

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street - Town Hall
Bethlehem, Pennsylvania
Tuesday, April 5, 2016 - 7:00 PM

INVOCATION

Pastor Dwight Mikesell, of Calvary Wesleyan Church, offered the invocation which was followed by the pledge to the flag.

PLEDGE TO THE FLAG

1. ROLL CALL

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

PUBLIC HEARING

Prior to the consideration of the regular Agenda items, President Reynolds called to order a Public Hearing to consider a Street Vacation petition from the Bethlehem Parking Authority and Best Suites Hospitality, LLC to vacate in part Graham Place, from South New Street to Vine Street.

Communication 5 A - City Planning Commission - Petition to Vacate - Graham Place

The Clerk read a memorandum dated March 30, 2016 from Darlene Heller, Director of Planning and Zoning concerning the petition to vacate Graham Place. At its March 10, 2016 meeting, the Planning Commission voted 4 to 1 to recommend approval of the petition to vacate the portion of West Graham Place from New Street to Vine Street with two conditions as outlined in the Planning Bureau's March 3, 2016 memo: All of the comments of the February 23, 2016 memo from Mike Alkhal, Director of Public Works, shall be met and the lot consolidation shall be approved prior to or concurrently with this street vacation.

Communication 5 B - Lehigh Valley Planning Commission - Vacating a portion of West Graham Place, from New Street to Vine Street

The Clerk read a memorandum dated February 23, 2016 from the Lehigh Valley Planning Commission (LVPC) concerning vacating a portion of West Graham Place, from New Street to Vine Street. The vacation of West Graham Place should be considered for approval when the lot consolidation and plans for the "New Street Parking Garage & Mixed-Use Development" are approved. This would avoid the possibility of a land locked parcel with no public access.

President Reynolds reminded everyone that there is no motion or vote to be taken on this tonight. This is just a Hearing so there will neither be a vote or motion necessary during either the Public Hearing or during the regular Council Meeting.

Darlene Heller, Director of Planning and Zoning mentioned she could speak about the project and then if any further information is needed she could speak on that too.

President Reynolds stated she should make the presentation and then Members of Council could ask questions and make comments.

Ms. Heller informed this was reviewed by the Planning Commission at their March 10, 2016 meeting. It is a Street Vacation that is being proposed in conjunction with development of a public parking garage that is bordered by New Street, Rink, Vine and Graham Place to the north. Graham Place is a 36 foot wide right of way and it is proposed to be vacated from New Street to Vine Street which would be abutting the parking garage to the north. Mr. Heller stated it is being requested for vacation because the garage itself is the minimum footprint that a garage could be to actually function practically as a garage. The Parking Authority will address some of that in their presentation. Ms. Heller noted the balance of Graham Place that will

remain from Vine Street to Broadhead will be accessed from Vine one way to Broadhead to the west. Vine Street is proposed to be changed, it is one direction now in the south direction, and it will be changed to the north direction to allow access to the rear of the Comfort Suites parking lot. Ms. Heller stated a lot consolidation was also reviewed and approved by the Planning Commission at their March 10, 2016 meeting so that does meet one of the conditions and also the request of the Lehigh Valley Planning Commission. In order for the garage to take place several parcels were consolidated and assembled and that needs to take place so that we do not have parcels that cannot be accessed in the future. Ms. Heller advised there will be no access to the northern edge of the garage; the access to the garage will occur from New Street which will include ingress and egress and there will be one egress on Vine Street. You also have the memo from Public Works signed by Mike Alkhal. There are sanitary and water mains within that portion of Graham Place; they both dead end and can be easily abandoned. There is also a storm sewer in that portion of Graham Place that needs to remain but it is not uncommon that with a Street Vacation the City would accept easements and easement agreements for those portions of an area to be vacated and we propose that would take place for this vacation along Graham Place. Ms. Heller stated that Mr. Alkhal also notes in his comments that for traffic circulation purposes the redirection of Vine Street needs to take place prior to the actual vacation, with the closure of Graham Place anyway, so that traffic can still be accommodated on Vine and on the balance of Graham Place to be retained. The Planning Commission did recommend at their March 10th meeting that you consider approval of the vacation based on those conditions; it is fairly straightforward. The other thing that they reviewed at the meeting was the traffic circulation changes. A traffic study was completed and the City's traffic superintendent and the traffic consulting engineer both did review and comment on those traffic changes. The Planning Commission did vote to approve the land development with the recirculation pattern proposed for this project. Ms. Heller stated she can answer questions and added that they have some boards that show the site plan itself.

President Reynolds thanked Ms. Heller, and added that the issues with the garage have drawn much interest but Ms. Heller did keep her comments related the vacation of Graham Street and that is what we are looking at here. The Parking Authority and Attorney James Broughal, Solicitor for the Parking Authority will speak next but need to keep comments relative to the vacation of Graham Place.

Attorney James Broughal stated Ron Madison from Maser Engineering is with him at this meeting, and he will ask him to come up and give a brief overview of the site where the garage is going and where the vacation will take place. Kevin Livingston, Executive Director of the Parking Authority provided some of the garage elevations. Attorney Broughal mentioned that the Planning Commission saw all of this but he does not believe that City Council has seen the elevations with respect to the garage itself and what it will look like. Outside of that, unless Council has any questions, that is all we intend to do.

Mr. Madison noted he has some handouts for Council that shows the vacation plan so they can view it a little bit closer.

President Reynolds mentioned that Mr. Madison indicated that he has a few extra copies of this that he will put outside on the table if someone else wants to take a look at this as well.

Mr. Madison informed as Ms. Heller explained the Street Vacation very straightforward. The shaded area on the handout is the right-of-way of Graham Place. All of the properties to the south toward the bottom of the page are all owned by the Bethlehem Parking Authority and are part of the Consolidation Plan. There is a small portion of the Greenway that is owned by the City of Bethlehem and that is in the upper right hand corner, just above the shaded area. Mr. Madison noted that portion of the Greenway will become part of the consolidated lot with the Vacation and there is also another portion, a triangular piece north of Graham Place that is owned by the Hotel. That particular portion will become part of the Greenway; it is almost an even swap for those different triangles. Mr. Madison mentioned all of the property owners are part of the petition, the City, the Parking Authority and the Hotel owner. Mr. Madison added that the proposed parking garage will occupy the full footprint of the consolidated lot as indicated by the dark boundary.

President Reynolds reiterated that if any Member of Council have any questions to direct those towards Mr. Madison at the time of discussion.

Mr. Livingston informed he just wanted to show the elevations. He showed the door to the east corner of the garage on the sketch and the southeast corner of the garage and the southwest corner of the garage. He just wanted to give Council a quick look at what the garage will look like.

President Reynolds then asked Mr. Livingston that when they are done looking at this if he would be able to put those sketches outside in case anyone from the public would like to look at those as well.

President Reynolds recognized Members of Council for comments and questions. Once again, we have talked about some of the finances and aspects of the parking garage and we do have those coming up in the future for vote, but tonight we are talking about the street vacation. If Council has any comments or questions for Ms. Heller, Mr. Broughal, Mr. Madison, Mr. Livingston or anyone from the Administration they may make them now.

Mr. Waldron stated he had a question in regards to the easement for the Greenway, the loss and gain of the property and what that would look like.

Mr. Madison informed the full design of this section of the Greenway is not completed, it is still conceptual but to provide proper frontage for the parking garage along New Street and from the angle in which the Greenway comes across the property there needed to be a swap of the land. That portion that is going from the City of Bethlehem to the Parking Authority to be part of the parking garage is being made up by the land that is being offered as part of the swap from the Hotel. They are basically equal parcels. The triangle to the west would become part of the Greenway. Mr. Madison stated as part of the land development plan adjacent to New Street there is going to be a concrete pad for future design as a bike rack for the Greenway.

Mr. Callahan queried how big the parcel is that we are talking about that is being swapped out.

Mr. Madison informed it is .05 acres so it is very small and about 2,135 square feet.

Ms. Negrón-Dipiní mentioned when she was on the Planning Commission when changes were going to be made residents in that area were informed of what was going to happen. She wonders what the rules are with a vacation of a street to inform the local residents.

Ms. Heller stated there is no Ordinance requirement that property owners be notified about vacation. The notice did go out by the Parking Authority for all of the properties on Vine Street and on Graham Place to let them know in advance of the Planning Commission Meeting that there would be changes and that the land development was being proposed and that there would be traffic changes. Ms. Heller advised that the Parking Authority did do that but it is not required by Ordinance.

Ms. Negrón-Dipiní pointed out that they heard from residents of Graham Place that they had no idea of this. They actually saw a picture of the sign from Boyle Construction on the fence talking about this; she was surprised that there was no communication with the residents in that area.

Ms. Heller stated she believes that these letters came from Boyle or the Parking Authority.

President Reynolds noted the portion of the street that is being vacated, the property owners are the Bethlehem Parking Authority and the Hotel but he wondered if there are any other property owners as far as the street vacation is concerned.

Attorney Broughal informed the abutting property owners are the Bethlehem Parking Authority, Comfort Suites, and the City of Bethlehem. Those are the only three that abut the portion that is to be vacated.

President Reynolds reminded everyone that Public Comment at this time is only for the Street Vacation for Graham Place and then as with every Council Meeting there are two courtesy's of the floor. The first courtesy of the floor is to speak on Ordinances and Resolutions to be voted on by Council this evening with a five minute time limit. There is nothing that will

be voted on tonight regarding the Street Vacation. The second courtesy of the floor can be any comment on any topic with a five minute time limit.

Public Comment

Kim Carrell-Smith, 833 Carlton Avenue, hopes that this applies to what she can speak of tonight. She would like to convey her appreciation to the City Council Members for holding a public meeting to listen to your study of the parking study and the parking garage. You spend many hours serving this community and it was great for community members to be able to hear that discussion and to comment on it. Ms. Carrell-Smith expressed the things she will say bear repeating since not all of Council was at the Committee meeting and this is the moment for public record. At last week's meeting a number of things became clear to her and others who attended the meeting. The Parking Study only looked at this particular site and not at parking problems or needs as a whole across the south side. In light of the enormous expense that the City will incur with this huge building process and the difficulties that the south side will face with the new traffic patterns, the closing of Graham Place and what will happen with Vine and the increased gridlock, not asking for a comprehensive parking study seems short-sighted. Ms. Carrell-Smith noted you need a full picture before spending \$17.5 million dollars of taxpayer money. Further, the study that was done was predicated on the one developer's plan for two buildings, one of which is approved and one of which is really no more than a drawing of an enormous out of scale luxury apartment building with 12 stories. Both of these buildings for which this huge parking garage is primarily being constructed and for which Graham Place will be vacated are the projects of one single developer. We are building a parking garage to serve his needs rather than looking more broadly of the needs of the south side community which includes far more offices, retail and other buildings along Third and Fourth Streets. Ms. Carrell-Smith mentioned you could consider disbursed parking that serves many people; you could ask the City to do some serious planning to look at the whole south side from current needs to future needs. Please do not eliminate public roads and bottle neck our community before you study the options. Ms. Carrell-Smith noted as she said last week if you are not a resident of the south side you cannot know what traffic is like currently. Changing these patterns and changing the density of traffic on our streets will be an enormous problem. Closing off Graham Place will not only have a serious negative impact on the residents of that area but that loss will contribute to even greater traffic congestion at peak hours. It is a certainty that at least 200 plus office workers from the Benner office building will descent on the garage every morning and leave at the end of the day just as rush hour unfolds on Third and New Streets. There could be far more cars than just the 200 plus. Ms. Carrell-Smith noted they fear that if you built the currently proposed 625 car parking garage, the logic is terrifying, but you could back yourselves in a corner and she does not think you want to make decisions that way. In addition to the problem of the parking garage traffic emptying into our already congested main drags, according to the parking study there must be currently about 60 or more cars that use Graham Place daily to avoid backups on New Street. The parking study did show that there are 100 cars unaccounted for in that stretch on New Street, so it must be the ones going down Graham. Ms. Carrell-Smith provided an idea of how much space 60 cars take up by noting if you look the section between Third and Fourth Street on New Street about 25 cars fit in that area, so we are talking about three times that many cars. The idea that the traffic consultants did not consider that a problem is amazing to her because she has sat in those traffic jams. Ms. Carrell-Smith is asking Council to please rethink the street reconfiguration and the scale of the garage, because you are expending an enormous amount of taxpayer money on one person's financial interest, which is unfair, but also because we will all have to live with the traffic consequences of something this large. You will thwart your supposed agenda of bringing in new folks to shop and play on the south side if they cannot move around because of excessive bottleneck traffic. We are all Bethlehem citizens so we want what is best for our City, but please listen to people who live, work and fight traffic on the south side every day. Do not just make up your minds from a distance or rely on a parking study that is at best faulty and at worst perhaps an example of favoritism or cronyism. Remember you are our representatives.

President Reynolds mentioned that he permitted Ms. Carrell-Smith speak because she made comments about the Graham Place vacation. As he said before there will be other opportunities to speak about other parts of the project but during the public hearing please keep the comments to the subject of the Street Vacation.

