

BETHLEHEM CITY COUNCIL MEETING  
10 East Church Street - Town Hall  
Bethlehem, Pennsylvania  
Tuesday, May 17, 2016 - 7:00 PM

INVOCATION

Reverend Dale R. Miller, First Baptist Church of Bethlehem, offered the invocation which was followed by the pledge to the flag.

PLEDGE TO THE FLAG

1. ROLL CALL

President Reynolds called the meeting to order. Present were Bryan G. Callahan, Michael G. Colón, Eric R. Evans, Shawn M. Martell, Olga Negrón-Dipiní, Adam R. Waldron and J. William Reynolds, 7.

*Historic Conservation Commission Awards*

President Reynolds mentioned before tonight's meeting the Historic Conservation Commission, observing May as Historic Preservation month, would like to present awards to four property owners for their historic preservation efforts. President Reynolds then called on Philip Roeder, Chairman of the Historic Conservation Commission to begin the presentation.

Mr. Roeder thanked City Council and the Mayor's office for hosting the Historic Conservation Commission awards. There are four awards tonight for four very remarkable buildings on the south side. Highlighting the fact that there is no set criteria for choosing the winners, the Commission found it easy to make the selection based on the scale, the willingness to work with the Board under changing circumstances, and the final result of the rehabilitation. Mr. Roeder explained that it is important to note how this public and private cooperation works to foster historic preservation all the while continuing to improve neighborhoods in South Bethlehem. The HCC's third Monday evening of every month meeting brings challenges to the table, but each member brings a particular level of expertise to enable solutions for all applications. Mr. Roeder communicated that this is truly a team effort. He then asked Chris Ussler, City Historic Preservation Officer to present the first two awards.

Ms. Ussler stated the first award is for 208 East Fourth Street. This award recognizes a partnership of two young men who have gone the extra mile to restore the original appearance of an elegant former residence on East Fourth Street. The partners plan to renovate the house included its first review of the HCC in November of 2014, the construction of a new addition at the rear of the building, and other modifications to adaptably reuse the house as a Hatch House for fledgling entrepreneurial students at Lehigh University. The partners graciously agreed to the HCC recommended modifications to the proposed design and received the first two Certificates of Appropriateness. Ms. Ussler communicated they excitedly told the Commission that the original ornate porch railing was in the hands of the neighbor and they hoped to be able to obtain and reinstall it. In February of 2015, the owners returned to the Historic Commission with scaled back plans that kept the existing rear addition and added only a shed roof dormer to the back of the main house. Ms. Ussler expressed that it was not cost effective to demolish the existing and build a new addition. After consultation with the building inspector and historic officer they decided to remove the aluminum siding and reveal and repair the original brick. Ms. Ussler informed that this beautiful Queen Anne style house now has its original brick appearance with the ornate porch railing. The Historic Commission commends the owners for stripping the building of its aluminum siding and restoring the house to its former beauty.

Ms. Ussler continued with the second award. This is for 220-230 East Third Street and is now C-Town Supermarket. Ms. Ussler continued to say that the C-Town Supermarkets are independently owned grocery stores located across the northeast. In 2013 this former small Super Mercado Spanish Grocery Store and multi-use building was purchased by Bethlehem Reality LLC with funding assistance by the reinvestment fund in Philadelphia. Ms. Ussler advised the small grocery store was expanded into a large full service supermarket that now offers a fresh produce department, in-store butcher, deli counter and a wide variety of Hispanic

specialty foods. The former long single story façade was original faced in metal panels that dated from the 1950's and they were painted many times and there were glass display windows. An attached two story residence at the west end was greatly altered with rough stucco and small windows. The new owner worked with the Historic Commission on every detail, cooperated graciously and followed through beyond our expectations. Since the old façade lacked historic significance, a major rehabilitation was appropriate. Ms. Ussler expressed that the new façade has a tall center parapet, bold cornice, granite cladding between large expanses of new glass display windows and entry doors, gooseneck lighting and period inspired signage. The new façade treatment was extended to the attached residence to create a unified new building. This major investment and rehabilitation project directed by Kevin Luna has had an enormous positive impact on the local community and the streetscape of East Third Street.

Mr. Roeder continued with the third award and advised that this is for the St. Bernard's Home of the Good Samaritan at 333 Broadhead Avenue that opened in 1889. The affiliation began with the Holy Ghost Church and its German parishioners to provide a social venue for members. Many such clubs made up the fabric of social life for the residents of South Bethlehem and St. Bernard's is one that continues to thrive. While the church affiliation no longer has the impact it once did, St. Bernard's continues to offer a social location for many different types of parties and musical shows. The Club officers recognized the need to refurbish the exterior of the building which had undergone improvement several decades ago with aluminum siding. Mr. Roeder enumerated that high winds and time took a toll. The application for a Certificate of Appropriateness that came before the Commission sought to replace the aluminum siding with vinyl siding at quite a significant cost. Dealing with cost alone demonstrated the earnest desire of the Club to remain viable in the community. Through discussion among the club officers and Historic Conservation Commission Board, an approach to investigate the integrity of the building beneath its peeling aluminum skin developed. The suspicion was that much of the building would be intact and the brick face may only need minor and spot repairs. Mr. Roeder added that in addition the original windows could likely be treated with spandrel fill to appear functional despite the interior alterations that block them. As a result of the discussion at the HCC Meeting, the Club sought estimates to reveal portions of the original building and subsequently pricing potential spot repairs. Not only did this approach follow much closer to the Secretary of Interior standards for preservation, but the ultimate cost was much less expensive. Mr. Roeder noted the result is a true paradigm for public/private collaboration to preserve the assets of the community. St. Bernard's has contributed significantly to maintain the character of a Historic District aesthetically while addressing physical needs of the building integrity.

Mr. Roeder continued with the last award and stated this is for 29 East Third Street. In late July, 2010 the rear brick wall at the Bank of America building at 29 East Third Street collapsed onto Columbia Street. Three previous days of non-stop rain saturated the brick wall causing the collapse. The bank quickly mobilized, secured permits and HCC permission, and rebuilt the wall. While all of this was ongoing it was discovered that the east wall along Adams Street was in the same condition and needed to be rebuilt. The same contractor, Spirk Brothers, appeared before the HCC Board, sought and received permission, and subsequently rebuilt the entire wall with great emphasis on the detailing of the original brick work. Mr. Roeder advised that the detailing included various size, arches and special attention towards brick placement. In November of 2014 Bank of America appeared again before the HCC and sought permission for the window restoration, modification and replacement of various windows. At this time the bars over the rear and some side windows were removed, and in turn greatly improved the appearance of the building. Most recently in 2015 Bank of America appeared before the HCC and received approval for the installation of an accessible ramp and new steps for the front entryway. This single improvement allows everyone easy access to the bank. Mr. Roeder enumerated that together all of the improvements cost well over \$1 million. As a result of their efforts this building stands as a remarkable effort towards restoration and preservation in our community.

Mr. Roeder recognized Mr. Luna who was not present earlier to receive the award on behalf of C-Town Supermarkets.

President Reynolds thanked Mr. Roeder, the recipients, and everyone for their hard work. The properties that were recognized tonight are much appreciated in the City.

2. APPROVAL OF MINUTES

None.

3. PUBLIC COMMENT

*Proposal for 5:00 am Trash Pickup*

Scott Feist, 161 Longenbach Avenue, Nazareth, of Symons & Son Sanitation mentioned he is definitely in favor of the move to have an earlier start time of 5:00 a.m. for trash pickup primarily in the interest of the safety of his employees, the general public, and especially children walking or using public transportation to get to school. Mr. Feist stated he knows there was a logical argument or position of why we need a change and if we had any issues. He continued, with the increased population with the traffic near Wyandotte, Fourth Street and Broadway, we need to be more proactive and not wait until we have issues or problems. We are only asking for an hour earlier and that is not a huge sacrifice in the name of safety. Mr. Feist added just one hour to help us get out there and get out of the way is a help. Mr. Feist pointed out that since it is not permissible to have trash curbside, it is located anywhere from the front, the side or the back of the house. Wyandotte Street is a divided highway with a double yellow line, and by State law you are not allowed to pass a slow moving vehicle such as a trash truck. He noted that they have to stop the truck to service the customers on Wyandotte Street. It does take time for his employees to collect the trash cans, bring them to the curb, empty them, return the cans back to their location, and go back to the truck. This holds up traffic for potentially 15-20 minute along the route as they move from house to house. Other vehicles do not wait; they drive around the truck which is dangerous for everyone. He expressed we are looking to prevent any types of accidents or incidents. Mr. Feist noted this is primarily for the high traffic areas, just to help us get out there and get our job done and get out of the way. He did look for statistics and events, but thank goodness we have not had any bad incidents in the area. He is just looking to increase our odds of maintaining the comfort and safety that we have had.

Rob Berger, 2897 Valley View Drive, Bath, stated he owns Berger Sanitation Inc. and they do a lot of commercial work in the City of Bethlehem. He thinks it is a good thing to hopefully get this 5:00 a.m. start and get the trash picked up for commercial and residential cutomers. Mr. Berger mentioned that some on Council are school teachers, and we do not want these front loaders at the schools when the kids are going to school. He personally does not do the school district, but that is something that Council needs to think about. Mr. Berger added that with the traffic increasing in this area on Wyandotte, Route 378, Fourth Street and Third Street and Broad Street, it would be a good thing to move the pickup time earlier for safety reasons.

*Graham Place Vacation*

Steve Melnick, 1624 Easton Avenue, stated he wanted to speak about the vacation of a portion of Graham Place. Over the past 10 years the City has spent thousands of dollars on studies and plans, and while he does not expect Council individually to read all of these plans, he would expect that the Administration would provide you relevant information when making important decisions. Mr. Melnick informed he would be surprised if any Member of Council have read the 2008 Comprehensive Plan for the City or the Five Points Enhancement Plan. What does that have to do with closing Graham Place? Mr. Melnick stated in the City's Comprehensive Plan which was paid for in part with our tax money, 11 intersections were identified as being dangerous. Two of those 11 were at Third and New Streets, and Third and Broadhead Streets. Furthermore, the Enhancement Study said that the traffic congestion at those intersections was failing; they gave it a grade of F. In addition, during a three-year period from 2003 to 2006, 50 crashes and accidents took place between those two specific intersections in the City. Mr. Melnick mentioned he will not second guess the engineers who did the analysis for the garage in closing a portion of Graham Place, but if these two intersections were congested and failing eight to ten years ago what has changed? Has the traffic diminished? Mr. Melnick noted that commonsense tells you that it has not. Aside from all the money that was spent, as Council Members you have to ask, which set of consultants, which engineers have provided you with the most accurate information to help you make your decisions. Which consultants, which plans are we to ignore after we spent all the money to procure them. He does not envy the task that Council has in front of them because we have had so many studies and they are contradictory to what is being proposed tonight in this Ordinance. Mr. Melnick added that you will be told that realigning a portion of Graham Place and widening it is going to be too expensive, but has anyone given you a cost estimate for putting a

new entranceway to the Comfort Suites on Third Street. He has to believe that with the infrastructure already in place on the existing Graham Place moving it into the Greenway slightly, putting in curbing, maybe sidewalks, and paving it has to be a reasonable alternative. Mr. Melnick noted in this year's City budget the Public Works Department mentioned that they repaved 7,500 feet of streets and prepared 4,000 feet for eventual repaving. In this year's budget you have money for equipment, personnel, and training to keep up this in house paving initiative which he thinks is terrific. Mr. Melnick has to believe if given the direction, the City Engineering Bureau and the personnel in this City can accomplish widening and realigning a small portion of Graham Street. While this may not alleviate the traffic congestion it certainly will go a long way in not exacerbating this. He asks Council to take that into consideration when you make your decisions tonight.

