be forced to close or relocate and that would not help anyone. Ms. Curran, asking if Council can look from a second generation point of view, communicated that this is her future and her investment and she believes that the elimination of the left turn lane would be a hardship for her.

Tammy Carr, 207 Unionville Road, Jim Thorpe, informed the Members that she is the General Store Manager at the McDonald's on Wyandotte Street, and is at the Meeting to share that her workers are concerned about the removal of the left turn lane. Advising she employs 55 people at McDonald's, Ms. Carr stressed this is their livelihood and they cannot support their families if she cannot give them the hours at work because the left turn lane is taken away and they have no customers that can get into the business. Ms. Carr added that she may not live in the area but she is involved and is in the area 7 days a week, not only at the business, but out in the community with local children. Ms. Carr enumerated that they do McTeacher nights, raffle baskets for the children to raise money to go on trips, provide nutrition programs in the high schools and middle schools, and a physical education program. She personally went to 5 different schools in the area to put on a presentation and each school got a donation check towards their physical education programs. Ms. Carr added that they do donations with the local women's shelter, and for a Halloween Party run by Lehigh University for underprivileged children. Ms. Carr explained that she personally buys presents, blankets and toys for the children at the women's shelter for their Christmas parties. She added they also support the Police Department, and work to make it a safe environment for their customers and the people living in the area. Ms. Carr stated that if the left turn lane were removed that would put a hardship on them and they probably would not be able to provide these services for the community. Ms. Carr wanted Council to be aware that she and her employees are going to watch the decision made tonight and they hope the Members take all of this into consideration.

Mike Jeitner, of Bohler Engineering, 3701 Corporate Parkway, Center Valley, advised he worked directly with McDonald's in 1999, 2000 and 2001 on the McDonald's project. Mr. Jeitner explained there was a very extensive coordination effort between PennDot and the City of Bethlehem with this project and specifically the adjustment to Dakota Street to make it two way for a short span. The intersection itself was significantly upgraded with much of the cost being spent by McDonald's. In addition, the left turn lane into McDonald's was proposed and approved by PennDot. There was much work with the City in regards to the relocation of the parking along Route 378. Mr. Jeitner noted it was not considered removal of parking but the relocation of parking to the 300 block of Wyandotte Street. Mr. Jeitner remarked that, from a safety standpoint, his concern as a professional engineer looking at the proposal on behalf of McDonald's, and as an individual who lives in this area, the left turn that exists now is something that people are used to and have utilized for over 10 years. Mr. Jeitner asserted that changing this with signage will be difficult to enforce and control from an accident standpoint. Communicating that the traffic in the area has increased from 1999 to now, Mr. Jeitner said by adding parallel parking spaces in that area, maneuvers will be added to and from those parking spaces while cars are travelling through the area.

Martha Popichak, 1032 Main Street, stated that as an owner of property in the 400 block of Wyandotte Street for 25 years, she was there before McDonald's Restaurant was built. Ms. Popichak stated the issue tonight is that a Resolution was passed 3½ years ago to return the parking to Wyandotte Street and it is upsetting that it took all of this time and the Resolution was never implemented. Ms. Popichak remarked that in 2002 the parking lane on the east side of the 400 block of Wyandotte Street was removed so that the McDonald's Restaurant would have a turning lane into its location at Five Points in the vicinity of Wyandotte Street. Ms. Popichak asserted that this decision by the Administration at the time caused dire consequences for property owners, residents, and businesses of the 400 block of Wyandotte Street. Residents had difficulty carrying groceries, moving furniture and transporting items. Pedestrians and residents had to walk the sidewalk with no safety barrier. Property owners have had difficulty maintaining properties because workmen cannot unload materials. There have been studies to show that a thriving neighborhood must have a buffer zone. Ms. Popichak pointed out that some businesses went out of business, and that in one year her tenant had to leave as they were unable to attract customers. Ms. Popichak remarked it is easy to say that there is more traffic but unless there is a study to show this she is not sure about it. Ms. Popichak observed that the line of traffic heading north is almost always only one lane next to the curb and she has photos to share with Council. Ms. Popichak asserted that the turning lanes are rarely used, and added that if someone uses the northbound lane trying to turn into McDonalds one has to wait for the traffic which is heading south. Over the years she has not seen a difference in the number of cars, there are peak times, and then times when there are no cars. Ms. Popichak said when they had the parking lane there was no complaint about the

parking being an impediment to traffic, and it is only because McDonald's wanted the turning lane that the parking was removed. Ms. Popichak recalled that there were two lanes of parking when she bought her property, on the west side and on the east side. Ms. Popichak informed the assembly that they had been assured by Tony Hanna, then Director of Community and Economic Development, that the east side of parking would never be removed. Ms. Popichak added they have their own history of statements and assurances given. She pointed out that after numerous studies the City recognized the need to return the parking lane, and in May 2008 a Resolution was voted on 5-2 in favor of returning the parking lane. Business owners, residents and property owners were relieved. However, it was suggested that implementation would occur with a new plan to change the traffic pattern to one way streets. Ms. Popichak stated that PennDot would also have to review and approve the change which they did. Ms. Popichak highlighted the fact that property owners participated in façade improvements thanks to the City's Façade Loan Program. The old Palace Row Historic block still has most of the original details. Ms. Popichak noted that they waited and it was advised that McDonald's would oppose the change. The City examined the legal implications and a letter was sent by City Solicitor John Spirk to Attorney Durso stating that the City would defend its decision to return the parking. Ms. Popichak pointed out that in August the landlord of the City's parking lot at 4<sup>th</sup> and Wyandotte Streets requested a variance to allow and to use existing spaces for his proposed restaurant claiming that the City had "exacerbated the parking situation by removing on street parking to make room for a passing lane." This was granted in September 2011 and that put more pressure on those in the block needing parking spaces. Ms. Popichak continued on to related that in a memorandum dated September 30, 2011, Joseph Kelly, Director of Community and Economic Development, wrote to President Donchez that the Administration remains committed to completing the Wyandotte Street 400 block improvements project but cannot move any further until Council acts. Ms. Popichak pointed out that people find themselves here again hoping to see this block revived and become a thriving neighborhood. Every past City Administration that she can think of has called this block the gateway to the City of Bethlehem yet so many actions have not supported an attractive and appealing entrance to the City. Ms. Popichak stressed that City Council has the ability to right the wrong that occurred 9 years ago and take it even further by concentrating on the potential of the area.

Andrew Popichak, 1032 Main Street, related that he is co-owner of 417 Wyandotte Street. Mr. Popichak stated that he and his wife bought the property in 1986 and it was run down. They bought it to house the Bethlehem Co-op at the time. It was fixed up at the members' expense and their personal expense. The Co-op suffered in that location and after 8 years they had to close after suffering a fire next to them at 415 Wyandotte and 417 Wyandotte. Informing the Members that they renovated the building for a new tenant, Mr. Popichak advised at that point parking was removed from the west side and Mr. Hanna personally stated that they would never take the parking away from the east side of the street. The parking was then removed from the east side to accommodate McDonald's and after that their tenant left. The storefront was vacant for about 2 years. Mr. Popichak mentioned that he wrote to the Mayor and noted that the property along Wyandotte Street was diminished in value. Mr. Popichak continued to say that they renovated to accommodate another tenant. They thought the one way pairs traffic pattern would be implemented that would be a positive thing, but it was rejected and he does not understand why. They then renovated for another tenant similar to the one there now, and they borrowed significant money from the City to complete the rehab of the façade. Pointing out the statement was made that when McDonald's was built there was some compensatory parking in the 300 block of Wyandotte Street, Mr. Popichak said he would like someone to show him that parking. The parking on the corner where the Globe Theatre used to be was there before McDonald's and there have been no additional spaces added. Now much of that parking will be taken back by the owner of that lot, since the City only leases the lot from them. Mr. Popichak remarked that without restoring the parking on the east side of Wyandotte Street it would cause even more grief for the people who are property owners and tenants who live on that block. Stressing it is a question of fairness, Mr. Popichak felt that the parking needs to be put back to have a viable economic incentive for people to invest in that side of the street.

William Zuccarello, 801 Lakeview Drive, Blue Bell, with the McDonald's Corporation, advised they developed the site for McDonald's with the City of Bethlehem in 1999-2001. One of the approvals they received was to have the left turn lane into the site off Wyandotte Street. He advised that one of the things the McDonald's Corporation looks for is access to and from and on and off the site, so with obtaining the left turn lane they proceeded with developing the site. The chances are that if they did not have the left turn lane they probably would have passed on the site and not developed it. Mr. Zuccarello pointed out that they did spend a good amount of money developing the site and much time working with the City in 1999-2000. Mr. Zuccarello said if the left turn lane is eliminated, parking is put back on the street, and through traffic is in the one lane,

many of the customers who are accustomed to the left turn into their site will still try to make the left turn and cause accidents. Turning to the comment made earlier about a buffer with having parking on the street, Mr. Zuccarello said it will be meter parking so there will not be a permanent buffer in this area. Mr. Zuccarello expressed they are asking that Council reconsider the Resolution.

