

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street – Town Hall
Bethlehem, Pennsylvania
Tuesday, August 2, 2016 – 7:00 PM

INVOCATION

Reverend Rick Sergi, Pastor of Emmanuel E. C. 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.

2. APPROVAL OF MINUTES

The Minutes of July 5, 2016 and July 19, 2016 were approved.

3. PUBLIC COMMENT

None.

4. OLD BUSINESS.

- A. Members of Council
- B. Tabled Items
- C. Unfinished Business

None.

5. COMMUNICATIONS

A. *Assistant City Solicitor – Amending Article 149 – Blighted Property Review Committee*

The Clerk read a memorandum from Edward J. Healy, Esq., Assistant City Solicitor to which is attached a proposed Ordinance to amend Article 149 – Blighted Property Review Committee. The proposed Ordinance is intended to substantially streamline and simplify the process for declaring a property blighted. It has been fully and favorably vetted by the relevant Departments, the Redevelopment Authority, Blighted Property Review Committee, and the Planning Commission.

President Reynolds stated the Ordinance can be listed on the August 16, 2016 agenda for First Reading unless Council would like to have this matter reviewed in Committee.

Chairman Martell stated it does not need to be reviewed in his Committee.

President Reynolds reiterated this can be listed on the August 16, 2015 agenda for First Reading.

B. *Mayor – Wilson Kramer Facility*

The Clerk read a memorandum from Mayor Robert J. Donchez requesting City Council to advise of their position on whether to accept or reject the Wilson Kramer facility. If the decision is to accept the property a Resolution must be passed by Council to authorize acceptance of the deed. A memo from Council would be sufficient if Council decides not to accept the facility.

President Reynolds mentioned that in the memo the Mayor sent to Council it was his opinion that the City of Bethlehem should not accept the Wilson Kramer facility but if Council wished to accept it we would need to pass a Resolution. President Reynolds noted with matter before Council if we wanted to accept the property we would need to pass a Resolution at the next Council Meeting on August 16, 2016 to allow enough time to notify appropriate parties. We would not be voting on the Resolution tonight, but if we had two Council Members willing to sponsor that Resolution it would come up for a vote at the next Council Meeting on August 16, 2016. President Reynolds then opened it up for discussion on whether or not anyone wished to sponsor this Resolution that would be on the next agenda. President Reynolds advised with no one willing to sponsor this Resolution the proposed Resolution fails for lack of sponsors. As the City Clerk indicated, Council will send a memo to the Administration concurring with the decision for the City of Bethlehem not to accept the Wilson Kramer facility.

C. Redevelopment Authority Executive Director – Sale of Property – Bethlehem Armory-301 Prospect Avenue

The Clerk read a memorandum from Tony Hanna, Executive Director of the Redevelopment Authority to which is attached a proposed Resolution for approval of the Bethlehem Armory Redevelopment Agreement. Pursuant to the Redevelopment Law all Redevelopment Agreements require the approval of City Council prior to final execution and subsequent disposition of the property, which is located at 301 Prospect Avenue. Also attached are copies of the Authority's Resolution and the Redevelopment Agreement executed by Peron Development, the prospective developer.

President Reynolds stated the Resolution can be listed on the August 16, 2016 agenda unless Chairman Martell wishes to review this in Committee.

Chairman Martell informed we will not review this in Committee, but he will point out that there will be representatives from the RDA and Peron Development at the August 16, 2016 Council Meeting to answer any questions. Also, from that point forward there will be a 270 day due-diligence period where there will be time for public input, including a Mount Airy Neighborhood Association meeting that will take place on Tuesday, August 23, 2016 at 7:00 pm at the West Side Moravian Church.

President Reynolds remarked that eventually the plans need to go before the Planning Commission.

President Reynolds stated the Resolution will be listed on the August 16, 2016 agenda.

D. Purchasing Director – On-Line Auction

The Clerk read a memorandum from Sandra Steidel to which is attached a list of items that will be sold at the next on-line auction to be held within the next 60 days. Council will be advised when the auction date is confirmed.

President Reynolds stated if Council has no objection the property listed; the same may be added to the on-line auction. If Council would like to discuss a specific item, the same shall be removed from the list and discussed at the next Council Meeting on August 16, 2016. President Reynolds queried if any Member of Council would like to discuss a specific item, have it removed from the list, and discussed at the next City Council Meeting on Tuesday, August 16, 2016. With no discussion a memo will be sent to the Purchasing Director that City Council has no objections to the property listed.

