

BETHLEHEM CITY COUNCIL MEETING  
10 East Church Street – Town Hall  
Bethlehem, Pennsylvania  
Tuesday, January 19, 2016 – 7:00 PM

INVOCATION

Rabbi Michael Singer, of Congregation Brith Sholom, 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.

2. APPROVAL OF MINUTES

The Minutes of December 15, 2015 and January 4, 2016 were approved.

3. PUBLIC COMMENT

*2016-2017 City Council Committee Assignments*

President Reynolds stated that under Agenda Item 6 A, under Council President Reports he will be announcing the 2016-2017 City Council Committee Assignments. This is for information only.

*Certificates of Appropriateness-306-310 South New Street and 325-333 Vine Street; 22 West Graham Place and 25 Rink Street*

Peter Crownfield, 407 Delaware Avenue, informed he wanted to speak about the Certificates of Appropriateness 9 O and 9 P and noted that he must be a little confused by these. The Historic Conservation Commission seems to be determined to prove that they are absolutely irrelevant since they will go ahead and approve Certificates that do not meet the guidelines at all. The proposal by Mr. Benner for Third and New Streets is a vastly improved design over the original and it is a story shorter which is also an improvement. However, it does not meet the guidelines which require to be comparable in height to the other structures which are mostly 2, 3 and an occasional 4 story building. Mr. Crownfield mentioned this building will be 6 stories so it does not meet the guidelines. The pedestrian bridge also is not historically appropriate and it also raises also other issues like it would shade part of the Greenway which is a public park and would keep all of those new residents and workers off of the south side sidewalks. Mr. Crownfield noted part of the reason for bringing development to the south side is to put feet on the street and instead it will keep them off and give them direct access to their cars. The proposed parking structure, although Council is just voting only on the demolition of the existing structures tonight, but that also does not meet the historic guidelines. It is way too tall for the area. Mr. Crownfield stated this will also add to an existing problem because New Street between Third and Fourth Streets is often backed up with traffic, sometimes the entire block. Now we will add a 600 plus parking garage and he has yet to see a traffic study that addresses these issues. Mr. Crownfield has heard rumors of how they will solve it but nothing will solve it because New and Fourth Streets and that area are already crowded with cars. We should be figuring out ways to keep cars out of that area. He does not fault the developer on this; he faults the City. This shows a total lack of vision and understanding of the economic value of preserving historic districts. Mr. Crownfield reminded Council that they are not obligated to approve these Certificates just because the Historic Conservation Commission did and you should reject them both.

Michael DeCrosta, 914 Walters Street, stated he also wanted to talk about the two Certificates of Appropriateness. As Mr. Crownfield said, the public would like to know some further information about traffic or parking studies that may have been done. He does not believe that they were done yet but that could be something Council could ask about tonight. Mr. DeCrosta noted along those general lines of what we are doing on the south side, we do a fantastic job of accommodating cars. He continued most of the Bethlehem Steel development has been a

huge surface parking lot and this is while the Greenway is already lined with parking lots. He would like to remind Council, and this is something he wants to bring up to Council because it is the first night of the new Council, that none of these things actually makes any of our lives better. Mr. DeCrosta noted this will make traffic worse and traffic frustrates all of us. They will pollute the air and give our kids asthma; no one wants that. This will not add vibrancy to the downtown and does not put feet on the street. It will put cars in the street but you cannot really buy things from your car. Mr. DeCrosta added that it seems that a lot of these Certificates of Appropriateness questions get a quick yes or no and he thinks many people would be really interested if Council could tonight at least discuss it amongst yourselves. He thinks that many people are interested in what Council thinks and any questions you might have of those in Economic Development and Planning and in the Parking Authority. As long as we continue this notion of for every person when we build, we need to give them a parking spot or two parking spots or three parking spots. Mr. DeCrosta informed that is not the best way to go about this and we really do not have to and that is a decision that we can make. He concluded maybe with the new Council we can start to do those things tonight.

Stephen Antalics, 737 Ridge Street, remarked that the two previous speakers made some very important comments. As the last speaker said, there are three new Members on Council and it will not make that much of a difference but he suggests those two Certificates should be tabled to allow them to do their own research, rather than making a vote on the limited amount of information given. Mr. Antalics mentioned to do two things, allow the new Members of Council to come up to date and maybe improve on something that needs improvement. He strongly urges that those two Certificates of Appropriateness be tabled until they have the ability to speak from past knowledge. As was said, this is the first real formal Council Meeting for the new Council Members.

Kimberley Carrell-Smith, 833 Carlton Avenue, stated she is following what Mr. Antalics said about the idea of allowing the new Council Members to understand what is at stake here. She just wanted to put in a plea to them as well as to the rest of the group as you are considering these Certificates about the importance of a well-conceived, coherent, connected City Comprehensive Plan to guide proposed redevelopment or revitalization projects. Ms. Carrell-Smith noted we do not currently have that in Bethlehem and it seems that a lot of the CRIZ as well as non-CRIZ development is not being particularly coherently conceived. She would encourage Council Members and shared with them what Rutgers University has done with an exhaustive study to determine whether historic preservation is a useful tool and if it contributes to economic revitalization. They found it can be an economic development tool. The conclusions in this study as well as numerous others, is the fact that historic preservation is "a pump primer, an economic development tool and it is smart investment for cities". Ms. Carrell-Smith added that in Georgia, the Georgia State Municipal Association has created a handbook for their Mayors and public officials that states emphatically "Historic Preservation is not simply a set of restrictions designed to preserve the past, but rather an opportunity to direct future development." Effective use of Historic Preservation guidelines much like our Historic Conservation District guidelines and the north side Historic guidelines can "Allow for redevelopment that enriches community life and provides a system for sustainable growth." Ms. Carrell-Smith mentioned that numerous other professional studies that talk about the same issue show Historic Districts pay if they are taken care of and supported by the cities in which they are established. You cannot simply say there is a district and expect it to flourish, you have to care for it or it will not function as a revitalization tool. Right now without that City's support this vital economic tool is in jeopardy and we are jeopardizing a key piece of our community's identity. We are also jeopardizing this economic driver that brings people and business to particular areas since they want to be part of something distinctive and interesting, not just high rise buildings with large parking garages. Ms. Carrell-Smith noted that is what a Historic District can do for a community to keep it alive, distinctive and appealing to residents, visitors and businesses. The City needs to refocus itself establishing a coherent and connected plan for its future. Haphazard planning and disregard for what makes our community strong and unique is a recipe for disaster. Ms. Carrell-Smith stated that Council should ask our residents what they think our Bethlehem brand is and think about what works for us as a City, not just for developers and not for the short term glory of a few politicians. She stated please consider what other cities and States have recognized, what our City use to recognize, that master plans like the South Side Master Plan also called the Sasaki Plan, that Historic Conservation District planning guidelines and the City of Bethlehem Preservation Plan were not created randomly or haphazardly. They were based on study, fact, analysis as well as good sense. Please abide by the guidelines and assure that the south side and north side will be appealing economically vital places. Ms. Carrell-Smith is asking Council to study the traffic issues that will accompany redevelopment and think about that glass-bridge that will keep feet off the street,

which is not the plan for redevelopment and that is aside from the Historic District Plan. It also does not fit within that historic concept of what is appropriate in an Historic District. She added that we need to reclaim the kind of planning and good sense that we once had in Bethlehem and not simply jump at every mirage that seems to promise revitalization. Ms. Carrell-Smith urges Council as they look at these Certificates to please allow the new Council Members to consider what is at stake and perhaps the Council itself to reconsider.