Greg Zebrowski, 23 Dewberry Avenue, remarked that he has family on Hillside Avenue and his church is on Thomas Street. He mentions that because he has a real commitment that is a lifetime commitment to the south side and he is concerned about where development is going in this City, where the marriage between the Mayor and some Members of Council and the developer is going. He knows these decisions are difficult but in a sense they really are not that difficult when you take in the public interest over the special interest. What does he mean with this when he talks about keeping Graham Place open? He expressed that among the Rink Street, Vine Street, and Graham Place, the widest street that is more walkable and moves traffic better is Graham Place. Mr. Zebrowski remarked that he has been involved in economic development in this City for many years and getting an answer from the Mayor's staff that if you do not like the way things are moving on the south side, do not go there, is totally unprofessional and demeaning to him and to any other citizen in this community. Mr. Zebrowski continued if you leave Graham Place open you service the infrastructure that you already spent \$17 million for in partnership with the developer who is spending \$20 million. That should not be called a partnership; that should be called a partnership in the firm of the developer. Mr. Zebrowski pointed out in order for that road to be effective it cannot stand on its own, there are sewer lines and water lines that are needed and then the road is something. When you build a garage you want accessibility so it can work. He did not support the garage because he thinks that is putting a square peg in a round hole, and probably the worst spot you can put a garage. Mr. Zebrowski does think there is some substance when you suggest that accessibility to that garage would be better enhanced by deferring traffic from the already congested streets of Third and New and Third and Brodhead. Studies have verified this, and the neighbors would like their street open for public safety. Mr. Zebrowski remarked he does not care what the Fire Chief says; probably he would not want his family at the end of that street when there is a fire. Mr. Zebrowski wants Graham Place open for safety. He expressed, if you believe in your project and the garage, why not make it more accessible for a broader range of constituents. If you are business owner on Third Street just a half a block away and people want to go there, they will get jammed up with parking on Third Street and there will be difficulties. If Graham Place were still open you could move in and out a lot better. Mr. Zebrowski enumerated that the people that will be served very well by the closure of Graham Place are the developers, the two constituents and the proposed development by the developer for West Fourth Street. Mr. Zebrowski thanked Council for the time and he appreciates that Council has listened to all of these comments over the past few months. He added some of us really are concerned where the south side is heading and where development is going.

Fred Miller, 1955 Livingston Street, informed he is at this meeting in regards to St. Bernard's. He noted that they are at the other end of Graham Place and it literally is an artery, not just to us but also to the Comfort Suites and the Portuguese Club. He remarked please reconsider vacating that end of Graham Place; there are many issues that have not been looked at. He added imagine how much of a traffic congestion problem there will be just coming south over the Fahy Bridge.

Dana Grubb, 2420 Henderson Place, mentioned with tonight's scheduled final vote on the vacation of Graham Place you have the ability to either continue full speed ahead with your actions and negatively impact this neighborhood or slow down and do one thing right for the residents in this area. Mr. Grubb urges Council to table the action for one meeting and force the City and the Parking Authority to figure out how this street can remain open to not only serve the residents, but also continue to provide relief of traffic congestion in that area. Mr. Grubb noted the roadway can be located on a portion of the Greenway to do just that. Throughout this entire project most public officials have seemed to ignore public concerns about this development project. This is both disheartening and disrespectful. He remarked that it was previously stated that it was the Southside's turn. Mr. Grubb feels that was a demeaning statement and served to confirm the

second class attitude that has been held by some toward this area of our town for a long time. In his life-time City government has spent tens of millions of dollars of Federal, State and Local grant money over many years, and he queried whose turn should it be next. He continued another has attempted to tie public concerns on this issue to those who oppose the Sands Casino development. That is misguided and an insult to everyone who participated and raised concerns on this current matter because overall they have been supportive of the proposed development, just not the scope. Mr. Grubb advised that Steve Melnick, Greg Zebrowski and he worked in the areas of community and economic development, and our combined experience far exceeds that of the Administration, Parking Authority, and Council combined. We understand the inevitability of development and are only interested in assuring its compatibility with the community. Yet pretty much everything we have offered in these meetings has been ignored. Mr. Grubb added that interestingly two of you supported the garage at the last meeting and then in a side conversation afterwards with a resident, who is here tonight, seem to question the deal made by the Mayor. Why would you vote for it? The Mayor did well to bring Lehigh and St. Luke's to the table with the developer. What has raised public concern has been greed, politics, lack of comprehensive planning, and violation of a City Ordinance. Mr. Grubb noted with all due respect to Lehigh and St. Luke's officials, their demands to have parking just steps away from the office building is a direct contradiction to the parking strategies they employ on their own campuses. That is where parking decks are built on the periphery of the campus and employees, students, clientele, and patients either park and walk or use valet parking. Some of you have cited the email support that you have received for this office building, the scale of the garage, and the closure of Graham Place yet we see no proof of these public communications. We are here expressing our concerns and making sincere and well thought out suggestions so that this can be done correctly. Mr. Grubb added that we have expressed our positions and concerns publicly, that is real and that is honest. On April 13<sup>th</sup> The Express-Times published a story about the City of Easton approving a deal with a developer. One Easton City Councilman abstained from voting because the developer was a significant contributor to his campaign. That is called integrity and it is something you exhibit through your actions not through your words. It is not impossible to keep Graham Place open. We had engineered in this Country some of the most magnificent public works and privately owned building projects in the history of the world. He is saying use the leverage you have with your votes tonight to serve your constituents in that neighborhood, not the developer. Mr. Grubb continued to say, table this if you need to, but get at least one good thing done for those residents.

William Seixas, 116 West Graham Place, mentioned he is at this meeting because this is his last chance, and he is not one to fight for anything, especially political. He has heard that you can change anything with your voice and he always thought that was a lie. The reason he says this is that he always had discussions with his wife about the President and the fact that we are residents and citizens of the United States and that we can vote for a President we feel is strong enough. This is an argument that his wife has but he personally always felt that regardless what we do it is the delegates that decide. Mr. Seixas mentioned that unless he is a millionaire then he could get a campaign together and get everyone on board to go against whoever you want to go against. He noted after tonight he thinks he can win that argument, if you vote yes on vacating Graham Place. Mr. Seixas mentioned that for 17 years they have been fighting about this so now he can set that aside and will not have to fight anymore. That being said, he also brought to this meeting a small petition from the local residents that live on his block. Every single person that lives on his block from Vine Street as well as Graham Place had signed this petition. It is not a petition to shelf the building but just to make it smaller and to not vacate Graham Place. On this petition he has three local businesses. We were told a survey was done of all the residents and local businesses that are on board, but every single person on his block as well as Vine Street signed this petition. He did go to Déjà Brew, Pat's News Stand, as well as Your Welcome Inn and they signed the petition. Mr. He added that Mary Kay is also the owner of Your Welcome Inn building for the last 40 years. She does not support this project; she does not want this six story massive structure going in front of us. He has a total of 22 people that signed this petition, 19 of them are residents that live on those two blocks and on Rink Street. Unfortunately he got some businesses that did not agree with him, but they mentioned they do not live there so they do not care. Mr. Seixas would like to give the petition to Council and he thanked Council for the time to speak and listen to us.

Al Wurth, 525 Sixth Avenue, mentioned he has spoken several times on this issue and has tried to bring something new every time. He does want to support the arguments that have already been presented for not vacating Graham Place. He thinks we are moving too fast on this and it is unnecessary for a project that is a fortuitous slap to the area and to the traffic problem that already exists there. He is recommending that this idea of vacating Graham Place should be tabled until you have a chance to investigate. Mr. Wurth mentioned that he sent an email to Council and

the reason he wanted to send this email is that last week or so, there was show on WHYY with the reigning parking guru in the United States, Professor Donald Shoup from UCLA. He was interviewed about his plans for parking, and he recommended everything against everything that Bethlehem is doing with the parking garage and is in favor of a different approach. Mr. Wurth mentioned he makes three simple points; parking should be priced so that 85% of the spaces are used and 15% are open at any time. If you have less than that the price must be raised, and if you have more than 85% of the spaces being used then you are overcharging for them. That is when it occurred to him that the parking study did not count any of the free spaces, and we still had too many spaces. Mr. Wurth pointed out that you can hire contracting companies and they will monitor all of your parking and simply determine what the price should be on every block in the City based on the amount of demand for that space. His second point is that the revenue from the meters should not be used to subsidize other parking, but should actually serve the people and the merchants where the meters are located. We know that this system plans to use the meter revenue to pay for the subsidizing of these parkers in the development plan, and we also know that those spaces are going to be way too cheap and they will only pay one third of their actual cost by the users. Mr. Wurth mentioned Professor Shoup says instead of giving the money that the parking delivers to the lucky subsidize, it should be given to the places where the parkers are because that helps serve the merchants that are drawing the parkers. He continued, Professor Shoup says if you have the right price for parking and if you price it accurately, and if you use some of those 500 spaces that are out there then subsidized parking or required parking levels will not even be required. We have done of those things exactly wrong. Mr. Wurth noted we are subsidizing with the meters. We have an oversupply of parking that we charge too much for and the spaces are empty. He mentioned that Mr. Benner could give all of the subsidized spaces if we simply gave them permits to all of the empty spaces. The closing of Graham Place would be the final insult because Professor Shoup says a garage is exactly what creates congestion, and when you have a garage that blocks one of the ways to alleviate the congestion you add to the problems you already have. Mr. Wurth stated that Professor Donald Shoup also spoke about automated cars and other technological changes in the future. It is not hard to imagine that in 30 years that we will see people sending their cars to park in free parking spaces and no longer parking in this garage, which we will still be paying for. The City could try a management approach in the short run and could test Mr. Seixas suggestion that we close Graham Place and see what happens before we close it permanently. Mr. Wurth urges Council to at least postpone this vote and keep Graham Place open as the petition that you just got suggests.

Mary Lou Seixas, 116 West Graham Place, expressed she is hoping Council reconsiders closing Graham Place. She wonders why we cannot keep the street open and build an overpass connection or something similar. Ms. Seixas mentioned as they were getting the petition signed, people were talking about all of the properties that Mr. Benner is going to develop on the south side. She remembers learning in an economics and government class that monopolizing is wrong, it is a white collar crime. Ms. Seixas advised that we are supposed to grow up to believe that all of these freedoms are supposed to be fair and that everyone has the opportunity to be successful, but how are our kids going to know this when we are treated like a second hand community, like a relocated village in a third world country. She pointed out this needs to be really reconsidered because it is a crime to take that portion of Graham Place away from your residents who pay taxes, paid their properties and bought their houses based on what they were promised by the City. Ms. Seixas added that you only invest in what you believe in. She went to one of the restaurants where they said tear all of this down. They did not care because they do not live here. That showed her what is going up across her block and what she will wake up to and look at every morning. If you move one block over you could tear her house down, because it has a cracked window. Something could be done instead of closing the street, but no, it cannot be done because the man who owns seven other properties decides that he wants to put this thing here now. Ms. Seixas mentioned that we can wait; Bethlehem is not going anywhere and will develop because everyone from New York is moving here. There will be money and businesses will build, but yet we are going to waste \$1.1 million every year when we can better the lives of our residents. She is not against this parking lot. She remarked build it, but do not trample over the lifestyles of the people who are keeping this town running, who are voting, who are buying the groceries and will rent offices. We want to keep business here so let's make people think that we care about growing the City even though the big wallet will come in and try to move out any underprivileged, lower economic ugly standard of what other people think is supposed to be polished and shiny. Ms. Seixas is sorry to say, but this is not right.

Adrienne Washington, 25 Goodman Drive, Lehigh University, wanted to say thank you for your past support for the various Resolutions on this journey to get the project at Third and New

Streets off the ground. She is asking for your continued support for the Ordinance so this project can move forward. Ms. Washington has said many times that Lehigh University is committed to the south side and this project will move over 100 employees with 40 visitors in and out per day in South Bethlehem. We support the revitalization efforts. She is at this meeting on behalf of Lehigh to say thank you and ask for your continued support so we can move forward.

4. OLD BUSINESS.

A. Members of Council

*Preservation of South Side*

Ms. Negrón-Dipini mentioned that it is ironic that today we had this beautiful presentation about the work for the preservation of the historic area on the south side. That is ironic because what we have been asked to do is to break the same rules that everyone else worked so hard for in keeping the history of the south side of Bethlehem.

B. Tabled Items

C. Unfinished Business

None.

5. COMMUNICATIONS

A. *Economic Development Coordinator– Recommendation for Award – ArtsQuest*

The Clerk read a memorandum from Asher Schiavone, Economic Development Coordinator recommending a contract with ArtsQuest to manage the solicitation of local artists to design and construct functionally decorative bike racks that will be placed at key locations on the Southside. The estimated completion date is December 31, 2016. The fee for the contract is \$18,500.

President Reynolds stated Resolution 9 B is on the agenda.