Greg Zebrowski, 23 Dewberry Avenue, stated he was born and raised on the south side on Hillside Avenue. One general comment, the cost and size of the garage is related to the

Street Vacation because if the cost and size were different the properties would not be vacated. Mr. Zebrowski informed that is one point he would like to make and added that it is good to be able to speak in front of all of the Council Members. There are few factors that he believes need to be stated. Any public project that can stand the test of time at least has to consider its costs, its scale and its effect on the general welfare of the community. Mr. Zebrowski noted at the previous meeting he was at, and when we were discussing the effect of this development, it is a classic example of the bully bullying the neighborhood. By that he means, the size of this is effecting and creating an island unto itself and he wonders how many Council Members would be willing to give up their view and also encounter more traffic, noise, pollution and safety. These families have to be serviced by EMS, Fire and safety and that is a paramount issue, which does not get any focus on. He thinks the cost and size of this is absurd. He will also share the ladies comments that we should be disbursing parking in the 21st century. This is like going Back to the Future; we should call this the Michael J. Fox garage. Mr. Zebrowski has seen this type of development before. It is easy to do, it is not very creative and it overwhelms the community and then people have to live with the results. They say in time it will work itself out but this will be a fixture, it will be a piece of cement and mortar that will be there for generations. Without belaboring the point, in all due respect to Council he does think that the factors are size, cost, who is being serviced and what effect it will have on the general welfare of the community. Mr. Zebrowski remarked we should be reducing our carbon footprint and not be centralizing our increasing density. We should be disbursing density in an urban community as suggested by most 21st century planners. Mr. Zebrowski suggests that there are some compromises that can be made. He knows that these decisions are difficult. There are financial interests at stake and everyone in their own way feels they are doing what is best for the community. He continued he thinks compromise needs to be made here by reducing the footprint which would also reduce the street vacation and make our community safer. We did a traffic study for the Hill-to-Hill Bridge ramp and we all concluded then that this was a congested area that could not handle much more traffic. In fact, if anything, the signal was that we should be thinking in terms of heading eastward and disbursing traffic in an easterly direction. The City has enormous resources from Adams Street to Polk Street for surface parking. They could easily put a deck up on top and handle parking there and also disburse traffic in an eastward direction. Mr. Zebrowski noted this footprint here is asking people to move into a congested area and to probably disburse westward which is where you do not want to go. It just does not make any sense.

Stephen Melnick, 1624 Easton Avenue, stated he is here to talk about the Graham Place vacation in relation to the needs of the development of the office/retail facility that we are discussing. In the 16 plus years that he was involved intimately in almost every redevelopment project on the south side he can distinctly recall that when funding was provided for the Greenway project under the Cunningham and Callahan Administrations, and the City conducted transportation and traffic analysis under the Keystone Innovation Zone, which he administered. We pigtailed on that contract and spent \$25,000 doing a transportation linkage project which called for innovative solutions to parking on the south side. Mr. Melnick added that he does not believe that we should hinder a developer in building a building and making a profit but he does believe that we should act with fiscal responsibility. The City is going to be asking itself to underwrite a 30-year bond for the Parking Authority. Has anyone asked Mr. Benner how long the leases are for his two anchor tenants? St. Luke's Hospital is in a building mode and are in a competition with Lehigh Valley Hospital and are constantly expanding and building all over the region. Mr. Melnick advised to look at the Agere building that they took over. In all of his history in economic development, and that goes back to 1969, he does not know of a single developer who would offer a thirty year lease to anybody. He does not know of anybody who would sign one so presuming that a normal commercial lease has these two anchor tenants that make the whole project cash flow, what would happen if after 5 or 10 years, after an option, one or both decide they want to go somewhere else or some other development takes place that is more attractive? He remarked the Parking Authority and the City are both tied into a debt for 30 years. In just some basic research he has done, he found two companies that provide parking alternatives that can be used in the existing surface lots that the Parking Authority already own. Mr. Melnick noted they are used extensively throughout Europe and one of these companies signed a contract to provide 3,600 parking spaces at LaGuardia Airport for the Port Authority. Before we vacate a City street he would ask that alternatives be looked at that can utilize land we already own. It will not deny the developer his profit moderm. He continued no patient walks out of St. Luke's Hospital; you are wheeled to the front door in a wheel chair and someone has to drive up to the front entrance and pick you up. Mr. Melnick mentioned the argument that patients post and perambulatory need to park closely can be

solved with a drive up, just like the main campus. Volunteers at the hospital can be there to escort you into the building and paid staff can be there to park your car, pick it up and bring it back to the front when you are discharged or when you leave. If he goes shopping at Wegmans, they have people available to walk him to his car. This alternative can be explored and it would be a lot cheaper than \$17 million dollars and you do not have to vacate a street in order to accomplish this. Mr. Melnick mentioned that Council is responsible for the ultimate decisions and your decisions are based only on the information that you are given. All he is asking is that the Administration provide you alternatives to what is currently on the table so that at least you have the opportunity to make a sound decision, not based on one sole alternative.

Dwight Taylor, 3306 Green Meadow Drive, informed he is a partner in the Taylor Family Gas Station at the corner of the development at Third and New Streets. He will keep his comments to the street vacation in this regard. As stated at the last meeting the gridlock in that corridor is already over capacity. The backup going from Route 378 on Third Street goes clear to Hayes Street because of volume and it is insane. The traffic backs up on New Street headed up to Fourth Street from people trying to egress in the other direction, it is out of control. If you do not have the outlets to get away from all of that you are going to shove that traffic back right onto New Street and he cannot even imagine people trying to get into that garage and trying to get to their homes on the other side of Graham Place. Mr. Taylor mentioned this does not make sense and cannot understand a traffic study could even think this was going to work. If you sit there on a Wednesday, Thursday or Friday from 3:00PM in the afternoon until 7:00PM or later you cannot move down that street. Third and New Streets are all blocked up. Mr. Taylor stated there is nowhere else to go unless you start literally condemning property and take pieces of property. This is the only way you could allow for that traffic to go away and that is not what he is looking forward to. He does not want these projects; these oversized, overblown projects to potentially down the road take his property because you need to relieve the traffic issue. Mr. Taylor thinks that is where this all will go because you will need to add a right hand turn lane on New Street to get people off that road. Right now they will go all the way to Fourth Street and all the way up to Lehigh and will not make it off that road. He remarked it will take you 15 minutes to get down that two block area because of the lights. If someone says that they can readjust the lights to undo the traffic he does not buy it. There is just too much going on. Mr. Taylor noted when the Steel was there people walked home. There were many employees that lived close by but now everyone drives. There is now the Sands Casino, ArtsQuest, and the St. Luke's facility. A good job was done with development but now it is becoming too much. Projects that are approved and in scale would not overwhelm the streets. You would not be looking to having to build a parking garage for an overblown project to begin with and you would not have to tell people in that area that they would have to have access to their businesses and homes cut off so you can have a parking garage. This is a parking garage that will benefit very few in that immediate community.

Bruce Haines, 63 West Church Street, noted that someone could say that he lives on the north side and why would he be here tonight. Mr. Haines mentioned he came to the meeting the other night just to listen and heard the people on the south side pleading with you to not let the Administration get away with this, to do your job as Council and do the right thing. Mr. Haines noted he is a numbers person, so he took the traffic study and he heard the traffic people the other night say there is no problem and they can take care of everything and will change the lights around and everything will be fine. He continued the traffic study, in his mind, is faulty, discredited and needs to be completely redone. There was no data taken at the corner of New and Graham Place. As someone indicated you can sort of back into it and look at how many cars turn onto New Street in the peak hour and how many make it to Fourth Street. It turns out about 100 cars an hour are going down Graham Place because they get backed up at the light on Fourth Street. Mr. Haines remarked that he does that all of the time when he is going to Lehigh. He is halfway up the street and already sat through two lights where people are trying to turn left on Fourth Street so only two or three get through when the light turns green. He expressed he bails out and ends up in the worst intersection in the entire City, trying to make a left turn out of Graham Place going onto Broadhead. We will send everyone out of the parking garage, out the back end into the worst intersection on Broadhead and Graham Place and that is absurd. Mr. Haines informed there are 105 cars by deduction that now go down Graham Place. It is not in the report; you have to back into it. When the parking garage is built at the intersections of Third and Fourth Streets at New, they rated these intersections from A to F, A being good and F being unacceptable and those intersections today are F's, D's and E's at the bottom end. Now we will double the amount of traffic in those intersections with the garage, we are talking about

on New Street with Third and Fourth Streets, both the top end and the bottom end, people coming into this garage. Mr. Haines noted we will double the D, E and F traffic there, add 105 cars that bail out on Graham Place today to Fourth Street and they are telling you at the end of the day that it will be no worse than it is today; that is just not credible. On top of that Mr. Taylor has already told you what is happening today is unacceptable. You are doubling amount of traffic and in the evening you may be quadrupling the amount of traffic at those intersections. They say they will change the lights, but if that is all it takes why have they not already done that? Why do you not change the lights now and then go do another traffic study and this time do it and include data for Graham Place at New Street and at the exit on Broadhead. Mr. Haines sees this traffic study as being faulty and does not really comprehend the closing of Graham Place. This makes not logical sense and he thinks this is another railroad job like some other things that have been from our current Administration. Mr. Haines hopes that Council will be the ones to put a stop to this and do a slowdown and have a do-over and get the right data and present it in a way that we can really deal with what will happen at these intersections that are already overburdened.

Donald Miles, stated he represents the Best Suites Hospitality, LLC which operates the Comfort Suites University Hotel at the corner of Third and Broadhead in South Bethlehem. Attorney Miles stated that Comfort Suites joined in the petition to vacate the western portion of Graham Place and Comfort Suites continues to support the vacation of that western portion. He added that Comfort Suites continues to support the loss of its current ingress and egress from Graham Place to the Hotel and it continues to support the loss of nine parking places that it will lose when the lot line change is done in connection with the vacating of the western portion of Graham Place. Attorney Miles stated however it believes that it should be made whole from the impact that the closing of the western portion of Graham Place will have on the business. It will be not feasible and not successful to run the hotel with only its remaining entrance and exit on Broadhead, which is a little bit to the north of where Graham Place comes into Broadhead Avenue. That will be inadequate for serving the hotel with the cars, busses, tractor trailers that come to the hotel to service it. Attorney Miles mentioned Comfort Suites several months ago, back in February, had an informal meeting with the City and the Parking Authority to discuss its concerns and to make clear that it was requesting that it would be allowed to have a new entrance and exit on Third Street that would be a right turn in only and a right turn out only. This is so that it would have, as it has now, two access points to the hotel. It was hoping that there would be some progress after that meeting but not much has happened since that time. He continued, on behalf of Comfort Suites he wrote a letter to the City and the Parking Authority today with a specific request that Comfort Suites has in order to continue to support this petition. It is requesting that the City support its proposal to have an entrance on Third Street. It would be immediately to the west of where the Greenway meets Third Street, be right turn only coming on Third Street from the west, and a right turn in and right turn out only heading to the east coming out of the hotel. Attorney Miles stated that Comfort Suites proposes to make application with its engineering plans to the City to do that by April 20th and it proposes to complete construction of that new entrance within 20 days of when it receives approval of that driveway. However, because it is being compelled to do this, not through any action of its own, but because of the closing of Graham Place which will during construction prevent it from having any access to the hotel from Graham Place. After construction it would only have limited access for vehicles coming down Vine Street to Graham Place, a narrow street that would be insufficient to service the Hotel's arrival of busses and tractor trailers. Attorney Miles noted because of that and because it is being compelled to construct a new entrance on Third Street that either the City or the Parking Authority covers the cost of that new entrance. It is requesting that the western portion of Graham Place will not be closed to traffic until Comfort Suites has constructed its second entrance onto Third Street. It is requesting that the City put up appropriate signage on Broadhead and Third Street directing folks who want to come to the hotel to the new entrance. Finally, it is requesting that it be permitted upon its request occasionally to have nine parking spaces without charge at the parking garage for the nine parking spaces in its current lot that it will be losing. Attorney Miles stated we hope over the next several weeks and before you come to a vote on vacating the western portion of Graham Place that discussions with the City and the Parking Authority will be able to reach an agreement with Comfort Suites so that they can continue to support the petition to vacate the western portion of Graham Place.

President Reynolds believes that Attorney Miles sent a copy to both the Parking Authority and the City Administration of his letter and he will be meeting with them shortly.

Gerry Gore, 1654 Finches Garden Road, informed he is very much in favor of the Administration and in favor of the development of Bethlehem, however he is very concerned about the congestion and traffic. He is concerned about the density of the traffic that we have regarding the vacation of Graham Place. He would say he personal thought would be to oppose it.