Breena Holland, 379 Carver Drive, stated she would also like to speak about the two Certificates of Appropriateness decisions Council has before them tonight. She agrees with some of the previous speakers in that it has been fundamentally changed in significant ways to make it more compatible with the Historic District. There have been transformative changes to the façade of the building and they have toned down the scale for something that is in fact out of scale with the Historic District in terms of height and size. It is actually in the proper location if you have to have a building like that. It is on a big corner on a big street and at the bottom of a hill, which is where we should have something out of scale. Ms. Holland thinks it speaks something to the process and its effectiveness and that a lot of criticisms were raised with this building at the first Historic Conservation Commission Meeting and it appears that some of those were responded to by the developer. Ms. Holland does want to talk about some problems of the building that remain and some of these issues are not related to Historic Conservation so she will focus on the Historic Conservation ones. The scale still does not meet the Ordinance requirements; that seems to be a problem and the one that is troubling is the glass pedestrian walkway. There is a walkway on three stories that covers public space; it is a park and an area where people want to be outside. That park area is already going to be shaded largely by these excessively high buildings but then in addition you will have a three story walkway right over the middle of it creating shade. Ms. Holland does not think that is what we want to be doing in our public spaces in that area. More importantly, this is in direct opposition to the goal of putting feet on the street. Ms. Holland noted it kind of makes sense to do this walkway as they have over on the North Street garage because it will cross an alley that people do not traverse very often, but this walkway is different, it will go across a public space, a park. She added that this walkway also looks un-historic if you look at the one profile of it from the eastern side of the Greenway. Please look at that picture because it defies the purpose of making all of those beautiful changes that have been done to the facades of the buildings based on the Historic Conservation Commission recommendation. Ms. Holland stated it is very important that we prioritize the historic integrity of the south side and the value of feet on the street over convenience to the developer and the tenants of the building. She thinks there are also remaining questions about this that have to do with how the buildings relate to the Greenway, issues about the loading dock and traffic and all of those are Historic Conservation issues in the sense that they could have a big impact on people walking around to see the historic sights. Ms. Holland mentioned those are planning issues and perhaps more than Historic Conservation. Ms. Holland remarked the parking garage is another enormously out of scale building and what you will be doing is demolishing those buildings that are actually to scale in the Historic District. Ms. Holland continued to say that you are putting supply ahead of demand and she finds this rather unfathomable that we need 600 plus parking spaces in this area. We do have the Riverport parking garage which is a block away and is completely unused and we have parking spaces all along the Greenway that are underused. We have 140 people from Lehigh coming into that building and some comparable amount from St. Luke's but how do we get up to 625 spaces. Ms. Holland is asking Council if they want to know about this and share that information with the public and give us the data before you approve demolishing buildings that are to scale. Ms. Holland remarked we all need to get past the misperception that if you cannot see your final destination from your parking spot you are far away. We have parking spots that are actually really close even if you cannot see the building in that area. Ms. Holland noted if that is not true then show us the data, because she has not been able to get it from the Parking Authority. Ms. Holland continued many Cities around the country right now are eliminating minimum parking requirements. She thinks we have a Zoning Ordinance on this that is completely outdated and we need to start talking about cutting in half the minimum parking requirements, and then actually get rid of them. Ms. Holland stated there are Cities that are of similar size, Spartanburg, South Carolina at 40,000, Fargo, North Carolina at 115,000 population, Fayetteville, Arkansas at 80,000 and these are all cities that eliminated minimum parking lot standards along with new development and have had successes because of this. Ms. Holland hopes that Council considers some changes that probably would be agreeable to the developer in the Zoning Ordinance that would eliminate the need for something like this before we start demolishing buildings to build a parking lot. Ms. Holland mentioned bringing in 625 cars in this area will be a disaster.

Al Wurth, 525 Sixth Avenue, stated he is concerned about the two Certificates of Appropriateness on the agenda tonight. He is very dismayed by the plan for the building on the

corner; he thinks it is out of scale. These issues were raised before the Historic Commission. We have the Historic District and we know that some people do not have to obey those laws but others do. Mr. Wurth added that we also should treat all of our merchants and all of property owners the same way instead of special considerations for a few. Mr. Wurth noted that mainly he wanted to talk about the parking garage because it is extremely problematic. He handed out a flyer to Council, the Mayor and the press. Mr. Wurth advised that garages are terrible; we have two garages that we have had nothing but trouble with. We know that Lehigh has the same problem with theirs. Mr. Wurth heard that we have decided no longer to have retail on the first floor. There is nothing worse than a blank empty space along a streetscape. Mr. Wurth remarked that garages do not pay for themselves and as he indicated in his remarks on his flyer, a garage parking place, the ones the City has budget out \$25,000 for each space. He continued you cannot charge rates that would cost that because if you did no one would park there. So you have to find the money somewhere else and we know the Parking Authority has been doing that for a long time by giving people tickets and raising meter rates and getting the normal people on the street that never really use the garage to help pay for the people who do. Mr. Wurth added that the garage spaces are given then at incredible subsidies to certain properties, first being to the closest property location. So basically every pair of spaces could be going to affordable housing instead of car housing for a few hours a day for a few commuters. The mortgage if you think about what it would cost to pay off a debt of \$25,000 that is each space in this garage would be \$1,000 to \$1,500 a year. Lehigh just built three of these and they charge \$100 per year and so we each get a \$900 subsidy for our parking place except if you do not drive, like him, then you get nothing. Mr. Wurth noted in the same way the people who are tenants in these buildings that are going to be attached to this garage or they have a special location advantage are getting huge subsidies. Even if you paid \$100 a month, which no one will pay because no one will rent an apartment with a \$100 a month parking space, you would be losing money and still be subsidizing them with our tax dollars. Mr. Wurth noted all of this giveaway will generate lots of new traffic on a 19<sup>th</sup> Century street grid. So following the previous speaker he will just say we do not want to provide for that sort of thing. We would be a lot better off giving \$1,000 dollar parking subsidies to just people who use the meters and rent the surface spaces, and then pay them to park and then we would not be out all of this money. Mr. Wurth continued, or we could buy bikes or bus passes or run shuttles that move up and down Third Street to give every property the same value that we are just now giving to the neighbor, Mr. Benner. We can pour all of this concrete, he knows that will make the developer and the building contractors happy and the subsidized tenants in the new public housing spaces there because they will get all of this subsidy, but it hurts the rest of us. There will be air pollution, traffic, congestion all with our tax dollars to pay for this. Mr. Wurth noted if you really want parking spaces you could get them for \$10,000, he is sure, just advertise, put an ad in the paper saying we need 625 parking spaces within 5 blocks of this particular space, for \$10,000 each, you would have no problem.

4. OLD BUSINESS.

A. Members of Council

None.

B. Tabled Items

None.

C. Unfinished Business

None.

5. COMMUNICATIONS

A. *Director of Water and Sewer Resources – Recommendation for Award – A. N. Lynch Co. Inc.*

The Clerk read a memorandum from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with A. N. Lynch Co., Inc. for work associated with electrical construction work related to the new Pump Station No. 2 electrical building. The term of the contract is 300 calendar days from the Notice to Proceed. The fee for the contract is \$125,000.

President Reynolds stated Resolution 9 A is on the agenda.

B. *Director of Water and Sewer Resources – Recommendation for Award – Blooming Glen Construction, Inc.*

The Clerk read a memorandum from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Blooming Glen Contractors, Inc. to install digester mixing equipment, a new dome cover, SCADA upgrades, asbestos abatement and miscellaneous work related to the Digester project. The term of the contract is 300 calendar days from Notice to Proceed. The fee for the contract is \$2,021,813.

President Reynolds stated Resolution 9 B is on the agenda.

C. *Director of Water and Sewer Resources – Recommendation for Award – Emerson Process Management Power & Water Solutions, Inc.*

The Clerk read a memorandum from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Emerson Process Management Power & Water Solutions, Inc. for licenses software support for the SCADA System at the Water Treatment Plant, Water Distribution Control and Wastewater Treatment Plant and support services for Licensed Firmware and Software on an as needed basis. The term of the contract is January 1, 2016 to December 31, 2016. The fee for the contract is \$39,819.72 for the licensed software support for the SCADA System and \$153.48 per hour for the Service Engineer and expenses cost plus 10% for support services for licensed firmware and software on an as needed basis.

President Reynolds stated Resolution 9 C is on the agenda.

D. *Director of Water and Sewer Resources – Recommendation for Award – Gannett Fleming Valuation and Rate Consultants, LLC.*

The Clerk read a memorandum from Edward J. Boscola, Director of Water & Sewer Resources recommending a contract with Gannett Fleming Valuation and Rate Consultants, LLC for preparation of the filing for a Distribution System Improvement Charge (DCIS) Surcharge with the PA Public Utility Commission. The term of the contract is the Notice to Proceed until December 31, 2016. The fee for the contract is estimated at \$8,000.