*Funeral Processions – Fee*

Mike Long, 500 Linden Street, owner of the Long Funeral Home, said in his over 30 years of experience in the funeral service he cannot remember a single time that there has been an incident involving an accident in a funeral procession. Mr. Long stated that leads him to commend the City of Bethlehem Police Department for the excellent job they do in providing funeral escorts. In considering the implementation of the fee to escort funerals, Mr. Long felt it will have one significant result and that is funerals will be far and away less likely to be escorted by the Police due to the expense of the cost of the fee. Mr. Long expressed this will result in less safe funeral processions, will cause a less safe environment in the streets, and also will provide a limited amount of revenue to the City, and he recommended against it.

*Wyandotte Street – Left Turn Lane Elimination*

Reinaldo Valentin, 2213 Linden Street, owner of NewVox Art Gallery, 425 Wyandotte Street, informed the assembly he has been there for 7 months, and is sharing a space with Kalat Carpet Gallery. Mr. Valentin noted that he grew up in Bethlehem so there is a history for him. His experience in this location is part of that history also and he thinks that this block of Wyandotte Street has been overlooked for years. He has seen many changes in the community for the last 20 years. Mr. Valentin related that the perception of this street is that at night you can get mugged or drive by and not find a parking spot. It was said that there is plenty of parking off of the side but many of the residents use that parking. Mr. Valentin believed that a change can be made in this community. Highlighting the fact that in the past year his business has opened and there are other businesses opening up, Mr. Valentin said just think of what can happen if there is parking for their customers. He added that McDonald's does provide a service for the community and they do provide jobs. Communicating that people drive through this area and see it is run down, Mr. Valentin remarked why not put the best foot forward and bring back the parking so they will then have customers in their stores, and the incentive to keep their buildings in good shape.

*Funeral Processions - Fee*

Stephen Antalics, 737 Ridge Street, related that his family comes from Slovenia and came for the first time to Bethlehem in 1911. His father, mother, brother and sisters all were buried in Bethlehem and escorted by the police with no charge. Mr. Antalics queried when he passes away and that time comes will he be deprived of that privilege his family had in being escorted by the police at no charge. If Council decides to pass the funeral procession fee, Mr. Antalics asked can he be exempt with his history from that charge. If not, then he will have to be required to redo his will and say in his will to be guaranteed that he has a procession followed by a police escort as his family has enjoyed over the last century saying take out of his will the fee for the procession rather than depriving his children of this. Mr. Antalics asked Council to act accordingly and to be wise.

*2012 Budget*

Dana Grubb, 2420 Henderson Place, referring to the Budget hearings, remarked that City officials have not been guessing well for the past 4 or 5 years. Mr. Grubb said that budgeting is usually accomplished by adjusting revenues to support expenditures. Expressing his opinion that the 2012 Budget is no different, Mr. Grubb enumerated that Real Estate taxes current and prior are up \$1.2 million, Earned Income taxes are up a quarter of a million, Mercantile tax is up \$75,000, the Suburban Stake Holders Agreement is back in the Budget for the third time at \$303,000 plus, and the Bethlehem Parking Authority will contribute \$300,000. Mr. Grubb wondered if the economy will be blamed again if these predictions are not met. Mr. Grubb referred to a December 16 memo from the City Controller in which it was learned that the 2011 cost for Musikfest was nearly \$72,000 above the agreed upon reimbursement amount which was \$110,000 plus. He said the Mayor has approved payment of this amount in 9 monthly payments that began in November, it will not be paid back to the taxpayers until July of 2012, and any interest accrued for past due payments has been waived. Mr. Grubb questioned where that kind of a break is for the property tax payers in Bethlehem. Mr. Grubb stressed all they are getting in the 2012 Budget is a Fire Station closed, 7 Police Officers cut, 2 Inspectors cut, poorly maintained parks, and basic City services that are nowhere near the quality that a life time City resident would remember. He added now there will be

a \$150 funeral escort fee, and continuation of the so called Dedicated Tax that sat in a City account and was never spent. Mr. Grubb thought that in retrospect it would have been better to leave it in the pockets of the people who actually would know what to do with it, the taxpayers. Mr. Grubb asserted that most residents who come to meetings because they have taken issue with something are met with blank looks, are stymied by political relationships, or subjected to personal political agendas. To make matters worse, Mr. Grubb said only one person has real world experience on budgets, the size of which dwarf the City's budget, and that person's advice is usually ignored. Mr. Grubb related a comparison of Bethlehem to another City with a population of 59,322, high unemployment, no Casino, and has not raised Real Estate Taxes in two years. Like Bethlehem, it is raising Sewer and Water rates, but unlike Bethlehem it has budgeted \$2.2 million out of its \$46 million 2012 budget to be added to its \$7.57 million reserve. Mr. Grubb, informing the assembly the historic City is Lancaster, remarked what a difference responsible fiscal management can make.

*Wyandotte Street – Left Turn Lane Elimination*

George Santana, 419 and 421 Wyandotte Street, said he is at the Meeting representing his family that includes Roberto Santana who owns a tax business at 419 Wyandotte and also owns 431 and 433 Wyandotte. Mr. Santana, referring to the conversations about the possible impact on jobs that removal of the left turn lane will have, said he can speak to this because his mother had a small thriving flower shop business when the parking was in place. While the parking was there she was able to purchase her supplies from local suppliers and was able to hire 4 people to work with her. In the second year of her business, the decision came about to remove the parking for McDonald's. Mr. Santana highlighted the fact that the action wiped her business out, and within a month of the parking being gone she had to shut down her business. Mr. Santana pointed out that his mother's dream was gone. She tried for another two years to conduct the business out of her home but it never worked out. Acknowledging that small businesses do fail, Mr. Santana said maybe she would have failed anyway. However, Mr. Santana said the point is that Bethlehem has a chance to send a statement to future small businesses by making that block of Wyandotte Street friendlier, safer, and pedestrian friendly. Mr. Santana asked Council to help businesses and entrepreneurs that are trying to make that block a part of the culture of the City of Bethlehem by restoring the parking. Mr. Santana added that with increased pedestrian traffic it will also have an impact on McDonald's that will get more pedestrian traffic. Mr. Santana communicated it is more important that Council think of what the future of the South Side would look like and what we want our City to be.

Eddie Rodriguez, 701 Main Street, said he is in favor of both sides but it will not work. He respects that McDonald's has a business in this area but he has been talking about the left turn lane for a long time. Mr. Rodriguez asserted that business in this area has decreased and there is an on going presence of drug activity that does not allow people to walk safely through the neighborhood. Mr. Rodriguez asked for a continual presence of Police on the corner of 4<sup>th</sup> and Wyandotte Streets to clean it up. Mr. Rodriguez said he has seen numerous accidents on Wyandotte Street because traffic is too fast. Mr. Rodriguez asked that, if parking is put back on Wyandotte Street, there be one hour meter parking only enforced by the Parking Authority and no double parking. Mr. Rodriguez commented it would be nice to get these business owners a chance to flourish. Mr. Rodriguez added that he has seen decreased traffic at the left turn lane so it should not impact McDonald's all that much.

*Funeral Processions – Fee*

Antonio Simao, 1135 E. 3<sup>rd</sup> Street, remarked that on July 20 his father passed away from brain cancer suddenly, and the funeral had to be organized in a short amount of time. They used Mr. Connell's establishment for the funeral and with all of the questions asked there is always the thought of how much it will cost. He related that his father's stay in the hospital ICU for a week and a half cost \$250,000 and he did not have insurance so that burden was on his mother's mind. Mr. Simao stressed if there was a \$150 charge for a Police escort at the funeral his family would have most likely opted out. The funeral was large and it took a long time for people to arrive at Holy Savior Cemetery. Before they got to the cemetery, he saw a Bethlehem Police Officer helping his family and friends cross the street. Communicating that seeing this helped him, Mr. Simao explained when the City looks at charging a fee for a service that has been given to the residents of the City he hopes his story is taken into consideration. Mr. Simao stated that, at the end of the day, it is just not a service but it is also the face of the City.

*Wyandotte Street – Left Turn Lane Elimination*

Tom Budinetz, 535 E. Federal Street, Salisbury Township, noted he is a contractor who worked years ago on the 400 block of Wyandotte Street when there was parking on both sides of the street. There was no problem with unloading tools and materials. However, this fall he did a fire and water damage repair project on that block and now there is no parking on either side of the street and the closest place to park was the small lot on the corner. He added that at times the lot looked filled and one day the lot was closed so he had to park a few blocks away and carry everything he needed to the site. He checked about getting a parking permit for that lot with the Parking Authority and they stated that there were no more available for that lot. Mr. Budinetz recommended restoring the parking on this block.

6. OLD BUSINESS.

A. *Old Business – Members of Council*

None.

B. *Tabled Items*

None.

C. *Unfinished Business*

None.

7. COMMUNICATIONS

A. *City Solicitor – Amendment to Lease Agreement – Starters Golf, LLC – Golf Course Clubhouse Restaurant*

The Clerk read a memorandum dated December 15, 2011 from John F. Spirk, Jr., Esq., City Solicitor, to which was attached a proposed Resolution and associated Amendment to the Lease Agreement between Starters Golf, LLC and the City of Bethlehem for the Golf Course Clubhouse Restaurant.

President Donchez stated that Resolution 11 I will be added to the Agenda this evening.