Michael Celente, 4 Campus Square, Lehigh University, stated he wanted to discuss the human health effects and the environmental impacts with regard to the vacation of Graham Place. He thinks they have been forgotten about and as an Environmental Engineer student at Lehigh he thinks they are very important to consider. There are currently six pollutants which the Environmental Protection Agency regulates with national air quality standards with one in particular. He, with other students, did a study on the particular matter and how it relates to traffic pollution. Mr. Celente noted what you are suggesting when you close Graham Place and the subsequent parking garage that will take over that will basically a huge increase in traffic in our already congested area. In terms of particular matter there are two different kinds, PM 2.5 and PM 10. He is focused on PM 2.5 which focuses on particles that are 2.5 microns in size. Mr. Celente stated basically a human hair is about 50-70 microns so they are very small particles. Our data, which another colleague of his will present afterward, shows that Bethlehem is currently not in attainment with national ambient air quality standards. Our closest air monitor is in Freemansburg which is eight miles away and basically what this is saying is that there is serious environmental and health impact to an already vulnerable community. Mr. Celente mentioned that south Bethlehem is an area of the City with higher traffic congestion and this area also consists of minority populations and low income residents that may or may not speak English. Within this population of groups that are considered, they are vulnerable because they are either children, elderly or pregnant women who are more susceptible to harmful health effects. So the proposed parking garage and vacation of Graham Place would increase traffic in an area that is close to the Rooney Building that hosts senior citizens and also close to a middle school; both are vulnerable populations. Mr. Celente noted according to the EPA PM 2.5 pollution causes premature death in people with heart or lung disease, heart attacks, irregular heartbeat, asthma and increased respiratory systems. So many residents of the area already suffer from asthma which is further exacerbated by particular matter coming from traffic pollution. According to St. Luke's Community Health Needs Study Hispanic residents of the Lehigh Valley are more than twice as likely to report having asthma. Mr. Celente stated vehicle traffic that produces harmful particular matter is attracted to the area by the Sands Casino and other high end businesses, many of which minority and low income residents in the south side do not even directly benefit from. The proposed construction of additional parking lots and the vacation of Graham Place threatens to increase the flow of traffic into an area which only serves to further encourage traffic pollution. The parking garage and vacation will undoubtedly increase particular matter emissions in an already vulnerable area that is not in attainment with EPA standards. Ultimately there is a maldistribution of environmental burdens placed on the residents of the south side community and the construction of the parking lots is a decision that highly influences the health and safety of south Bethlehem residents. Mr. Celente informed it seems like decisions are made with only those with economic interests in mind. The monitor for ambient air pollution which is eight miles away does not provide readings of episodic pollutant exposure, exposures which can cause the most harm to vulnerable populations and exposures that our study investigated. Mr. Celente believes it is very important to consider the health and safety implications of traffic, not just the time it takes to get somewhere.

Devon Dowd, 4 Campus Square, is a Senior Environmental Engineering student at Lehigh University and stated she had a handout for Council that is a graph of the study that they did at New and Fourth Streets. Essentially from 5:10 pm to 5:40 pm she and another colleague used an air monitor that monitors carbon black which is part of PM 2.5 at the intersection of New and Fourth Streets. Using EPA data they calculated the amount of PM 2.5 that their data equated to and as you can see by the blue line that is the data they received. Ms. Dowd pointed out at the intersection the green line is EPA primary standard and so basically any concentration above that green line is deemed unsafe by the EPA. The red line is the concentration over the average that was picked up in Freemansburg. The monitor that is 8 miles away and does not monitor the episodic air pollution and episodic air pollution are the peaks that you can see on the blue line. Ms. Dowd noted those peaks where from an 18-wheeler truck idling nearby or from school busses idling nearby. This whole graph basically goes to show that the blue line indicates that there is literally PM 2.5, tiny air pollution particles in south Bethlehem every day that were above the safe limit. There is a middle school not even 1,600 feet away from that area; there is the Rooney building with the elderly people and there are

people walking around. Ms. Dowd added that everyone is inhaling these concentrations and they are not safe. She expressed doing all of this redevelopment and with the new parking garage you are only increasing the congestion, which is only going to make this already unsafe number go up. Ms. Dowd remarked she cannot ever imagine moving to south Bethlehem. She is graduating next year and would not dream of moving here because she does not want to live in an area where she is afraid to go for a run because she will not want to have asthma in ten years. Air pollution is not always something you can see or tell; you cannot sense it all of the time, but it is always there. Ms. Dowd believes it is very important that everyone consider the air quality impacts that would be added. She would not want to raise her children here because she would not want them to grow up potentially getting asthma. Ms. Dowd thanked Council for their consideration.

Ben Felzer, 3342 Fox Drive, stated he works in south Bethlehem, so every day he is commuting across the Fahy Bridge and travels up New Street. He remarked this whole area is a traffic nightmare; it is completely congested. He is one of those people who use Graham Place off of New Street every single day to avoid the pile up on New Street to Fourth Street. Mr. Felzer cannot imagine doing anything to make this worse, such as closing off that part of the Graham Place turnoff. He is not necessarily against the idea of development but he would suggest perhaps disbursing the parking a little bit and not trying to just make things more congested in that area. Mr. Felzer thinks that would be a great place for retail space or commercial space but not for a huge parking lot, maybe a few blocks away would not be the worst thing to consider. He referenced the massive snowstorm last year and what a few road closures can do for that area. People had to wait for hours just to go a few blocks at that time when the roads were closed for snow removal. Mr. Felzer reiterated that he could not imagine what it would be like if that turnoff of Graham Place were not there.

Bill Scheirer, 1890 Eaton Avenue, stated addressing the need for the Street Vacation, using the parking study to justify the garage is oxymoronic, to coin a phrase. Consider the assumption in the parking study that people are not willing to walk more than 300 feet to or from their car, this is less than one block and seems difficult to believe, especially for employees. Mr. Scheirer mentioned if this is true the study says it will only be half of the proposed 626 space garage. The other half of the garage would be filled by future development. These people almost by definition would have to walk more than 300 feet, hence the oxymoron. How to resolve this, are the later users of the garage positive to be healthier and heartier? This would be a silly assumption. Mr. Scheirer stated we cannot resolve the contradiction by assuming that the later users would also be unwilling to walk 300 feet because that would mean another garage. The contradiction could only be resolved by assuming that all garage users would be willing to walk more than 300 feet. They could then use the existing parking lots and the garage would not be needed now. The St. Luke's patients could use the nearest spaces with wheelchairs that have been mentioned. Why should we spend \$17 million dollars of taxpayer money to build an unneeded garage? Who would benefit from this garage? It is possible that our people who just love parking garages so much think it should be built, but that is silly. Mr. Scheirer asked why we should spend \$17 million dollars to please Dennis Benner. The only logical reason is to make sure that he will build his buildings. So the only logical justification for the garage and the vacation comes down to the fact that the garage must be built to make sure that Benner builds his buildings, which will allegedly be good for south Bethlehem. That would indeed be a game changer as Bethlehem would endeavor to see more taller and rather pedestrian buildings making it look like any other midsized City with a skewed vision of the quality of life. Mr. Scheirer noted that Bethlehem would become less and less special and ultimately south Bethlehem would lose its character. That would be leaving not much left besides a remembered history. Why does this have to happen when there is another developer who respects history, pays for his own parking and even puts the parking underground at significantly greater cost? This could be called City planning.

Vinny Zoutenbier, Second Avenue, mentioned that he walks every day to Lehigh University and has a question for the architects.

President Reynolds noted he can make a comment or question.

He asked why is that triangle having to come out for the park? He continued is kind of blocking out a lot of the invitation feeling and the feeling of what that park might have been made to do. He wondered if that is to accommodate an incoming or outgoing traffic.

President Reynolds informed he will wait until he is finished with his comments before someone could respond, he does not want to cut into his time.

Mr. Zoutenbier stated he that is his only question.

Mr. Livingston, stated that the engineer is not present at this meeting. What Mr. Zoutenbier is referring to is the location of the elevator shaft, so the elevator shaft is actually going into the Greenway.

Marylou Seixas, 116 Graham Place, stated she knows that this vacation is proposed for Graham Street but she wonders if Rink Street was ever looked at vacating, because Rink is less used than Graham Place. With the vacation of Graham Place you will take away approximately five parking spots for the residents as well as of you are going to meter Vine Street. She wondered if Mr. Benner will allow the residents to park in the garage because of that reason. Ms. Seixas noted that other than EMS being prohibited to access their street from Graham Place and New Street there are charter busses and Mechanic Street is where Transbridge is located. All of the residents who take the bus to get to work will be fighting this. So unemployment, whatever it is, needs to be thought of also. Ms. Seixas wondered if there will be a public sidewalk for our pedestrians with this garage. There are high school children who walk through there to get to the Fahy Bridge. Many people walk through Graham Place to get through where they need to go as do many cars. There are many things that will be hindered and affected by the vacation of Graham Place from kids to elderly to people walking their dogs. Ms. Seixas understands that development will happen. It is great and she appreciates it, but there is a greater good that will be defeated here as well. If possible look at every other possibility. She reiterated that Rink Street is barely used and that is to alleviate travel from Brodhead to come east. We need to do something to prevent other people from not benefiting from what everyone else will benefit from.

President Reynolds asked if anyone would like to respond about the question of Rink Street rather than Graham Place.

Mr. Livingston replied Rink Street does not provide the space. The reason why the vacation is needed on Graham Place is the footprint of the garage is as small as it could possibly be to provide a ramp. If you look at it, Rink Street is about three-quarters of the ramp that goes up. The other question was metering Vine Street and that is not being metered; it is a J permit and will stay as a J permit. They are losing some spaces on Graham but Graham Place spaces were not designated, they were free spaces.

Ms. Seixas understands that but it is public parking and it is not assigned and not permit parking but people use it.

William Seixas, 116 West Graham Place, informed he has a few concerns. He knows that many surveys were done by Mr. Benner; he has the ability to be able to do these surveys. Mr. Seixas had a question for the Council and Mr. Benner.

President Reynolds interjected that this is really a Parking Authority project. So as far as questions or comments, they should directed to the Parking Authority and what they are asking to do about the Graham Place vacation.

Mr. Seixas noted the reason why he is asking is because this young lady here, a Lehigh student, a 21st Century student had done a survey of the EPA with the pollution in our area. She handed a report she made to Mr. Benner and he just handed it over to the side. The reason for him saying that is because he feels like that about this that is important.

President Reynolds asked that we keep this about the Graham Place vacation.

Mr. Seixas mentioned if Mr. Benner does not care about pollution, Mr. Seixas children do because they all live on Graham Place. His question is if there were surveys done for that, did Mr. Benner do an EPA survey, because from what he hears that was not done. His second question is if there were surveys done for vacating with the traffic around the area, if we actually take a survey, we could just stand on the corner and take numbers down. However, if you actually close the streets before any buildings is built and see what happens, then maybe that can be an answer to your question in deciding whether or not to vacate Graham. Mr.

Seixas remarked that if you vacate Graham Place or at least close it for one week, you will see the destruction that would happen there with all of the cars that come up and down that block. All you have to do is set up cones and a closed sign for a week. Mr. Seixas noted the response to his wife's question of vacating Rink Street instead of Graham Place and the response was because it is much smaller. If the plans the he recently saw last week for a 13-story building is going on Fourth Street, if he puts this parking lot next to Rink Street, would not the building be attached to the actually 13th story building that the developer wants to build. If the parking lot is not built does that mean that the other two buildings that are "proposed" are not going to be built because he did not get the approval of the parking lot? Ms. Seixas added if this is a 13-story building that is going there to benefit the vacation of Graham Place for that parking lot, then as the gentleman did state, the City of Bethlehem will lose its charm, which is the actual reason for him wanting to purchase a home on Graham Place or even in Bethlehem. Like the other gentleman stated, it is great that there are other ways of finding parking availability for the people that live here. Mr. Seixas does not think that building would actually accommodate or help the traffic around the area.

Javier Toro, 832 Delaware Avenue, stated after reading a study from the Bethlehem Parking Authority to find out what was the parking situation in South Bethlehem it is hard for him to understand the rationale behind the construction of a new parking garage in South Bethlehem. He thinks that it was a very responsible approach in order to create or develop a community and economic plan for the area in question. Mr. Toro noted the study shows with no doubt that parking is not an issue in South Bethlehem. There are plenty of spaces available even in the peak hours of the day and just a little more than 50% of the parking capacity is used. The study shows that a series of parking lots are spreading out in the area that are a very walkable distance. Mr. Toro mentioned the borrowing of \$17 million dollars for the building that will lose over \$1 million dollars for the next 30 years is hard to swallow. You do not need to be an expert to understand this would be a wrong decision. Mr. Toro noted if you do not have parking problems and you have already infrastructure in place it would be more savvy to use them and develop a plan that will benefit the community at large and not only the parking garage's interest in detriment of the community. Mr. Toro noted if we are talking about benefitting the community, develop a plan that includes existing parking lots with an alternative way to bring and mobilize visitors, workers, and residents; that is the way to go. Mr. Toro informed as a resident he will be dealing with whatever outcome came from this equation and he would rather deal with a well thought, developed plan for the community and economic development that benefits the whole neighborhood. Mr. Toro believes that the vast majority of the community would be in line to support and contribute to a plan that includes the development that will include the pedestrian and bike and even car friendly design. We have to respect the historical and social integrity of the south side community. Mr. Toro stated the City of Bethlehem has to be recognized as a City that historically respects all of those values. We need to respect them in all of our neighborhoods and not just in some of them.

Karen Beck-Pooley, 331 Prospect Avenue, wanted to follow up on the switch of the triangle of the Greenway as part of the street vacation and the development of the parking garage. She wanted to state one more time that this is also a part of the mix and in looking at the map the portion that this would carve off as the other speaker suggested, that does significantly narrow the entrance to the Greenway off of New Street. That effectively does close off that last block. Ms. Beck-Pooley noted that is something to keep in mind that while there may be green spaces where you might enter the Greenway from New Street that portion of the Greenway will function very differently than it might have otherwise and be significantly cut off from the remainder of the park that then extends to the rest of the south side. This is a big community asset that had a lot of public investment in the past. Otherwise there is not much more to say, a lot of good things were said so far. When we think about street vacations it is a chance to think about how people and cars move through into the neighborhood and the best that you on City Council and the Administration can do is to think about how that is done to the biggest benefit of people coming in the neighborhood, people living in the neighborhood and how we can meet those needs.