President Reynolds stated Resolution 9 D is on the agenda.

E. *Director of Water and Sewer Resources – Recommendation for Award – Steven G. Lowry & Associates, Inc.*

The Clerk read a memorandum from Edward J. Boscola, Director of Water & Sewer Resources recommending a contract with Steve G. Lowry & Associates, Inc. for assistance in all hydraulic evaluation within the distribution system, constructing the annual budget, developing standards for system design, perform assigned task at the Engineering Office and in the field and other services as designated by Water and Sewer Resources. The term of the contract is January 1 to December 31, 2016. The fee for the contract is \$64,000.

President Reynolds stated Resolution 9 E is on the agenda.

F. *Director of Water and Sewer Resources – Recommendation for Award – S. C. Engineers, Inc.*

The Clerk read a memorandum from Edward J. Boscola, Director of Water & Sewer Resources recommending a contract with S. C. Engineers, Inc. for consulting services associated with the City's USEPA mandated Industrial Pretreatment Program and miscellaneous assignments for the Wastewater Treatment Plant. The term of the contract is January 1 to December 31, 2016. The fee for the contract is \$20,000.

President Reynolds stated Resolution 9 F is on the agenda.

G. *Director of Water and Sewer Resources – Recommendation for Award – Waste Management Of Pennsylvania, Inc. – Disposal of Grit and Rag Screenings*

The Clerk read a memorandum from Edward J. Boscola, Director of Water & Sewer Resources recommending a contract with Waste Management of Pennsylvania, Inc. for disposal

of grit and rag screenings from the Wastewater Treatment plant. The term of the contract is January 1 to December 31, 2016. The renewal term option is four additional one year terms. The cost of the contract is \$92,100.

President Reynolds stated Resolution 9 G is on the agenda.

*H. Director of Water and Sewer Resources – Recommendation for Award – Waste Management Of Pennsylvania, Inc. – Disposal of Biosolids*

The Clerk read a memorandum from Edward J. Boscola, Director of Water & Sewer Resources recommending a contract with Waste Management of Pennsylvania, Inc. for disposal of biosolids from the Wastewater Treatment Plant. The term of the contract is January 1 to December 31, 2016. The renewal option is four additional one year terms. The fee for the contract is \$1,170,000.

President Reynolds stated Resolution 9 H is on the agenda.

*I. Director of Human Resources – Recommendation for Award – Preferred EAP*

The Clerk read a memorandum from Michelle Cichocki, Human Resources Director recommending a contract with Preferred EAP for Employee Assistance Program Services. The term of the contract is January 1 to December 31, 2016. The fee for the contract is \$14,347.20.

President Reynolds stated Resolution 9 I is on the agenda.

*J. Director of Human Resources – Recommendation for Award – St. Luke’s Occupational Medicine*

The Clerk read a memorandum from Michelle Cichocki, Human Resources Director recommending a contract with St. Luke’s Occupational Medicine for Department of Transportation required drug and alcohol testing. The term of the contract is January 1 to December 31, 2016. The fee for the contract is \$5,100.

President Reynolds stated Resolution 9 J is on the agenda.

*K. Legal Assistant – Records Destruction – Office of City Solicitor*

The Clerk read a memorandum from Erin P. Hefferan, Legal Assistant, requesting Council to consider a Resolution for the Destruction of Records from the Office of the Solicitor listed on the attached exhibit. Ms. Hefferan has reviewed the Municipal Records Retention Act and the records fall within categories where destruction is permitted.

President Reynolds stated the Resolution can be listed on the February 2, 2016 agenda.

*L. Legal Assistant – Records Destruction – Controller’s Office*

The Clerk read a memorandum from Erin P. Hefferan, Legal Assistant, requesting Council to consider a Resolution for the Destruction of Records from the Controller’s Office listed on the attached exhibit. Ms. Hefferan has reviewed the Municipal Records Retention Act and the records fall within categories where destruction is permitted.

President Reynolds stated the Resolution can be listed on the February 2, 2016 agenda.

*M. Legal Assistant – Records Destruction – Purchasing Bureau*

The Clerk read a memorandum from Erin P. Hefferan, Legal Assistant, requesting Council to consider a Resolution for the Destruction of Records from the Purchasing Bureau listed on the attached exhibit. Ms. Hefferan has reviewed the Municipal Records Retention Act and the records fall within categories where destruction is permitted.

President Reynolds stated the Resolution can be listed on the February 2, 2016 agenda.

N. *City Solicitor – Recommendation for Award – John J. Gallagher, Esq.*

The Clerk read a memorandum from City Solicitor William P. Leeson, Esq. recommending a contract with John J. Gallagher, Esq. for representation of all matters before the Pennsylvania Public Utility Commission, plus other services necessary and incidental to negotiating, preparing and securing inter-municipal and developer agreements for the supplying of the water system. The term of the contract is January 1 to December 31, 2016. The renewal term option is for up to two additional one year terms at a rate to be mutually agreed upon by the parties. The fee for the contract is \$100,000 plus overhead expenses.

President Reynolds stated Resolution 9 K is on the agenda.

6. REPORTS

A. *President of Council*

1. *Councilmanic Appointment – Julie C. Zumas – Bethlehem Area Public Library Board*

President Reynolds appointed Julie C. Zumas to membership on the Bethlehem Area Public Library Board replacing Robert Cohen who chose not to be reappointed, effective until January, 2019. Ms. Negrón-Dipiní and Mr. Colón sponsored Resolution 2016-003 to confirm the reappointment.

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

2. *Committee Assignments – 2016-2017*

President Reynolds announced the Committee Assignments for 2016-2017, as follows:

Community Development Committee:

Shawn M. Martell, Chairman  
Bryan G. Callahan  
Michael G. Colón

Parks and Public Property Committee:

Eric R. Evans, Chairman  
Adam R. Waldron  
Shawn M. Martell

Finance Committee:

Bryan G. Callahan, Chairman  
Adam R. Waldron  
Shawn M. Martell

Public Safety Committee:

Adam R. Waldron, Chairman  
Olga Negrón-Dipiní  
Eric R. Evans

Human Resources and Environment Committee:

Michael G. Colón, Chairman  
Olga Negrón-Dipiní  
Eric R. Evans

Public Works Committee:

Olga Negrón-Dipiní, Chairwoman  
Michael G. Colón  
Bryan G. Callahan

B. *Mayor*

1. *Administrative Order – Dr. Joseph Bacak III – Board of Health*

Mayor Donchez reappointed Dr. Joseph Bacak III to membership on the Board of Health effective through January, 2021. Mr. Colón and Mr. Waldron sponsored Resolution 2016-004 to confirm the reappointment.

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

2. *Administrative Order – Roger Hudak – Historic Conservation Commission – South Bethlehem/Mt. Airy*

Mayor Donchez appointed Roger Hudak to membership on the Historic Conservation Commission – South Bethlehem/Mt. Airy effective through January 2019. Ms. Negrón-Dipiní and Mr. Colón sponsored Resolution 2016-005 to confirm the appointment.

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

3. *Administrative Order – Jeff Kocsis – Civil Service Board*

Mayor Donchez appointed Jeff Kocsis to membership on the Civil Service Board effective through January, 2020. Mr. Colón and Mr. Waldron sponsored Resolution 2016-006 to confirm the appointment.

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

7. ORDINANCES FOR FINAL READING

None.

8. NEW ORDINANCES

None.

9. RESOLUTIONS

A. *Approving Contract – A. N. Lynch Co. Inc.*

Mr. Colón and Ms. Negrón-Dipiní sponsored Resolution 2016-007 that authorized to execute an agreement with A. N. Lynch, Inc. for electrical construction for the Primary Digester 2 Dome Replacement.

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

B. *Approving Contract – Blooming Glen Contractors, Inc.*

Mr. Colón and Ms. Negrón-Dipiní sponsored Resolution 2016-008 that approved a contract with Blooming Glen Contractors, Inc. for general construction for the Primary Digester 2 Dome Replacement.