B. *City Solicitor – Use Permit Agreement – ArtsQuest – Copa America Soccer Viewing Party*

The Clerk read a memorandum from City Solicitor William P. Leeson, Esq. to which is attached a proposed Resolution and associated Use Permit Agreement with ArtsQuest for the Copa America Soccer Viewing Party. The duration of the event is June 3, June 7, and June 11. Additional potential dates, contingent on progression of the U. S. A. Team include June 16, June 17, June 21, June 22, June 25, and June 26. The location of the event is First Street from Polk Street to the eastern terminus and Founders Way from First Street to Second Street.

President Reynolds stated Resolution 9 C is on the agenda.

C. *City Solicitor – Use Permit Agreement – Bethlehem Chamber of Commerce – Bethlehem’s 275<sup>th</sup> Anniversary*

The Clerk read a memorandum from City Solicitor William P. Leeson, Esq. to which is attached a proposed Resolution and associated Use Permit Agreement with the Bethlehem Chamber of Commerce for Bethlehem’s 275<sup>th</sup> Anniversary. The duration of the agreement is Jun 25, 2016 and the location is First Street from Polk Street to the eastern terminus and Founders Way from Second Street to First Street.

President Reynolds stated the Resolution will be placed on the June 7 agenda.

D. *City Solicitor – Street Vacation Ordinance – Portion of Graham Place – Final Reading*

The Clerk read a memorandum from City Solicitor William P. Leeson, Esq. regarding the Street Vacation Ordinance for a portion of Graham Place. In reference to the Ordinance scheduled for final passage regarding the vacation of a portion of Graham Place, this will confirm that the City has secured an acceptable signed easement agreement with respect to its utilities. This will also confirm that letters have been received from the seven other affected utilities, advising that

they have reviewed and approved the Utility Relocation Plan and that the City is not responsible for any costs associated with the relocation of their facilities.

President Reynolds stated Ordinance 7 A is on the agenda for Final Reading.

E. *City Solicitor – Establishing New Article 740 – Anti-Panhandling*

The Clerk read a memorandum from City Solicitor William P. Leeson, Esq. to which is attached a proposed Ordinance to establish Article 740 of the Codified Ordinances entitled Anti-Panhandling.

President Reynolds stated he will refer this to the Community Development Committee and the Public Safety Committee.

F. *City Solicitor – Establishing New Article 742 – Anti-Graffiti*

The Clerk read a memorandum from City Solicitor William P. Leeson, Esq. to which is attached a proposed Ordinance to establish Article 742 of the Codified Ordinances entitled Anti-Graffiti.

President Reynolds stated he will refer this to the Community Development Committee and the Public Safety Committee.

G. *Business Administrator – Recommendation for Award – Stratix System*

The Clerk read a memorandum from Business Administrator David Brong recommending a contract with Stratix Systems for a central repository for City contracted documents with automated workflow for review and approval of all City documents. The term of the contract or estimated completion date is 5 years. The fee for the contract is \$21,952.

President Reynolds stated Resolution 9 D is on the agenda.

6. REPORTS

A. *President of Council*

B. *Mayor*

*Darlene Heller-Governor's Award*

Mayor Donchez stated he wanted to congratulate Darlene Heller, Director of Planning and Zoning who was awarded the 2016 Governor's Award for Local Government Excellence. She was recognized on May 13<sup>th</sup> at the Governor's mansion.

*Bethlehem Police Department Article*

Mayor Donchez remarked that we have a great story about our Police Department on the cover of Lehigh Valley Magazine about community policing.

*National Police Week Ceremony*

Mayor Donchez added that this Thursday at Liberty High School at 7:00 pm we will be having a ceremony honoring our Police Officers as part of National Police Week and everyone is invited.

C. *Committee Reports*

*Community Development Committee*

Chairman Martell stated the Community Development Committee met on Tuesday, May 3, 2016 at 6 pm in Town Hall. The Members of the Committee reviewed the new Ordinance-Establishing Article 1162-Solid Waste Collection and Enforcement. The Committee amended the Ordinance to correct a spelling error in Section 1162 (d) changing the word pillage

to spillage. The Committee also amended Sections 1162.2, 1162.3, 1162.4, 1162.8 and 1162.10 to change the language wherever it read The Director of Community and Economic Development or his designee, to The Director of Community and Economic Development or his or her designee. The amendments have been incorporated into the Ordinance and the Committee recommended the Ordinance to Council for First Reading.

*Finance Committee*

Chairman Callahan stated the Finance Committee met tonight at 6 pm, Tuesday, May 17, 2016 prior to the Council Meeting. The Committee reviewed and recommended that Council adopt Ordinances for the following: Amending General Fund - City Health - Temporary Help - Other Expenses - TB Program, Amending Sewer Fund - Lower Nazareth Township, Amending Sewer Capital Fund - 2013 Pennvest Loan - New Dewatering Facility, Amending Non-Utility Capital Fund - Escrow - Developer's Recreation Fee - Signage Contribution - Sign - Park/Playground Improvements. The Committee received updated information from the Administration to amend the Non-Utility Capital Fund and moved to amend the Non-Utility Capital Fund to reflect the updated allocations and revenue sources provide by the Administration at the Finance Committee Meeting. Amending CDBG Fund - HOME Grant for 2016 - YMCA and Home Program Administration.

7. ORDINANCES FOR FINAL READING

A. *Bill No. 12 - 2016 - Street Vacation - Graham Place*

The Clerk read Bill No. 12 - 2016 - Street Vacation - Graham Place, on Final Reading.

Ms. Negrón-Dipini mentioned she voted against this for obvious reasons and she wonders if anyone else has listened to what everybody else is saying about this matter. In 2008 we had a Comprehensive Plan and again, it is a statement well thought out and analyzed that Third and Brodhead is dangerous. There is heavy traffic, and that was eight years ago and it has not gotten better, it is worse. Ms. Negrón-Dipini mentioned she met with Councilman Evans and she appreciated his time yesterday walking by the project site and thinking through moving Graham Place and taking some of the space for the Greenway and moving it so there will still be a street. We have done that in the City many times before, it is not impossible. She reflected five years ago or more when the Levitt Pavilion was granted. She was very involved with that project and according to the size that the Levitt required, we had to move First Street. She remembers going over the layout and plan, as well as the changing of it. Ms. Negrón-Dipini remembers wondering how you can move a street, but it was important for the specifications of this project. It had to be done and First Street was moved. The street looks beautiful with the curved street. She thinks that moving Graham Place will do the same thing; we will have to take some space from Comfort Suites, but that has been negotiated before. So we save \$2 million with all these numbers we have shifted back and forth magically; let's then spend that \$2 million in moving Graham Place and keep the residents safe and make the street curved so people will slow down. We did see cars flying through that intersection because people use it. Moving Graham Place would then allow a sidewalk so walkability can continue. Ms. Negrón-Dipini requested that we table this item and request the Administration give us a plan with the numbers of moving, instead of vacating Graham Place. We talked about taking a piece of the Greenway. She loves the Greenway but not at the price of a big building and closing a street. We need to do the best for that neighborhood; we deserve to get a plan that shows moving Graham Place and not vacating it. She mentioned the Comfort Suites and switching entrances and taking parking. Mr. Benner is getting 57 free spaces; we should give ten of those to the Comfort Suites. We need accessibility to the fire trucks and people driving through and now more with the new garage. She remarked that she makes the motion that we table this until the Administration presents to us a plan that includes moving Graham Place.

President Reynolds asked Ms. Negrón-Dipini to repeat her motion.

Ms. Negrón-Dipini reiterated that she made the motion to table this Ordinance to give the Administration time to present a plan that includes moving Graham Place rather than vacating it.

President Reynolds asked for a second.

Mr. Waldron seconded the motion for purposes of discussion. He is interested to hear what the Administration would have to say about this.

President Reynolds stated that Solicitor Spirk informed him that it is not debatable on a motion to table. If there is a second from Mr. Waldron there would then be a vote held on whether or not to table it.

Mr. Callahan noted we can have discussion on whether we table it.

President Reynolds remarked only if Councilwoman Negrón-Dipini withdraws the motion.

Mr. Evans queried if you could withdraw and hold the motion and bring that back so that Members of Council could first speak. By Roberts Rules once you make the motion the vote goes down without an opportunity to debate.

Ms. Negrón-Dipini then asked Solicitor Spirk if he is saying to table it we do not need a second.

President Reynolds stated no, what he is saying is that by Roberts Rules once there is a second there is no discussion on the motion, we just have a vote on whether or not to table.

Solicitor Spirk mentioned after the vote if it does not get tabled the debate resumes on what is before us.

Ms. Negrón-Dipini stated for now she will withdraw her motion to table so we can continue the conversation.

Mr. Callahan mentioned many people are stating facts that we have discussed numerous times that are simply not true. He queried if any of the speakers tonight walked that area other than Graham Place and talked to all the businesses. He continued the emails are one hundred percent true. Council Members and the Mayor have received emails from the businesses. He can assume why these businesses do not want to go public with it, but there are large majority of businesses down there that want this project done. Mr. Callahan added that they are excited about it and are looking forward to the additional parking, which they think then will also free up parking spaces at the meters in front of their businesses. He would just encourage everyone to walk all around those businesses, and you will come away with a different feeling. Anyone has the right to go to the Southside and purchase any of those properties. Mr. Benner did purchase those properties, but it is not a monopoly. Mr. Callahan asked Fire Chief Robert Novatnack if the fire trucks went out to see if they can make the turn down Graham Place.

Chief Novatnack stated yes, and that they sent over their largest ladder truck and engine with the Fire Marshall, the Chief Fire Inspector, two Inspectors, and four Firemen to go down those roads. The only issue was there will have to be less parking on some of the corners. We did make the turns and maneuvered around.

Mr. Callahan queried are there other areas on the Southside that are space constraint other than this area.

Chief Novatnack informed there are many areas that have tight roads with wires over hanging and many areas that are difficult.

Mr. Callahan asked if those are other than Graham Place.

Chief Novatnack stated that is correct. He said for example, there is Laufer Street, where we had numerous fires in his 38 years with the Department. It is difficult to get down the street with cars parked and restricted wires and overhangs.

Mr. Callahan then mentioned several of the properties that Mr. Benner is building are properties that were condemned. The one lot was completely flattened due to a fire, and there were additional buildings that he bought that were condemned by the City.

Alicia Karner, Director of Community and Economic Development stated she is not sure that we moved on formal condemnation because there were businesses in a couple them that have moved out and there were residences on the upper stories.

Mr. Callahan mentioned that there were two buildings that were condemned on the back end of that lot.

Ms. Karner asked if he was referring to the ones prior to the demolition. Mr. Callahan stated that is what he was referring to. Ms. Karner noted that is correct.

Mr. Callahan noted they were not historic buildings that could have been rebuilt; they were already condemned by the City.

Ms. Karner mentioned prior to his acquisition that may be, she does not know, but as far as the existing buildings are concerned the demolition did go before the Historic Conservation Commission for permission for demolition prior to the presentation on the new building and they approved it.

Mr. Callahan asked how many years was the lot at Third and New Streets vacant and not collecting any taxes.

Mayor Donchez would have to say at least ten years.

Mr. Callahan pointed out we have talked about this garage at great length, and he has learned a lot about parking. To some people, there is a difference of opinion, but there are a lot of residents and businesses than there are here, and many who spoke do not even live over there. He mentioned to Mr. Seixas that he feels his pain with this and has a great deal of respect for him. Mr. Callahan understands where Mr. Seixas is coming from. This is a project that we talked about a lot; he feels this is the perfect marriage between the private and public sectors. This will bring more jobs and two large non-profits into the south side business district. Mr. Callahan mentioned again for almost two decades there have been many people in the Third Street and Fourth Street corridor who have asked when we are going to do something for them. It is not every day that we have a developer come in and say they will spend \$20 million on one of their buildings. It is not a guarantee; this is a huge risk for him. This also will put an additional \$20 million on our tax roll for School District taxes, County taxes and City taxes, not to mention any other future development that goes in over there. Mr. Callahan stated, as he said at the last meeting, he is in total support of this project. Mr. Callahan asked Michael Alkhal, Director of Public Works if it is possible to move Graham Place. He knows that Comfort Suites is not interested in selling that property, but is it possible to move Graham Place.