E. Housing and Community Development Planner – Revised Ordinance Amending Article 342 – Establishing new LERTA District

The Clerk read a memorandum from Allyson Lysaght, Housing and Community Development Planner to which is attached a revised Ordinance to amend Article 342 together with the associated Resolution. The Ordinance should include a reference to the commercial/industrial LERTA statute (Act 76 of 1977), and to the residential LERTA statute (Act 42 of 1977). The reference to the residential statute was omitted in the first draft of the proposed amendment. Another Public Hearing will need to occur.

President Reynolds stated he will accept a motion to schedule a Public Hearing on Tuesday, August 16, 2016 at 7:00 pm in Town Hall.

Mr. Martell and Mr. Callahan moved to schedule the Public Hearing.

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

President Reynolds stated the Public Hearing will be held on Tuesday, August 16, 2016 at 7:00 pm in Town Hall.

F. *City Solicitor – Highway Safety Project Grant – Community Traffic Safety Project*

The Clerk read a memorandum from William P. Leeson, Esq, City Solicitor to which is attached a copy of the Highway Safety Project Grant Proposal and Budget Summary to be submitted by the Bethlehem Health Bureau to the Pennsylvania Department of Transportation. The grant will provide funds to address highway safety issues with intervention strategies targeting schools, community and family, healthcare, enforcement and industry/workplace. A Resolution, authorizing the grant to be submitted is a requirement of the grant application.

President Reynolds stated the Resolution will be listed on the August 16, 2016 agenda.

G. *Redevelopment Authority Executive Director – Amending Article 342 - LERTA*

The Clerk read a memorandum from Tony Hanna, Executive Director of the Redevelopment Authority regarding a new LERTA District. The Authority Board voted to recommend adoption of the amendments to the Article, as presented, creating a new LERTA District.

6. REPORTS

A. *President of Council*

B. *Mayor*

7. ORDINANCES FOR FINAL READING

A. *Bill No. 22 – 2016 – Establishing Article 742 – Anti-Graffiti*

The Clerk read Bill No. 22 – 2016 – Establishing Article 742–Anti-Graffiti on Final Reading.

Voting AYE: Mr. Evans, Mr. Martell, Ms. Negrón-Dipiní, Mr. Waldron, Mr. Callahan, Mr. Colón, and Mr. Reynolds, 7. Bill No. 22-2016 now known as Ordinance No. 2016-22 was adopted on Final Reading.

8. NEW ORDINANCES

None.

9. RESOLUTIONS

A. *Approving Intermunicipal Transfer of Liquor License – 530 Pembroke Road*

Mr. Colón and Mr. Callahan sponsored Resolution 2016-168 that approved the Intermunicipal Transfer of Retail Restaurant Liquor License Number R-19093 owned by Bella Luna LLC, formerly licensed to conduct business at 3417 Sullivan Street, Easton, Northampton County, Pennsylvania to 530 Pembroke Road, Bethlehem, Northampton County, Pennsylvania.

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

10. NEW BUSINESS

Committee Meeting Announcement

Chairman Callahan announced that there will be a Finance Committee Meeting on Tuesday, August 16, 2016 at 6:00 pm in Town Hall. The subject will be Budget Adjustments and Transfers of Funds and a Second Quarter Financial Review.

National Museum of Industrial History Opening/Musikfest/Stone Arch Bridge Repair

Mr. Evans remarked that the National Museum of Industrial History opened today and he wanted to congratulate all of those involved with this project. It has been a long time since the museum concept was announced, but it is a spectacular museum, and he wishes them all good luck. Mr. Evans pointed out it is another great addition to the City of Bethlehem.

Mr. Evans mentioned that he wanted to check with the Administration about Musikfest which will start on Friday with the hope of bringing upwards of a million people to the City of Bethlehem. He asked if there are any changes or reports from anyone in Public Safety or Public Works that they would like to present to Council. Mr. Evans queried if we are all clear for the start of Musikfest on Friday. Mr. Evans remarked that two years ago we had several unfortunate instances, although last year we had a clean run, and part of that is controllable, but some is always uncontrollable.

Police Chief Mark DiLuzio advised that last year was our lowest year of incidents at Musikfest, of Musikfest's history and of the City's history. This year we updated some security measures and we will have the Police, Fire and EMs out every night. Police Chief DiLuzio stated that includes himself and Fire Chief Robert Novatnack. They will be out every night with the Mayor. We will be out in foot or in a car getting around to both sides of town. We also have outside assistance from Federal agencies along with County and State agencies, which assist every year. He expressed we are in very good shape for the start of Musikfest on this Friday. Although he cannot predict, he thinks we will have a good year.