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

C. *Approving Contract – Emerson Process Management Power & Waste Solutions, Inc.*

Mr. Colón and Ms. Negrón-Dipiní sponsored Resolution 2016-009 that approved a contract with Emerson Process Management Power & Water Solutions, Inc. for the 2016 Licensed Software Support for the SCADA System and support services for licensed firmware and software on an as needed basis.

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

*D. Approving Contract – Gannett Fleming Valuation and Rate Consultants, LLC*

Mr. Colón and Ms. Negrón-Dipini sponsored Resolution 2016-010 that approved a contract with Gannett Fleming Valuation and Rate Consultants, LLC to prepare filings for Distribution System Improvement Surcharges with the PA Public Utility Commission.

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

*E. Approving Contract – Steve G. Lowry & Associates*

Mr. Colón and Ms. Negrón-Dipini sponsored Resolution 2016-011 that approved a contract with Steven G. Lowry & Associates for the 2016 annual engineering services for Water and Sewer Resources.

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

*F. Approving Contract – S. C. Engineers, Inc.*

Mr. Colón and Ms. Negrón-Dipini sponsored Resolution 2016-012 that approved a contract with S. C. Engineers for the 2016 Annual Consulting Services for the Industrial Pretreatment Program and miscellaneous assignments.

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

*G. Approving Contract – Waste Management of Pennsylvania, Inc. – Disposal of Grit and Rags Screenings*

Mr. Colón and Ms. Negrón-Dipini sponsored Resolution 2016-013 that approved a contract with Waste Management of Pennsylvania, Inc. for disposal of grit and rag screenings.

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

*H. Approving Contract – Waste Management of Pennsylvania, Inc. – Disposal of Biosolids*

Mr. Colón and Mr. Waldron sponsored Resolution 2016-014 that approved a contract with Waste Management of Pennsylvania, Inc. for disposal of back-up sludge.

Mr. Waldron queried that on this contract it says the potential amount can range from 0 wet tons to 15,000 and does Mr. Boscola have a feeling for what that could be because this is upwards of \$1.17 million dollars a year for a contract.

Mr. Boscola stated this is actually a backup sludge disposal company. We have a primary company that we are already under contract with so theoretically that company would be able to handle 100% of our sludge disposal. He mentioned that occasionally there are instances where either their truck driver is not available or their truck is not available or the waste site is closed temporarily, and then we have to go to the backup. Mr. Boscola would say in any given year less than 5% of our sludge would go to the backup site.

Mr. Waldron noted if he remembers correctly there was a recent investment on a new centrifuge system to bring out some of the water from that.

Mr. Boscola replied yes, that project is still under construction and that will be scheduled to be finished the middle of this year, maybe the June timeframe. That will help and the plan is that will create a drier sludge so the volume of sludge that we dispose of will be less. We always try to have two sludge disposal companies under contract in case one cannot perform, and then we can go to the other.

President Reynolds queried how much the contract is for the primary sludge disposal.

Mr. Boscola stated their costs are very comparable although he does not have that cost with him now. This one is \$75 dollars per ton and he thinks that the primary is in the same ballpark, between \$75 and \$80 dollars per ton.

President Reynolds mentioned it is not like we are paying a flat rate to the other one and then we have this one.

Mr. Boscola stated we pay by ton so the truck gets filled; they go out every day and get weighed.

President Reynolds was going to ask why we could not just work those exceptions into whatever large contracts you have, but if it is a situation by which you are paying by the ton; if we are paying for backup then we are not paying the primary.

Mr. Boscola noted that is correct, we are not paying Waste Management unless we actually need them.

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

*I. Approving Contract – Preferred EAP*

Ms. Negrón-Dipiní and Mr. Colón sponsored Resolution 2016-015 that approved a contract with Preferred EAP for employee assistance services.

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

*J. Approving Contract – St. Luke’s Occupational Medicine*

Ms. Negrón-Dipiní and Mr. Colón sponsored Resolution 2016-016 that approved a contract with St. Luke’s Occupational Medicine for the Department of Transportation drug and alcohol testing.

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

*K. Approving Contract – John J. Gallagher, Esq.*

Mr. Waldron and Mr. Callahan sponsored Resolution 2016-017 that approved a contract with John J. Gallagher, Esq. for water utility counsel.

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

*L. Certificate of Appropriateness – 559 Main Street*

Mr. Waldron and Mr. Callahan sponsored Resolution 2016-018 that granted a Certificate of Appropriateness to replace 15 windows on the second floor Main Street façade of Main Street Commons at 559 Main Street.

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

*M. Certificate of Appropriateness – 11 East Third Street*

Mr. Waldron and Mr. Callahan sponsored Resolution 2016-019 that granted a Certificate of Appropriateness to install a new sign and window signs at 11 East Third Street.

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

*N. Certificate of Appropriateness – 15 East Third Street*

Mr. Waldron and Mr. Callahan sponsored Resolution 2016-020 that granted a Certificate of Appropriateness to install new signs at 15 East Third Street.

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

*O. Certificate of Appropriateness – 306-310 South New Street*

Mr. Callahan and Mr. Waldron sponsored Resolution 2016-021 that granted a Certificate of Appropriateness to demolish three existing structures and construct a new multi-use six story mixed use building at 306-310 South New Street.

Ms. Negrón-Dipini queried if this is the building that many members of the community were talking about for the Benner building.

President Reynolds believes that the comments were made about Resolution 9 O and 9 P. One of them is the building that would be built on the corner of Third and New Street and the other would be the Parking Garage.

Ms. Negrón-Dipini then had a question for the Administration. Several individuals asked about the traffic studies and she asked if the City has completed a traffic study related to the parking and the Benner project.

Alicia Karner, Director of Community and Economic Development stated that a traffic study is underway with the Parking Authority; they are completing the traffic study that is a requirement as part of the land development process for the analysis to be completed before the approval be issued. What is in front of you is specifically the design of the building.

Ms. Negrón-Dipini mentioned that they will approve the design of the building but they do not even know if the traffic study says it will be a good idea to have that building.

Ms. Karner stated this is the way of the process and noted that Ms. Negrón-Dipini being a former member of the Planning Commission might remember that is one of those items that the Planning Commission considers when issuing a recommendation on a project. Again, as part of the historic process it is really important for the developer or the property owner to design a building that is agreeable to the Historic Conservation Commission before they move forward with doing the actual land development documents which tend to be more expensive and in-depth. To do this in the opposite way would put the cart before the horse.

Ms. Negrón-Dipini queried once the traffic study is completed what happens next, will this come back to Council and will we be talking about if this is a good idea.

Ms. Karner replied no because this goes through the Planning Commission and the Planning Commission makes the recommendation on the project. If there are any zoning changes or any zoning variances that will also be considered by the Zoning Hearing Board.

Ms. Negrón-Dipini queried if this goes to the Planning Commission and Zoning Hearing Board and then back to Council.

Ms. Karner stated no, not back to Council but there will also be potential CRIZ consideration in this project as well because it is a CRIZ designated project.

Voting AYE: Mr. Colón, Mr. Evans, Mr. Martell, Mr. Waldron, Mr. Callahan and Mr. Reynolds, 6. Voting NAY: Ms. Negrón-Dipini, 1. The Resolution passed.

*P. Certificate of Appropriateness – 325-333 Vine Street; 22 West Graham Place and 25 Rink Street*

Mr. Callahan and Mr. Waldron sponsored Resolution 2016-022 that granted a Certificate of Appropriateness to demolish six residential buildings and a 44 space parking lot and construct a 626 space parking garage at 325-333 Vine Street; 22 West Graham Place and 25 Rink Street.

Ms. Negrón-Dipini remarked that this is related to the parking garage and again she heard many members of the community talking about the bridge and that is something that she

is concerned about. We talk about what a great idea it is to have an office building on the south side because that would bring in foot traffic that we would love to see in the south side but she is concerned with a three story glass walkway from the parking to the building. Ms. Negrón-Dipini feels that with a glass window anyone working for St. Luke's and Lehigh University in that building will not even have to touch the south side. She would like people walking in her neighborhood and on the Greenway, it is safe. She remarked this is not historical. It isolates individuals and it does not invite anyone to walk on the beautiful Greenway and south side. Ms. Negrón-Dipini stated she will oppose this Certificate as well.