Mr. Alkhal noted there are some significant obstacles to be able to relocate that portion of Graham Place through the Greenway, but it is possible.

Mr. Callahan asked what the biggest impediments would be.

Mr. Alkhal stated there would be a substantial additional impact on the parking lot for the Comfort Suites that may render anywhere from 15-20 plus parking spots to be lost.

Mr. Callahan mentioned they have no interest in that.

Mr. Alkhal reported he does not know if anyone has discussed this with them, and he does not know what that would do to their business in terms of all that lost parking. Much of the relocated road would then occupy Greenway land, which presents its own challenges. He does not know if that would be approved because of the covenants carried in the way we acquired that land for Greenway purposes. Mr. Alkhal mentioned there is the cost of this; we have not prepared a cost.

Mr. Callahan asked if it is safe to say it would be in the millions.

Mr. Alkhal does not think it would be in the millions.

Mr. Callahan asked Ms. Karner if there has been any discussion with the Comfort Suites as far as possibly giving up that property.

Ms. Karner asked if he means as it relates to the roads. Mr. Callahan replied yes. Ms. Karner mentioned she has not had conversations with the Comfort Suites. She knows that the Parking Authority has had conversations with the Comfort Suites regarding the acquisition of the parcel needed and the entrances, but not specifically as far as acquiring property to put a road through, not to her knowledge.

Mr. Callahan wondered if it is possible to put a sidewalk through there.

Mr. Alkhal stated yes, and in fact they are discussing that possibility with the Bethlehem Authority engineers. He thinks that it looks very feasible to provide some pedestrian accommodations from Graham Place out towards New Street, either via the Greenway or all the way out to New Street. We are currently looking at and considering that. It looks possible and it looks like it may very well be done.

Mr. Callahan asked who would be paying for that.

Mr. Alkhal reported it would be part of the project.

Mr. Colón stated that since there are five Tuesdays in May, we will not be meeting again for three weeks. He asked if the Administration had a comment on what we might be able to look at three weeks from now if Councilwoman Negrón-Dipini's motion did pass. He asked if three weeks would be an adequate time to present something about the overall feasibility to get feedback from the Comfort Suites or get more information about shifting Graham Place open.

Mayor Donchez reported that would have to be a discussion between the Administration and the Parking Authority and their engineers. They designed the garage and his role in this was to get Lehigh and St. Luke's to commit to the building. Mr. Benner approached him about building a building, and Mayor Donchez achieved that goal. The design of the garage is the design of the Parking Authority. He did look at this and there were some tweaks during the process, but that would have to be a discussion between the Parking Authority and the Administration.

Ms. Negrón-Dipini mentioned that tabling does not mean that it has to be taken care of in three weeks. It means they can work on this and if they can do this in three weeks that is marvelous, but it can take longer. Tabling does not have to have a timeframe.

President Reynolds would defer to our Solicitor on the amount of time that something is able to be tabled and he would also defer to either the Administration or the Parking Authority about the timeframe with the benchmarks of the time for this project to go forward.

Solicitor Spirk advised under Robert's Rules an item cannot be tabled past the next following meeting. You can table it again but under Robert's Rules it cannot go past the next meeting.

President Reynolds would turn to the Administration as far as comments on the timeframe about the second vote on the vacation of Graham Place and how it affects the overall timeline of the project.

Mayor Donchez commented that the hope is the vote will take place tonight.

Mr. Alkhal thinks the vote can take place tonight, and evaluating potentially relocating the vacated portion of Graham Street through the Greenway can still be studied, evaluated, looked into and possibly be a completely separate project than what is before you tonight. Building the garage and approving that, and vacating that portion of Graham Street would not have an impact on whether or not it is feasible to relocate and further pursue that at some point.

President Reynolds asked if there are any additional comments from the Parking Authority side of this.

Rick Roseberry with Maser Consulting stated that he wanted to agree with the summary provided by Mr. Alkhal. The obstacles are really the construction of the roadway in the Greenway and whether that would be permissible and also whether Comfort Suites would be agreeable to losing further parking on their property. Those are the biggest obstacles to getting the road constructed. Mr. Roseberry added that they have been in discussion with Mr. Alkhal's office about constructing a sidewalk which would then connect New Street to Graham Place and Vine Street. We agree also that it is feasible. We have worked on a few conceptual plans and we will be working that out with the City and have agreed to provide that sidewalk.

Mr. Waldron asked Mr. Alkhal if Graham Place were moved, would it still have to be vacated because it is taking a different footprint.

Mr. Alkhal replied yes.

Mr. Waldron mentioned if we wanted to move Graham Place on the Greenway, the vacation of the current location would still have to happen. Mr. Alkhal stated that is correct.

President Reynolds just wanted to reiterate that even if these suggestions were to be taken and the City would look at the options, but make a decision with the Parking Authority moving forward through those obstacles, it still would not affect the vacation of Graham Place we are looking at tonight. This would just be a new separate matter.

Mr. Alkhal stated that is correct. If we move forward, nothing you are doing tonight, the building of the garage will not further take away from the feasibility of relocating Graham Place at a later time.

President Reynolds understands that some of this is off the top of your head, but looking at this and talking to the Administration, Parking Authority, Comfort Suites, and taking a look at the covenants having to do with the Greenway, that cannot be done in a few days. This is something that if we were to vote to vacate a portion of Graham Place tonight, that would be something you could take on over the next several weeks.

Mr. Alkhal expressed that this will take some time. We obviously do a little more detail design of the realignment or the new portion of Graham Place that will identify accurately, with more detail, all the impacts. That would include the parking lot. It could very extensive or it could be a loss of another 15 spaces, but when we flush out all the details, we will know better what all the impacts are and we can discuss them with the Comfort Suites and determine if that renders the project feasible or not.

President Reynolds remarked this is a separate issue aside from looking at some of the issues related with the buildings on Third and New Streets and the parking garage. If you are saying that there is a way to consider looking at the feasibility of this, he thinks that is something that many would be interested in. He reiterated that potentially relocating Graham Street is a separate issue from what we are looking at tonight regarding the vacation of a portion of Graham Place.

Mr. Alkhal noted, given the footprint to what is being proposed, if it proceeds looking at relocating that street through the Greenway, that is something we can evaluate concurrently.

Mr. Brong thinks one thing that Council should be aware of is that the bond issue is moving ahead full speed at this point. If there is an inability to decouple the Graham Place activities from the incurrence of debt then the financial community will have to stop dead in its tracks. It would be best advised if we are going to do that, to decouple the Graham Place issue from the bond issue and allow this thing to continue down the path.

President Reynolds noted it sounds like between Mr. Roseberry and Mr. Alkhal's comments, that it is possible to look at the moving of Graham Place, but even if the moving of Graham Place would occur after this, it would not affect the street vacation that is more tightly connected to the financials of the project. Mr. Brong stated that is true.

Mr. Evans stated he knows that a number of members of the Administration have worked with the DCNR as it relates to the Greenway. He asked for someone to speak on behalf of the timeline involved if we were asked to put a road in a property that has come from DCNR,

that is, to have DCNR release or swap property. He wondered what the success rate is on those types of requests, and what would be an approximate timeline if we put forward this kind of request.

Darlene Heller, Director of Planning and Zoning mentioned there are covenants on all of the land that we bought for the Greenway from DCNR that state it is to remain for recreational purposes in perpetuity. So if we are proposing to use that land for any other use we need to find comparable land in the vicinity that can be used for open space or trail space or greenway space as basically a swap. They would have to agree to release the covenant on this portion and they would have to agree that whatever area was found would be comparable in value and in use. Ms. Heller noted that South Bethlehem is the most densely developed area of the City and it is the area with the least amount of green space. She believes it is very difficult to find comparable space in that vicinity. We would certainly have to take care of that before we could move ahead. Ms. Heller added that the time constraint would be the amount of time it would take to find comparable space.

Mr. Evans asked if we have been successful before in doing a swap similar to this.

Ms. Heller noted that we are working on one now for the connector road and the search has been ongoing for some time. She thinks we are at a place now where we have some opportunity to move ahead and with DCNR to finalize that. For the small piece that is being impacted by the garage we are able to swap that with other land within the same section of the Greenway that is larger in size, and so that swap makes sense as well.

Mr. Evans related that Councilwoman Negrón-Dipiní mentioned that they walked the area for quite a while yesterday, and there would be significant impact on the Comfort Suites. The big question is how much they would be willing to give up besides the price tag. There would be significant negotiations. Mr. Evans thinks the timeline with both DCNR and from Mr. Alkhal, as he talked about the turning radius and what it brings in, it is not a small cut; that is a big cut, and when you walk it, you can see where it needs to be aligned to bring it in. It is not that simple when you hear what needs to be done from a professional standpoint. This timeline is longer; it is worth investigating and finding out what it would take and if it is feasible. Mr. Evans would be anxious to hear; it is a longer term project and one that he hopes we would continue to pursue.

Ms. Negrón-Dipiní just wanted to say that she is happy to hear this is feasible and will not cost millions of dollars, and something we can look at. It could be done, and because of that she really thinks we need to table this.

President Reynolds queried if Councilwoman Negrón-Dipiní would like to reintroduce her motion to table this.

Ms. Negrón-Dipiní then made the motion for Council to consider tabling this Ordinance so that the Administration can bring to us what we know can be done, which is moving Graham Place.

President Reynolds noted with no second the motion dies, and we can continue with discussion of Bill No. 12 for the Street Vacation of Graham Place.

Mr. Waldron would like some information about moving Graham Place. He understands that the vacation tonight has nothing to do with the movement of this, it has to happen regardless. He is hoping that we can at least get a preliminary idea of what those steps would be. We have an idea that it would be a multiple prong effort, which is the financial side as well as the DCNR and working with Comfort Suites and the Parking Authority. Mr. Waldron would hope that the Administration would be able to move forward with that in the upcoming weeks and get back to Council with an update of what that process may look like. We are talking about weeks or months for that to potentially happen, and what that may look like. Mr. Waldron does believe trying to keep Graham Place opens is an important part of this project. One of the reasons he initially voted against the garage was the traffic concerns he had, which he did not feel were addressed by the study for the traffic. He thinks that Graham Place would be a great ease way for some of those traffic concerns. Mr. Waldron is looking to the Administration to move forward with bringing a proposal to Council for the moving of Graham Place.

President Reynolds wanted to echo Mr. Waldron's comments and it would be appreciated for Council, as well as the public, to receive any information regarding what types of obstacles exist with moving Graham Place in the future. He would ask the Administration to work with the Parking Authority to get that information to City Council and layout the feasibility of this matter. If there are concerns, he understands those concerns would be discussions between all of the partners, especially the Comfort Suites.

Voting AYE: Mr. Martell, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 6. Voting NAY: Ms. Negrón-Dipini, 1. Bill No. 12-2016 now known as Ordinance No. 2016-013, was adopted on Final Reading.

8. NEW ORDINANCES

A. *Bill No. 13 - 2016 - Establishing Article 1162 - Solid Waste Collection and Enforcement*

The Clerk read Bill No. 13 - 2016 - Establishing Article 1162 - Solid Waste Collection and Enforcement sponsored by Mr. Callahan and Mr. Martell and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING  
ARTICLE 1162 OF THE CODIFIED ORDINANCES OF THE CITY OF  
BETHLEHEM TITLED "SOLID WASTE COLLECTION AND ENFORCEMENT"  
AMENDING AND CONSOLIDATING THOSE ORDINANCES GOVERNING  
THE COLLECTION OF SOLID WASTE AND THE ENFORCEMENT OF THE  
SYSTEM OF COLLECTION

Mr. Evans remarked that this was discussed extensively in Committee so his comments remain the same. Overall he wanted to thank the Administration for pulling so much together and working hard to get this Ordinance to come together, and make sense, and synthesize it so it can work and be manageable to work with. Mr. Evans does agree with the safety concern, which is something we talked about last August. It seems, coming out of Committee that it did have a lot of support and it matches up with other communities and the townships near us, including Allentown that has the overnight hauling. Mr. Evans pointed out that these other townships have an earlier start for trash hauling and this is also supported by the haulers so they can get out an hour earlier than they already do. He thinks that getting off the streets is important to get ahead of the traffic because of the safety. If they can get an earlier start and then allow the traffic to move throughout the City, cleaner, quickly and safely, that is something good for the City. Mr. Evans added that we talked about the emails we received and a few years ago we talked about a single hauler, which brought out a lot of people to our meetings. Mr. Evans did get one email, one concerned citizen, but overall this was very positively received from the citizens as well as the haulers and he again thanked the Administration for bringing this forward.