Mr. Evans queried about the accident involving the historic bridge over the Monocacy Creek near Handwerkplatz and the repairs that will be needed for that damage.

Michael Alkhal, Director of Public Works mentioned together with Parks and Public Property we have been engaged in looking at what has happened to the stone arch bridge that was damaged. Mr. Alkhal noted that a pickup truck was leaving the site heading towards Conestoga Street and hit the north western parapet wall and knocked a substantial piece of it over and into the creek. He added that the Parks crew recovered much of the stone that fell into the creek. The area has been stabilized so that if rain events occur it would not create any additional damage. Mr. Alkhal reported that they also cordoned off the area but it is still accessible by foot and by emergency vehicle. He added they are not encouraging vehicle use of it for the time being until further notice. Contractors have been on site to look at what the repair might look like, of course respecting the historic aspects of the structure. The status of the structure during Musikfest is that it will be open for pedestrian use and emergency vehicle use, but outside of that we will have to get around some other way.

Mr. Evans noted at the end of the festival it will then be taken on by Public Works.

Mr. Alkhal stated the in-house Parks staff have indicated they feel they can make the repairs, but we will look at that closer and make sure whatever repairs are made are made correctly, emphasizing the historic aspect of the structure.

Committee Meeting Announcement

Chairman Martell announced that there will be a Community Development Committee Meeting on Wednesday, October 5, 2016 at 6:00 pm in Town Hall. The subject will be the 2017 Community Development Block Grant and HOME Investment Partnership Program review.

11. PUBLIC COMMENT

Hotel Tax

Bruce Haines, 63 West Church Street, stated he sent an email to Council and the Mayor last night regarding a recent development that caught everyone by surprise with the most recent state budget legislation, the state tax bill that was just passed in Harrisburg. He expressed embodied in that bill buried in line x on page y deep in the budget bill, was a provision introduced by Senator Browne that would divert the 4% County hotel tax that is collected by all 57 Hotels in the Lehigh Valley from every guest that checks out of their hotel and submitted to the respective counties. The counties then take 68% of that and forwards that to Discover Lehigh Valley for them to promote tourism; about 40% of the 68% goes to LVEDC as well. He noted that those funds support annual programs in Northampton County that promote tourism. Mr. Haines referenced the docent program on Main Street as an example, and noted Lehigh County uses their 32% basically to pay down the bond of Coca-Cola Park. Mr. Haines stated this line item was snuck into the budget and no one knew about it. That 4% and the full amount of the Renaissance Hotel and Holiday Inn tax was diverted in this bill from the County to fund this economic development and tourism, to stay in the NIZ for the NIZ board to use the money to improve other hotels in the NIZ. Mr. Haines stated in other words for the Renaissance, we are talking about approximately \$320,000 in year one that instead of going to the County for tourism like the rest of us do, that is going to be in a pot to basically improve the Holiday Inn in downtown Allentown, who competes, just as the Renaissance does with all of the hotels in the Lehigh Valley, including your hotels here in Bethlehem. This is a blatant misappropriation of the funds that were designed for tourism, a blatant diversion of money that would still require us to contribute our 4% to handle the tourism with the NIZ hotels being able to benefit from that tourism, the success of that, and them being able to improve their property with the 4%, which we do not have the luxury of doing.

Mr. Haines is asking Council to support a Resolution to be delivered to the State legislators to repeal this provision in the line item in the state budget. Mr. Haines stated he is asking Council to come to the defense of the hotels in Bethlehem that play by the rules and do not have a subsidy from the NIZ. He remarked this is like doubling down on the NIZ; besides not having a mortgage for the NIZ hotels, they now have the money to improve the hotels from the money in the NIZ. He highlighted that Northampton County, Hanover Township, and Bethlehem Township have passed such resolutions that soon as September starts up to get this bill repealed. Mr. Haines is asking Bethlehem Council to consider Bethlehem join by passing a resolution similar the one passed last night by Bethlehem Township. He sent a copy of the resolution last night and hopes Council can put it on the agenda for the next meeting.

President Reynolds informed that we are going to do a letter as done in the past in these types of situation. It is a letter that any Members of Council can sign if they wish to do so. He remarked the many people read about this for the first time in The Morning Call about three weeks ago. A few members of Council expressed concerns that time as well. President Reynolds stated he asked the City Clerk's Office to start researching the information. He expressed he does agree with Mr. Haines and many of the other State representatives that did not know about this. He pointed out that this is a situation that affects a lot of people and it is not as if Discover Lehigh Valley or LVEDC is going to stop advocating for things in Center City Allentown, or take those things out of the promotional materials.