Mr. Waldron queried if the parking deck is to be owned by the developer or would that be owned by the Parking Authority.

Ms. Karner informed that the Parking Authority owns the ground and will build the deck.

Mr. Waldron asked if the Parking Authority will be able to secure financing on their own or is that something the City is backing.

Ms. Karner can say that RACP funds are associated with this project and so there was a demand analysis that was done which is required to be able to finance any project. She would defer to David Brong, Business Administration as to whether or not they ultimately need a City Guarantee but it is largely driven by the demand of the area.

Mr. Brong stated that the City would Guarantee that debt.

Mr. Waldron wondered if there is a price tag for the parking deck.

Ms. Karner stated there is, it is out to bid right now so they are using what we think is a fairly inflated per space number. She believes the bids are due back to the Authority next week. So we should have a firm number at that point.

Mr. Waldron noted that he has some concerns with the City backing a parking deck without a parking study to know if we need the 625 spaces because that seems like quite a bit.

Ms. Karner noted that they did do a demand analysis and so you will see that although she does not know where they are in the release process, she thinks the Authority has actually accepted it but she did not know that people were having a hard time getting a copy. Based on the existing demand plus the perspective building at Third and New Streets and other development on the site there is the expectation that the deck is financeable.

Mr. Waldron commented that the study does show that there is a need for 625 spaces.

Ms. Karner replied yes.

Mr. Waldron confirmed that he did not see that report.

Ms. Karner remarked that before Council is only the historic Certificate of Appropriateness for the design of the building.

Mr. Waldron stressed that he understands but this is the only opportunity to vote whether we want to have 625 spaces or not.

President Reynolds noted that Council would vote on whether or not to guarantee the debt. The debt guaranty would come to us at some point.

Mr. Waldron advised that he still has some concerns about the scope of the parking deck. He is comfortable with the building and he feels it adds a lot to that corner which has looked quite bad for some time and he thinks it will do well. Mr. Waldron congratulates the developer and the Mayor for working together in securing the two large tenants. However, with the parking deck there are a lot of questions on this and he does not think that Council has all of the information at this point. Mr. Waldron expressed he is interested to hear thoughts from the other Council Members.

Ms. Negrón-Dipiní stated she remembers having a meeting with members of the Parking Authority and she believes that they secured 325 parking with the individuals, staff from St. Luke's and Lehigh University. They are hoping for others. The analysis they did have did not call for 625 parking spaces at least that they gave us. They secured the parking because they have to give a special deal to individuals that are staff of St. Luke's and Lehigh University, but it was not 625, she remembers that from the information she got.

Mr. Waldron guesses that 300 extra would be for the spillover.

Ms. Karner remarked yes, it is again what is currently on the table and what is expected to be the demand in a radius around the parking deck. This is typically what the parking consultants will look at. There is other proposed development for the Fourth Street corridor as well as the Mechanic Street corridor so they take that all into consideration when making a recommendation on the size of the deck, and not just what is currently under a lease.

Mayor Donchez pointed out that what Councilwoman Negrón-Dipiní made reference to would be St. Luke's and Lehigh University but that does not include the prospective tenants that would go in that building. Also as Ms. Karner stated, there is the possible build up around the Fourth Street corridor. We are looking at the two tenants but hopefully there will be other tenants in that building which would increase the demand for the spaces.

Mr. Waldron queried what percentage of the building that Lehigh University and St. Luke's would occupy.

Mayor Donchez informed we are looking at 180 to 200 employees with just those two tenants.

Ms. Karner stated as she understands it, not quite half of the building.

Mr. Martell noted he also sat at the meeting with Ms. Negrón-Dipiní about the parking spaces. He thinks that part of the total allotment was to guarantee that some spots would not be contracted out so that residents in the area could park there if they wanted to. Also individuals who are going to patronize other businesses in the area would have spots. Mr. Martell knows that many business owners in the area are happy about having more spots for their customers.

Ms. Karner stated they have heard from businesses for a while that they were dissatisfied with the options for parking on the south side and that it was mostly surface lots and meters and they did not have the reduced monthly rate of a parking deck. It is the expectation that there would be transient parking as well that is certainly something that will generate more revenue for the Parking Authority than just a contracted space at \$60 or \$65 a month. Ms. Karner added if you have 10 cars that are moving out of that space on a daily basis you will generate more revenue in that month than others that are just associated with contract parking.

Mr. Martell advised the idea is to maintain some spots, not to contract every one out.

Ms. Karner informed that is always the goal because you want some turnover. There will be people not just working at that space but there could be patients coming for St. Luke's or folks coming to Lehigh and you want to make sure there is an opportunity for all kinds of patrons to park. Also there is the presumption that there would be retail and restaurant spaces on the first floor that will see significant turnover in parking spaces.

Mr. Martell remarked that he shares some concerns about the people who spoke about traffic. If you travel over there now traffic is already an issue and adding 625 cars will add to that. He queried if there will be a point by which from now until final completion that issues of traffic can be addressed by someone.

Ms. Karner stated the project has not been submitted to the Planning Commission yet so it is under that land development process. The concerns that he is talking about will be vetted by the Planning Commission. Ms. Karner stressed that they also share concerns; this is not something that is blind to the Administration. We are curious to see how the traffic will move around the south side. There are complications that go far beyond just the parking deck. The traffic lights are out of sync along Third Street that will not be corrected until Route 412 is completed. We have other projects like the connector road underway that will help to alleviate

some of the traffic along the Third Street corridor. Ms. Karner pointed out there are a lot of outstanding concerns by us as well.

Mr. Martell queried if there is a timeline of demolition and construction.

Ms. Karner informed the Certificate is to allow the demolition so it is the hope that the demolition will get underway. They cannot do the remaining subservice boring and understanding of the soils until they can get underneath for the parking deck in particular. So once those buildings come down we will be able to complete some of the analysis of the soils. That will then determine what the design of the deck is. Ms. Karner stated they do not expect that this will go before the Planning Commission before March at this point, not that this will hold up what is expected to be the development of the project, but we are really looking at March.

Mr. Martell believes there are still tenants in these properties and asked what the process was by which the City handled that.

Ms. Karner noted that the one under consideration right now, which is the Parking Authority properties, there are no longer tenants there, and there have been no tenants in those homes for approximately two years.

President Reynolds he has raised this before that there are many moving parts currently with the Parking Authority. There are moving parts on the north side and the south side with funding and revenues going into the future. President Reynolds noted he had mentioned this to Kevin Livingston, Director of the Parking Authority and also the Administration that at some point for the public and residents there are many things that will be afoot with that Parking Authority in the next year or two on both sides of the city. He thinks that an overall conversation, whether it is a Committee of the Whole meeting or Committee Meeting, we need to look at what the Parking Authority needs to do to meet both the needs on the north side in our downtown area, on the south side for the proposed development, and the necessary revenues to pay that debt service. President Reynolds noted Mr. Waldron's question about the debt is a legitimate one. President Reynolds does not believe as far as the design is concerned that it would directly tie into this but it is a legitimate question. That is something that falls on all of us, Council, the Administration, the Parking Authority, the businesses and residents on the north side and south side as far as the impact of these different parking garages and renovations. President Reynolds noted there have been a lot of individual pieces that have come out over the last year regarding projects that the Parking Authority is looking to do and how they are looking to accomplish them. A comprehensive presentation about a timeline and what we as a community would be looking at would be a good idea. It would be wise put a presentation together for City Council. President Reynolds noted he has had this conversation with Mayor Donchez, Ms. Karner, Mr. Brong before, as well as other members of the Parking Authority, that sometime early this year to reach out and come up with a plan. The various projects the Parking Authority is looking to undertake will involve cooperation from just about every aspect of our community. So rather than doing this in pieces, such as the debt service and what certain things would cost, it would be wise to lay out all of them so people can see the positives and negatives related to the projects. President Reynolds noted if not, we end up guaranteeing debt and down the road there is the potential of revenue and people will ask why we are doing this. This is one by which all of the information at the same time would be helpful and easier to explain. President Reynolds thinks that would be the best way to get all of the information out there is some type of timeline so everyone knows what we are looking at for the next few years and what debt we are looking at in the future.