Mr. Martell noted that Mr. Evans is correct. We did talk about this extensively at the Community Development Committee Meeting and as a whole, and this is much improved over what it was. This is condensing two or three different Ordinances that were difficult for people to read through, so this is definitely a good revision and it will be helpful. Mr. Martell added that the time to start picking up trash moved from 6:00 a.m. to 5:00 a.m. and at that Committee Meeting he tried to ask for what kind of data we have about safety and if there are current problems, but since then he has received no information regarding whether there is increased traffic or complaints from the schools district. The way this Ordinance is written it will not just be for Wyandotte, Third and Fourth Streets. This Ordinance will end up being for the entire City. In those areas he did not find the support for the change. The haulers support this and he understands the work they do and the commitment for doing the great job and getting people's trash picked up in a safe manner. Mr. Martell stated he would like to help them in that regard, but he did not find the same level of support in that area or throughout the City. The one thing he cannot shake is if those areas are the problem areas why then are we not picking up at 11:00 a.m., 12:00 p.m., or 1:00 p.m., when there is certainly less traffic in these areas. He wonders why we are not adjusting the schedules. He does not want to micromanage the schedules but it just does not seem that changing the hour will necessarily do what we want it to do. He thinks it will cause more problems than it solves. Mr. Martell wonders if there are other ways to make

sure these areas are safe, and so because of that he would like to make a motion to make an amendment and if there is a second then it can be discussed.

Mr. Martell stated he would like to make a motion to amend 1162.09 (a) which currently reads: Solid waste collection shall be on a six (6) day per week basis (Monday through Saturday) and shall take place between the hours of 5:00 AM and 4:00 PM to read: Solid waste collection shall be on a six (6) day per week basis (Monday through Saturday) and shall take place between the hours of 6:00 AM and 4:00 PM.

Mr. Waldron seconded the motion.

President Reynolds noted this is open for discussion.

Mr. Callahan remarked as Mr. Evans stated earlier this new Ordinance did go through Committee and was discussed. He sees the value with the safety in letting those trucks get in and out of those areas earlier before school busses and kids walking the streets. He also thinks that not only is it a safety issue, but he also believes there is a value in getting the trucks off of the busy roads prior to the rush hour traffic. Mr. Callahan thinks this will help the congestion especially along Route 378 and Wyandotte Street. Again, it has been discussed in Committee and it had the full support of the Committee at that time. He would be supportive of this as it is written.

President Reynolds pointed out that this is a first reading. If this is something that is passed tonight as is or amended there would be another vote in three weeks at the next Council Meeting. President Reynolds mentioned currently the pilot program has to do with zoned collection on the south side and he asked when that began.

Ms. Karner stated she believes it was the first week of October.

President Reynolds mentioned they said they would do this for one year. Ms. Karner stated that is correct.

President Reynolds related that the pilot program has been in effect and the Administration have largely been supportive of what is going on now with the pickup on the south side; it has been successful as far as your goals are concerned. The pickup time on the south side currently is 6:00 a.m.

Ms. Karner replied it is.

President Reynolds added that they were going to wait a year to give this time before they make any decisions about looking at the possibility of zoning any other portion of the City; he asked if that is still the plan.

Ms. Karner replied yes. We have identified a number of neighborhoods that we wanted to monitor over the course of a couple of seasons and over a period of time just to make sure that what we thought was a success, was actually a success in achieving some clean up in those areas. So the best way to do that was a longer term monitoring process. We have not completed the monitoring process and so we have not talked about what the success rate has been. Ms. Karner added that they have been very open in the fact that we have gotten so little complaints and such broad support or compliments from the south side residents on it that we consider it a success from that perspective. As far as really doing that analysis of the impact on the street, we are continuing that process.

President Reynolds mentioned that he is not against the idea of moving this up to 5:00 AM but he thinks a better time to look at that would be when you complete the pilot program on the south side and look at the positives and negatives and make the decision to move to other parts of the City. He knows it is possibly different for every hauler depending on what the day is, but we do have several haulers that still pick up into the afternoon now.

Ms. Karner replied yes and that they are allowed to pick up until 4:00 p.m.

President Reynolds remarked that we heard that they need to get to the landfill by a certain time. He would say he would be inclined to vote for the motion tonight to put it back to

6:00 p.m. but he is definitely open to 5:00 a.m. in the future. He thinks the best time to do it would be when you are considering what other aspects of the south side program would be done throughout the whole City. If it was a situation where depending on your own conversations with the haulers and that you look at this and said this is our certain problem with zoned pick up on the north side or the west side or center city and we need to pick up earlier, then this would be a good idea to consider this at that point. President Reynolds noted until that happens, he knows we have haulers in the afternoon and when you look at the fact that Liberty High School starts at 7:30 a.m. as compared to elementary schools start which he believes is 8:55 a.m. you will still look at that window of 7:00 to 9:00 a.m., which is unavoidable even if we move it to 5:00 a.m. He would be inclined to support the motion tonight but only with the idea that we should have this discussion when you make your decision after the first year of the pilot program and consider what to do with the rest of the City.

Mayor Donchez stated his position is that they want a full calendar year to really evaluate, especially the summer months. Thus far we were very fortunate and it has been a success but we need a year to really evaluate the zoned hauling program on the Southside, and then we will discuss it internally. Mayor Donchez noted he does not see any proposal coming to expand this in 2017. It took a long time just to come up with this proposal with the haulers but this is a good step and we do need time to evaluate. He reiterated that they would like to wait a full calendar year.

President Reynolds agrees with Mayor Donchez. Doing this without understanding what goes on in the summer without the school busses and everything else involved would not be wise; there is a lot of information still out there. He is more comfortable look at the change in time of a pick up after we take a look at the program the end of a year.

Kristen Wenrich, Health Bureau Director, mentioned a few pieces of data that they did collect. She reached out to Sandra McKeon, the Transportation Manager for the Bethlehem Area School District. Although we were not able to provide solid data, she did have some anecdotal comments just in conversations with her assistant supervisor, as well as the bus drivers. She did cite some safety concerns, as well as delays with having children arriving to school due to garbage trucks. Specific areas of concern that she was able to provide to her were Sioux Street, Macada Road, East Fourth Street, Williams Street, Lynnfield Terrace. Ms. McKeon is very supportive of the time change and moving it from 6:00 a.m. to 5:00 a.m. for pickup. Additionally, she did reach out to the Police Department because she believes another piece of data you had asked for was with citations for garbage haulers who have been starting before the 6:00 a.m. start time. Since 2008 only four citations were issued for starting early, so it is not a significant problem. We also pulled some incident reports for the last year involving garbage trucks and there were five accidents that did involve garbage trucks. Thankfully none involved students or busses.

Councilwoman Negrón-Dipini stated she had a few questions. She mentioned that everything she has heard from the Administration is very true in terms of how successful the program has been on the south side. It is a huge difference not to see trash every day of the week, but only on two days. She knows on the south side there are many tiny streets, and traffic is a problem, which she is really concerned about. The incidents that were spoken about seem to be on the south side with the streets. She believes when the haulers were making their point and they essentially said the same thing; there are small streets and a lot of traffic. Councilwoman Negrón-Dipini is concerned about the safety. This is a great success although we have not yet thought that far to zone the rest of the City. She thinks it will make a difference once we zone the City because perhaps the haulers do not have to worry about picking up anywhere else but the south side on Mondays and Tuesdays because Wednesday and Thursday they are elsewhere. She says this because she has friends and family who live on the north side and they say their haulers say they can only get their trash picked up on Tuesday, but for 20 years they put it out on Thursday, and they are on the north side. So there is a little confusion on what they are doing as well. She is thinking that maybe they are doing too much on Monday and Tuesday and we should zone the entire City for it to be easier for the haulers and be easier for the community. Councilwoman Negrón-Dipini mentioned it will lessen the time that they have to do their work. Due of her concern for safety she expressed what if we do the pickup at 5:00 a.m. on the south side only, so all of the south side can be clean. She has looked at the nearby cities and some do the pickups through the night. She drives to work and she sees trash trucks picking up, and people are driving around and walking in front of the trucks. She knows that on the north side the 5:00 a.m. it is not well received. We need to consider the south

side that has the smaller streets with heavier traffic and have the 5:00 a.m. pickup for the south side.

President Reynolds mentioned that she could certainly make a motion, although Mr. Martell's motion is currently on the floor. President Reynolds wanted to clarify if she is saying that we put the trash pickup at 5:00 a.m. on the south side, but keeping it at 6:00 a.m. for the rest of the City for now.

Councilwoman Negrón-Dipiní stated yes.

President Reynolds reported that is something he would be amenable to, that would dovetail nicely with the end of the pilot program, and seeing how it works on the south side before considering whether or not to do it with the rest of the City. He knows we have an amendment on the floor right now. He would defer to Mr. Martell on his amendment but of those two options this are something he would be supportive of just because of the timing of this as far as the pilot program is concerned.

Mr. Martell stated he would like to go through with the vote on his amendment. He thinks the argument that was made earlier made sense. It is confusing to hear the pilot program is going good, and questioned why should we change the time now? It seems to make sense to wait until the pilot program is over to take a full evaluation. That is his position and if it fails we will move on and have further discussion.

Mr. Waldron is sure that safety is something that everyone takes seriously and other than a few anecdotal issues he does not know there is any major issue that is pointing to a shift to a 5:00 a.m. citywide pick up. He pointed out when this came up last time no one had an answer as to how many school busses drive on the south side. There are not many because he does not think they give any service to Liberty, Broughal or the elementary schools. He does not know where the school busses are and where they are going, but it is not to Bethlehem Public Schools.

Mr. Callahan stated the buses do pick up Freedom High School and East Hills Middle School students.

Mr. Waldron mentioned we must be talking about two or four busses at the most and other than Hayes none of the streets were on the haulers short list of problem areas. It does not necessarily mean that the school bus is the factor; it is going around the trash trucks and potential issues that can create. Mr. Waldron thinks if we are really concerned about safety and we want to make a big change, if we went to 2:00 a.m. or 3:00 a.m it could be completely done before anybody is on the road and the haulers would support that. The idea would be to get fewer trucks on the road if you really want to do that. Mr. Waldron stated that zoned hauling for the entire City would be something he would really support, and the obvious progression from there is single hauler. This would get the least amount of trucks on the road for the least amount of time. If we are really concerned about safety the single hauler is the way to go. Mr. Waldron does not necessarily know if that is the real genesis for this. He thinks the system is working the way it is until we get more data from the pilot program to decide whether we want to go to 5:00 a.m. for just the south side or do zoned hauling which he would support. Mr. Waldron thinks if we went to zoned hauling for the entire City that warrants a 5:00 a.m. start time. He would support Mr. Martell's amendment.

President Reynolds reiterated that this is the first reading of this Ordinance and that the second reading will be in three weeks. We do have an extra Tuesday in this month, if there if anyone wants to do any research and offer any other changes. President Reynolds thinks that Mr. Waldron and Mr. Martell make a lot of sense, but he does understand where Councilwoman Negrón-Dipiní is coming from.

Mr. Colón stated he would be supporting the amendment as it is written. He remarked after looking over the past few weeks at how other municipalities handle the trash with early start times and overnight hauling, and moving the pickup we are looking at how much trash will be picked up in that one hour. In addition, he takes into consideration, talking to people in the community and how many people responded that they used the garbage truck as an alarm clock now and will not use it as an alarm clock at 5:00 a.m. and also looking at how the neighborhoods are going to respond. He expressed we could always revisit this and change the

Ordinance back to 6:00 a.m. Mr. Colón understands the comments made about looking at zoned hauling. We are going to have the trucks condensed to potentially two days City wide but if 5:00 a.m. is going to be a problem in 2017, he thinks 5:00 a.m. would be a problem today. He would support the Ordinance as written.

President Reynolds asked if there is any more discussion before the Clerk calls the roll on Mr. Martell's amendment to move it from 5:00 a.m. to 6:00 a.m..