B. *Special Council Committee – Amendments to Rules of Council – Elections – President and Vice President of Council*

The Clerk read a memorandum dated December 15, 2011 from Karen Dolan, Chairwoman of Special Council Committee, regarding the proposed Amendments to the Rules of Council recommended by the Special Council Committee at its Meetings on October 26 and November 30, 2011 on the subject of Rules of Council – Revisions, and Nominations and Elections – Procedures. Christopher Spadoni, City Council Solicitor, had advised that the Third Class City Code and Pennsylvania Sunshine Law mandate every vote of City Council to be public and recorded by the City Clerk. Accordingly, the Election of the President and the Vice President of Council must be by Roll Call. The applicable paragraph of the Resolution with proposed Amendments to the Rules of Council recommended by the Special Council Committee has been revised for consideration.

President Donchez stated that Resolution 11 E is listed on this evening's Agenda.

C. *Director of Budget and Finance – Guaranteed Energy Savings Project*

President Donchez stated that a memo was received from Attorney Spadoni advising that City Council does not need to vote on the matter of the Guaranteed Energy Savings Project about which City Council was informed by the Administration.

8. REPORTS

A. *President of Council*

None.

B. Mayor

1. Administrative Order – Deirdre Sumpter – Sister City Commission

Mayor Callahan reappointed Deirdre Sumpter, to membership on the Sister City Commission, effective through December 2014. Mr. Evans and Mrs. Belinski sponsored Resolution 2011-209 to confirm the appointment.

Voting AYE: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. The Resolution passed.

9. ORDINANCES FOR FINAL PASSAGE

A. Bill No. 25 – 2011 – Adopting the 2012 General Fund Budget

The Clerk read Bill No. 25 – 2011 – Adopting the 2012 General Fund Budget, on Final Reading.

*Amendment Bill No. 25 - 2011*

Mr. Reynolds and Mr. Evans sponsored the following Amendment:

That SECTION 2 which reads as follows:

SECTION 2. Appropriations in the sum of [Sixty-Six Million, Seven Hundred Twenty-Five Thousand (\$66,725,000)] Dollars are hereby made from the General Fund as follows:

To the Council:

Personal Services	\$ 195,983
Materials and Supplies	0
Purchase of Services	[82,855]
Equipment	<u>[2,137,000]</u>
TOTAL	[\$ 2,415,838]

To the Mayor:

Personal Services	\$ 183,646
Materials and Supplies	2,300
Purchase of Services	[4,150]
Equipment	<u>0</u>
TOTAL	[\$ 190,096]

To the Controller:

Personal Services	\$ 169,488
Materials and Supplies	[500]
Purchase of Services	5,500
Equipment	<u>0</u>
TOTAL	[\$ 175,488]

To the Treasurer:

Personal Services	\$ 1,300
Materials and Supplies	0
Purchase of Services	0
Equipment	<u>0</u>
TOTAL	\$ 1,300

To the Bureau of Law:

Personal Services	\$ 252,061
Materials and Supplies	0
Purchase of Services	[7,500]
Equipment	<u>0</u>
TOTAL	[\$ 259,561]

To the Department of Administration:	
Personal Services	\$1,415,682
Materials and Supplies	87,700
Purchase of Services	[308,425]
Equipment	<u>28,750</u>
TOTAL	[\$1,840,557]
To the Department of Community and Economic Development:	
Personal Services	[\$2,957,986]
Materials and Supplies	[138,835]
Purchase of Services	[2,100,333]
Equipment	<u>0</u>
TOTAL	[\$5,197,154]
To the Department of Parks and Public Property:	
Personal Services	[\$2,681,962]
Materials and Supplies	[203,550]
Purchase of Services	[904,115]
Equipment	<u>4,000</u>
TOTAL	[\$3,793,627]
To the Department of Public Works:	
Personal Services	[\$3,256,015]
Materials and Supplies	[349,618]
Purchase of Services	[2,367,835]
Equipment	<u>50,616</u>
TOTAL	[\$6,024,084]
To the Department of Police:	
Personal Services	[\$11,620,534]
Materials and Supplies	[517,900]
Purchase of Services	669,743
Equipment	<u>215,121</u>
TOTAL	[\$13,023,298]
To the Department of Fire:	
Personal Services	[\$9,206,050]
Materials and Supplies	[337,158]
Purchase of Services	211,405
Equipment	<u>44,800</u>
TOTAL	[\$ 9,799,413]
To General and Civic Expenses:	
Office Supplies, Postage, Equipment Maintenance, Communications, Occupational Ed. Program, and Continuous Improvement	\$ 271,000
Insurance, Social Security, Unemployment Comp., Workers Comp., Pensions, Accumulated Sick Leave, Heart and Lung Act, Trust Payments, Defined Contribution Plan Match	\$14,914,396
Landfill Transfer	\$ 884,246
Refunds and Prior Year's Encumbrances	\$ 80,000
Unforeseen Contingencies, Professional Services Expenses	[\$ 224,131]

Memorial Day Decorations, Fourth of July Celebration, Halloween Parade, Music Fund	\$ 69,030
U.S. Conference of Mayors	\$ 5,440
PA League of Cities Dues, Fine Arts Commission, Sister City	\$ 38,800
Library	\$1,277,000
Debt Service	<u>\$ 6,240,541</u>
TOTAL	[ <del>\$24,004,584</del> ]

Shall be amended to read:

SECTION 2. Appropriations in the sum of **Sixty-Five Million, Six Hundred Seventy-Five Thousand (\$65,675,000)** Dollars are hereby made from the General Fund as follows:

To the Council:

Personal Services	\$ 195,983
Materials and Supplies	0
Purchase of Services	<b>82,555</b>
Equipment	<u>2,000</u>
TOTAL	<b>\$ 280,538</b>

To the Mayor:

Personal Services	\$ 183,646
Materials and Supplies	2,300
Purchase of Services	<b>4,000</b>
Equipment	<u>0</u>
TOTAL	<b>\$ 189,946</b>

To the Controller:

Personal Services	\$ 169,488
Materials and Supplies	<b>400</b>
Purchase of Services	5,500
Equipment	<u>0</u>
TOTAL	<b>\$ 175,388</b>

To the Treasurer:

Personal Services	\$ 1,300
Materials and Supplies	0
Purchase of Services	0
Equipment	<u>0</u>
TOTAL	<b>\$ 1,300</b>

To the Bureau of Law:

Personal Services	\$ 252,061
Materials and Supplies	0
Purchase of Services	<b>7,250</b>
Equipment	<u>0</u>
TOTAL	<b>\$ 259,311</b>

To the Department of Administration:

Personal Services	\$1,415,682
Materials and Supplies	87,700
Purchase of Services	<b>306,425</b>
Equipment	<u>28,750</u>

TOTAL	\$1,838,557
To the Department of Community and Economic Development:	
Personal Services	\$3,023,986
Materials and Supplies	132,735
Purchase of Services	2,029,963
Equipment	<u>0</u>
TOTAL	\$5,186,684
To the Department of Parks and Public Property:	
Personal Services	\$2,677,962
Materials and Supplies	203,050
Purchase of Services	903,115
Equipment	<u>4,000</u>
TOTAL	\$3,788,127
To the Department of Public Works:	
Personal Services	\$3,253,815
Materials and Supplies	348,108
Purchase of Services	2,366,835
Equipment	<u>50,616</u>
TOTAL	\$6,019,374
To the Department of Police:	
Personal Services	\$11,619,034
Materials and Supplies	517,500
Purchase of Services	669,743
Equipment	<u>215,121</u>
TOTAL	\$13,021,398
To the Department of Fire:	
Personal Services	\$9,202,050
Materials and Supplies	335,658
Purchase of Services	211,405
Equipment	<u>44,800</u>
TOTAL	\$ 9,793,913
To General and Civic Expenses:	
Office Supplies, Postage, Equipment Maintenance, Communications, Occupational Ed. Program, and Continuous Improvement	\$ 271,000
Insurance, Social Security, Unemployment Comp., Workers Comp., Pensions, Accumulated Sick Leave, Heart and Lung Act, Trust Payments, Defined Contribution Plan Match	\$14,914,396
Landfill Transfer	\$ 884,246
<b>Transfer to Non-Utility</b>	<b>\$1,085,000</b>
Refunds and Prior Year's Encumbrances	\$ 80,000
Unforeseen Contingencies, Professional Services Expenses	\$ 255,011
Memorial Day Decorations, Fourth of July Celebration, Halloween Parade, Music Fund	\$ 69,030
U.S. Conference of Mayors	\$ 5,440

PA League of Cities Dues, Fine Arts Commission, Sister City	\$ 38,800
Library	\$1,277,000
Debt Service	<u>\$ 6,240,541</u>
TOTAL	<b>\$25,120,464</b>

Voting AYE on the Amendment: Mrs. Belinski, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 6. Voting NAY: Mr. DiGiacinto, 1. The Amendment passed.

Voting AYE on Bill No. 25, as Amended: Mrs. Belinski, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 6. Voting NAY: Mr. DiGiacinto, 1. Bill No. 25 - 2011, hereafter to be known as Ordinance 2011-26 was declared adopted.

*B. Bill No. 26 – 2011 – Adopting the 2012 Water Fund Budget*

The Clerk read Bill No. 26 – 2011 – Adopting the 2012 Water Fund Budget, on Final Reading.