President Reynolds expressed his disappointment in the way this was passed. He continued often times we talk about things that are controversial. We have meetings and people come and weigh in with their opinions and then we make our decisions. Unfortunately with our State representatives, it does not seem like a lot of people knew what was going on because it appears to adversely affect everybody. He remarked if there was an argument out there about why they needed to do this, to his knowledge that this conversation never occurred. President Reynolds noted dating back to his time of working with Representative Samuelson he mentioned the way these things happen in Harrisburg is in stark contrast in the way we do business in the City of Bethlehem.

Regarding the letter, President Reynolds remarked he also told the Mayor that this was in the works, and if Mayor wanted to sign the letter as well if the Administration does not want to do something themselves. President Reynolds noted that is what our plan is and then we will send that to the State legislators as well, probably within the next week or so after everyone has had the opportunity to sign on if they want to. Mr. Haines queried if that is more effective than a Resolution. President Reynolds stated he believes that this is not only past practice but he also believes that this would be most comfortable for Members of City Council. Mr. Haines asked if the public will know who signed onto that letter and when that letter is sent. President Reynolds

does not imagine that anyone would not want to sign onto it, but Mr. Haines, the press, and anyone else will certainly be able to be a copy of the letter. Mr. Haines thanked President Reynolds for this and for all of the consideration because we were all blind sighted by this legislation.

Traffic Lights During Power Outages/ Courtesy of the Floor

Stephen Antalics, 737 Ridge Street, mentioned he received a call from somebody who asked him to speak on their behalf regarding public safety. He highlighted during the last power outage this person was almost demolished by a car at a busy intersection that was due to a power outage and there were no traffic lights. Mr. Antalics stated he checked with the Police Department and told if there is a power outage that grid will not have traffic signals operating. He feels this is a problem for the traffic department and this is important to maybe have the lights either blinking, showing caution or just red to at least alert people coming into the intersection who might have the right of way. Mr. Antalics noted in this case, with no lights and no stop signs, everyone had the right of way. He urges that this be looked into because it is a public safety issue with accidents waiting to happen, but luckily the one he is speaking of was diverted by an alert and defensive driver. Mr. Antalics continued to say that he suggests that Council devise a firm policy on courtesy of the floor. If someone speaks and someone on Council decides to take opposition or opposing point of view and singles that person out, he thinks as President of Council suggested, this should be taken up after the meeting, which Mr. Antalics does not think is fair. He continued if someone on Council takes exception, then that implies that the person who made the statement is wrong. He remarked a comment was made after he had left the meeting on July 5th that the comments that person felt were made from this podium were false, which he feels attacks the integrity of the speaker. He suggested either no comments from Council or if someone on Council directs a comment to the speaker here, that person should be allowed to respond in a public forum. Mr. Antalics stated the present policy does not work because it demeans and insults the speaker who should be given the chance to defend themselves if they are unfairly attacked, in this case, the speaker being called false or being called a liar. He does not think that is fair. Mr. Antalics is asking Council to set a policy and stick to it.

Block Watch-Area of Governor Wolf Elementary School

Candace Weiss, 1710 Lansdale Avenue, informed she and a neighbor, Jill Pitman, started a Block Watch primarily for the area of Governor Wolf Elementary School, and East Hills Moravian Church and Pre-School. Basically our reason for starting it was that we are aware of some registered sex offenders in that area, and some speeding through the neighborhood, primarily on Clermont Street and Lansdale Avenue. Ms. Weiss pointed out another area of her concern is East Boulevard and Lansdale Avenue. East Boulevard has a two way stop and Lansdale has the right of way at that intersection. She was on Lansdale Avenue at that intersection, had the right of way and nearly got hit by someone pulling out from East Boulevard. Some of the other concerns are activity going on, possibly drug paraphernalia at City Line Little League and the park at the end of Lansdale Avenue. Ms. Weiss informed they are finding some paraphernalia and graffiti on the dug outs, in the tree line separating Levering Place and the pathway between the park and Governor Wolf Elementary School. We are also figuring out ways of welcoming new residents into the community. She noted they are working with our Police Department and do have an officer, and appreciates that assistance. Ms. Weiss noted their next meeting is on Thursday, August 4, 2016 at 7:00 pm at East Hills Moravian Church. She and her neighbor are contacts for that information. Ms. Weiss stated, as concerned neighbors, they also have the possibility of helping other people who may need assistance. We are working with a woman on Callone Avenue who needs help cleaning out her home and her garage and needs yard work. We are offering that service to other people who may need it, whether they are older adults or are coming home from the hospital after surgery. Ms. Weiss remarked that they are asking for not necessarily for money, but some extra pointers in the right direction on how to help keep that area safe within that section of Bethlehem.