Mayor Donchez stated that he agrees and they will schedule a Committee of the Whole meeting and have Mr. Livingston make a presentation.

President Reynolds noted what we are approving here has more to do with the design of this and some of these concerns will be brought up at the Planning Commission rather than here.

Mr. Callahan stated that he agrees that the finances of everything that the Parking Authority will be looking at in the next few years needs to be looked at. It is important for us to have that discussion. As far as the number of spaces on that site, he does think it is appropriate. He spoke with Mr. Livingston from the Parking Authority and he thinks if you look at the number of spaces that Lehigh and St. Luke's will be using along with the remaining tenants and

visitors and south side residents, it makes sense. He talked to the businesses on the south side and they are looking for more foot traffic and want more parking spaces. Mr. Callahan mentioned many of the businesses there want cheaper parking. He thinks going to a parking deck is the answer to that. If you throw in the equation of the additional development in the next few years, the size of the parking garage is appropriate. Mr. Callahan stated he will be voting yes for this Certificate of Appropriateness.

Mr. Colón mentioned the lots that someone alluded to that are currently between Third and Fourth Streets and wondered if they are fully utilized.

Ms. Karner wondered if he was asking about Third and Fourth Streets on the other side of New Street. Mr. Colón stated yes. Ms. Karner stated she believes if you start all the way to the east the first lot is under a long term lease agreement for the Polk Building. The other ones are individual contract parking. Ms. Karner noted there has been a little bit of a handing down from student to student to student, the generational parking pass that occurs on those lots. She knows that Mr. Livingston has been focused on understanding who the tenants are, what the turnover looks like and trying to open up spaces so there is an opportunity for other employees and businesses along that Third Street corridor.

President Reynolds commented that he understands these concerns and ideally we would be able to design living spaces by which we can have the whole live, work and play in the same area. When we have an opportunity to have residential in this area or somewhere else where people can walk to places then that is ideal. President Reynolds noted that it is not always practical and he will use his example. He teaches 9<sup>th</sup> grade at Allen High School and he lives in Bethlehem. If there was not a street for him to park on there, he could drive to Second or Third Street, park his car in Allentown and get the bus to go to Allen if there was not a place for him to park there since he owns an automobile. President Reynolds lives within six blocks of downtown and tries to walk everywhere he can, as much as he can. He remembers having this conversation with Councilwoman Karen Dolan years ago, regarding how much are we able to affect and change people's behavior and at some point it becomes an economic deterrent to businesses and people and how to get around. He would use our parking garages on the north side. He continued when you go downtown and to the businesses you see a lot of people who do not live around here. There are many who come in from the suburbs. There are many individuals that go out to eat and stay at the Hotel that do not live around here. President Reynolds mentioned it is not he or Mr. Callahan, Mr. Colón, or Mr. Waldron who live close to downtown. It is people who come from out of town, so this is a balance. There are environment concerns, traffic concerns and he understands concerns about the visual idea of what that bridge looks like. President Reynolds mentioned the idea that someone would drive to work and park in the garage and make the decision about whether or not to go to a business on Third or Fourth Street because they get to walk over a bridge, he just does not see that being practical. For example, he has been at Allen High School for eight years and noted Mayor Donchez would remember that you do not get a parking spot under any of the buildings at Allen until you have been there 15 or 20 years. President Reynolds mentioned that he parks 3, 4, 5 blocks away and those teachers are no less likely to go to any of the restaurants or businesses in West Allentown than the people who park beneath the school buildings. President Reynolds does understand the concerns about parking garages and ideally we could find these areas where we could live, work and play in the same place but that does not always work. We have seen recently in the City that is not always what people want. There are some designs where people think that creates unnecessary competition. President Reynolds noted when we have opportunities to have residential in these areas, to allow people that work at Lehigh and St. Luke's, to live and shop in these areas, we should encourage them. He does think that it would be ideal if people could walk or ride a bike and live close to where they work, but there are other factors and that is why he is okay supporting the idea of a parking garage in this area.

Voting AYE: Mr. Colón, Mr. Evans, Mr. Martell, Mr. Waldron, Mr. Callahan and Mr. Reynolds, 6. Voting NAY: Ms. Negrón-Dipini, 1. The Resolution passed.

#### 10. NEW BUSINESS

##### *Council Meetings in different parts of the City*

President Reynolds informed he wanted to bring up a topic for discussion. He raised an idea for 2016 to the City Clerk and he wanted to bring this up to the rest of the Members of City Council. He would like to know Council's thoughts on having one meeting in April or May,

one in July or August; one in September or October in different areas of the City as a way to reach out and take our meetings somewhere else. He thought that we could have just one meeting a year in a different part of the City. They have not researched the practicality of this yet but he knows that throughout the year the School District has different meetings of their general meetings in various parts of the City. President Reynolds wanted to bring this up to City Council before he had the City Clerk research the practicality of it. President Reynolds knows that Mayor Donchez has had some success with walking through the neighborhoods and having a meeting at the end of the day. President Reynolds wanted to raise this issue with the Members of City Council and open the conversation for their thoughts on this subject.

Mr. Waldron thinks this would be a great idea.

President Reynolds knows that the School District sometimes has their meetings at East Hills Middle School or Nitschmann Middle School or at the new Broughal Middle School. There might be a better place for us to have them, but he thinks it would be something interesting to do this year.

Mr. Colón also agreed that this would be a good idea and mentioned that there would be also some new attendees at Council Meetings and it could spark interest in others to come to these meetings. He does not know what the practicality of this but the meetings where we know we will be at maximum capacity such as with some of the meetings last year, we could look at other venues when we know we will have a large turnout.

Mr. Martell echoed both of those sentiments and appreciates bringing this up. He remarked obviously this will be a logistical issue but he thinks whatever it will take to get that done would benefit residents in the City.

Ms. Negrón-Dipini pointed out that she also thinks this is a good idea. She agrees with Mr. Colón in that we could look at the agenda and items where we know we would get a bigger crowd and we could find somewhere that would accommodate all of that better.

## 11. PUBLIC COMMENT

### *Live Streaming of Council Meetings; Responding to Citizens; Certificate of Appropriateness*

Al Bernotas, 1004 Johnston Drive, noted it was mentioned many times before about live streaming these meetings. He remarked what is wrong with that and what would it cost. Everyone loves the idea of having more people involved, it is a good idea. There could be one camera on Council and one camera on this podium. Mr. Bernotas noted that many communities do it and would it be more cost effective than traipsing around town. There are many young people on Council tonight and although Mr. Reynolds has been here for a while, he is not old and live streaming should be his idea. Mr. Bernotas wishes Council would get rid of this Mount Rushmore mentality, this is his five minutes and if he wants to spend it getting a response, please do him that honor. It would be better to be interactive. He knows in the past people would get to this podium and go on forever and he would like to see them given the hook but please consider answering us. Mr. Bernotas expressed he learned the hard way six years ago when he started going to the Planning Commission Meetings and Zoning Hearing Board Meetings. He continued tonight there is a Certificate of Appropriateness for that building and you are done and that appears to condone anything that happens with that building. He is not opposed to that building but he does not think the cart is before the horse, when Council just voted that starts a flywheel going. Mr. Bernotas stated the Planning Commission does not make the law, you make the law. There is only one other body here that he knows makes the law and that is the Zoning Hearing Board, that was his lesson, they are the ones with the clout, the Planning Commission just follows the law. He asked Solicitor Spirk to correct him if he is wrong. Mr. Bernotas mentioned the Planning Commission will have a lot to say about the traffic around this new building and they can make a positive difference down there but they will have to go within the law, and Zoning makes the law. He asked Council to please attend some of those meetings, they are interesting.