Breana Holland, 379 Carver Drive, stated she wanted to begin her comments by reading something from the Lehigh Valley Planning Commissions letter about this proposal for the parking garage. She will just read the part that is related to Graham Place, although it is hard to separate the two because there are obvious reasons why we would not want to shut down Graham Place. Ms. Holland noted this letter from the Lehigh Valley Planning Commission says that the developer should verify that the traffic conditions of West Graham Place "petition to be

vacated" and Rink Street, missing from the traffic impact study, do not impact any of the analysis reported. She is just reading that because we have heard a few times, once from Mr. Haines and once from Ms. Carrell-Smith that there were things not accounted for in the traffic study and one of them is the impact of closing Graham Place on New Street traffic. When she asked this question the other night the planners, whoever did the traffic study stood up and said that they did account for traffic that would be coming out of the garage and heading down Graham Place where it would hit Brodhead. Ms. Holland noted what they did not account for and it is actually very clear in the numbers in the parking study where they underestimate the number of cars that would be heading southbound by Third and New Streets and also northbound Third and New when Graham Place is no longer there. Ms. Holland mentioned they underestimated by 100 in the morning peak hour and underestimated by 60 in the evening peak hour. So she thinks that is one problem with the traffic study that is really quite relevant to the vacation of Graham Place. If we will close a street so we can have a building, we should have a traffic study that tells us what the implications of this will be. Ms. Holland stated the other problem is that the numbers that are in the traffic study do not correspond to the numbers in the parking study. So there is a mismatch in the projects that are considered. In the Parking Study the demand for the garage is justified by a 12 story building for Mr. Dennis Benner, getting 80 extra spaces needed in the parking study for that but that project is not included in his proposed development in the traffic study. So you are excluding all of those vehicles that are presumably going to be filling up the garage when it comes time to do a traffic study for it. Ms. Holland commented it seems like if you want to be careful about what you are doing on the south side, you would want to use consistent numbers in the two reports. If you are justifying the garage because you are expecting 625 cars, you should account for those 625 cars as trips generated somewhere in your traffic study. That was a big problem. Ms. Holland informed when it comes time to consider the amount of public spaces in the traffic study that are going to be needed and be generating people coming to the garage, what the traffic study does is that it just looks at garages in Allentown and that also seems problematic to her. This is problematic because why would we assume that the garages in Allentown are actually going to draw the same number of public people to them as this garage. You should have a context specific account of how many people from the public are going to be parking there. Ms. Holland noted that she wanted to speak about the Level of Service (LOS) assessments in the traffic study. They only account for vehicle delay, and they do not account for pedestrian delay. She continued what you are doing here is you are putting in this huge garage and you will have a ton of people who will be crossing that entrance and exit on New Street to the garage. The traffic study does not actually account for this but pedestrian and car interactions are dangerous. If two people come in and out of those spaces in a 626 space garage a day you will have another 1,200 plus pedestrian car interactions on the south side on a busy street. Ms. Holland stated this will cause delay for pedestrians and will be dangerous. She also noted that it is something that the Lehigh Valley Planning Commission letter commented on. They said that emphasizing greater street level pedestrian access would more effectively foster an excuse to urban condition. They are clearly encouraging you all to design something better. Ms. Holland mentioned it is quite clear that it should be smaller because of the traffic problems and it is quite clear that we should have a traffic study that is consistent with the demand generated in justifying the parking for the garage.

Al Wurth, 525 Sixth Avenue, stated he may have an answer to this whole problem. He does think that the pedestrian interaction with the garage that Professor Holland mentioned is actually very critical. His old friend and pedestrian and biking advocate Steve Schmidt always talked about that every time a car crosses on a sidewalk that you have a potential problem and this whole system is designed to create countless of those on a daily basis. Mr. Wurth noted there are real risks there and also real causes for delays in both directions. He wanted to say that he completely agrees with a lot of the people who suggested that Third, Fourth and New Streets are already a big problem a great deal of the time with traffic. Mr. Wurth stated he is lucky enough to bicycle most of the time but whenever he drives he does use the Graham Place as a release valve. He thinks that is the biggest problem with the traffic activity that will happen with this vacation of Graham Place. There will be nowhere for those cars to go between Fourth and Third which are all jammed up already during the rush hour. If this little release valve is taken away, that will cause problems. Mr. Wurth informed he also has great anxiety about cutting off that turn on Graham Place in terms of emergency vehicles having access to the homes on Graham Place. The little tiny Vine Street and the little tiny turn on the corner will make it difficult for emergency vehicles and probably mean the parking on Vine Street will have to be eliminated. Mr. Wurth added that the air pollution issue is very clear and he noted that also no one has spoken in favor of the vacation of Graham Place and no one has suggested

that there be any less congestion once the garage is filled. It defies logic to imagine you could have this much additional cars and not make traffic much worse. Mr. Wurth would recommend first to drive or maybe park your car and walk over to this area and watch it during rush hour and see what you think and see if you can imagine the garage being there and Graham Place closed. Mr. Wurth added that the greatest suggestion he hear tonight was close Graham Place, see what happens and see if you like it, it will not cost anything other than a few days additional inconvenience in your planning or 30 years of inconvenience for everybody. Mr. Wurth stated that everything is already set; all you have to do is nothing. The Parking Authority has bought the property so it is too late to put the property back on the tax rolls. The buildings have all been bulldozed, so we cannot do much with that. They have enough space roughly for somewhere around 100 parking spaces; right there you could put in a surface lot. Mr. Wurth noted that another speaker at one of the last meetings suggested the most obvious answer which is, that could be a farmer's market site on the Greenway on Saturdays. It would give you the first hundred spaces that you want for all of the handicapped people that will have to go to Mr. Benner's building and the rest you could do is test while the building is being built before you have to sink \$17 million dollars and an annual \$1 million dollar loss for 30 years. If it starts to work out and it looks like everything is happening, you could put some solar panels up to give a covered area for a nice farmer's market on the Greenway. This could be very beautiful and turn a sow's ear into a silk purse. The other thing that Mr. Toro stated was the fact that we have not looked at how much space is available already. Mr. Wurth noted that if it was made available at lower prices instead of \$60 dollars a month, perhaps \$40 or \$20 dollars a month, people could walk another block. There are 60 spaces that could be leased in each one of the Mechanic Street lots, and Riverport has spaces available. If you put 100 of them on the new cleared area where the garage was going to go and the rest nearby and priced it accordingly and sold the right kinds of permits then there would be no problem. Mr. Wurth pointed out that you would have a real potential opportunity and would avoid throwing all of your money away into an endless money pit that just makes no sense and will make everyone miserable.

Stephen Antalics, 737 Ridge Street, mentioned that he has been listening to these people pleading at many meetings and all they are asking is that you care for their welfare. There was a time when the City started passing Ordinances to protect that welfare and whose welfare is being viewed now? Is it the citizens or the developer? Mr. Antalics informed these people are pleading because their welfare should over take the welfare of a developer. If it was good they would not be here asking you to look after them. That protection way back was from you people before you were here to pass Ordinances to establish guidelines to protect the welfare of the community by streetscapes and what affect it would have on the people. Mr. Antalics stated those Ordinances have been neglected and violated by Council by putting buildings which look like a Martin Tower when they should not be there. Something is out of joint that these people have come here meeting after meeting pleading to you but are not being listened to. Why, because if you were responsible to them as a public servant you would agree with them and vote accordingly, but that has not been happening. Mr. Antalics noted that this walkway bridge to the big building is destroying the ambiance of the south side. He just cannot imagine that walkway to the parking garage. This is interesting; many years ago the Bethlehem Globe Times had a picture and an article of a walkway across Broad Street from the Boyd Theatre to across the street. It caused a tremendous outrage and guess on what day that was published in the paper? It was April 1, it was April Fool's Day-we fooled you but we are being fooled again but this is no longer April Fools, it is real. Mr. Antalics stated that Council should go back to their Ordinances and re-read them and see whether you are honoring those Ordinances rather than ignoring them with no logical reason. Then say to yourself whose welfare are we looking at. All of these people including himself are begging and giving you facts. These are intelligent people trying to take care of their own community. Mr. Antalics pointed out that Council should act like our public servants.

President Reynolds reiterated that there is no motion or vote to be taken tonight and if Council so determines Council will proceed with consideration of the Ordinance pursuant to the Street Vacation petition by which we will further request the Law Bureau to draft the Ordinance. The Ordinance will be voted on at a future meeting.

President Reynolds adjourned the Public Hearing at 8:38 pm.

2. APPROVAL OF MINUTES

The minutes of March 1, 2016 and March 15, 2016 were approved.

3. PUBLIC COMMENT

Civil War Monument

Edwin Root, 2332 Fox Meadow Drive, Allentown, stated he is a representative of the Civil War Roundtable of Eastern Pennsylvania. We are an organization of Civil War or American History students and we are also an organization of historic preservationists. He is at this meeting to ask for Council's support for the refurbishing of the GAR (Grand Army of the Republic) monument more commonly known as the Captain Jonathan Taylor Monument. Mr. Root stated that his organization has already donated slightly over \$2,000 of the public money that you have received for that restoration. We were involved some 20 years ago when that monument was filled with graffiti and the City did a marvelous job cleaning it up. After the Civil War, Union veterans formed organizations for comradeship. They were also political organizations, much like veterans organizations of today. The GAR monument Post 182 was named for the Captain Jonathan Taylor post. Jonathan Taylor was mortally wounded at the Battle of Fredericksburg on December 13, 1862. We can read in the history books that some 15,000-17,000 northern and Confederate troops were casualties in that battle but statistics are cold things. Mr. Root noted that Captain Taylor was a young man whose family moved to Bethlehem in 1858. He was a student, joined the army early on in 1861 and was part of the three month regiment and when that term of enlistment was up he joined the 129th Pennsylvania, a 9 month regiment. He was elected Captain because he was thought highly of by the citizens of Bethlehem. On that cold wintry day in Fredericksburg, Virginia at that battle he saw shot through the lung with a one ounce lead mini-ball. Mr. Root informed that he did not die right away; he was not part of the 17,000 immediate casualties. He did linger until March 28, 1863, three and a half months before he finally passed away. In the meantime other men of his regiment were wounded, some were killed and some here in town did not know. Some did not find out for two or three weeks. Also, sometimes people were missing, they did not find out until many weeks later that person was also killed. Mr. Root noted when these GAR posts were formed Captain Taylor was so highly thought of in the community that this post was named after Captain Taylor. Mr. Root stated it mattered so much to those citizens back in 1862 and 1863. When Captain Taylor was buried in God's Acre schools closed, businesses closed, and flags were flown at half-mast. It was a very big deal for the City; these cold statistics had a very human impact at that time. When that monument was created by the veterans in 1887 everything closed. 3,000 veterans marched, the Governor was here, and it was a big event in the City's history. It was placed right on Market Street by God's Acre and it stayed there until 1967 when traffic congestion changed the monument to be moved to the Rose Garden where it stands today. The pedestal stands today and the monument almost fell down and was taken down by the City. Mr. Root pointed out that Nitschmann School is right across the street. He has spoken there and the students are extremely interested in the history of Jonathan Taylor and the men who made that sacrifice many years ago. Mr. Root thinks it is important for us today to remember the sacrifice of those men so many years ago that helped save the Union. He would encourage Council to please pass that Resolution and our group will be willing to continue to work with the City to bring that to fruition and have an event to really put Captain Taylor back up with the honor that he deserves. Mr. Root pointed out he has some brochures which were actually designed by the City Parks Department to pass out to Council.

Saucon Park

Nancy Topping, 734 Fire Lane, Saucon Park, noted she has been a resident of Saucon Park for over 40 years. She wrote a tale to express her feelings about the situation in the Parks. "Once upon a time in Bethlehem, there was a quaint little town with the most unusual feature. It had two beautiful streams running right through it. All of the people were happy because the town created lovely parks around the streams where the people could relax and enjoy the outdoors. Children could play ball, fish and wade in the creek searching for slimy creatures under rocks and for a long time everyone was happy. Until one day some men mostly from outside the town decided that those streams were perfect for fly fishing and it was not long before those very streams that ran right through the town and the lovely parks were labeled Class A Trout Streams, one was even called the Class A Trophy Trout Stream, which made some people very sad because now most of the towns people who use that park could not even fish there anymore. Many adults and most of the children could not afford the expensive gear that fly fisherman use and did not have the special skills required to use it. Then as the years passed word about these beautiful parks spread throughout the land and it was not long before hundreds and hundreds of people came from near

and far to enjoy them. They came by the bus load and even though many of the people respected the parks, sadly many of them did not. They played loud music, they littered, they drank too much, they parked on the grass, and they parked in front of the driveways and even changed the close of the streets. It got so bad that the town had to close the park to everyone, even the townspeople. The town elders knew they had to do something so that the townspeople and the people who live near the parks could once again use and enjoy them. Some people asked if there were rules against bad behavior and the elders discovered that indeed there were, but they were out of date and were not being enforced. So the people and the town elders met to decide exactly what those new rules should be. Now, the new rules made many people happy and most people agreed with them but there was one rule that made some people very sad. Those beautiful creeks that flow right through the town were not off limits to everyone except fishermen. Children could no longer wade and cool off in the heat of summer; they could not even search for those slimy creatures under the rocks. What was happening? Everyone knows that living streams are magic worlds of wonder to children and they should not be off limits to people who live near them just because outsiders like to fish with fancy gear or too many people come from far away. This tale has not yet ended but she has every confidence that our wise elders will decide to not let outsiders determine the destiny of our parks. Just as naughty children need guidance to learn the errors of their ways; naughty adults need to be reminded that if they do not behave responsibly they will be asked to leave. Then all of the people in our little town will once again be able to enjoy their parks and live happily ever after."