President Reynolds thanked Ms. Weiss for forming her group. He informed Ms. Weiss that the Members of Council and the Mayor attend block watch meetings as much as possible. In the next few months if you are having regular meetings you will probably see most of not all of us come out. He encourages her to keep in touch with the Administration and the City Clerk about speakers for her meetings. This is the opportunity to address many neighborhood concerns.

Ms. Weiss thanked President Reynolds and noted that they do plan to have meeting once a month. She noted that she is co-coordinator with Jill Pitman, but she is not sure how much time she can devote to this due to other commitments, but will be involved as much as she can. Ms. Weiss noted that Jill has school age children. Ms. Weiss has no children but has lived in this neighborhood her entire life and she has seen some of the changes taking place in that area. She expressed this just started from a random Facebook post that she made that said "Who needs a block watch when you have an Italian grandmother." That is how we got this started and we would definitely appreciate any additional information that you can give us.

President Reynolds reiterated that Ms. Weiss should keep Council, the City Clerk and the Administration informed. He added that other Block Watch groups often have Department Heads from the City attend meetings to explain things. He knows that Mr. Alkhal has gone out before and talked about leaf collection or snow removal. President Reynolds added that the Administration as the past Administration did, are willing to set up a time to come out and speak to some of these concerns.

Jill Pitman, 1627 Lansdale Avenue, mentioned she is representing the Block Watch as well. We have contacted the office of Mayor Donchez as well as the Fire Department, and we will be having a guest speaker from the Bethlehem Police Department at our meeting this Thursday. She noted they are helping an elderly resident on Saturday August 6, 2016 from 8:00 am to whenever we finish to go into the home and try to clean up as much as we can to alleviate some cleaning and accumulation issues. Ms. Pitman stated this person's issues have become a big part of her heart and she feels for her. We will do as much as we can and we hope to obtain more volunteers to assist. She added lunch will be provided by her and her family. Ms. Pitman informed they hope to help this woman as much as they can.

Courtesy of the Floor

Bill Scheirer, 1890 Eaton Avenue, mentioned he has a suggestion about the procedure tonight. During Communications Council efficiently disposed of the matter of the Wilson Kramer facility and he has no objection to that. The point he would like to make is that no one had a chance to speak about it because in the beginning the courtesy of the floor is limited to items to be voted on this evening. The first Courtesy of the Floor was changed a few years ago. He expressed this made sense, but there was an item voted on and it was a matter of substance that was disposed of efficiently during Communications. Mr. Scheirer would like to suggest to keep the Courtesy in the beginning because you do not want people talking about every Communication but if you want to dispose of something during Communications just say is there any member of the public who wishes to comment on whether or not we should accept the Wilson Kramer facility. Mr. Scheirer thinks that would be the easiest way to remedy this little awkwardness in the procedure.

Safety on the Streets

Artie Curatola, 813 Laufer Street, stated he has been living in Bethlehem practically all his life. The topic he wanted to talk about is safety on the streets, traffic and any type of illegal activity. He continued about 30 years ago in Philadelphia, New York, Easton, Allentown and Bethlehem he was talking about putting cameras in the traffic lights. He noted it was finally done in Philadelphia. His idea behind that was that the Police would not have to be chasing people, but it still is not being done. Mr. Curatola suggested that the Police Officer write down the license and send the ticket in the mail. He stated we can make our own laws here in the City. He made a suggestion about the stop signs in very problem areas where people parking illegally. Mr. Curatola believes that it would be inexpensive to have stickers made for stop signs that could say, "Towed at your own expense, \$150 dollar fine." He stated we should be able to make it stick because we can do what we want in our own City to make the laws safer. Mr. Curatola noted that over 100 years ago people were deputized and were not paid a dime. He expressed deputize people and have they write up tickets and take the pictures and we send the tickets in the mail. If someone is doing drugs you pull out your deputy badge and give a citation. Mr. Curatola noted you do not need the Police on the scene. He remarked get the people to do the work in the City. We will clean up our streets and get rid of illegal activity. He concluded by saying let the people in the community do the work, and do not put it all on the Police Officers and the Parking Authority.

The meeting was adjourned at 7:46 p.m.

ATTEST:

City Clerk