*Amendment to Bill No. 26 - 2011*

Mr. Reynolds and Mr. Evans sponsored the following Amendment:

That SECTION 1 which reads as follows:

SECTION 1. Appropriations in the sum of [Nineteen Million, Seven Hundred Sixty-Five Thousand (\$19,765,000)] Dollars are hereby made from the Water Fund as follows:

To the Department of Water/Sewer Resources:

Water Fund:

Personal Services	[\$ 4,108,383]
Materials and Supplies	[540,940]
Purchase of Services	[15,115,677]
Equipment	<u>0</u>

TOTAL [ \$19,765,000 ]

Shall be amended to read:

SECTION 1. Appropriations in the sum of **Nineteen Million, Six Hundred Ninety-Two Thousand, Seven Hundred Fifty (\$19,692,750)** Dollars are hereby made from the Water Fund as follows:

To the Department of Water/Sewer Resources:

Water Fund:

Personal Services	\$ 4,106,383
Materials and Supplies	540,690
Purchase of Services	15,045,677
Equipment	<u>0</u>

TOTAL \$19,692,750

Voting AYE on the Amendment: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. The Amendment passed.

Voting AYE on Bill No. 26, as Amended: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. Bill No. 26 - 2011, hereafter to be known as Ordinance 2011-27 was declared adopted.

*C. Bill No. 27 – 2011 – Adopting the 2012 Sewer Fund Budget*

The Clerk read Bill No. 27 – 2011 – Adopting the 2012 Sewer Fund Budget, on Final Reading.

Voting AYE: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. Bill No. 27 - 2011, hereafter to be known as Ordinance 2011-28 was declared adopted.

*D. Bill No. 28 – 2011 – Adopting the 2012 Golf Course Enterprise Fund Budget*

The Clerk read Bill No. 28 – 2011 – Adopting the 2012 Golf Course Enterprise Fund Budget, sponsored by Mr. Reynolds and Mr. Evans on Final Reading.

*Amendment to Bill No. 28 - 2011*

Mr. Reynolds and Mr. Evans sponsored the following Amendment:

That SECTION 1 which reads as follows:

SECTION 1. Appropriations in the sum of [One Million, Five Hundred Seventy-Two Thousand (\$1,572,000)] Dollars are hereby made from the Golf Course Enterprise Fund as follows:

Golf Course Enterprise Fund:	
Personal Services	\$ 584,057
Materials and Supplies	[176,010]
Purchase of Services	791,933
Equipment	<u>20,000</u>
TOTAL	[\$1,572,000]

Shall be amended to read:

SECTION 1. Appropriations in the sum of **One Million, Five Hundred Sixty-Nine Thousand, Five Hundred (\$1,569,500)** Dollars are hereby made from the Golf Course Enterprise Fund as follows:

Golf Course Enterprise Fund:	
Personal Services	\$ 584,057
Materials and Supplies	<b>173,510</b>
Purchase of Services	791,933
Equipment	<u>20,000</u>
TOTAL	<b>\$1,569,500</b>

Voting AYE on the Amendment: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. The Amendment passed.

Voting AYE on Bill No. 28, as Amended: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. Bill No. 28 - 2011, hereafter to be known as Ordinance 2011-29 was declared adopted.

*E. Bill No. 29 – 2011 – Adopting the 2012 Liquid Fuels Fund Budget*

The Clerk read Bill No. 29 – 2011 – Adopting the 2012 Liquid Fuels Fund Budget, on Final Reading.

Voting AYE: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. Bill No. 29 - 2011, hereafter to be known as Ordinance 2011-30 was declared adopted.

*F. Bill No. 30 – 2011 – Adopting the 2012 Capital Budget for Non-Utilities*

The Clerk read Bill No. 30 – 2011 – Adopting the 2012 Capital Budget for Non-Utilities, on Final Reading.

*Amendment to Bill No. 30 – 2011*

Mr. Evans and Mr. Reynolds sponsored the following Amendment:

That SECTION 2 which reads as follows:

SECTION 2. Appropriations in the sum of [Eight Million, Six Hundred Five Thousand, Forty-Seven (\$8,605,047)] Dollars are hereby made from the sources indicated in Section 3 hereof as follows:

<b>Public Safety</b>	
Ambulance Replacement Plan	121,109
Replace Emergency Response Vehicle	115,000
Fire House Improvements	<u>66,386</u>
<b>Total Public Safety</b>	<u>[302,495]</u>
<b>Total Non-Utility Capital (Net Other</b>	<u><u>[8,605,047]</u></u>

Shall be amended to read:

SECTION 2. Appropriations in the sum of **Ten Million, Seven Hundred Forty Thousand, Forty-Seven (\$10,740,047)** Dollars are hereby made from the sources indicated in Section 3 hereof as follows:

Public Safety	
<b>Fire Apparatus Replacement Plan</b>	<b>250,000</b>
<b>EMS &amp; Fire House Renovations</b>	<b>615,057</b>
<b>9-1-1 Console Upgrade</b>	<b>1,269,943</b>
Ambulance Replacement Plan	121,109
Replace Emergency Response Vehicle	115,000
Fire House Improvements	<u>66,386</u>
<b>Total Public Safety</b>	<b>2,437,495</b>
<b>Total Non-Utility Capital (Net Other Funds)</b>	<b>10,740,047</b>

That SECTION 3 which reads as follows:

SECTION 3. The expenditures listed in Section 2 hereof shall be made from the following sources:

2011 Bond	\$ 1,500,341
2008 Note	779,345
2007 Bond	114,673
Federal & PA Grants	4,920,186
Cash/Misc.	<u>1,290,502</u>
TOTAL	[\$ 8,605,047]

Shall be amended to read:

SECTION 3. The expenditures listed in Section 2 hereof shall be made from the following sources:

<b>Dedicated Tax</b>	<b>\$ 2,135,000</b>
2011 Bond	\$ 1,500,341
2008 Note	779,345
2007 Bond	114,673
Federal & PA Grants	4,920,186
Cash/Misc.	<u>1,290,502</u>
TOTAL	<b>\$ 10,740,047</b>

Voting AYE on the Amendment: Mrs. Belinski, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 6. Voting NAY: Mr. DiGiacinto, 1. The Amendment passed.

Voting AYE Bill 30, as Amended: Mrs. Belinski, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 6. Voting NAY: Mr. DiGiacinto, 1. Bill No. 30 - 2011, hereafter to be known as Ordinance 2011-31 was declared adopted.

G. *Bill No. 31 – 2011 – Adopting the 2012 Capital Budget for Water Utilities*

The Clerk read Bill No. 31 – 2011, Adopting the 2012 Capital Budget for Water Utilities, on Final Reading.

Voting AYE: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. Bill No. 31 - 2011, hereafter to be known as Ordinance 2011-32 was declared adopted.

H. *Bill No. 32 – 2011 – Adopting the 2012 Capital Budget for Sewer Utilities*

The Clerk read Bill No. 32 – 2011 – Adopting the 2012 Capital Budget for Sewer Utilities, on Final Reading.

Voting AYE: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. Bill No. 32 - 2011, hereafter to be known as Ordinance 2011-33 was declared adopted.

I. *Bill No. 33 – 2011 – Adopting the 2012 Community Development Budget*

The Clerk read Bill No. 33 – 2011 – Adopting the 2012 Community Development Budget, on Final Reading.

Voting AYE: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. Bill No. 33 - 2011, hereafter to be known as Ordinance 2011-34 was declared adopted.

J. *Bill No. 34 – 2011 – Adopting the 2012 9-1-1 Fund Budget*

The Clerk read Bill No. 34 – 2011 – Adopting the 2012 9-1-1 Fund Budget, on Final Reading.

Voting AYE: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. Bill No. 34 - 2011, hereafter to be known as Ordinance 2011-35 was declared adopted.

K. *Bill No. 35 – 2011 – Fixing the 2012 Tax Rate for All City Purposes*

The Clerk read Bill No. 35 – 2011 – Fixing the 2012 Tax Rate for All City Purposes, on Final Reading.

Voting AYE: Mrs. Belinski, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 6. Voting NAY: Mr. DiGiacinto, 1. Bill No. 35 - 2011, hereafter to be known as Ordinance 2011-36 was declared adopted.

L. *Bill No. 36 – 2011 – Firemen's Pension Fund – Compliance with Pension Funding Equity Act of 2004, Pension Protection Act of 2006, and Final Regulations Issued under Internal Revenue Code Section 415*

The Clerk read Bill No. 36 – 2011 – Firemen's Pension Fund – Compliance with Pension Funding Equity Act of 2004, Pension Protection Act of 2006, and Final Regulations Issued under Internal Revenue Code Section 415, on Final Reading.

Voting AYE: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. Bill No. 36 - 2011, hereafter to be known as Ordinance 2011-37 was declared adopted.

M. *Bill No. 37 – 2011 – Police Pension Fund – Compliance with Pension Funding Equity Act of 2004, Pension Protection Act of 2006, Final Regulations Issued under Internal Revenue Code Section 415, and Heroes Earnings Assistance and Relief Tax Act of 2008 (HEART)*

The Clerk read Bill No. 37 – 2011 - Police Pension Fund – Compliance with Pension Funding Equity Act of 2004, Pension Protection Act of 2006, Final Regulations Issued under Internal Revenue Code Section 415, and Heroes Earnings Assistance and Relief Tax Act of 2008 (HEART), on Final Reading.