### *Certificates of Appropriateness-306-310 South New Street and 325-333 Vine Street; 22 West Graham Place and 25 Rink Street; Live Streaming*

Peter Crownfield, 407 Delaware Avenue, stated the parking structure is based on the City's Zoning Ordinance which has stupid and obsolete requirements for parking. If that

changes, as it should, then it would change the demand, but it has not even been considered by any Member of Council in the discussion and that is amazing to him. Mr. Crownfield noted that two or three people spoke about that and Dr. Holland mentioned that there are a number of other cities. Mr. Crownfield has mentioned to Council before that 30 years ago in Irvine, California we were not permitted to have as many parking spaces as we have employees. We had to have less; it was required and we had to have a plan to reduce the number of people driving in cars every year. Mr. Crownfield remarked this was 30 years ago wonders where is Bethlehem regarding something like this. As for the live streaming, for years many cities have required cable franchises. The City grants a cable franchise to provide free public access television channels; it has never been done here in the Lehigh Valley. It has been done in Berks County and Reading. They have studios that the public uses to create shows. Quite a few areas of the Country have this, but it has never been explored here. Mr. Crownfield feels like we are sitting in the dark ages here in terms of progressive development. The other thing he wanted to mention about parking is that, and he is not sure exactly when this occurred, but when the Sasaki Consultants were working on the south side someone raised the issue about parking. Their lead consultants response was that you do not do anything about parking, do not put in more parking, that destroys the ambiance that you are trying to create. It is destructive to getting people on the street and you will find that if you go to cities, they do not have all of this parking. Mr. Crownfield noted that is one of the reasons why they are successful. As far as historic guidelines he thinks there is a lot of pretense here about paying attention to historic guidelines. There are Ordinances and historic guidelines for the district. Mr. Crownfield suggests if you are not going to follow them, as you have not tonight, that you dissolve the Historic Conservation Commission and abolish those requirements because it is stupid to have legislation that you ignore.

*Certificates of Appropriateness-306-310 South New Street and 325-333 Vine Street; 22 West Graham Place and 25 Rink Street*

Kimberley Carrell-Smith, 833 Carlton Avenue, stated she wanted to go back to a few of the signage Resolutions as well as this issue of the demolition of buildings within the Historic Conservation District before your studies are complete and also, whether you considered the Historic District guidelines that are truly being met as far as scale and that glass bridge. Ms. Carrell-Smith remarked she is disappointed that with something as simple as those signage Certificates of Appropriateness she did not hear any discussion. That is because it goes back to the reference she said before, which is the City supporting and maintaining the guidelines and in this case the Historic Conservation District or in any other Historic District. Ms. Carrell-Smith stated when Resolutions come up that may have some bearing on that she would hope that Council be curious and ask questions because this is the fundamental economic driver in Bethlehem. She pleads with Council to ask questions about whether changes they contribute to or detract from the efficacy of the Historic Preservation district; she is talking about the economic efficacy of that. Ms. Carrell-Smith also asks Council to think about the fact that haphazard steps can destroy the districts and their development potential. Simple steps can maintain the look and feel of districts which in turn either drive the economic efficacy of the district or not. Simple tweaks can likewise improve the revitalization potential of a district or if it is let go, gradual decline can lead to economic stagnation or worse. Ms. Carrell-Smith thinks one of the great fears we have on the south side and fears we historic preservation types have is that we are worried about demolition by neglect on the south side. In our Historic District we have buildings that have the potential to fall down or the owners do simply not maintain them. Ms. Carrell-Smith thinks it is incumbent on the City and the City Council to oversee these districts and encourage sensitive redevelopment and maintenance of the properties of owners by the guidelines. Also to consider doing things like perhaps using CDBG money for façade grants, something that helps you tweak and maintain those historic buildings so that the ambiance is still there. Ms. Carrell-Smith noted that she gave a slide presentation for Lehigh last spring where if you look at just one block of West Fourth Street, the block between New Street and down to the post office, and you look at each structure, they are remarkable buildings. If you just look at the first floor you might think this place is a dump, you see something like the pawn shop sign or the façade that is crumbling at the CD store but that building is fabulous. You can also look at other buildings that are completely rehabbed on that block. Ms. Carrell-Smith reported there is one residential building that has a center point between two twins that has been filled in with some aluminum siding, the rest of the buildings are great. If someone worked on that, if someone would look at those things and asked questions before they were allowed to change that façade that is what will make the difference in that historic district and make it an economic driver and create the ambiance that you want in our City and we want in our City. Ms. Carrell-Smith asked Council to please remember or if it is new to you, please investigate why Bethlehem created these historic districts. She guesses she is verging on saying

what Mr. Crownfield did which is do not even have these things if you do not respect them but she wants to stand on the other side of that issue which is, please respect them because they are effective. She added that everyone across the Country says this. We are just not maintaining that stuff and you are not watching out for it. She is sorry to say but Council is not asking questions. If they do not think about those issues within our historic district, Ms. Carrell-Smith urges Council to think about this and support the City's own commission studies and guidelines that do exist despite some evidence to the contrary. She does drive on the south side and many of her friends do and she has heard from more than one person that they are not coming back to the south side as soon as the stuff starts happening, because it will be a mess. Ms. Carrell-Smith urges Council to take those traffic studies seriously and think about whether you really want all of those cars, the people yes, but the cars not so much. As for this glass bridge idea, she stated to President Reynolds that she has to respectfully disagree with him on that. We are not so much worried about people coming to work and going through that glass bridge, it is coming back out of that glass bridge and whether people say they will go out and go to the local merchants. If they do not and have an easy way out, which is to just walk across that bridge that is what they will do. Ms. Carrell-Smith stressed that they will go in their cars and drive somewhere where they will go to a spa or a gift shop; they will not necessarily stay on the south side. That is one of the selling points of this redevelopment, to help our merchants on the south side, so we get feet on the street but these would be feet up in the air in three different stories. She is asking Council to please think of that.

Michael DeCrosta, 914 Walters Street, noted that someone asked what was the process by which the tenants of the buildings were told about what was going on or what happened to those tenants. He remarked he was at the press conference on the corner of Third and New Streets when the Benner building and the parking lot was announced. The man who owns one of the stores came out and asked what was going on during the press conference. Someone remarked to him that they are going to put in a new building. Mr. DeCrosta stated this man had no idea what was happening and his business had just moved in there a year ago so he will have to relocate. Mr. DeCrosta expressed that he got the impression that this man had no idea what was happening and that is a complete injustice that neither the City nor the developer had not told him. First because no one told him and second, because they were having this press conference twenty feet away from him without ever telling him. Mr. DeCrosta would really like if someone addressed that. He added that he does appreciate all of the conversation that happened about this tonight. There was the talk about our ideology versus other ideologies and he does not think that is a difference in ideology. When we talk about the things we want, we all kind of want the same things. It is a matter of how much we are willing to compromise to be complacent with other ways of living or thinking. Mr. DeCrosta argues that we have come across that problem because there is no long term vision as to what we want the City to look like. If we were to double down on these other things that other progressive cities are doing we would make our lives better and help the area, do more for the environment and for ourselves. It does not mean that people never change their habits. We are probably building things now that we will not want in 20, 30 or 40 years. Mr. DeCrosta mentioned that one of the buildings that is being demolished was the home of the former Wildflower Café and he thinks someone needs to say a word about that. It is probably the most important building to him in the City of Bethlehem. Mr. DeCrosta noted that he is a musician and the Wildflower Cafe is the first place he ever played music in front of anyone. He remarked the Cafe meant an enormous amount to so many people in the City. He understands that it has to go but hopes maybe there is a lesson in this. Mr. DeCrosta knows that he will probably cry when they tear the building down because it means so much to him.