Voting AYE on amendment Bill No. 13 – 2016: Mr. Martell, Mr. Waldron, Mr. Reynolds, 3. Voting NAY: Ms. Negrón-Dipini, Mr. Callahan, Mr. Colón, Mr. Evans, 4. The amendment failed.

President Reynolds stated to Councilwoman Negrón-Dipini that now would be a germane time if she would wish to make her motion.

Ms. Negrón-Dipini made the motion that we make an amendment to Bill No. 13 – 2016 - Establishing Article 1162 – Solid Waste Collection and Enforcement to state the start time of pickup be changed to 5:00 a.m. for the south side and the rest of the City would stay at 6:00 a.m.

Mr. Evans mentioned with that other motion failing, the Ordinance as it stands before us Bill No. 13 – 2016 has it as 5:00 a.m., and asked if that is correct.

President Reynold stated that is correct.

Mr. Evans remarked that the motion is to have pickup at 5:00 a.m. on the south side, and the rest of the City would be back to 6:00 a.m.. Mr. Evans seconded the motion.

President Reynolds mentioned the motion from Councilwoman Negrón-Dipini to move the south side pickup to 5:00 a.m. and keep the rest of the City at 6:00 a.m. is on the table for discussion.

Mr. Waldron thinks the Mayor's point still stands that the idea was to have a one-year pilot program to get information, and then after that one year, make a decision whether 5:00 a.m. or 6:00 a.m. was or was not working, as well as rolling this out to the rest of the City. To paraphrase Mr. Martell, if the system is working and is successful why make a change.

President Reynolds stated the motion that was voted on was to keep the pick-up time at 6:00 a.m. This is a different motion because that one was voted down.

Councilwoman Negrón-Dipini mentioned the Ordinance as presented to us is changing the entire City to 5:00 a.m.. Her amendment is to consider anyone else other than south siders that do not want to hear the trucks at 5:00 a.m. in the morning, especially because the issues are in the south side due to the traffic and overcrowded areas, for safety, and in order to alleviate the rest of the City and to concentrate where the issues are happening. The amendment would be 5:00 a.m. on the south side and 6:00 a.m. in the rest of the City.

President Reynolds repeated that he is open to the 5:00 a.m., but thinks as Councilwoman Negrón-Dipini stated before, we need to wait until the end of the pilot program and take a look at how this affects the south side and the zoned hauling, the timing of which he is the most comfortable with.

Mr. Evans commented that because the zoned hauling is in place now, you have more trucks in a closer zone because of that area, so on Monday and Tuesday there are more trucks in the area than what is around the rest of the week. So there will be more crowding with the trucks and also as previously mentioned the regarding tightness and congestion of the roads in that area. This will give them more flexibility to get things taken care over there at a more appropriate time and that is why he supports the amendment.

Mr. Callahan agrees with Mr. Evans and Ms. Negrón-Dipini, but he thinks the thought process of moving this to a citywide 5:00 a.m. start is that due to less traffic they can do the pickup quicker and get out of the way earlier. Mr. Callahan added that this will alleviate traffic throughout the City, wherever it is. He would support going to a 5:00 a.m. throughout the City

not only for safety but for traffic concerns. He wants to get them off the street as soon as possible.

Mr. Martell questioned the Administration on this amendment and what would be the logistics. It is not even zoning, the Ordinance does not even actually include a zone.

Ms. Karner mentioned what they had proposed last year was a change to the Ordinance and she believes it was south of the Lehigh River so that we did have this conversation last summer. The way we categorize it because the Ordinance does not refer to zoned would be south of the Lehigh River. As for this amendment we certainly presented this last year and so we thought it was good at that time.

Mayor Donchez reported that he proposed this last year with the start time of 5:00 a.m.

Voting AYE on amendment to Bill No. 13 - 2016: Mr. Martell, Ms. Negrón-Dipiní, Mr. Waldron, Mr. Evans, and Mr. Reynolds, 5. Voting NAY: Mr. Callahan, Mr. Colón, 2. The Amendment passed.

Voting AYE on Bill No. 13 - 2016 as amended: Mr. Martell, Ms. Negrón-Dipiní, Mr. Waldron, Mr. Colón, Mr. Evans, and Mr. Reynolds, 6. Voting NAY: Mr. Callahan, 1. Bill No. 13 - 2016 was passed on First Reading.

*B. Bill No. 14 - 2016 - Amend Article 1161 - Health Nuisances*

The Clerk read Bill No. 14 - 2016 -Amend Article 1161-Health Nuisances, sponsored by Mr. Callahan and Mr. Martell and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
ARTICLE 1161 OF THE CODIFIED ORDINANCES OF  
THE CITY OF BETHLEHEM TITLED  
"HEALTH NUISANCES"

Voting AYE: Mr. Martell, Ms. Negrón-Dipiní, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. Bill No. 14 - 2016 was passed on First Reading.

*C. Bill No. 15 - 2016 - Amending General Fund Budget*

The Clerk read Bill No. 15 - 2016 -Amending General Fund Budget, sponsored by Mr. Callahan and Mr. Martell and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
THE 2016 GENERAL FUND BUDGET

Voting AYE: Mr. Martell, Ms. Negrón-Dipiní, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. Bill No. 15 - 2016 was passed on First Reading.

*D. Bill No. 16 - 2016 - Amending Sewer Fund Budget*

The Clerk read Bill No. 16 - 2016 -Amending Sewer Fund Budget, sponsored by Mr. Callahan and Mr. Martell and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
THE 2016 SEWER FUND BUDGET

Voting AYE: Mr. Martell, Ms. Negrón-Dipiní, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. Bill No. 16 - 2016 was passed on First Reading.

E. *Bill No. 17 – 2016 – Amending Sewer Capital Fund Budget*

The Clerk read Bill No. 17 – 2016 – Amending Sewer Capital Fund Budget, sponsored by Mr. Callahan and Mr. Martell and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
THE 2016 SEWER CAPITAL FUND BUDGET.

Voting AYE: Mr. Martell, Ms. Negrón-Dipini, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. Bill No. 17 – 2016 was passed on First Reading.

F. *Bill No. 18 – 2016 – Amending Capital Budget for Non-Utilities*

The Clerk read Bill No. 18 – 2016 – Amending Capital Budget for Non-Utilities, sponsored by Mr. Callahan and Mr. Martell and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
THE 2016 CAPITAL BUDGET FOR NON-UTILITIES.

President Reynolds stated we will have discussion on Bill No. 18 but there is an amendment made to Bill No. 18 that was made tonight at the Finance Committee. The Clerk will read the amendment to Bill No. 18 that is the result of the amendment made at the Finance Committee tonight.

The Clerk read amendment No. 1 to Bill No. 18, sponsored by Mr. Martell and Mr. Waldron as follows:

**That SECTION 1 that reads as follows:**

That total appropriations in the 2016 Capital Budget for Non-Utilities be increased from Thirteen Million, Four Hundred Ninety-Four Thousand, One Hundred Eighty (\$13,494,180) Dollars to ~~Thirteen Million Nine Hundred Forty Nine Thousand One Hundred Eighty (\$13,949,180)~~ Dollars.

**Shall be amended to read as follows:**

That total appropriations in the 2016 Capital Budget for Non-Utilities be increased from Thirteen Million, Four Hundred Ninety-Four Thousand, One Hundred Eighty (\$13,494,180) Dollars to **Thirteen Million, Six Hundred Twenty-Nine Thousand, Six Hundred Eighty (\$13,629,680)** Dollars.

**That SECTION 2 that reads as follows:**

**That the following allocations be changed:**

<u>Account Title</u>	<u>From</u>	<u>To</u>
Signage	\$159,619	[\$584,619]
Park/Playground Improve.	\$ 3,739	\$ 33,739

**Shall be amended to read as follows:**

<u>Account Title</u>	<u>From</u>	<u>To</u>
Signage	\$159,619	<b>\$265,119</b>
Park/Playground Improve.	\$ 3,739	\$ 33,739

**That SECTION 3 that reads as follows:**

That the following sources of revenue be changed:

<u>Account Title</u>	<u>From</u>	<u>To</u>
Escrow	\$141,583	\$144,583
Developer's Rec Fee	\$264,000	\$291,000
Signage Contributions	\$ - 0-	[\$425,000]

**Shall be amended to read as follows:**

That the following sources of revenue be changed:

<u>Account Title</u>	<u>From</u>	<u>To</u>
Escrow	\$141,583	\$144,583
Developer's Rec Fee	\$264,000	\$291,000
Signage Contributions	\$ - 0-	<b>\$105,500</b>

SECTION 4. All Ordinances and parts of Ordinances inconsistent herewith be, and the same are hereby repealed.

Voting AYE on the amendment to Bill No. 18: Mr. Martell, Ms. Negrón-Dipini, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7.

Voting AYE on Bill No. 18 as amended: Mr. Martell, Ms. Negrón-Dipini, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. Bill No. 18 - 2016 was passed on First Reading.

G. *Bill No. 19 - 2016 - Amending Community Development Budget*

The Clerk read Bill No. 18 - 2016 -Amending Community Development Budget, sponsored by Mr. Callahan and Mr. Martell and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
THE 2016 COMMUNITY DEVELOPMENT BUDGET.

Voting AYE: Mr. Martell, Ms. Negrón-Dipini, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. Bill No. 19 - 2016 was passed on First Reading.

9. RESOLUTIONS

A. *Authorizing Use Permit Agreement - Mount Airy Neighborhood Association - West Side Farmer's Market*

Mr. Callahan and Mr. Martell sponsored Resolution 2016-112 that authorized a Use Permit Agreement with the Mount Airy Neighborhood Association for the West Side Farmer's Market.

Mr. Waldron remarked that we have a few representatives from the Mount Airy Neighborhood Association and he wanted to say that all of Council wishes them luck with everything, and if you need any support for promotion please come to us or to the City and we will try to do what we can to help you out.

President Reynolds recognized that the representatives from the Mount Airy Neighborhood Association have sat through this long meeting. There has been a lot of work on this event, many emails, and much excitement about the Farmer's Market and they deserve credit for putting the program together for community. Some Members of Council have been involved to see what they can do to help and get the word out there. President Reynolds sees this as an exciting thing on the horizon for the west side of Bethlehem and we are all fired up about it as is the Administration and The Morning Call and The Express-Times newspapers. It should be a

good thing going forward.

Mr. Callahan added that he wanted to congratulate them on the work they have done for this program. It is a great thing they are doing and he would like to reiterate that if there are any funds available, as he stated earlier in the year, he would like to see some type of historic lighting in that west side historic district. This district is probably the one that is neglected. Mr. Callahan mentioned that he did propose earlier in the year that we try to find some money to put in lighting on Eighth Avenue, maybe up to Sixteenth Avenue. He pointed out that Mr. Alkhal had looked into that matter. Although it might be a substantial amount of money, maybe we can do a block or two at a time.

President Reynolds queried where the money was that Mr. Callahan was talking about.

Mr. Callahan stated he had said he hoped we could find some money for that like we have for the historic district on Main Street and on the south side. We did find money for those two areas.

President Reynolds wondered if it was a motion Mr. Callahan had made at some point.

Mr. Callahan replied no, he was just asking the Administration that in the future we should find additional funds for the west side.

Mr. Colón stated he wanted to echo what the other Councilmen said. He knows how anxiously they have been waiting for this to be passed and how hard they have been working, so he wishes them good luck and added that he is looking forward to attending this.

Voting AYE: Mr. Martell, Ms. Negrón-Dipini, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. The Resolution passed.

*B. Authorizing Contract – ArtsQuest – Southside Streetscape Improvement – Bike Racks*

Mr. Callahan and Mr. Martell sponsored Resolution No. 2016-113 that authorized to execute a contract with ArtsQuest for Southside Streetscape Improvement, Bike Racks.

Voting AYE: Mr. Martell, Ms. Negrón-Dipini, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. The Resolution passed.

*C. Authorizing Use Permit Agreement – ArtsQuest – Copa America Soccer Viewing Party*

Mr. Callahan and Mr. Martell sponsored Resolution No. 2016-114 that authorized a Use Permit Agreement with ArtsQuest for the Copa America Soccer Viewing Party.

Voting AYE: Mr. Martell, Ms. Negrón-Dipini, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. The Resolution passed.

*D. Authorizing Contract – Stratix Systems*

Mr. Callahan and Mr. Martell sponsored Resolution No. 2016-115 that authorized to execute an agreement with Stratix Systems for contract and document management.