Voting AYE: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. Bill No. 37 - 2011, hereafter to be known as Ordinance 2011-38 was declared adopted.

N. *Bill No. 38 – 2011 – Officers’ and Employees’ Retirement and Pension System – Compliance with Pension Fund Equity Act of 2004, Pension Protection Act of 2006, and Final Regulations Issued under Internal Revenue Code Section 415*

The Clerk read Bill No. 38 – 2011 - Officers’ and Employees’ Retirement and Pension System – Compliance with Pension Fund Equity Act of 2004, Pension Protection Act of 2006, and Final Regulations Issued under Internal Revenue Code Section 415, on Final Reading.

Voting AYE: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. Bill No. 38 - 2011, hereafter to be known as Ordinance 2011-39 was declared adopted.

O. *Bill No. 39 – 2011 – Amending Article 521 – Funeral Processions – Fees*

The Clerk read Bill No. 39 – 2011 – Amending Article 521 –Funeral Processions – Fees, sponsored by Mr. DiGiacinto and Mr. Mowrer, on Final Reading.

President Donchez affirmed to Ms. Dolan that the Ordinance establishes that there will be a fee, and Resolution 11 A sets the specific dollar amount for the fee.

Ms. Dolan, commenting that to many people this is a sensitive issue, observed that people see a Police escort as being a sign of respect from the City, and a display of the City’s compassion and caring. Ms. Dolan observed that people question how can the City take this away, and to them it is an emotional, spiritual, and symbolic matter. Ms. Dolan pointed out that City officials try to focus on what is it that the City is supposed to do. Noting that the City and its Police Officers are in the business of compassion and caring, Ms. Dolan shared a story of what occurred when she needed life or death care at her home and a Police Officer was the first person to arrive. Emphasizing that the Officer was so compassionate and caring as was the EMS staff, Ms. Dolan explained she was told it was the care she received from the City’s professionals that was the reason she was alive. Reciting several City services provided to citizens that reflect compassion and caring, Ms. Dolan stated, however, that providing a Police escort for a funeral service is not a City function. Ms. Dolan communicated that some of that cost should be taken on by the family as opposed to being considered a taxpayer expense. Ms. Dolan asserted that the City needs to do more with less and to do more of what it does best. Ms. Dolan continued on to say Police Officers are needed to prevent crime, and help people in need.

Voting AYE: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. Bill No. 39 - 2011, hereafter to be known as Ordinance 2011-40 was declared adopted.

P. *Bill No. 40 – 2011 – Establishing Article 1501 – Fire Safety and Code Enforcement Inspection Fees*

The Clerk read Bill No. 40 – 2011 – Establishing Article 1501 – Fire Safety and Code Enforcement Inspection Fees, on Final Reading.

Voting AYE: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. Bill No. 40 - 2011, hereafter to be known as Ordinance 2011-41 was declared adopted.

## 10. NEW ORDINANCES

A. *Bill No. 41 – 2011 – Amending Ordinance 2010-49 – Tax Millage – Purpose*

The Clerk read Bill No. 41 – 2011 – Amending Ordinance 2010-49 – Tax Millage – Purpose, sponsored by Mr. Evans and Mr. Reynolds, and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
ORDINANCE 2010-49.

Voting AYE: Mrs. Belinski, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 6. Voting NAY: Mr. DiGiacinto, 1. Bill No. 41 - 2011, was declared passed on First Reading.

B. *Bill No. 42 - 2011 - Amending Ordinance 2011-18 - Tax For Public Safety*

The Clerk read Bill No. 42 - 2011 - Amending Ordinance 2011-18 - Tax for Public Safety, sponsored by Mr. Evans and Mr. Reynolds, and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
ORDINANCE 2011-18.

Voting AYE: Mrs. Belinski, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 6. Voting NAY: Mr. DiGiacinto, 1. Bill No. 42 - 2011, was declared passed on First Reading.

11. RESOLUTIONS

A. *Establishing Funeral Processions Fees*

Mrs. Belinski and Mr. Reynolds sponsored Resolution 2011-210 that established a fee of \$150.00 for Police Escort of a Funeral or other Authorized Procession.

President Donchez, noting that he spoke in depth about this issue with Mr. Connell, of the Connell Funeral Home, said he personally does not have a problem with charging a fee but communicated his disagreement with the proposed amount of \$150. Acknowledging it is a service that the City provides, President Donchez expressed the hope that \$75 to \$100 rather than \$150 could be considered for this first time fee. President Donchez added that many people may waive the request for a Police funeral escort based on the proposed fee. President Donchez stated that, unless a Member of Council wants to make a motion to amend the fee, he will vote no on the Resolution.

Mr. Reynolds noted he has heard that some funeral homes already charge a fee on their individual bills for this service.

Jason Schiffer, Police Commissioner, said he has been told that it has shown up on individual itemized funeral home bills in amounts varying between \$100 and \$250 but he has not seen it personally.

Mr. Reynolds inquired what is the current charge that funeral homes have had to pay for associated with the service for a Police escort of a funeral procession.

Police Commissioner Schiffer replied zero.

Ms. Dolan asked whether the proposed \$150 fee will cover the service.

Police Commissioner Schiffer, responding probably not, advised it is not designed to and it was a measure he was interested in for the dedication of Police resources. Police Commissioner Schiffer stated that, as he had noted at the last Council Meeting, the fee was proposed based on fees charged throughout the country that ranged from \$150 to \$650. Police Commissioner Schiffer explained he reviewed the number of Police Officers, how long they spent to conduct the funeral escort, and their hourly rate. The hourly rate would be approximately \$100. In addition, motor cycles are used for the service that are in dire need of repair, plus fuel and maintenance costs, and replacement costs. Police Commissioner Schiffer communicated that, if the service is optional and there is no fee associated with it, then the service would probably be discontinued. Police Commissioner Schiffer stressed he wants the ability to assign Police Officers to do the job he believes is required. Focusing on decreasing crime rates and clearance rates, Police Commissioner Schiffer said he does not want to get into a situation of a City that does not provide what he believes are essential Police services. He denoted that a lot of surrounding cities will not even come to someone's house who is a victim of a burglary or theft. He stressed that the City of Bethlehem is far beyond that, and has a service oriented Police Department. Commissioner Schiffer believed this

is a very small item as far as a cutback in order to provide more traditional Police services such as responding to emergencies, accidents, investigating hit and runs, or emergency 9-1-1 medical calls.

Ms. Dolan recalled a time when her house was broken into and a Police officer came, and said she understands what Mr. Simao was talking about when something happens and a Police officer is there looking at you that has a very calming effect. She said in her case someone had broken a window, entered and stolen things from her house. She asked if in another community she would have had to go to the Police station. Commissioner Schiffer said that is correct. Ms. Dolan said to leave her house, go somewhere else and try to describe to someone there what happened would have been very different than having the Police Officer at her home dusting for fingerprints. It was a small crime but it was important to her and the Police Officer was doing what he does. She said that service made her feel very good and it made her feel safer. Ms. Dolan thought that the \$150 fee is so that people would think twice before asking for this service and it would cut down on the number of Police officers who are doing this service as opposed to being readily available to do Police work, in addition to the issues related to motorcycles mentioned earlier. Ms. Dolan thought that, considering how expensive funerals are, a \$150 fee if someone wanted the Police escort for the funeral procession would be something they would have to pay for and is fair.

Mr. Reynolds stated the implication is that the \$150 gets passed on to the family. Acknowledging that funerals often cost thousands of dollars, Mr. Reynolds thought there is always the possibility that by taking it off the table a funeral would cost a little bit less.

Voting AYE: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, 6. Voting NAY: Mr. Donchez, 1. The Resolution passed.

*B. Establishing Fire Safety and Code Enforcement Inspection Fees*

Mrs. Belinski and Mr. DiGiacinto sponsored Resolution 2011-211 that established the following fees in the Fire Department: Fee Schedule for Inspection of Commercial Structures and Premises (based on occupancy load) - Under 100 persons - \$25.00, 101 to 500 persons - \$50.00, 501 persons and above - \$100.00. All fees include one (1) inspection and one (1) re-inspection. All subsequent re-inspections shall be billed at the rate of \$75.00 per hour, one (1) hour minimum and billed in 1/4 hour increments thereafter.

Voting AYE: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. The Resolution passed.

*C. Approving Increase in Entry Level Fire Exam*

Mrs. Belinski and Mr. DiGiacinto sponsored Resolution 2011-212 that changed the following sentence in the Fire Civil Service Rules and Regulations contained within the Examinations Section that reads: "An examination fee of [\$25.00] must be paid by each individual in order to take the examination for position in the Fire Department of the City of Bethlehem", to read "An examination fee of \$50.00 must be paid by each individual in order to take the examination for a position in the Fire Department of the City of Bethlehem."

Voting AYE: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. The Resolution passed.

*D. Approving Increase in Entry Level Police Exam*

Mrs. Belinski and Mr. DiGiacinto sponsored Resolution 2011-213 that changed the following sentence in the Police Civil Service Rules and Regulations that reads: "All applicants will be charged a [twenty-five] dollar registration fee at the time of application" to read "All applicants will be charged a **fifty** dollar registration fee at the time of application."

Voting AYE: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. The Resolution passed.