Gerry Gore, 1654 Finches Garden Road, informed that the park is an immense concern. We are talking about a quality of life issue for a town. We are talking about potential resources that are required to police the park to keep it safe for all of the folks that have to go out and clean it up. Under the current way that it is being utilized, as the young lady said with her poem, it has been recognized far and wide. Mr. Gore mentioned the folks are coming to our park in huge numbers. He is in support of the Administration and all of the efforts of our Police and Maintenance and Facility folks who are trying to address that problem. Mr. Gore stated he appreciates all of your help. It is a difficult situation. In one hand we want to try and be open and open our arms for outsiders coming in. However, it seems that in our zeal to try to keep our arms open, our own town folks, whether living in the City or bringing friends in, could not utilize the park. Some of you have recounted that you have had very dear memories in the past about having the ability to utilize the park and bring family and friends there. Currently, that is no longer the case; you cannot do that. This is not a State, National or County Park. Mr. Gore mentioned that our taxes are going to support this and our folks are going to put their lives and our resources in danger and we are putting our environment in danger as well. His concern is that any of the people that came through did not respect the park; they do not respect the area or our resources. Mr. Gore noted they are taking advantage of our City and he thinks that we have to look at some way of addressing that even if we make it to the point of closing it except for residents and their friends. It is a difficult situation but the other part of it is that it is also affecting the quality of life of everyone that is in the general vicinity of the park. We cannot park down there, we cannot drive through, and even if you report something and you end up being accused by those there and potentially even threatened. Mr. Gore added that it is unsafe to drive through the park; you cannot go through on a bicycle or motorcycle when it is being fully occupied. When it is being fully occupied it is not something that our people can use. So he would ask in the regulations and in the enforcement to see what we might have to be able to do to strike a line in the sand because we are paying taxes and will be paying more to deal with outsiders that have no regard for our community. Mr. Gore thanked Council for their support. It is a problem and he appreciates the platform to address those issues.

Francine Gore, 1654 Finches Garden Road, stated she and her husband moved to the Bethlehem area about three years ago. She works in Bethlehem for Orasure Technologies. We were coming from Berks County so that was quite a ride for her to go to work every day. She kept saying to her husband that she wanted to go to Bethlehem; it is a quaint little town and has a lot to offer with Artsquest, it is pretty, calm and quiet. Ms. Gore informed that realtors showed them the Condos they now live in which are up off of Williams Street. They go out on their back deck and see the beautiful trees, the park and the creek running. It is pristine, gorgeous and quiet until May. From May until Labor Day all they hear is noise, screaming, shouting, seeing lawn chairs in the creek, fireplaces on the edge of the water. She expressed that is not what they bought into when they moved to Bethlehem. Ms. Gore was happy to move to Bethlehem and they thought it would be just as quiet coming from Berks County. We have motorcycles and because of all of the construction around we would like to go through the park to get out to Route 412 and if you try to go down the road to Fire Lane you have people in the middle of the street who are from different

States, not local residents. They stop in the street and look at you as if what are you doing on this street, this is our property on the weekends and you are in our way and we will not move out of the street. Ms. Gore has been to many meetings with the Mayor and the Police Chief and Park Bureau has had for residents. This year they came up with what they thought would be a pretty good plan to help to curb what comes in there and again, please listen to them, they are trying to protect us as citizens and residents. We are the taxpayers of Bethlehem and we want to be able to enjoy the parks but she cannot utilize this park from May until September. She urges Council to protect us as citizens and to help preserve Bethlehem the way it is and to consider that if we do have all of these people coming in maybe we have to charge by the cars that come in. Or when the parking lot gets full from these out of State people that the park says okay enough is enough we cannot have anybody else come in because they are destroying the property. Ms. Gore feels bad for the gentlemen that on Monday have to clean up that park after this. She has seen the trash cans. Ms. Gore sits out on her deck and has to listen to the blaring music and looks at the garbage that is spewed all over and where they had to close the pool down because the people who park in that parking lot, you cannot even go to the pool to utilize the pool because you cannot find a parking spot. Ms. Gore noted that this is discouraging that she moved here thinking this would be the end of her moving and she would be able to sit out on her deck and enjoy the birds, hawks and Eagles. All she does is listen to the blaring music and that is not fun for a whole summer on her outside deck.

Civil War Monument

John Rohal, 1433 Bonnie Drive, stated he is also here today to speak for the Civil War Monument and added that his good friend Mr. Root has given an historical perspective. He just wanted to add that he was actually a staff member for the 1994 restoration and he worked with the late Charlie Brown. Mr. Rohal informed it was a good experience. We got that statue up again and he hopes that we can do that again. He added that he was also a staff member here when the human remains from the Revolutionary War were found down along First Avenue and we had a ceremony. The honor guard came in from Arlington Cemetery dressed in Revolutionary War uniforms and we had a very good celebration to honor the soldiers. Mr. Rohal mentioned they worked with the Mayor and Ralph Carp and they want to make this a community event assuming that we can get the funds with your generosity along with some of the private donations we have collected and make an event when the monument is rededicated. He no longer is a staff member but the Civil War Roundtable and a few other citizens would like to help with if the Mayor and Council would go along with that. He thinks this can be a community event and mentioned they spoke with some staff and students at Nitschmann Middle School. Mr. Rohal is asking for support for this and remarked that we can make this something bigger than just a statue in a park. We look forward to working with Jane Persa, Acting Parks and Public Property Director, the Mayor and Council.

Saucon Park

Jeffrey Zettlemoyer, 1304 East Sixth Street, stated he will not belabor the points others have made on Saucon Park because he is down there every day. Yes, he is one of the expensive fly fisherman and queried to Ms. Topping how much her husband spent on a fly fishing pole and noted that was probably \$10 or \$15 dollars. There is somewhat of a misnomer about fly fisherman. We still try to save money; it is not a real expensive sport and we would be willing to teach kids how to fly fish. Mr. Zettlemoyer noted it is not a real expensive thing to do and actually the fish bite at the flies rather than bait. He would like to bring attention to the Saucon Creek watershed management plan. Even though it is dated as 1991 he was wondering why there are two culverts now coming into Saucon Creek that are not part of this plan. Mr. Zettlemoyer informed he has contacted EPA regarding this and he knows that Route 412 has been redesigned but he does not want to see all that water running into the creek and those two culverts. There is a stretch of that water that is inhabited by native reproducing trout. He informed that the thing that hurts trout streams are siltation, the lack of dissolved oxygen and water runoff including oils from streets. That water should have been piped to our sewage treatment plan in violation of the act. Mr. Zettlemoyer would ask Council and the Mayor to look further into this as to why that was done. Mr. Zettlemoyer pointed out that he has a personal investment in Saucon Park. Back in 1984 when Mayor Marcincin had a gift to the City's program he gave \$3,000 towards the construction of lights on Saucon Park. Mr. Zettlemoyer would like to know why the lights were removed because the umpires association contributed \$5,000, the BBFHA contributed \$3,000, Fromm Electric gave us the lights for baseball not football at a cost well below what the going rate was for those lights. He added that this whole facility was a WPA project that his late Uncle Bill worked on in the

construction of those stands. He sees that now it is used to scavenge to rebuild walls rather than rebuild the stands. He would like to know why that was done.

President Reynolds believes that this is a more of a Second Courtesy of the Floor situation rather than something we will vote on tonight as far as an Ordinance or Resolution is concerned. He certainly would encourage that he talks to Ms. Persa or Mayor Donchez after the meeting. At the Second Courtesy of the Floor if he would ask the question again he would allow the Administration to respond. President Reynolds stated that the First Courtesy of the Floor is for something that will be voted on.

Mr. Zettlemoyer pointed out along that line you spent about \$700,000 of CDBG money rebuilding that pool. If he were HUD he would ask for that money back because it was closed.

President Reynolds noted that once again, if that is something that the Administration would like to respond to at the end of the meeting, they may be able to.

Mr. Zettlemoyer stated that lastly he is a diving coach for Liberty and Freedom High Schools and he takes great umbrage to the fact that you have taken all of the diving boards out of the swimming pools in Bethlehem. He can no longer recruit kids for a very popular sport in the two high schools because they do not have the opportunity to go to their neighborhood pool and swim and dive.

Maser Contract – Bethlehem Southside Intermodal Site Study

Marilyn Lalley, 11 West Second Street, stated she is at this meeting on behalf of the Riverport community. She thanked Council and the Administration for all they do and is here to talk about Resolution 9 F, the Resolution on the Maser Contract. Ms. Lalley informed that hundreds of people at the Riverport building were surprised by the Morning Call article yesterday that announced that Riverport was dropped from consideration. The reason why they were surprised is since the Maser Contract was tabled on February 2, 2016 we were not notified of tonight's reconsideration of it despite being promised that we would be notified by a City representative. Ms. Lalley noted they are asking for three things, please confirm tonight and in the minutes of tonight's meeting that the Riverport building at 11 West Second Street will not be considered for an Intermodal facility. Please confirm that the immediate area surrounding the Riverport building will also be dropped from consideration as the Steelworkers Memorial Park and limited green spaces right around the Riverport building are too close and too small. Please create a pause and require an opportunity for public review and commentary of Maser findings of the possible sites at the end of their phase one as promoted in their proposal. Also the site selection assistance part of their proposal before the phase two categorical exclusions part of their proposed contract begins. These three things we ask of you to represent the residents of the Riverport building. Ms. Lalley informed that she seeks these answers to these three items tonight if possible and again she thanked Council and the Administration for taking care of our City.

President Reynolds is sure we will ask questions of the Administration and Ms. Karner at the time and we will make sure we include those as well.

4. OLD BUSINESS.

A. Members of Council

Lehigh students study on pollution in South Bethlehem; Parking Garage

Ms. Negrón-Dipini had a few comments about something we have talked about for the past few meetings. She wanted to thank the Lehigh students, although they have left the meeting, for the study on pollution. She worked really hard to raise three girls on south side Bethlehem to make them productive citizens of the society and they are all excited to come back home. She is afraid that when they see this study they might not want to come home. Ms. Negrón-Dipini added that she takes this very seriously just like taking the welfare of the people seriously. She wonders what happened with the Polk and Third Street parking garage that was approved. She knows that it was under the Redevelopment Authority and was passed onto the Parking Authority and now all of a sudden it got into a pause and now is on Vine and New Street. Ms. Negrón-Dipini mentioned when she was a member of the Planning Commission we approve all of the projects on Third Street and all included the fact that we were going to build

a garage on Third and Polk Streets. There was the Charter School, some restaurants and other projects going on and it took some time to think positive about building a garage, but Third Street is wider with all the development we approved around it. Now it disappeared and is in pause and she does not understand what we are doing. Ms. Negrón-Dipiní remarked about the impact of closing Graham Place and noted that she is really concerned about the safety of people walking in that area. She wonders if we are really paying attention to how people move and what will happen with the sidewalks and the fact that we will eliminate the parking for the neighbors that live there. In the last few meetings we had some great suggestions and also with the Planning Commission developers would come to a meeting and they had to down scale their building because it was their responsibility to make sure they had enough parking, whether apartment or restaurants. Ms. Negrón-Dipiní noted they had to consider where the trash dumpsters would be and where recycling would be, sometimes they had to make the building smaller because it is their problem and not ours. All of a sudden we are building buildings and these things are our responsibilities and the responsibility of the taxpayer to make this happen. She remarked she may be naïve but \$17.5 million is a lot of money for us to back when it should not be. Regarding the the parking lots on the south side, she was disappointed with the parking study because it only accounts for a very small area and not the entire south side. The traffic study does not count on closing Graham Place. She really wishes she could understand the process in which we are making decisions because she cannot support something that sounds so backwards. Ms. Negrón-Dipiní stated she wanted to thank Mr. Haines for saying at the last meeting, and understanding when she said that he does have a problem with parking short of 300 at the Hotel Bethlehem, however you are not asking us to build a parking deck. Thank you for taking the responsibility of renting space elsewhere and shuttling people elsewhere to park. She added that this works. She wishes she had a better understanding on what we are planning and what has been asked from us when it is not in the right order and it does not make sense to her.

President Reynolds is sure that any member of the Administration or Ms. Karner or anyone from the Parking Authority who are building the garage would be more than willing to meet with you with your questions. Mr. Livingston and Mr. Broughal have just left the meeting but he would encourage Ms. Negrón-Dipiní to reach out to them since they are the ones who will be building the garage. He would just say that what will be in front of us is the guarantee for the bond, not taxpayer dollars of what will be spent on the garage. What will be spent on the garage to pay off the bond is going to be Parking Authority funds that will be raised by their usual revenue sources. President Reynolds added it is not as if the City is putting in \$17.5 million dollars. It is guaranteeing the bond to pay off the revenue. That is what will be before us in the coming weeks.

Mr. Callahan noted after the Finance Meeting we discussed the finances of it and at the last meeting we talked about the parking study. He does not know why people are saying what they say. The City is just backing the bond. The taxpayers are not paying for one dime of the parking garage, the Parking Authority is, and if the numbers are correct the Parking Authority will be financially able to make those payments for many, many years without even having the \$500,000 that the City has had discussions about when the TIF expires in 2021. Mr. Callahan stated that is one of the things that he took away from the last meeting and he thinks that President Reynolds was also surprised at how conservative the financial estimates were of the Parking Authority and their ability to make the payments on the bond. The City taxpayers are not paying one dime for this. If need be, we are being asking to back it if there is a failure of the Parking Authority, which Mr. Callahan finds highly, highly unrealistic.