Al Wurth, 525 Sixth Avenue, noted that President Reynolds spoke about time to change people's behavior. Mr. Wurth does not expect to change people's behavior but he wanted to make the point that we do not want to subsidize the driving which is exactly what free parking in a parking garage does. If you charge what it really costs to build these parking decks no one will park in them because it will cost too much. Mr. Wurth noted if you do not do that you will have to find the money somewhere else. It will be down the road when you guarantee the debt or it will be turning the Parking Authority loose to go out and get money anyway they can. We do not want to incur this amount of debt and we do not want to subsidize parking for a few sources, which is obviously why this garage is where it is, it is for that building. That subsidizes one tenant, one property owner at the expense of everybody else. Mr. Wurth mentioned if we have street parking and shuttle busses we can reward all of the properties, all of the landlords and all of the businesses and residents with equal access as opposed to one group having free covered parking for their building and everyone else having none. It is important to recognize that you had people come and speak about the Rose Garden and say we can walk a few blocks rather than paving paradise to put up a parking lot for a school. It is important to realize that no one builds parking garages

except municipalities and it is because they are so stupid and they cost so much money and you cannot pay for them unless you loot somebody else. Nobody who spends their own money builds parking garages. You cannot build a \$25,000 parking space. If you paid the real price no one would be there. Mr. Wurth noted they are exactly analogous to the financial crisis. People bought houses that were too big for them and they could not make the payments; that is where you will be with this parking deck. It is to the benefit to very few people at the expense of everybody else. Mr. Wurth pointed out he is a political scientist so he can say that a parking fee is a very regressive way to raise revenue. It falls mostly on the poor and mostly on the people who cannot pay for it. Those meters are a dollar an hour and they will be two dollars to pay for this garage at least or three or four dollars. Mr. Wurth mentioned that is the point, do not subsidize parking. You cannot make people get out of their cars but you do not need to pay them to get into them.

*Martin Tower Rezoning Ordinance*

Stephen Antalics, 737 Ridge Street, mentioned we have a new ordinance which involves the rezoning of the Martin Tower property voted on by City Council but there are three new members who are now on City Council who did not vote on it. So we do not know how they would have voted. Mr. Antalics mentioned Martin Tower has been there for many years but all of a sudden it has to be done because the sky is falling. So at the last Council Meeting last year, it was approved. We still do not know what these three new members would have said because they never had the opportunity but the way it can come out is that this Ordinance can come back and bite you. Mr. Antalics stated that is because you never heard what the plan of the developer was. He remarked they wanted it preserved, and then they did not want it preserved, but why? We do not know what their plans are because the way the zoning and CRIZ is written. The developer could sell that property to someone else where Martin Tower demolition would be the prime reason for the sale. Mr. Antalics informed the majority owner is a billionaire who has never been in Bethlehem. If it is sold we do not know what will happen and they have the ability to whatever they want with the property. So this Council with the three new Members will live with that and have the wrath of the community on their backs. Mr. Antalics would suggest that this Council revoke that Ordinance to allow the three new Council Members to express their opinions. Mr. Antalics noted if their opinions agree with the old Council you have not lost anything. Their feelings should have been known because it is in their purview during their tenure that they will have to live with this, they may have better ideas. Mr. Antalics stated that it could be a win/win situation. Also, it could save the City money with legal fees because there is a lawsuit pending now which is asking the same thing. Mr. Antalics reiterated that this is almost a win/win situation because the City would know that the right decision was made and not hurried up that the sky is falling. We do not know what the developer will do with that property. He could sell it off to another developer, and we do not know that because the developer has never been at these meetings. The precedent has always been to have the developer appear before Council, the Planning Commission or the Zoning Hearing Board to tell everyone what they want to do, but that has not happened here. So seriously consider revoking the Ordinance, allow the new three members to express their opinions and possibly save the City a lot of money in legal fees.

*Certificates of Appropriateness-306-310 South New Street and 325-333 Vine Street; 22 West Graham Place and 25 Rink Street*

Breena Holland, 379 Carver Drive, queried if she could just get a one word answer to a question. She asked what is the year that the parking study was done that Ms. Karner referred to that showed a demand for the need for 625 spaces?

President Reynolds mentioned that would be a question for the Administration and they could choose to answer if they wish to.

Ms. Holland mentioned the problem with this is that she has sent a request for that study and she was literally told in September that it was not done. Then she spoke to Mr. DeCrosta, who was in dialogue with Mr. Livingston and requested a few months later again and she cannot get her hands on it. She queried why this will not be released. Ms. Holland mentioned that she teaches at a University and she works on environmental policy. She studies a lot about air pollution and she is capable of understanding technical issues. She wants to look at this and see how this study was done. She is yet not convinced that there is a need. Ms. Holland is also not satisfied with the level of knowledge presented tonight about the parking lots on the Greenway. The parking lots on the Greenway, only the one closest to the building that will be noted actually currently managed by the City, the two after that, including the one bordering the Esperanza Garden is currently in a 15-year lease with a potential of another 15 years to one of the developers. In light of the lack of the

parking study that she could not get, which was apparently done, she went out there with her students last semester and counted cars. Ms. Holland stated they counted for 12 hours a day, two days, a Wednesday and a Saturday. There was not one point during the day where the number of spaces in those parking lots along the Greenway got more than 40% of the available lots. These are reasons why she wants to see the parking study and she thinks why all of you should be asking more serious questions than you asked tonight. Ms. Holland knows there is time for that because it will be talked about at the Planning Commission Meeting. We should try to do more of a serious job evaluating the parking study and make it available to the public. Ms. Holland noted that Kevin Livingston was incredibly willing to give her raw data on the parking lots but she cannot get her hands on the study saying that there is this demand. Ms. Holland is really surprised that no one in here actually wants to see it. She also wanted to ask a question and wanted to know who owns the Riverport parking lot. She believes it is managed by the City of Bethlehem but she does not understand who owns it and why no one is asking questions about that. It is so close to this building, less than a block away. Ms. Holland noted that she has worked out at the gym at Riverport and on an ongoing basis there are tons of parking spaces in that parking lot. Ms. Holland thinks this seems quite important given the huge amount of traffic this could draw in to this area. In addition to that she thinks based on the information she is gathering is that next year the New Street Bridge will be under construction. There will be a parking lot being constructed and a new building being constructed all on the same street in south Bethlehem. People think these things will help the businesses in south Bethlehem because people say the south side is hanging by a shoestring but she thinks that shoestring is going to break when you do this kind of construction all at the same time in south Bethlehem. Ms. Holland wonders, do we care about the businesses and how this will keep people out of the City. It is quite illuminating that the only person who actually lived on the south side voted against the Certificates of Appropriateness and maybe that has something to do with special concerns for residents who live there. It would be worth getting to know the business owners. Ms. Holland noted that Mr. Callahan said everyone wants the parking but maybe they want the parking but do they really want to have no business while all of this crazy construction is going on in the meantime. Ms. Holland mentioned the millennials who she interacts with all of the time. She does not think that it is 40 years out that we think we did the wrong thing in building a massive parking lot. Right now younger people want a multi-modal City, they do not want to drive and own cars. That is the wave of the future and that is what kids today want and the kind of City they want. Ms. Holland will leave Council with the names of five cities that are getting rid of their parking lot requirements. She knows there has to be a balance of some sort but she is just not convinced we are striking that balance right in Bethlehem. Those Cities include Fayetteville, Arkansas, Spartanburg, South Carolina, Fargo, North Dakota, Cornelius, North Carolina, and Germantown, Tennessee. Those are the Cities that are doing this and are thriving because of it.

Mr. Callahan mentioned that he appreciates everyone's comments tonight but he thinks that you also need to understand that there is a balance. He agrees that millennials do want to live downtown, with all of the studies that show they want vibrant cities but they also want to have cars to be able to go somewhere. They will not be able to not have a car and live on the south side. Mr. Callahan queried how would they travel and get to the malls, outside of LANTA. We have no rail system there right now. So he is not sure how getting rid of parking garages will help any businesses downtown. When the Walnut Street Garage is being renovated you will see a huge pinch. Mr. Callahan noted that we on Council will see a lot of people from the Main Street businesses coming in here and having questions about it. If you take away that garage and the other garages in the historic area, you will have many of the businesses in here that complained about the Martin Tower site. He knows that it is not feasibly economical for a private investment firm to build a garage but garages are needed because parking is needed in the downtown area. Mr. Callahan does not know how Mr. Haines feels about his but he feels the Hotel would be significantly impacted without a garage in the back of the Hotel Bethlehem. He concluded if you took away our parking garages, you would have a major parking problem, a parking shortage in the historic area; there is no question about that.

## 12. ADJOURNMENT

The meeting was adjourned at 8:53 p.m.

ATTEST:

City Clerk