President Reynolds remarked that he had a conversation earlier today with our City Controller George Yasso because this was one thing he had brought up as well. He continued that we have a rather inefficient way of doing contracts in City Hall. He had said that he had discussions with the Administration about this proposal as well, and he thought it was a good idea. We have talked about different ways over the years about how the City pays invoices and how we do this from department to department, and is there a more efficient way for it to be done. This is a step in the right direction. President Reynolds wanted to give the Mayor, Mr. Brong and the Administration credit for pushing this forward as an important project. When he was reading through this he had a few questions about whether or not some of the things that were included in here in the description of what the money was going to be spent on is whether or not those are allowable or consistent with bond funds, which he believes where these funds are coming from.

Mr. Brong replied yes, it is. This is an information technology project not unlike any other IT project that we have. What it involves is the configuration of a software product that is purchased and configured by an outside consultant with some laboring with some personal professional services and ultimately we have delivered a functional software product to use at the City. Mr. Brong stated it is consistent from that standpoint we have been purchasing this type of products with regards to our Sungard Enterprise Management System, our New World Public Safety System and this is not at all unlike those.

President Reynolds thanked Mr. Brong.

Voting AYE: Mr. Martell, Ms. Negrón-Dipiní, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. The Resolution passed.

*Motion – Considering Resolutions 9 E through 9 I as a Group – Certificates of Appropriateness*

Mr. Callahan and Ms. Negrón-Dipiní moved to consider Resolutions 9 E through 9 I as a group.

Voting AYE: Mr. Martell, Ms. Negrón-Dipiní, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. The Motion passed.

E. *Certificate of Appropriateness – 228 East Market Street*

Mr. Callahan and Mr. Waldron sponsored Resolution 2016-116 that granted a Certificate of Appropriateness to construct a 6 foot by 6 foot addition to the rear porch, remove and replace existing steps and replace columns at 228 East Market Street.

F. *Certificate of Appropriateness – 564 Main Street*

Mr. Callahan and Mr. Waldron sponsored Resolution 2016-117 that granted a Certificate of Appropriateness to restore the windows at the Sun Inn at 564 Main Street.

G. *Certificate of Appropriateness – 564 Main Street*

Mr. Callahan and Mr. Waldron sponsored Resolution 2016-118 that granted a Certificate of Appropriateness to install a new fence to replace a temporary construction fence at the Sun Inn at 564 Main Street.

H. *Certificate of Appropriateness – 129 East Market Street*

Mr. Callahan and Mr. Waldron sponsored Resolution 2016-119 that granted a Certificate of Appropriateness to install handrails on both sides of the front steps at 129 East Market Street.

I. *Certificate of Appropriateness – 437 Main Street*

Mr. Callahan and Mr. Waldron sponsored Resolution 2016-120 that granted a Certificate of Appropriateness to install medallions at the dentil block at the cornice at 437 Main Street.

Voting AYE on Resolutions 9 E through 9 I: Mr. Martell, Ms. Negrón-Dipiní, Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Evans, and Mr. Reynolds, 7. The Resolutions passed.

10. NEW BUSINESS

*Committee Meeting Announcement*

Chairman Martell announced that the Community Development Committee Meeting will meet tomorrow Wednesday, May 18, 2016 at 6 PM in Town Hall. The subject will be providing an update on ArtsQuest from the President of ArtsQuest, Kassie Hilgert.

*National Gun Violence Awareness Day*

President Reynolds mentioned that a few days ago he sent a memo to Mayor Donchez regarding June 2, which is National Gun Violence Awareness Day. He received a reply memo

and apologizes for forgetting that the Mayor had done this last year. President Reynolds wanted to congratulate Mayor Donchez for taking that step last year. The other thing is that he is happy to hear that Mayor Donchez is working with Police Chief Mark DiLuzio regarding the awareness efforts. President Reynolds noted that he did find some other events throughout the City and the City Clerk will forward that to the Mayor in the next few days for something to look at in the future. President Reynolds is also happy that Mayor Donchez put in the memo about encouraging employees to wear orange on June 2. President Reynolds added that he reached out to Kassie Hilgert at Steel Stacks about the possibility of lighting up the steel stacks in orange on June 2. President Reynolds encourages everyone, in whatever way we can through our different social media accounts, to pass this information along to wear orange on June 2. Once again he thanked Mayor Donchez for his support last year.

11. PUBLIC COMMENT

*Dangerous and Illegal Parking Problems*

Arthur Curatola, 813 Laufer Street, stated he has been at Council Meetings a few times before on the issue of dangerous and illegal parking habits condoned by the Bethlehem Parking Authority. He noted that nothing has been done for over a year ago. He continued many years ago the law was placed in effect that parking up to stop signs less than 25 feet or too close to intersections or curbs or double parking was illegal. This is for the safety of active drivers and pedestrians, children, handicapped people, senior citizens and all of God's creatures. Mr. Curatola added if a vehicle is blocking the view of oncoming vehicles and/or pedestrians it is a traffic hazard and a danger to our community, and should be rightfully taken care of and removed, i.e. towed. Mr. Curatola would like to know how is it that the Parking Authority feels that handicapped people are less people than Lehigh University students and the staff. The reason he asks this question is that any time of the day you can drive west bound on South Fifth Street in Bethlehem and when you get to Webster Street intersection you can look to the right and see a vehicle with Lehigh University decals on the windows with no ticket on the front window. As the vehicle is parked right up to the stop sign not even 25 feet from the stop sign and not even 25 inches when the law in Pennsylvania says it should be 25 feet. Mr. Curatola has complained endlessly about this problem to the Parking Authority, City Council, the Police, the Mayor, and Mr. Alkhal and got nowhere. He has provided ideas, and wishes they could prevent the perpetrators from being a traffic hazard. The Bethlehem Parking Authority will not ticket these people who are breaking the laws of the PA Traffic Safety Ordinance. These laws were placed in effect by real people of authority for safety reasons, but the Bethlehem Parking Authority would give us people with many physical handicapped challenges, tickets if we are parked in their parking lots unloading our groceries. The reasons why we park there is so we are not a traffic hazard and we do not block the streets. If he blocks Laufer Street's alley the people behind him may be causing noise, or confront him and then have a domestic violence problem. Mr. Curatola noted on May 22<sup>nd</sup> he was in a Parking Authority lot for more than 10 minutes, and when he came out for his third load of groceries he saw the Parking Authority moving away and a ticket on his windshield. Last year Mr. Kevin Livingston, the Director of the Parking Authority was so accommodating that he was willing to give him a handicapped spot a block or so away from his house for \$100 when the Parking Authority caused him already thousands of dollars of damage for plowing the snow in the winter time against his property. When his health problems kick in he cannot walk a block or two, and he has to park a little closer to the lot to get his groceries out of the car. He is asking for a little slack for the handicapped people, especially senior citizens and U. S. citizens who served for our Country. Mr. Curatola stated he falls into all three categories. If the Bethlehem Parking Authority chooses to respond as an authority on parking he feels that they should want to be a little more lenient upon giving tickets to individuals who are not trying to be traffic hazards and ticket rightfully the people who are trying to be traffic hazards. He feels the ticket that was given to him less than 10 minutes when he was in the lot on May 22<sup>nd</sup> should be abrogated. If by any chance the City could find some money to donate to the Parking Authority for them to be a little more lenient to their residents of Bethlehem instead of Lehigh Students and staff, he would gladly donate \$100 dollars, if they dismiss this unjust ticket.

*Bridge/ Safe Access-Bella Vista Drive*

Gerry Sylvester, 200 Bella Vista Drive, Hanover Township, stated he is at this meeting to open the door for a need that we have that relates public access for 13 homes on Bella Vista Drive. Mr. Sylvester informed this is a long and complicated story. Most recently legal action was taken after Hurricane Ivan by the residents of Bella Vista Drive because we wanted the access bridge to

be safe to use. Most of us are second generation families on that street. The street was visible to everybody and used by everybody, commercially, privately, the post office and more. The owners that are there now thought that was a public way. Mr. Sylvester stated the township did not think so and we have done a tremendous amount of research and it has taken from 2006 until today for us to realize that what we saw and what really is are two different things, and we need a safe way to get out and it is not going to be to Center Street. That road is a private right of way coming out onto Center Street in Bethlehem and is ugly. Mr. Sylvester explained he has had family member's totaled cars and there have been numerous accidents for the residents there. We need a safe way out. The Township has informed us, Bethlehem is on one side of the Monocacy and Hanover Township is on the other side of the Monocacy. They are willing to move ahead to rectify how we get out by building a road at the other end of Bella Vista Drive and taking it up into Santee Heights. One of the bright spots in all of this is that your Solicitor, when he was first appointed, came to one of our meetings that we had with the Township, and he positively started to work with us. Mr. Sylvester noted some things have happened. We need safe access out of the community and your Solicitor said that they would work with us and close the bridge. The Township is saying that when the City gets involved and works with them that they will move ahead. He has told the Township why is the City involved and why does he have to talk to these hard working people who spend hours trying to govern this place and they said it is a matter of facts and the way mother nature has laid it out because the City is on one side of our access and they are on the other and the two governments have to work together. Mr. Sylvester stated that there has been communication and he really wants to encourage you to pay attention to what is going on and make sure that there is a resolution so we can safely get off of Bella Vista Drive through Hanover Township and not have to be pulling out onto Center Street. He remarked that it is bad. The other thing he wanted to show Council, which is a personal disappointment for him is that the family that has owned the land and has been there for three generations are the the Scholl's. They are the current family that resides there. Mr. Sylvester noted when this right of way was put in it was fine, it was a gentleman's agreement but years later when the opposite side of Center Street was developed there were water problems. He added that Bethlehem was very, very helpful and came in and took care of our right of way because of the water. Mr. Sylvester then showed a picture of what happened earlier, and what is happening is with all the development and the covered surfaces. At Johnston Drive there is a humongous amount of water that is coming down. We fortunately have someone in the neighborhood that goes to Monocacy Park and he looks at the water meter that is there. He sees what is going on, and putting any money in that right of way or in that bridge, which we do not have anyway, is a waste of money. Mr. Sylvester pointed out we need a way out and he stated he is here to work with the City, and we want the Solicitors to get together and talk, and we believe that has started to happen.

*Dennis Benner Development Project/ Parking Garage*

Breena Holland, 379 Carver Drive, stated she wanted to make sure all of you have seen the article that was in The Morning Call newspaper today on public corruption. She mentioned an interesting definition of a legal corruption that she should make sure she mentions because she think what has happened with this Dennis Benner development project and the parking garage at least looks like a form of what this article refers to as legal corruption. Ms. Holland noted this project has given so many benefits to the developer and has not given any benefits to the residents and she would argue has not even considered the best interest of the small businesses seems to fit this definition. She thinks it is may be legal, as they say, you have not done anything illegal but it comes across as a form of corruption. There are people on this Council who have received plenty of campaign contributions from the developer and some of you are also friends with him. Ms. Holland added this is something that we have tried to keep out of the conversation but when you see something like this level of disregard to community concerns that have been demonstrated it makes it hard not to start bringing these kinds of things up. She mentioned all of you keep on saying you are doing something good for small businesses. Do you think that the small businesses would benefit from actually having improperly access to the kind of traffic that this garage will bring into the area, the closing of Graham Place will bring? This is something that was brought up weeks ago and no one could even take the effort to go out there and put some cones up or to have your traffic engineers recalculate their numbers so you could see what the actual degradation of the intersections would look like. Ms. Holland stated to her that is a disregard of the concerns of the small businesses because some of them have asked whether or not this will increase traffic. Ms. If you want to give equal concern to small businesses and pretend to care why are we not talking about giving them validated parking rates, the hourly equivalents of the contract rates given to Mr. Benner? Ms. Holland mentioned she has brought this up before and of course there has never been any reference to it but on the exits from the garage they are going to allow the pedestrians to

walk up to Fourth Street when they could actually serve those small businesses. They have one exit in this garage going out onto an empty alleyway with a six story building on one side that is not walkable. Likewise, on the other side of the street they have to combat multiple directions of traffic coming in and out of the garage so there should be a pedestrian exit there that will make it easier for customers to come out of the garage and service the businesses on Fourth Street. Ms. Holland was concerned tonight when you were not willing to table the closing of Graham Place because if you can leave Graham Place open then you do not have to change the direction of Vine and you also do not have to create the exit off of Third Street. So if you have this project charging forward and doing those things before you actually make a decision about whether or not you are going to move this street you will end up in the situation where they have already made the huge financial investments in things that you would be saving money on if you just moved the street. You would not have to close Third and you would not have to change the direction of Vine. Not changing the direction of Vine would be great because it would allow some of the cars to escape from the back of the garage up to Fourth Street and not just have to go down Graham Place and hit that terrible intersection. Ms. Holland remarked if you are going to think about in a serious way moving the street, it has to be done very quickly before this project proceeds and you do not start making all of these decisions that will ultimately make it impossible.