*E. Amending Rules of Council - Special Council Committee*

Mr. Evans and Mrs. Dolan sponsored Resolution 2011-214 that amended the Rules of Council as follows:

That the following in Rule 3 A which reads as follows:

RULE 3. A. The order of business shall be as follows:

Invocation  
Pledge to the Flag  
Roll Call  
[ Minutes of previous meeting ]  
[ ~~Courtesy of the Floor (for public comment)~~ on Ordinances and Resolutions to be voted on  
this evening only - 5 Minute Time Limit.)  
Old Business  
Tabled Items  
Unfinished Business  
Communications  
Reports  
Ordinances for final passage  
New Ordinances  
Resolutions  
New Business  
[ ~~Courtesy of the Floor~~ ]  
Adjournment

shall be amended to read as follows:

RULE 3. A. The Invocation and Pledge to the Flag shall take place immediately  
prior to the start of business that shall begin with Roll Call.

The order of business shall be as follows:

Roll Call  
**Approval of Minutes**  
**Public Comment** (on Ordinances and Resolutions to be voted on this evening only - 5  
Minute Time Limit.)  
Old Business  
Tabled Items  
Unfinished Business  
Communications  
Reports  
Ordinances for final passage  
New Ordinances  
Resolutions  
New Business  
**Public Comment** (for public comment on any subject - 5 Minute Time Limit.)  
Adjournment

That Rule 3 B which reads as follows:

B. [ ~~Courtesy of the Floor~~ ] is extended for public comment as set forth in Rule 3 hereinabove  
but in no event shall one individual address Council during [ ~~Courtesy of the Floor~~ ] for a  
period of time in excess of five (5) minutes.  
(Resolution 14,485 - passed 10/5/2004; Resolution 14,751 - passed 12/6/2005)

shall be amended to read as follows:

B. **Public Comment** is extended as set forth in Rule 3 hereinabove but in no event shall one  
individual address Council during **Public Comment** for a period of time in excess of five (5)  
minutes.  
(Resolution 14,485 - passed 10/5/2004; Resolution 14,751 - passed 12/6/2005)

That Rule 3 C which reads as follows:

C. [ ~~Courtesy of the Floor~~ ] is extended for individuals to address [ ~~and in appropriate  
circumstances question~~ ] City officials on problems and issues of relevance to the operation  
of City government.

shall be amended to read as follows:

- C. **Public Comment** is extended for individuals to address **through the Chair** City officials on problems and issues of relevance to the operation of City government.

That Rule 3 D which reads as follows:

- D. [~~Courtesy of the Floor~~] will not be extended for personal insults or personal attacks on any individual, name calling or other behavior that is inconsistent with the purpose and intent of [~~Courtesy of the Floor~~]. (Resolution 11,908 - passed 9/7/93)

shall be amended to read as follows:

- D. **Public Comment** will not be extended for personal insults or personal attacks on any individual, name calling or other behavior that is inconsistent with the purpose and intent of **Public Comment**. (Resolution 11,908 - passed 9/7/93)

That Rule 6 E which reads as follows:

- E. [T] he vote taken upon every motion, Resolution or Ordinance shall be taken by roll call, and the yeas and nays shall be entered on the Minutes. [~~On the call of yeas and nays,~~ n] o Council Member shall be excused from voting unless a conflict of interest, as defined by The Ethics Act, Act 93 of 1998, exists or other provisions of law prevent the Council Member from such vote. The presiding officer shall vote last on all questions and may take part in debate without leaving the Chair. Each Ordinance or Resolution shall be introduced in written or typewritten form and will not be discussed until signed by the Mover and Second (Resolution 13,681 passed 10/16/01; Resolution 15,291 passed 4/1/08)

shall be amended to read as follows:

- E. **Except for approval of Minutes and Adjournment,** the vote taken upon every motion, Resolution or Ordinance shall be taken by roll call, and the yeas and nays shall be entered on the Minutes. **No** Council Member shall be excused from voting unless a conflict of interest, as defined by The Ethics Act, Act 93 of 1998, exists or other provisions of law prevent the Council Member from such vote. **At each regular City Council Meeting, Members of Council shall vote on a rotating alphabetical basis; i.e., starting with the name of the first Member of Council in alphabetical order at the first Meeting; starting with the name of the second Member of Council in alphabetical order at the second Meeting, and so on for each regular City Council Meeting, and returning to the name of the first Member of Council in alphabetical order when the rotating alphabetical basis is completed for the seven Members of Council, and continuing on a rotating alphabetical basis.** The presiding officer shall vote last on all questions and may take part in debate without leaving the Chair. Each Ordinance or Resolution shall be introduced in written or typewritten form and will not be discussed until signed by the Mover and Second (Resolution 13,681 passed 10/16/01; Resolution 15,291 passed 4/1/08)

That Rule 6 H which reads as follows:

- H. All Ordinances shall be adopted and published in the manner required by general law: Provided, however, that any Ordinance may incorporate by reference any standard technical regulations or code, official or unofficial, which need not be so published whenever [~~ten~~] cop[ies] of said regulations or code have been placed on file in the office of the City Clerk and in the office of the body or department charged with the enforcement of said Ordinance for the examination of the public so long as said Ordinance is in effect. (Resolution 13,807 - passed 5/7/2002)

shall be amended to read as follows:

- H. All Ordinances shall be adopted and published in the manner required by general law: Provided, however, that any Ordinance may incorporate by reference any standard technical regulations or code, official or unofficial, which need not be so published whenever **a copy** of said regulations or code have been placed on file in the office of the City Clerk **or** in the office of the body or department charged with the enforcement of said

Ordinance for the examination of the public so long as said Ordinance is in effect.  
(Resolution 13,807 - passed 5/7/2002)

That Rule 9 which reads as follows:

9. A motion to reconsider shall be entertained [ ~~only~~ ] at the next regular meeting following the one at which the vote was taken. No second motion to reconsider the same motion shall be entertained.

shall be amended to read as follows:

9. A motion to reconsider shall be entertained at the **current or** the next regular meeting following the one at which the vote was taken. No second motion to reconsider the same motion shall be entertained. **The purpose of reconsidering a vote is to permit correction of hasty, ill-advised, or erroneous action, or to take into account added information or a changed situation that has developed since the taking of the vote.**

That Rule 10 which reads as follows:

10. When a question is under consideration, no motion shall be entertained, except for:

- Adjournment
- Previous Question
- Lay on the table
- To postpone
- To commit
- To amend

These questions have preference in the order given. The first three must be decided without a debate. A motion to adjourn is always in order except when the main question has been ordered put, when a member has the floor, or during a call for the yeas and nays.

Motions for the previous questions, to postpone or commit, shall preclude amendment or debate upon the original subject. Motion to postpone shall preclude commitment.

**be deleted and the subsequent sections be renumbered.**

That Rule 11 which reads as follows:

The presiding officer at a meeting of Council will direct that a report or communication be received and that this action be noted on the minutes by the City Clerk. This shall not exclude the right of any Member of Council to move that a report or communication be referred to a committee or other appropriate body.

shall be amended to read as follows:

The presiding officer at a meeting of Council will direct that a report or communication be received and that this action be noted on the minutes by the City Clerk. This shall not exclude the right of any Member of Council to move that a report or communication be referred to a **Committee Chair** or other appropriate body.

That the following procedures for Nominations and Elections of the President and Vice President of Council be added to the Rules of Council, and numbered accordingly, to read as follows:

Nominations from the Floor - President of Council and Vice President of Council

The Members of Council shall nominate the President of Council and the Vice President of Council in accordance with Roberts Rules of Order - Nominations from the Floor - See Attachment 1. All candidates for the President and Vice President of Council shall be considered at the same time.

Roll Call Elections – President of Council and Vice President of Council

The Members of Council shall vote for the President of Council and the Vice President of Council by Roll Call Election. All candidates for the President and Vice President of Council shall be considered at the same time.

Ms. Dolan thanked the members of her Committee noting that many hours were spent during two meetings working on this. She commented that working on bylaws and rules is never totally pleasant but there were great discussions and a lot of debate, disagreement and finally agreement. Ms. Dolan thought this will serve Council for quite some time and added she does not think there is anything dramatic. Observing that rotating the votes was the idea of Mr. Evans, Ms. Dolan turned to him.

Mr. Evans thanked Councilwoman Dolan for helping the Special Council Committee through the task as it was difficult at times and the Committee did work hard to bring something forward that they think will work for the future. Mr. Evans pointed out that the change to rotation of the vote will allow the Members of Council to vote on a rotating basis, so the lead-off will not always be the same. Mr. Evans explained that the first meeting of the year would start the roll call vote with Mrs. Belinski, and the second meeting will start with Mr. DiGiacinto, and continuing through each Member of Council. Mr. Evans affirmed that the last vote and deciding vote will always end with the President of Council, but said it will give a different flavor of the way the voting takes place and will give a more fair representation each Meeting and through the year.

Ms. Dolan observed what may present a challenge because it is different is how the Members will vote for the President and Vice President of Council which now is considering each candidate for the separate vote and then after a candidate has enough votes to secure that nomination or that office there is no more voting on anyone else. Instead, Ms. Dolan advised that Council Members are going to go with what is prescribed by Robert's Rules which is there will be a roll call, but the roll call will be that each person on Council will simply state the name of the person on Council who is qualified and who they wish to be President and Vice President. There are nominations which are allowed and discussion prior to the vote as there would be on any vote of this sort but each member may vote for whomever they wish. Ms. Dolan said she thinks it will be interesting to go through this process. Ms. Dolan, noting it is required by Robert's Rules that a Council choose from among the six different options for voting, said this will be the first time since she has been on Council that it is codified as to what option Council has chosen. This was a compromise and Ms. Dolan thanked Christopher Spadoni, City Council Solicitor, for keeping everything in line with the Third Class City Code. Ms. Dolan said if there are any questions she would hope that Council Members would ask.