President Reynolds added that regarding our previous comments related to with Graham Place and the vacation, he did some research when the City and the Parking Authority had built the parking garage on North Street in 2000, and Mayor Donchez was on Council. He will put that information together and send this to the Members of City Council. At the time the City actually took out the Bond. The Parking Authority backed that which is even a riskier proposition and if you take a look further at it as far as guaranteeing a certain amount of spots like those to Liberty Property Trust, who was building a building next door to it, he looked through the minutes and many of the same issues came up. President Reynolds mentioned those issues were also building for excess capacity and building to drive other development. When he spoke with Mr. Alkhal, he remembered some of that as well. Mayor Donchez was on Council at the time. None of the current Members were on Council at the time, but they had basically made a bet whether or not there would be a demand there or will it lead to a demand and what we had was that we had a comparable or smaller amount of spaces that were leased,

and beyond that now it is at capacity. There were many similar conversations but the difference at the time is that the City of Bethlehem for the north side of Bethlehem took out the bond and the Parking Authority agreed to pay the revenue rather than the other way around.

Mr. Callahan added that would have been much more risky. Mr. Callahan does understand what Mr. Taylor stated with the backups in traffic by Graham Place. Mr. Callahan pointed out that he does an enormous amount of driving; he has a driving school and does a lot of driving in that area. He does visit Mr. Taylor's gas station on Third and New Streets and it is crowded but from what he has seen in the past five years of driving prior to the New Street Bridge closing he rarely had to wait for more than one cycle of the street light. He is not talking Musikfest time but in a normal day one cycle, two at the most is what he would see. Mr. Callahan added there is a lot of backup right now and he does try to avoid that area right now but that is due to the situation with the New Street Bridge. Mr. Callahan added when he ran for Council he knocked on a lot of doors and one of the things he heard over and over again is from the business people on the south side is when are you going to do something for us. Their whole argument is that the Sands has basically done nothing for that end of Third and Fourth Street. He knows that Mr. Benner is an easy target, but the fact that a gentleman wants to come here and spend \$20 million dollars of his own money that is a huge risk. He thinks that there are other options in the Valley; Easton is open for business as is Allentown. We have an area there that has been flat for a number of years due to a fire at the site and with a number of condemned buildings on that property. Mr. Callahan thinks Mr. Benner tried to bend over backwards to redesign the property to make it more appealing for the residents on the south side. Mr. Callahan had a chance to talk to businesses that border this construction and but we have nine businesses that would border this garage that are 100% behind this project. There is a risk to everything and there are no guarantees but the Mayor and Council do their due diligence and we have done that. Mr. Callahan thinks this is a great project. There will be disagreements but our job is not to be single minded. He is concerned about the pollution study but his question is if it is spiking like that due to a bus he would hate to see the spike where he lives on Main Street where busses sit in front of his property. Mr. Callahan cannot imagine what that chart would say for Philadelphia, New York or Pittsburgh. There are many things to look at but they are trying to do what is best for the City as a whole and not just one specific area. There are many benefits to this project.

B. Tabled Items

C. Unfinished Business

None.

5. COMMUNICATIONS

C. *Director of Public Works – Recommendation for Award – R-III Construction Inc.*

The Clerk read a memorandum from Michael Alkhal, Director of Public Works recommending a contract with R-III Construction, Inc. for the replacement of old/aging water mains and in conjunction with planned projects in the Borough of Fountain Hill and the City of Bethlehem. The term of the contract is 120 calendar days from Notice to Proceed. The fee for the contract is \$871,359.00.

President Reynolds stated Resolution 9 D is on the agenda.

D. *Director of Parks and Public Property – Recommendation for Award – Conservation Solutions, Inc.*

The Clerk read a memorandum from Ralph Carp, former Director of Parks and Public Property recommending a contract with Conservation Solutions, Inc. to repair and reinforce the soldier section of the Captain Jonathan Taylor monument as well as design and build a new permanent structure that will be placed inside the base of the monument in order to better support the weight of the 800 pound soldier. The non-Utility Capital funds allocated for this project total \$27,250. Donations have and will continue to be accepted for the restoration work. The estimated completion date of the project is September 30, 2016.

President Reynolds stated Resolution 9 E is on the agenda.

E. Request for Intermunicipal Liquor License Transfer – 1313 Center Street

The Clerk read correspondence from Attorney David C. Berger, representing Tailgaters Pub & Grill, LLC, which is requesting approval of an Intermunicipal Liquor License Transfer from Cornerstone Pub, Inc. located at 506 Penn Street, Bath, PA to Tailgaters Pub and Grill, LLC. The licensed premise shall be 1313 Center Street, Bethlehem, Northampton County. Attorney Berger is requesting a public hearing to be scheduled regarding the Intermunicipal Liquor License Transfer.

President Reynolds stated he would accept a motion to schedule a public hearing on Tuesday, April 19, 2016 at 7 pm in Town Hall.

Mr. Colón made the motion. Mr. Evans seconded the motion.

Voting AYE: Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón-Dipiní, and Mr. Reynolds, 5. Mr. Callahan and Mr. Waldron were not in attendance at the time. The motion passed 5-0.

President Reynolds noted there will be a public hearing on Tuesday, April 19, 2016 at 7 pm in Town Hall.

F. Housing and Community Development Planner – Recommendation for Award – Maser Consulting

The Clerk read a memorandum from Allyson Lysaght, Housing and Community Development Planner recommending a contract with Maser Consulting to investigate and identify all possible sites for the relocation of the bus trailers currently situated on Mechanic Street. Once a possible site is determined, Maser will conduct a site study and public outreach services. The term of the contract is February 3 to December 31, 2016. The fee for the contract is \$58,750.

President Reynolds stated Resolution 9 F is on the agenda.

G. Parks and Public Property Director – Northampton County Open Space Initiative Grant Application Resolution – Parham Park

The Clerk read a memorandum from Ralph Carp, former Director of Parks and Public Property requesting a Resolution to apply for a Northampton County Open Space Initiative grant that will be used to refurbish Parham Park. The required match of 50% will be provided by CDBG funding.

President Reynolds stated Resolution 9 G is on the agenda.

H. Fire Chief – Disaster Relief Funding- Winter Storm Jonas

The Clerk read a memorandum from Fire Chief Robert Novatanack regarding a Resolution designating the Chief as the agent for the City for the application process and paperwork associated in relief funding available to cover expenses for emergency operations conducted during Winter Storm Jonas.

President Reynolds stated Resolution 9 H is on the agenda.

I. Mayor Police and Fire Department Reorganization

The Clerk read a memorandum from Mayor Robert J. Donchez to which are attached organization changes for the Police Department and the Fire Department. The request from the Fire Administration is for a Chief Fire Inspector to be elevated to the rank of Captain. The request from the Police Chief is to change the rank of the Lieutenant Criminal Investigation Division to Captain of the Criminal Investigation Division. The Mayor has requested a Human Resources Committee meeting to review the proposed changes.

President Reynolds stated he will refer this to the Human Resources and Environment Committee.

J. *Mayor – Establishing Article 1162 – Solid Waste Collection and Enforcement*

The Clerk read a memorandum from Mayor Robert J. Donchez to which is attached a copy of a proposed Ordinance to establish Article 1162 entitled Solid Waste Collection and Enforcement. The new Article would replace Articles 931 entitled Preparation of Waste, Waste Containers and placement of Containers, and Article 935 entitled Municipal Waste Collection and Disposal.

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

K. *Mayor – Amending Article 1161 – Health Nuisances*

The Clerk read a memorandum Mayor Robert J. Donchez to which is attached a proposed Ordinance to amend Article 1161. The Ordinance deletes Section 1161.08 and renumbers the remaining sections. The language in Section 1161.08 has been placed in the new proposed Article 1162 entitled Solid Waste Collection and Enforcement.

President Reynolds stated the Ordinance will be placed on the agenda following the Community Development Committee Meeting regarding Establishing 1162.

L. *Legal Assistant – Records Destruction Resolution – Solicitor's Office*

The Clerk read a memorandum from Erin P. Hefferan, Legal Assistant, requesting Council 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 will be placed on the April 19, 2016 agenda.

M. *Director of Budget and Finance – Recommendation for Award – Maher Duessel*

The Clerk read a memorandum from Mark Sivak, Director of Budget and Finance, recommending a contract with Maher Duessel to perform the 2015, 2016 and 2017 audit. The term of the contract is three years with an option to renew for one additional three-year period. The fees for the audit are in 2015-\$74,570; 2016-\$76,730; and 2017-\$78,880.

President Reynolds stated Resolution 9 O is on the agenda.

6. REPORTS

A. *President of Council*

B. *Mayor*

9-1-1 Study; Saucon Park; Riverport not an Intermodal Site; Parking Garage

Mayor Donchez stated he wanted to thank Council for the opportunity this evening to go over the 9-1-1 Study. The Administration will work closely with President Reynolds and Members of Council to keep them informed of any new developments with any meetings we have with the County. Mayor Donchez wanted to clarify something about the meeting a few weeks ago regarding Saucon Park. Pump Park in Palmer Township released this evening some of their new rules and regulations which are similar to some of ours and he knows that Ms. Persa sent a memo out to Council to clarify the point about swimming in Saucon Park. Mayor Donchez noted that swimming has never been permitted in Saucon Park or wading in the creek. They wanted to clarify that immediately since that was discussed at the meeting. They feel very strongly that changing an existing law, since we really want to enforce it, would defeat the purpose of many of the things that we were asking Council to recommend to try to get the park under control. Mayor Donchez will answer the question made of Ms. Lalley in that Riverport is not being considered for an Intermodal unit and there certainly would be public comment once we get a preliminary report. Mayor Donchez reiterated going back two months ago regarding the project on Third and New Streets, as one who has spent a good deal of time discussing that project with Lehigh University and St. Luke's, specifically with Mr. Anderson and President Simon and others, he wants to be clear. We had representatives from St. Luke's and Lehigh

make public comment on the record that without a garage there will be no commitment of St. Luke's or Lehigh University for an investment in south Bethlehem. Mayor Donchez noted looking at that garage we had Lehigh University have their RFP out on the ice house, which is something they are taking a hard look to develop on Fourth and Adams Street. That could be a major project. Mayor Donchez wanted to clarify for the record again, without a garage there would be no commitment from Lehigh University or St. Luke's as the two representatives said publicly two or three meetings ago.

C. *Committee Reports*

Parks and Public Property Committee

Chairman Evans stated the Parks and Public Property Committee met on Monday, March 28, 2016 at 4 pm in Town Hall. The Committee voted at that time to recommend City Council adopt the Resolutions for the following special park regulations for Saucon Park and Illick's Mill and Monocacy Park. The Committee also recommended to move proposed revisions to Article 941 to full Council for First Reading.

Community Development Committee

Chairman Martell stated the Community Development Committee met on Thursday, March 31, 2016 at 6 pm in Town Hall. The Committee received a presentation on the Bethlehem Parking Authority Parking Demand and Feasibility Study. It was an informational meeting only.

Public Safety Committee

Chairman Waldron stated the Public Safety Committee met this evening at 5:30 pm in Town Hall. We received, for informational purposes only, a presentation on the Lehigh Valley 9-1-1 Analysis and Strategic Plan.

7. ORDINANCES FOR FINAL READING

A. *Bill No. 1 – 2016, Amending the 2016 General Fund Budget*

The Clerk read Bill No. 1 – 2016, Amending the 2016 General Fund Budget.

Voting AYE: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón-Dipiní, Mr. Waldron, and Mr. Reynolds, 7. Bill No. 1 – 2016, now known as Ordinance No. 2016-02, was adopted on Final Reading.

B. *Bill No. 2 – 2016, Amending the 2016 Liquid Fuels Fund Budget*

The Clerk read Bill No. 2 – 2016, Amending the 2016 Liquid Fuels Fund Budget, on Final Reading.

Voting AYE: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón-Dipiní, Mr. Waldron, and Mr. Reynolds, 7. Bill No. 2 – 2016, now known as Ordinance No. 2016-03, was adopted on Final Reading.

C. *Bill No. 3 – 2016, Amending the 2016 Non-Utility Capital Budget*

The Clerk read Bill No. 3 – 2016, Amending the 2016 Non-Utility Capital Budget, on Final Reading.

Voting AYE: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón-Dipiní, Mr. Waldron, and Mr. Reynolds, 7. Bill No. 3 – 2016, now known as Ordinance No. 2016-04, was adopted on Final Reading.

D. *Bill No. 4 – 2016, Amending the 2016 Sewer Fund Budget*

The Clerk read Bill No. 4 – 2016, Amending the 2016 Sewer Fund Budget, on Final Reading.

Voting AYE: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón-Dipini, Mr. Waldron, and Mr. Reynolds, 7. Bill No. 4 - 2016, now known as Ordinance No. 2016-05, was adopted on Final Reading.

E. *Bill No. 5 - 2016, Amending the 2016 Sewer Capital Fund Budget*

The Clerk read Bill No. 5 - 2016, Amending the 2016 Sewer Capital Fund Budget, on Final Reading.