Greg Zebrowski, 23 Dewberry Avenue, mentioned that based on the logic he heard this evening, Ms. Negrón-Dipini, your vote should count and the other six should not, you are the only south side resident. Mr. Zebrowski stated there was precedent for this City going the extra mile to make a garage work. That is the point he was trying to make earlier. If you really believe in this project, the Mayor and Council, then you should provide the proper infrastructure and that means the streets that surround it so it is easier to get into and out of the garage. Mr. Zebrowski informed he will give the classic example of where the City invested money to make it work and that is the Walnut Street Garage. Mr. Zebrowski stated he remembers that and was involved in that issue back then. We converted an alley called Walnut Street and we converted an alley called Guetter and we widened it and, the Walnut Street Garage has been successful. He noted that people can get in and out unencumbered and people can walk there and the other thing that was helpful was the fact that Guetter Street now helps move traffic in a west direction which has a collateral effect in helping the North Street Garage. He added that Raspberry Street opened with the North Street Garage also because that was requested. Infrastructure projects are always difficult and messy but when you do a little messy work you get them right. Mr. Zebrowski pointed out the cost that you will get back probably will be inflated because this is on the fast track. Anyone who has had any experience could see this two months ago at the first meeting. One Planning Commission Member did have the audacity to suggest that maybe an environmental impact study should have been done and if that had been done some of these questions about the impact on the neighborhood would have had better information about. He faults the Administration for not supplying Council with that information. Mr. Zebrowski stated he does not want to embarrass Mr. Spirk but he is holding up a study when Northampton County invested \$38 million dollars in economic development. He wanted to remind that County Executive Reibman, himself and others paid a high political price fighting for this City. Mr. Zebrowski noted that \$17 million was diverted to this City and every time we proposed those funds for this City he had testimony from Mayor Cunningham and Councilwoman Szabo in front of him. We had to rationalize those expenditures and that \$17 million for things like the Commerce Center Road, North Street Garage, and Beth Works. He added that Mr. Reibman had to have an environmental impact study given to Council Members and his Economic Development Committee. We had to have an economic impact study on whether there are real dollars to be benefited and you do not have any of that. We have cheerleading for the project because we like the developer. Mr. Zebrowski asked if Council has any information in front of them before they made this decision and will they continue to move down this road with further development. Do you know if with the cost of this project will more public funds be generated than private funds, will you produce economic benefits greater than the public costs invested, meaning the money you spent on this garage? What are the effects of this project on the economy, the overall economy? He has heard stories that this will improve jobs, but you are just transferring jobs, there are not real jobs going over there and no real contracts for further development. The only development that is going is the projected development on West Fourth Street, by Mr. Benner. Mr. Zebrowski enumerated that he and others like the project on the corner, he does not like the garage where it is, and there were other options. It is insulting to suggest that some of us are anti-development when we paid a heavy political price to invest in this City long before this Council has served and long before this Mayor was the Mayor. Mr. Zebrowski remarked that he would rather watch the NBA tonight himself, but his concerns are where we are going in the future and why is Council

afraid to digest some information. He is asking where is the environmental study, the updated traffic study and where is the economic development impact study. Real dollars for real jobs had to be displayed that would benefit the investment made. and you do not have any of that information in front of you. Mr. Zebrowski stated that there is speculation and clapping hands because someone is investing \$20 million. He believes that Council deserves more information to make a decision when you are investing those kinds of dollars for the public.

Stephen Antalics, 737 Ridge Street, remarked that he feels obliged to reiterate something he has brought up at previous Council Meetings a number of years ago and that is called the Parsifal Effect. The Parsifal Effect is based upon Wagner's Opera Parsifal. This is about the Holy Grail and the Knights of the Round Table. There is a very moving scene where a beam comes down from heaven over the Grail and the Knights are imbued with special power. Mr. Antalics calls that the Parsifal Effect, because it seems that when people are ordained or taking the oath of office this invisible beam comes down upon them and imbues them with the Parsifal Effect. They cease to be regular citizens and they become something super and are above the average citizen. Mr. Antalics pointed out that he says this, with exception of the Mayor. The three most able, intelligent people to advise you on economic development were here, Mr. Zebrowski, Mr. Grubb and Mr. Melnick. They know more about economic development than any of you and everyone else in the City, except for the Mayor. Mr. Antalics mentioned for Council to ignore them it is incomprehensible. The best source of information you have paid no attention to. Mr. Antalics wonders if this is the Parsifal Effect or is this something else. The word criminal came up and that is terrible to bring into a City Council Meeting when the Council should be supporting the view of the most intelligent capable people in the City. Mr. Antalics stated this is on your conscience and almost a violation of your oath of office. What has happened to the term integrity, service, dedication to the will of the people who put you there, it does not exist.

#### *School Zone Parking*

Dawn Rodgers, 1522 Elliott Avenue, stated she came to this meeting to observe and brought her son, who is a Boy Scout and is working on this Citizenship in the Community Merit Badge. She mentioned that she had no idea what was going on with Graham Place and the garage and the garbage trucks but there was a lot of talk about extra traffic. Ms. Rodgers mentioned that the haulers will want to get in and get out so it is not only an issues on the south side so you might want to let them come at 5:00 a.m. since you will have all of this extra traffic because you will be closing the street down. Ms. Rodgers remarked that since she is at this meeting she has a big problem with the schools and tickets. She actually spoke in front of Council and was given a pathway to follow and she has talked to the Police Chief. She is speaking today to the Mayor and noted that there is a serious problem with parking at our schools and she has gone as far as talking to the Superintendent a number of times. Ms. Rodgers stated that her child goes to Calypso School where people continually park in the No Parking zones and she has to double park to let her child out in the middle of the street because people are parked where it says no stopping or standing in the school zone. Ms. Rodgers added that people park from the No Parking zone to the sidewalk and yesterday she had a problem and had to drive on the wrong side of the road to park where the busses are supposed to drop off students. She has talked to the head of the traffic division a number of times about having more police there, but he said they cannot because they only have four or five Police Officers. Ms. Rodgers remarked that Calypso is not actually in a school zone and tickets are only \$10 dollars so it does not deter people to not park there because when the police are there once a month they will only get a \$10 ticket. She knows that at the beginning of the year the State Police were supposed to be there issuing a State ticket, and a traffic violation that would actually be \$130, however they come and still give warnings and only come once a month since January. Ms. Rodgers has talked to the Parking Authority because they hand out tickets but yet they cannot go as far as Calypso. She had done her homework and has called a number of people without results. She remarked we have to remember this is our kid's safety. Ms. Rodgers pointed out that she drops off her child almost late every day so she does not have to deal with parking because once that bell rings parents will move and then she can actually pull up and let her child out. Ms. Rodgers then yells at her children to run as fast as they can to get into school so they are not late. She also has video she has taken and can show what happens. Ms. Rodgers added that she got into an altercation with a parent once because she asked nicely to tell them they are in a no parking zone but they do not care. She did not touch their car and stood in front of the car and the man came out and pushed her and she called the Police. She got into trouble because the officer said she was in the wrong for standing in his view after he asked

her to move, even though he put his hands on her. Ms. Rodgers just wanted to bring this to Council and the Mayor's attention because something really needs to be done. It is ridiculous that people only get a \$10 ticket for continually breaking the law and letting children out in the middle of the street and parking in bus zones and parking at yellow curbs.

*School Zone Parking/Trash Hauling/Closing of Graham Place*

Dana Grubb, 2420 Henderson Place, remarked that the same thing exists at Spring Garden Elementary School as it does at Calypso. There is so much illegal parking and drop offs. Mr. Grubb mentioned that he lives in the Spring Garden Townhouses and they pull into any space in our court and park in no parking areas on private property. Regarding the trash hauling he just wanted to give a little background. In 2003/2004 three of us in City Hall began meeting with the haulers to discuss the contract hauling issue. We had a number of meetings in Town Hall and most of those meetings we probably had 15-20 haulers show up. One of the issues we did discuss was the 5:00 a.m. start time so that has been in the mill for quite some time. Mr. Grubb informed that the haulers need to get in and get out, not just on the south side but throughout the City. We do not do curb side pickup in Bethlehem although there are some people who seem to think we do around the City, and we use to issue notices to them to cease before we would cite them. Mr. Grubb thinks it is something that makes a lot of sense for the haulers and certainly makes sense in south Bethlehem and the rest of the City. He listened to the discussion and it kind of reminded him of the intersection where you should probably have a stop sign, there have been a few fender benders and then someone gets killed and then all of a sudden a stop sign appears. Mr. Grubb stated let's not let this happen where it comes to trash collectors being out and trying to beat the rush of traffic. Regarding the closure of Graham Place his thinking was perhaps the closing of Graham Place could be wrapped into the actual construction project, not as a separate project. Certainly, there appears to be sufficient funds left over based on the construction estimates and if it is possible to do this that is where it should be paid for. The rest of us did not dislocate that street, the rest of us did not build that garage, the Parking Authority did and they should be responsible for relocating the street if in fact it can be done. Mr. Grubb looks forward to a very fair analysis from the Administration in the next few months so we know how it can be done. Regarding the concern about losing spaces at the Comfort Suites, if they have to build an entrance and exit on West Third Street, you are probably looking at a trade off because that will take a substantial portion of that area of that parking lot away from them. Mr. Grubb is guessing but he suspects there is a trade-off there and that what they would lose at the back end to relocate Graham Place would be gained by not having to cut into the lot along West Third Street. Mr. Grubb mentioned with the trash hauling you need to look at this as you basically have two zones, north side zone and south side zone. Quite frankly, both zones deserve to have the 5:00 AM pickup time but at least implementing it on the south side initially gives the Administration an idea of the impact in their analysis of the zoned hauling. Mr. Grubb reiterated that these haulers need the early start everywhere in the City so he hopes that at some point you bring that to them.

Mr. Callahan pointed out he wanted to clarify a few things. He recognized the vote Mr. Zebrowski took for the County bond. It was not a popular decision and some voters were upset about that vote on that bond. He added that he thinks that even Mr. Zebrowski would admit that looking back it was the right decision and Mr. Callahan believes that everyone who has voted for the City guarantee of the Parking Authority bond will look back on this and believe it was the right the decision to make. We can have a disagreement and that is fair. We have sat here for several hours during 5 or 6 meetings and have listened to all who have spoken. We have listened to the citizens and the professionals involved in the project. There are hundreds of businesses on the south side. These are taxpayers that have spoken to us and are 100% in favor of this project. He expressed when he looks at something, he looks at how it will affect the City as a whole, and how does it affects the surrounding area and neighbors. Mr. Callahan noted Mr. Seixas is the only resident in the vicinity of the garage that came here to express how he feels. On that petition there are a few names that are business owners and they are trying to stay in business and are trying not to upset anyone, but he can say that those business owners are 100% behind this project. Mr. Callahan would suggest that please, go over and knock on doors because he can assure you that if they were against this they would be here at these meetings. The reason why they are not here is because they do support this project. The emails were real emails that every one of us got. Mr. Callahan expressed that Council is listening to the people, the property owners, the businesses and the taxpayers that are over there. They are the ones that want this and if they did not want this he would not have voted for it. Mr. Callahan stated they honestly believe it will help their businesses. He does appreciate

everyone's comments tonight and he respects their opinions and at some point we have to agree to disagree.

Mr. Zebrowski queried if he could speak because Mr. Callahan mentioned his name.

President Reynolds stated that Mr. Zebrowski can certainly speak to Mr. Callahan after the meeting and he noted that he has said to Mr. Callahan in the past to make general comments and not direct them at any one individual.

12. ADJOURNMENT

The meeting was adjourned at 10:12 p.m.

ATTEST:

City Clerk