President Donchez thanked Chairwoman Dolan and members of the Special Council Committee, Mr. Mowrer and Mr. Evans, for serving on this Special Committee to review the Rules of City Council.

Voting AYE: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. The Resolution passed.

F. *Certificate of Appropriateness – 552 Main Street*

Mr. DiGiacinto and Mr. Evans sponsored Resolution 2011–215 that granted a Certificate of Appropriateness to install a display case on the entrance door at 552 Main Street.

Voting AYE: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. The Resolution passed.

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

Mr. DiGiacinto and Mr. Evans sponsored Resolution 2011–216 that granted a Certificate of Appropriateness to install two signs at 79 West Market Street, one on Main Street and one on Market Street.

Voting AYE: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. The Resolution passed.

H. *Approving Intergovernmental Agreement – PennDot – Wyandotte Street Area – Removing Left-Turn Lane*

Mr. Reynolds and Ms. Dolan sponsored Resolution 2011-217 that authorized the execution of an Intergovernmental Agreement Authorizing Municipal Project on State Highway between the Commonwealth of Pennsylvania Department of Transportation and the City of Bethlehem for the State Route 378 project to implement revised pavement markings and signing to reestablish parking on the east side of State Route 378 from Broadway/Dakotah Streets to Third Street/Delaware Avenue, and to remove the left turn lane, in accordance with the Agreement.

Councilman Reynolds stated he lived in the area for years and said it is unfortunate that the most successful business in that area has always been McDonald's since he thought that area can be so much more. Acknowledging this is not the panacea to the area's problems, Mr. Reynolds agreed there are a lot of issues that made development there over the years difficult. Referring to comments about the decrease in taxes collected for Bethlehem, the school district, and county, Mr. Reynolds said hopefully it will lead to increases being paid across the street from new businesses that are established in the area. He highlighted the fact that many of the business owners there live in the City of Bethlehem and have been here for a long time. Mr. Reynolds pointed out that when money can be kept in the community, then those profits from successful businesses can go back to the different businesses in the City. When he lived there and also driving through there with the location of the McDonald's in a low income area, Mr. Reynolds thought its presence in that neighborhood, left-turn lane or not, is a problem. He said Council is in the process of doing little things to help out the small business community. A lot has been invested in different areas throughout the City, north side and South Side. Mr. Reynolds stated he will be supporting the Resolution.

Mr. DiGiacinto commented that when the Resolution was presented in April 2011 he was confused, and he questioned some members of the Administration and other people about what had happened. Noting the removal of the left turn lane was approved in May 2008 by a 5-2 vote, Mr. DiGiacinto observed that two of the Members of Council now supporting it had voted against it at that time. Mr. DiGiacinto pointed out there was a lot of discussion and he has read the minutes. He looked at the chronology of events and there was a one-way pairs study that did not prove anything and did not happen. There was nothing for two years that he could read or see, aside from some correspondence between the Administration and McDonald's lawyers. After April 19, 2011 it suddenly became a Council issue to resolve. Councilman DiGiacinto asked what has changed between 2008 and today, three and one-half years later. He said it seems like the traffic is a little thicker. Observing this is a tough situation, Mr. DiGiacinto commented that a business has been there for a while yet other businesses have been there longer and are trying to make it. Mr. DiGiacinto remarked all of a sudden this has come back after three years and is in front of Council.

John F. Spirk, Jr., Esq., City Solicitor, said what has changed is PennDot needed Council to take this next step. The Resolution that was passed in 2008 indicating the intention and desire on the part of Council was not enough for PennDot, since they needed this body to approve the Intergovernmental Agreement. Councilman DiGiacinto stated he understands that but why did it take two and one-half years to ask the question to get to this point. Attorney Spirk advised that PennDot indicated they would need that some time ago. Councilman DiGiacinto asked if there was some dead time, as there was nothing happening. Attorney Spirk said he thinks they were waiting for Council to pass the Intergovernmental Agreement. Councilman DiGiacinto mentioned that it did not come to Council until April 19, 2011. Attorney Spirk said he thinks Council originally took the position that they did not need to have to vote a second time. PennDot took a while to consider that argument and came back and said they still wanted Council to approve the Intergovernmental Agreement.

Mayor Callahan added that this has been before Council since April so if there is a delay it is not on the part of the Administration.

President Donchez said that when the Administration presented it in April the Resolution did not get any co-sponsors so it was not discussed until tonight's Meeting. Councilman DiGiacinto remarked it is a long time between May 2008 and April 2011. Mayor Callahan responded that the City was pursuing the one-way pairs traffic plan which it decided not to implement so that took quite some time. Councilman DiGiacinto asked if it was in 2009. Mayor Callahan said no it was a couple of years that it was debated. The Administration then moved off the one-way pair concept and moved towards, as Council had directed, pursuing the removal of the left-hand turn lane. Mayor Callahan added, contrary to popular belief as was once stated that it was nothing more than a can of paint, it is a lot more involved than that. There was work between

the Administration and PennDot to get approval for the removal of the left-hand turn lane. After that work was done, the Administration brought it before Council in April, but the Resolution did not receive a second, and did not come before Council at that time.

Councilman DiGiacinto asked Michael Alkhal, Director of Public Works, about the left turn lane into McDonald's that continues up to West Fourth Street and how will that be handled. Mr. Alkhal replied that once the left-turn into McDonald's is removed, the parking will be restored and there will be one through lane. Motorists will still be able to make a left at Fourth Street to go to the hospital but it will not be a dedicated left, and it will not have its own phase with an arrow. When someone is making the left, the through traffic will go around them. Mr. Alkhal explained the City is limiting the parking south based on evaluation to make sure any cueing that occurs at that light is not far back enough to interfere with the flow of traffic. There will be one through lane at this time.

Councilman Reynolds commented that in April when the matter came up it was a situation of the process by which Council goes through sponsoring things. He said it was certainly something he would have sponsored in April and the President stated there were no co-sponsors. Mr. Reynolds explained he spoke to President Donchez about the matter a few months ago and both he and President Donchez sent memos about this issue. Mr. Reynolds thought it is unfortunate that it took until April but said he does know there were some Members who wanted to pass this when it originally came up but because of whatever kind of confusion took place it did not happen. Mr. Reynolds reiterated that he spoke to President Donchez about this, both sent memos asking about the matter, and that is why it came up now.

Ms. Dolan said she thinks she was the one who put it forward and there was no second. Ms. Dolan recalled there was a debate about the bucket of paint and that it was going to be easy. Focusing on Mr. DiGiacinto's comment, Ms. Dolan related that Council was told then it was not going to happen overnight. Because they had reversed themselves and were asking for something they did not want, it was reversed, PennDot would not be happy, and it would take a long time and it would not be something on their front burner. Ms. Dolan said PennDot is making Council stand by it 100% because she thinks Council had waffled on it. Ms. Dolan observed that on one side there is a franchise of a multi-billion dollar corporation who got a dedicated left-turn into their business. Ms. Dolan remarked it is hard to think of any other dedicated left turn where there is not a traffic light into any other business in Bethlehem. Expressing her understanding of the feeling at the time, Ms. Dolan recalled it was hoped to bring in some revenue and jobs and to show signs of life, especially on the South Side. Ms. Dolan questioned how the City can dedicate a left turn to one business. She noted there are numerous businesses where people have to go down one-way streets and all the way back around to get in front of them. In fact, she said, the City is creating a situation like that at Cantelmi's Hardware right now. Ms. Dolan explained she is weighing the concept of inconveniencing motor vehicle access, not pedestrian access, because that is a very dense neighborhood and a lot of people go there on foot. She commented it is not as if people cannot get into McDonald's, it just means they either make the left if it is possible, or go around the block. Ms. Dolan said she cannot believe that a business like McDonald's cannot make a profit because they do not have a dedicated left-hand turn on a State highway. Ms. Dolan remarked on the comparison of McDonald's to the blight of the small business owner who because of this dedicated left-turn lane has no parking. Ms. Dolan, focusing on a presentation made from a traffic expert to matters related to safety, pedestrian and cars, noted the cars that are parked along the side of a road are the buffer zone and they create a sense of safety, and an improvement in safety for pedestrians. Ms. Dolan pointed out this area of Wyandotte Street was formerly known as the million dollar mile, and is where some of the best businesses were once located in Bethlehem years ago. Ms. Dolan highlighted the fact that the structures are exquisite storefronts. Ms. Dolan commented that, if McDonald's loses some revenue, McDonald's will survive, but if more small businesses gain more revenue because people feel comfortable they can park there, and the residents feel safer to go there, that is the kind of business the City is in the business of supporting. Ms. Dolan, remarking it does not matter that it is not done right the first time, said what matters is when there is another chance to do it right. Ms. Dolan expressed the hope that Council makes the right choice this time.

Voting AYE: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. The Resolution passed.