Voting AYE: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón-Dipini, Mr. Waldron, and Mr. Reynolds, 7. Bill No. 5 - 2016, now known as Ordinance No. 2016-06, was adopted on Final Reading.

F. *Bill No. 6 - 2016, Amending the 2016 Water Capital Fund Budget*

The Clerk read Bill No. 6 - 2016, Amending the 2016 Water Capital Fund, on Final Reading.

Voting AYE: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón-Dipini, Mr. Waldron, and Mr. Reynolds, 7. Bill No. 6 - 2016, now known as Ordinance No. 2016-07, was adopted on Final Reading.

G. *Bill No. 7 - 2016, Amending the 2016 Community Development Budget*

The Clerk read Bill No. 7 - 2016, Amending the 2016 Community Development Budget, on Final Reading.

Ms. Negrón-Dipini stated she needs to abstain from voting on this Ordinance because she is a Board Member for CACLV and her husband is a Board Member for North Penn Legal Services; therefore she will abstain on this vote.

Voting AYE: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Mr. Waldron, and Mr. Reynolds, 6. Ms. Negrón-Dipini abstained, 1. Bill No. 7 - 2016, now known as Ordinance No. 2016-08, was adopted on Final Reading.

8. NEW ORDINANCES

A. *Bill No. 8 - 2016 - Amending Article 121 - Finance*

The Clerk read Bill No. 8 - 2016 - Amending Article 121 - Finance, sponsored by Mr. Callahan and Ms. Negrón-Dipini and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
ARTICLE 121 OF THE CODIFIED ORDINANCES
ENTITLED FINANCE.

Voting AYE: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón-Dipini, Mr. Waldron, and Mr. Reynolds, 7. Bill No. 8 - 2016 was passed on First Reading.

B. *Bill No. 9 - 2016 - Amending Article 122 - Municipal Purchasing Policy*

The Clerk read Bill No. 9 - 2016 - Amending Article 122 - Municipal Purchasing Policy, sponsored by Mr. Callahan and Mr. Waldron and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
ARTICLE 122 OF THE CODIFIED ORDINANCES
ENTITLED MUNICIPAL PURCHASING POLICY.

Voting AYE: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón-Dipini, Mr.

Waldron, and Mr. Reynolds, 7. Bill No. 9 – 2016 was passed on First Reading.

C. *Bill No. 10 – 2016 – Amending Article 941 - Parks*

The Clerk read Bill No. 10 – 2016 – Amending Article 941 – Parks sponsored by Mr. Callahan and Mr. Evans and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
ARTICLE 941 OF THE CODIFIED ORDINANCES
ENTITLED PARKS.

Mr. Evans mentioned it is unfortunate the lateness of the hour and he understands that is what happens as some meetings. There were a good number of people who were here this evening to support Article 941 and a few were able to speak before they left. What is before us tonight is very important and he definitely supports what the Administration has brought to us. Article 941 covers all of the parks and in 2010 when he first joined Council Jane Persa reached out to him as well as Ralph Carp, Mr. Evans was the Chairman of Parks at that time and Mayor Donchez was Council President. We looked at Article 941 a number of ways and had many updates because there were not any updates since the 1970's. We overhauled it at that time. Last year when we realized and looked to tackle the growing problem in what was happening to Saucon Park we added some revisions and amendments. Mr. Evans mentioned that we also realized from eyewitness accounts about what happened last year from the neighborhood meetings, as well as from a number of our employees that work there, that more changes were needed. These changes address some of them and hopefully will bring us closer to solving the problem. Mr. Evans noted we cannot be sure that this will solve everything but it goes a long way in giving the Police with enforcement the tools they need to bring our park back. Saucon Park is a beautiful park as is Illick's Mill. They are wonderful resources and have taken a beating. The ground has taken a beating with the charred ground, the rocks being moved and the litter throughout the park. Mr. Evans added that the water has taken a beating; the facilities have taken a beating as were the neighbors around the area. Mr. Evans thanked the Mayor and Ralph Carp, who is no longer with the City, and Jane Persa, Chief DiLuzio and his staff. They held a number of meetings internally to work to see what we can do to welcome and keep the park friendly but provide tools that the Police can use to bring it back where we can all enjoy the park. They also had several neighborhood meetings and Mr. Evans was at a few of those sessions. They did have great support from the neighbors who were at the meetings. The comments from our Parks Meeting on March 28th and on March 29th there was a newspaper article in the Express Times. On March 30th there was a poll although it was not scientific. The article was about regulating parks and it talked about what we can do. In the poll 45% said yes, this action is needed to protect the parks for City residents. The other 45% said the rules should be even tougher to discourage what is going on. So 45% like it and 45% said we should do more, so 90% agree which is a high number for any public poll, 9% thought they might be too strict and 1% did not know. So it has overwhelming public support and support from the neighbors. Mr. Evans noted there has been a lot of work put into this and in the end it was brought to our attention that swimming was never allowed in the parks or encouraged. The kids can get in and splash and will not be cited, but we need to discourage from a City standpoint, people moving the rocks in the creeks. In addition, having glass in creeks and rivers is a danger. He believes it was 1970 when they put in the Ordinance about no swimming and he agrees. On top of that this addresses the fires and those can be a fire hazard as well as disrupting the park. Mr. Evans mentioned the other change about generators is a direct reaction with seeing things plugged in to run and play music. That is a good addition. Mr. Evans wanted to make two really small changes. On page 6 there are some redundancies about open cooking fires.

Amendment – Bill No. 10 – 2016

Mr. Evans proposed to make amendments at the top of page 6 under (2) Open Fires – Open fires, portable fire pits, and ground fires are prohibited. The next sentence says that Cooking Fire in grills is allowed at Saucon, South Mountain, and Monocacy Parks. In Section (3) Cooking Fires. Cooking fires are allowed only in permanent mounted grills located at Saucon Park, South Mountain Park, and Monocacy Park pavilions. Mr. Evans would like to make the motion to delete the second sentence in Section (2) on page 6 that says Cooking fires in

grills are allowed at Saucon, South Mountain, and Monocacy Parks. Mr. Callahan seconded the motion.

Mr. Evans remarked that Section (2) should just be Open Fires- Open fires, portable fire pits, and ground fires are prohibited. Under Section (3) Cooking Fires – Cooking fires are allowed but only in permanent mounted grills that exist at the parks. Mr. Evans just wanted to separate those ideas.

Mr. Martell then asked for comment from the Administration because there was an intent from them proposing this.

Ms. Persa remarked that what Mr. Evans proposed is correct.

Mr. Evans and Mr. Callahan sponsored the Amendment to Section 941.05.

SECTION 1. Section 941.05 Recreational Activities, of the Codified Ordinances of the City of Bethlehem which reads as follows:

941.05 RECREATIONAL ACTIVITIES.

(d) Picnic Areas and Use.

(2)Open Fires. Open fires, portable fire pits, and ground fires are prohibited.
~~Cooking fires in grills are allowed at Saucon, South Mountain, and Monocacy Parks.~~

Shall be amended to read as follows:

941.05 RECREATIONAL ACTIVITIES.

(d) Picnic Areas and Use.

(2)Open Fires. Open fires, portable fire pits, and ground fires are prohibited.

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

Mr. Evans noted on that same page on the bottom we talk about alcohol and under 941.06 (a) Alcohol Beverages – No alcoholic beverages shall be brought into or consumed in any City park except designated pavilions at Monocacy Park, Saucon Park and South Mountain Park. Mr. Evans informed his concern is about the 25 feet but does not see that in here. His concern was the proposal at the Committee included allowing alcohol at the pavilions and 25 feet around the pavilions which he wanted to removed, that 25 feet and keep it under the pavilion. He does not see that listed so he will withdraw that.

President Reynolds echoed Mr. Evans comments and noted that there was a lot of hard work put into this by the Administration. He wanted to thank Mayor Donchez, Chief DiLuzio, Ms. Persa and Mr. Carp. He would also thank Mr. Evans for all the work he did on this. Not all of us believe in online polls, people do vote over and over again but everything else he said about the Parks Ordinance he agrees but does not believe in polls that are conducted on the internet.

Mr. Waldron noted we all know what the issues were last year but he was looking for some ideas of what the statistics for citations looked like within the parks last year.

Police Chief DiLuzio noted that last year for citations there were some issues, he does not have a number right now.

Mr. Waldron stated his thoughts were that number was probably low compared to some of the violations that were happening.

Chief DiLuzio stated yes, it was low and that some of the way the Ordinance was written, they needed to be clarified more. This act now clarifies this and can assist the Police

Officers.

Mr. Waldron hopes that this gives them the tools they need in order to properly enforce the Ordinances.

Chief DiLuzio feels it will.

President Reynolds noted that this is the first time we are voting on this; we will have a Second Reading in two weeks. If there is a question on anything we have two weeks to ask between now and then.

Mr. Waldron mentioned that there was an issue with the swimming aspect and he would hope that this would be used at the discretion of the officer on when it would be appropriate to pull a four year old out of the creek and use commonsense on that. The creeks are an important part of the City parks that need to be able to be accessed by people visiting the park as well.

President Reynolds noted that discretion is the right word. He knows that when he was a lifeguard at Saucon Park we would constantly be dealing with people coming in from having jumped in the creek and cutting themselves. There is a fine line in going in the creek to get a ball and being reckless about it.

Ms. Negrón-Dipiní stated she is glad about the generators and the tents. It creates more problems and that includes the loud music that people bring. She hopes that the noise Ordinance is also enforced because that is really important. She hears this again and again about the noise. Ms. Negrón-Dipiní hopes that the Police will enforce the noise Ordinance in the park. She agrees with the comment Mr. Waldron made about swimming and that the Police use discretion because making all of this, with the parking and alcohol, will deter a lot of people. It was spoken about at the meeting that there are a lot of New York and New Jersey people coming to our parks and she has about three cars parked on her street and two of them have not moved in three weeks and not moved with a New Jersey license plate. She hopes that this makes the parks a better place for all of us.

Voting AYE on Bill No. 10 as amended: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón-Dipiní, Mr. Waldron, and Mr. Reynolds, 7. Bill No. 10 - 2016 was passed on First Reading.

9. RESOLUTIONS

A. *Authorizing Use Permit Agreement for Public Property – Boutique at the Rink – Ice House*

Mr. Colón and Mr. Callahan sponsored Resolution 2016-066 that authorized a Use Permit Agreement for public property with St. Luke's University Health Network for the Earl E. Schaffer Ice Rink for the 2016 Boutique at the Rink on April 28, 2016 to June 6, 2016.

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

B. *Authorizing Use Permit Agreement – Celtic Fest, Inc. – Lehigh Valley HopsFest*

Mr. Colón and Mr. Callahan sponsored Resolution No. 2016-067 that authorized a Use Permit Agreement with Celtic Fest, Inc. for June 9 - 13 for the Lehigh Valley HopsFest.

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

C. *Authorizing Use Permit – Christmas City Wine Festival*

Mr. Colón and Mr. Callahan sponsored Resolution No. 2016-068 that authorized a Use Permit Agreement with the Star of Bethlehem Festival, Inc. for the Christmas City Wine Festival

from May 13, 2016 through May 16, 2016.

President Reynolds wanted to recognize the members from the Star of Bethlehem Festival, Inc. who stayed for the meeting, which at that time was three hours and eighteen minutes, to answer questions that may have been asked.

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

D. Authorize Contract – R-III Construction Inc.

Mr. Colón and Mr. Callahan sponsored Resolution 2016-069 that authorized to execute an agreement with R-III Construction Inc. for the Carlton Avenue, Russell Avenue and Church Street water main replacement.

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

E. Authorize Contract – Conservation Solutions, Inc.

Mr. Colón and Mr. Callahan sponsored Resolution 2016-070 that authorized to execute an agreement with Conservation Solutions, Inc. for the Captain Jonathan Taylor Civil War Monument repairs.

Mr. Colón asked where this is being circulated, the handout.

Ms. Persa noted that we did it in the summer and we had taken it to the Rose Garden and to the Music in the Park and we have it at our office as well. We gave it to some of the Members of the Civil War Organization that was here tonight.

Mr. Waldron asked if there is a possibility of adding it to the Recycling Newsletter, that is an option or to the website.

Ms. Karner noted we missed it for this spring so that would be at the end of the year.

Ms. Negrón-Dipini queried if this could be emailed to Council.

Ms. Persa stated she believes so and that Sean Dobson did that handout.

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

F. Authorize Contract – Maser Consulting, P.C.

Mr. Colón and Mr. Callahan sponsored Resolution 2016-071 that authorized to execute an agreement with Maser Consulting, P.C. for a Bethlehem Southside Intermodal Site Study.

President Reynolds queried if the Administration wanted to add anything to the comments made.

Allyson Lysaght, Housing and Community Development Planner wanted to clarify that they did make outreach efforts to representatives from Riverport early in March and that was well received. She does not think the comments were obviously disseminated but we did make sure that they knew.

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

G. Authorize Grant Application – Northampton County Open Space Initiative Grant – Parham Park

Mr. Colón and Mr. Callahan sponsored Resolution 2016-072 that authorized the filing of an application for funds under the Parks Acquisition and Development Program.

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

H. Approving Designation-Robert Novatnack – Disaster Relief Funding – Winter Storm Jonas

Mr. Colón and Mr. Callahan sponsored Resolution 2016-073 that authorized Fire Chief Robert W. Novatnack to execute for and in behalf of the City of Bethlehem all required forms and documents for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act for Winter Storm Jonas.