President Donchez accepted a motion from Mrs. Belinski, seconded by Ms. Dolan, to add Resolution 11 I to the Agenda. Voting AYE: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. The motion passed.

I. *Approving Amendment to Lease Agreement – Starters Golf, LLC – Golf Course Clubhouse Restaurant*

Mr. Evans and Mr. Mowrer sponsored Resolution 2011-218 that authorized the execution of Amendment No. 2 to Lease Agreement between the City and Starters Golf, LLC for the Golf Course Clubhouse Restaurant for operation of the restaurant with a liquor license for the renewal term of seven (7) years, beginning on January 1, 2012 and ending on December 31, 2018, according to the Agreement.

Voting AYE: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. The Resolution passed.

12. NEW BUSINESS.

*Rescheduling Date of Reorganizational Meeting – Monday, January 2, 2012 to Tuesday, January 3, 2012.*

President Donchez accepted a motion by Mr. Mowrer, seconded by Mr. Reynolds, to reschedule the Reorganizational Meeting from Monday, January 2, 2012, New Year's Day Holiday, to Tuesday, January 3, 2012 at 7:00 PM in Town Hall. Voting AYE: Mrs. Belinski, Mr. DiGiacinto, Ms. Dolan, Mr. Evans, Mr. Mowrer, Mr. Reynolds, and Mr. Donchez, 7. The Motion passed.

13. *COURTESY OF THE FLOOR*

*Funeral Processions – Fee*

Michael Long, 500 Linden Street, owner of Long Funeral Home, remarked that earlier this evening Commissioner Schiffer and Councilman Reynolds stated that Funeral Homes in Bethlehem by implication charge for police escorts but he informed the assembly that the Long Funeral Home does not. Mr. Long said he is certain that the Connell Funeral Home does not and he is not aware that any Funeral Home charges for police escorts. Mr. Long wanted to know if there are any accommodations in the proceedings that can have that stricken for presenting that type of hearsay in a public forum. President Donchez stated no and that the Chair accepts the comments.

*City Information*

Stephen Antalics, 737 Ridge Street, related that over the years many issues have come up including the funeral procession fee and the removal of the left turn lane on Wyandotte but expressed the hope that Council will act with wisdom. Mr. Antalics added that wisdom comes from being around long enough and living in the City long enough. Mr. Antalics thought that Council should take a quiz as to how well they know the City. Mr. Antalics then asked if Council knows why Bethlehem is the only City in the Commonwealth of Pennsylvania that has citizens in two different counties. He said the official answer is that when Bethlehem was a Borough there was a Borough of West Bethlehem and that Borough was in Lehigh County and the Borough of Bethlehem was in Northampton County. When the Borough of Bethlehem incorporated with the Borough of West Bethlehem it became the City of Bethlehem.

*Wyandotte Street – Left Turn Lane Elimination*

Martha Popichak, 1032 Main Street, thanked Council for their vote tonight on the removal of the left turn lane on Wyandotte Street. She inquired when this will take place. Michael Alkhal, Director of Public Works, stated that it will probably be in the Spring because the weather now would not permit it and the City needs to bid the project out.

*Wyandotte Street – Left Turn Lane Elimination; Cameras*

Eddie Rodriguez, 701 Main Street, thanked Council for the removal of the left turn lane on Wyandotte Street. He had asked Mr. Alkhal if there is a possibility of removing the left turn lane when going up the hill on West Fourth Street but he stated no. Another concern he has is the left swerving into the right lane. Mr. Rodriguez, turning to the camera situation, said he understands that Commissioner Schiffer has spoken to a Member of Council about it. Mr. Rodriguez wanted the camera from Pawnee and Mohican Streets relocated with a camera mount at Pawnee and Dakota Streets. Mr. Rodriguez thought if there were different mounts the City could move the cameras from one location to another. Commissioner Schiffer advised there have been numerous requests to have a camera moved and it is not as easy as it sounds. The cameras work on a mesh data

network and each camera communicates with one another. They form a network and there is redundancy within the cameras so one camera cannot just be moved out of the system and placed somewhere else without disrupting that communication and the network will no longer function. Within the past year one camera was relocated because it was at the end and could be moved. Most of the other cameras in the system rely on one another to transfer the signal back to the server. Commissioner Schiffer pointed out that within the past year he got price quotes to move a camera and the cost is close to the installation of a brand new camera and varies between \$5,000 and \$10,000 to move a camera. The placement of cameras was selected a number of years ago and they cannot just be moved. The hardware would have to remain in place to send a signal so the cost to move a camera would be even higher, and there is no money allocated to move cameras. While cameras can be added to the system the decision was made not to move cameras because that neighborhood will have no camera.

*Funeral Processions – Fee; Various Issues*

Mary Pongracz, 321 W. 4<sup>th</sup> Street, remarked there is a death tax now in Bethlehem because of the funeral procession fee. Ms. Pongracz thought this taxation is discriminating because the only people who pay are the people who die, and the City should be more interested in taxing the people who are living. Stating that Mr. Reynolds and Mr. DiGiacinto are entitled to their opinions because they have different perspectives, and the Mayor also has the right to look at things from his perspective, Ms. Pongracz said she sees no reason to be confrontational. Ms. Pongracz remarked that in the Christmas City of Bethlehem it is a wonderful time of the year and all should be thankful for all of the good things they have.

*Government*

Antonio Simao, 1135 E. 3<sup>rd</sup> Street, referring to comments of Council Members that there are certain items that are not functions of government, stated that Skate Parks are not functions of government but there is one partially paid by the City. He pointed out that functions of government do include cleaning and plowing the street properly but it did not work too well the beginning of this year. He continued on to say functions of government do not include supplying the Mayor and Department Heads with cars, but the Budget that was just voted on kept those items in. Mr. Simao noted that another function of government actually is being transparent and making government available to the people because it is all about we the people, not you the elected officials. He observed there was not a consensus to put cameras up. Mr. Simao queried if there is a funeral home already charging why are they not being investigated. From now on, Mr. Simao said he would expect that if anything comes up in front of City Council that is not a true function of government it is voted down.

*Parking Meter Rates; Council Member Gordon Mowrer*

Dana Grubb, 2420 Henderson Place, noting he has had some discussions with the shop owners, said he gets the sense that they are concerned about the proposed increase in parking meter rates. Mr. Grubb stated that, hopefully, there will be some sort of public hearing at which the public can speak. Mr. Grubb, thanking former Mayor and Councilman Gordon Mowrer, informed the assembly that Mr. Mowrer was a good friend of his father and there was much mutual respect. He highlighted the fact that the family of Mr. Mowrer has been committed to this community for many years including his brother and parents. Mr. Grubb said the public service that Mr. Mowrer has given to this community is something that is very rare because it was a total commitment on his part. It was not done for personal advancement. It was done because his family believed that this was the way to give back to the community. Mr. Grubb remarked that the residents of Bethlehem owe a debt of gratitude to Mr. Mowrer and his family because it was not just the service he provided as the Mayor or as a City Councilman. It was the sacrifices that his family had to make.

*Wyandotte Street – Left Turn Lane Elimination; Hours for Parking*

Reinaldo Valentin, 2213 Linden Street, thanked City Council for their vote on the elimination of the left turn lane on Wyandotte Street. Mr. Valentin recalled it was mentioned before that parking will be allowed only on non-rush hour times.

Mr. Alkhal, affirming that is correct, stated that parking will be prohibited probably from 6:00 to 9:00 in the morning and in the evening from 3:00 to 7:00.

*Gun Incident – City Hall*

Brian Bond, 1758 W. Broad Street, remarked that at the July 5 Council Meeting Mr. Grubb brought to attention an incident where a female City employee brought a handgun into work. He has since learned that this handgun was brought into City Hall. A number of employees thought the handgun was loaded and the Department Head was notified. The two employees reported that there was no action taken. At the July 5 meeting the Mayor stated this was the first time he had heard of this and that he would look into the matter and conduct an investigation if need be. Mr. Bond said to date this matter was never discussed at another Council Meeting. Mr. Bond wondered whether the Mayor can advise tonight the circumstances surrounding this incident as to why a City of Bethlehem employee would have a handgun in her possession while at work in City Hall. Mr. Bond also wanted to know the result of the investigation into this matter. He hoped that something as serious as this would not just be swept under the rug. As a 14 year employee of the City, Mr. Bond said he has never seen so many people that are hired not by what they know but by who they know. Mr. Bond communicated that he has seen many employees treated differently, this is something that needs to be looked into, and it needs to cease.

*Boards and Commissions – Appointees; Historic Structures*

Tom Carroll, 248 E. Union Boulevard, stated there is a Planning Commission, Zoning Hearing Board, and a Human Relations Commission all without people sitting on them that should be appointed. Mr. Carroll added that many years have gone by after the destruction of Broughal Middle School and there is still no ordinance to protect the historic structures in the City.

*Wyandotte Street – Left Turn Lane Elimination; Hours for Parking*

Andrew Popichak, 1032 Main Street, focusing on the information given by Mr. Alkhal this evening, remarked it is disturbing to now learn that the parking that will be restored will have onerous conditions put on with having no parking from 6:00 to 9:00 AM and from 3:00 to 7:00 PM. Mr. Popichak pointed out that the idea is to help the businesses and the residents.

The meeting was adjourned at 9:35 p.m.

ATTEST:

City Clerk