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

I. Approving Special Conditions – Parking Fines – Saucon Park

Mr. Colón and Mr. Callahan sponsored Resolution 2016-074 that authorized a Special Condition under Article 531 of the Codified Ordinances of the City of Bethlehem for Saucon Park Recreational Area and surrounding City streets for the period of 12:01 am, Saturday May 28 (Memorial Day Weekend) through 11:50 pm, Monday, September 5, 2016 (Labor Day). During the time period designated by this Resolution the violations of the various sections shall be increased.

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

J. Approving Special Conditions – Parking Fines – Illick’s Mill/Monocacy Park

Mr. Callahan and Mr. Waldron sponsored Resolution 2016-075 that authorized a Special Condition under Article 531 of the Codified Ordinances of the City of Bethlehem for Illick’s Mill/Monocacy Park Recreational Area and surrounding City streets for the period of 12:01 am, Saturday May 28 (Memorial Day Weekend) through 11:50 pm, Monday, September 5, 2016 (Labor Day). During the time period designated by this Resolution the violations of the various sections shall be increased.

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

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

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

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

K. Certificate of Appropriateness – 821 East Fourth Street

Mr. Callahan and Mr. Waldron sponsored Resolution 2016-076 that granted a Certificate of Appropriateness to install a sign at 821 East Fourth Street.

L. Certificate of Appropriateness – 128 West Fourth Street

Mr. Callahan and Mr. Waldron sponsored Resolution 2016-077 that granted a Certificate of Appropriateness to install a sign at 128 West Fourth Street.

M. Certificate of Appropriateness – 711 East Fourth Street

Mr. Callahan and Mr. Waldron sponsored Resolution 2016-078 that granted a Certificate of Appropriateness to install a sign at 711 East Fourth Street.

N. *Certificate of Appropriateness – 226 East Third Street*

Mr. Callahan and Mr. Waldron sponsored Resolution 2016-079 that granted a Certificate of Appropriateness to install a sign at 226 East Third Street.

Voting AYE on Resolutions 9 K through 9 N: Mr. Callahan, Mr. Colón, Mr. Evans, Mr. Martell, Ms. Negrón-Dipini, Mr. Waldron, and Mr. Reynolds, 7. The Resolutions passed.

O. *Approving Auditors – Maher Duessel – 2015, 2016 and 2017 Audits*

Mr. Callahan and Mr. Waldron sponsored Resolution 2016-080 that approved Maher Duessel to provide the following audits at the listed rates for 2015, 2016 and 2017: General Purpose Financial Statements, Single Audit Reports, Water Fund, Sewer Fund, Bethlehem Area Public Library, Bethlehem Parking Authority, Bethlehem Authority, and 911 Fund.

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

10. NEW BUSINESS

Human Resources and Environment Committee Meeting; Community Discussion Meeting About Heroin Problem

Chairman Colón announced a Human Resources and Environment Committee Meeting will be held on Tuesday, April 19, 2016 at 5:30 pm in Town Hall to discuss the Fire and Police Reorganization.

Mr. Colón wanted to commend Mayor Donchez and Chief DiLuzio. Mr. Colón was at the library the other day and saw flyers for a community discussion that they are hosting about the heroin problem in the area. State Representative Dan McNeil has had some community forums on this. Mr. Colón mentioned that he and Mayor Donchez have had discussed this a few weeks ago. He hopes this will be well attended, and recognized that the local media has been reporting this issue for about a year now and anyone paying attention sees the problem rising. Having these open forums and discussions and developing awareness and shining a light on this problem are the first step in the right direction. Mr. Colón looks forward to seeing what the turnout is.

Monocacy Park Damage

Mr. Callahan stated that in their Council packets this week they had a letter from John and Erin Kintzer. He did not know about the damage at Monocacy Park, he just wanted to check if the Mayor got this letter and make sure that is being addressed.

Mayor Donchez noted that John and Erin Kintzer were at the meeting two weeks ago and we met with them afterwards.

Mr. Callahan asked if there are funds available to fix the storm damage that is documented in the pictures.

Ms. Persa noted that actually the project that was presumed to start in June is now being postponed until next year with the stream bank stabilization with the Wildlands Conservancy and that will address that whole issue. Most likely what we will do now is clean up what we can, but the major part is to be done next year.

Mr. Callahan asked if the storm damage by the wall can get cleaned up.

Ms. Persa stated we will clean that up.

Mr. Callahan mentioned the damage to the bridge and thinks this is a safety thing.

Ms. Persa has those pictures and when the stone mason gets freed up we can certainly get started working on that project.

Mr. Callahan just wanted to make sure that work gets done.

Mr. Evans asked the reason for the delay and if it is a funding issue or something else.

Ms. Persa stated they changed the scope of the project and so they needed more time to rework the plans.

Mr. Evans asked if that includes the railroad ties.

Ms. Persa replied yes, it was supposed to start in June but now it will be postponed until next summer.

11. PUBLIC COMMENT

South Side Garage

Greg Zebrowski, 23 Dewberry Avenue, stated that before his time starts he wanted to say that when you get older and retired he hopes that your public officials promote policy that will not be driving you out in the evenings until 10 and 10:30 pm. He spoke to a few of you privately and he just wanted to clarify a few things and a few concerns. Mr. Zebrowski noted that no one, as far as he knows in this room this evening and people he has discussed who have a contrary point of view to some of you, is against economic development. He was involved in a lot of economic development in this City when he served on Northampton County Council as he stated previously. He has a few problems with this; he likes to look at this as cost, size and benefit. He thinks the cost is an unfair burden on the City; the people will end up paying for this with increased user fees; it will up coming out of their pockets. Mr. Zebrowski stated this deal that was struck is a poor public/private partnership and is \$17 million dollars, \$20 million from a private developer. He pointed out that we do not have to be captives by the way of one developer. There are other developers that would like to come to Bethlehem; we do not have to captive but we seem to be. He remarked \$20 million is from a developer and \$17 million by the City is leveraging way too far. It is not a public/private partnership; it is a public getting fleeced. That number should be down on the public side. Mr. Zebrowski added that St. Luke's and Lehigh University have contributed real dollars on the south side of Bethlehem and when Greg Farrington was President of Lehigh they put real dollars into the City. In negotiations Lehigh could have been asked for some real dollars. He pointed out that St. Luke's has given real dollars on the south side with the restoration of the train center. Why are we now rationalizing for them not giving any contributions to this partnership? They should put money where their commitment is to your City. Mr. Zebrowski believes this fails on a cost side from the standpoint that there are better deals that could be struck. No one is against economic development; none of the people he has talked to. We just think that you have held to such a low bar in terms of what you have received in return. The size of that garage creates an artificial bubble where you are not encouraging people to put feet on the ground. In the inclement weather the people will go from where they are at and get into their car and drive out of the City into a congested City which we have already identified by previous parking studies as a congested area. Mr. Zebrowski added that we should be moving eastward with our parking and not putting it in the center of a development. We are not decreasing our footprint and garages and automobiles should not be the center of what you are doing in a 21st Century. People walk and go to places in Bethlehem and other cities because of the attractiveness of the venue that is there, they are called sites of destination. He mentioned that people walk two or three blocks for Musikfest because there is a destination they want to go to and they want to put their money into it, whether it is a museum, music, a restaurant, or a City Market. He added that we had a City Market for most of Bethlehem's history. We could throw this whole project out the window and put a City Market on the corner of Third and New Streets and you would have people walking for blocks to come down there. Mr. Zebrowski then continued with the quality of life issue and wondered why some of the best and brightest in this community and at Lehigh University have difficulty with this. They do research and are concerned about the footprint. We are not doing anything creative and we spent a lot of money on the Greenway, but we should be integrating with the Greenway not hovering over it. Mr. Zebrowski related that the size and scale of that garage is really detestable and as the gentleman stated before you are ignoring your own Ordinances. He pointed out that Councilman Michael Schweder said no more Rooney buildings, but we are building a Rooney building and this is ridiculous. Mr. Zebrowski understands that Council has a job to do but he would appreciate if they took in other factors and not set the City of Bethlehem to such a low standard for development. There

are other ideas out there and other developers who have creative ideas who are proposing green projects in the City. Mr. Zebrowski mentioned that if the City residents do not have a choice but to drive everywhere then our cities do not stand a chance of surviving in this 21st Century. We really do need to provide new choices for people to get around. In the past century in the United States we spent building our cities around the car, but we damaged our cities in the process and we were getting diminished returns on our investments. Dangerous, congested, economically underperforming streets are at the heart of livability and competitiveness of a City. Mr. Zebrowski stated those are quotes from a book that he recommends we all read and written by Janette Sadik-Khan called *Streetfight: Handbook for an Urban Revolution*. She was the transport commissioner for the City of New York under Mayor Bloomberg.

Breena Holland, 379 Carver Drive, stated she wanted to be clear to President Reynolds, she does not think that anybody is thinking of taxpayers in the way that he is thinking of taxpayers. We understand that you, the City, are not paying for this, people keep talking about this. She referenced taxpayers in what she wrote about because she was thinking about the State money. We are getting \$5.2 million from State money and that is taxpayer money. Ms. Holland added we have heard about how we are going to have parking fees raised and even parking studies suggest that in a certain point to pay for things. We are spending a lot of money for this one spot and people disagree with the benefits it will provide. They think it is too big and that there are better solutions. Ms. Holland noted if you have that much money to spend let's think more carefully about the ways that we will spend it. To Mr. Callahan's point with respect to the air pollution problem she wanted to say that other Cities are in fact doing things differently. They are creating more walkable Cities to keep the traffic and pollution away from people and are doing a lot of things that we are not doing. That is why we are encouraging everyone to think about this more carefully and do something different. That is to act like Manhattan and to act like Philadelphia. Ms. Holland noted that we do have an air pollution problem in this city and cities that had our level of air quality, if you had over a million people would get special air monitors put in them by the EPA. That would be to access the air quality of hot spots and episodic exposures. We do not have that many people and will not get one of those but it is worthwhile to consider that those are real concerns. Ms. Holland noted while you might walk out on the street and not experience the problem but as you age and when you are younger, your respiratory system is more vulnerable so it is more problematic for those people, especially those close to a school and those seniors on the south side. She hopes that there will be efforts to deal with the cost of this and she hopes that there will be efforts to deal with the size of this because none of it is unalterable. Ms. Holland pointed out that you are the only people we can go to now to try to change things and maybe just to get some more research done so you can figure out how to do a better job for your citizens.

Chester Toye, 4 Campus Square, Lehigh University, mentioned he is a Political Science and Architectural student at Lehigh and he is looking into going into Urban Planning. This is an interesting time to be at Lehigh University to see some of these proposed changes. He is just very uncomfortable with the proposed garage. Mr. Toye knows that people his age really do not like to drive that much and we are not the ones who will be using the building for the most part but that needs to be taken in to consideration. Mr. Toye added that we should be planning for the future and not for current trends. He pointed out that in 2014 only 75% of the people from ages 20-24 possess a driver's license and this is down from 92% in 1983. Someone before mentioned that we do not need to plan our City around driving. He noted that in the parking study they did mention that we are in a part of the Country that is a car centered culture, which is true, but that does not mean we need to continue that. Mr. Toye has another issue and that in the parking demand study. 30% of the weekday peak and 40% of the Saturday peak demand of this proposed garage is just for students which he feels is a big number for something that is not even approved and students do not want to have to necessarily drive. He thinks that the Parking Authority paying for a garage for students that are only here for four years is a little bit outrageous. He will not have to deal with the long problems of what this garage would cause but it is not fair to the residents for the majority of the garage to be for students. For that development as a whole, 56% of the weekday peak and 80% of the Saturday peak, which justifies a garage is for the proposed development on Fourth and Vine, are large numbers. Mr. Toye then mentioned a few quotes from Jeff Speck, who is a Smart Growth expert who Bethlehem actually hired to do some consulting work back in 2009. He was asked the biggest mistake that cities make is and he said "A typical Public Works Director does not think about what kind of city do we want to be. They think about what people complain about and it is almost always traffic and parking. The one thing we have learned without any doubt is that

more room we give the car, the more room they will take and that will wreck cities. Optimizing any of these practical considerations-sewers, parking, vehicle capacity-almost always makes a city less walkable." He also states that in effective cities there is a Mayor who sees that he is more or less the chief designer of the city, and that Charleston's Mayor Joseph Riley woke up one morning slapped his head and said, oh my God, I am the chief designer of my City, and I need to start making decisions that make my city more beautiful and functional in a more holistic way. Mr. Toye informed if this garage was approved he thinks that requiring first floor retail is vital to the overall walkability of the south side business district. Failure to improve this residential side as retail will result in a lifeless patch of land along New Street. In addition, it would not make it a very walker friendly section of the street and he thinks that New Street is a great connector link between Third and Fourth Streets. Mr. Toye noted Jeff Speck said, "Humans are among the social primates, nothing interests us more than other humans. To attract pedestrian life, the fronts of buildings must expose or at least suggest human activity. Blank walls, parking structures, surface parking lots and even plant life are a poor substitute for windows and doors." Mr. Toye thinks with the rejection of this proposal and not backing the bond, the City of Bethlehem has the opportunity to move towards being a more forward thinking, strategically planned City. He thinks we need to be looking forward and not looking at older trends; try to be more creative and set the bar a little bit higher.

12. ADJOURNMENT

The meeting was adjourned at 10:31 p.m.

ATTEST:

City Clerk