

BETHLEHEM CITY COUNCIL MEETING  
10 East Church Street – Town Hall  
Bethlehem, Pennsylvania  
Tuesday, November 21, 2017 – 7:00 PM

INVOCATION

The Reverend Anthony P. Mongiello, Th.M., M.Ed., Pastor, Saint Anne Catholic Church, offered the invocation 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, Shawn M. Martell, Olga Negrón, Adam R. Waldron and J. William Reynolds, 6. Eric R. Evans was absent, 1.

2. APPROVAL OF MINUTES

The minutes of November 8, 2017 were approved.

3. PUBLIC COMMENT (on any subject not being voted on this evening - 5 minute time limit)

*Portnoff Law Firm*

Stephen Antalics, 737 Ridge Street, mentioned since the last Council Meeting he received information from a person whom he considers a reliable source, and he would like to amend his comments from the previous meeting concerning the Portnoff Law Firm with the collection of delinquent taxes. The reason he says this now is that he feels obliged in the sense of fairness. He was told by this person that in the process, the Portnoff case was reversed by the Supreme Court and based on his comments at the last meeting he feels obliged to let that be known. Mr. Antalics also feels obliged to say that he checked with quite a number of legal people and was quite taken by the very strong negative reaction to this company based upon how they proceeded. He added that in the best interests of the citizens of Bethlehem, the Administration might look at alternate sources because there must be others out there that could do the same job, but from his point of view and others, they could do it with a more equitable way.

Kevin Buraks, Attorney with Portnoff Law Associates explained they came to the meeting this evening to answer any questions Council may have in case another comment was made. He pointed out we represent over 140 municipalities throughout Pennsylvania. Our entire practice is municipal debt collection and because we only represent municipalities, we are very sensitive with regard to issues with the public. That is all we do, and if people were complaining about our actions, we would not be all the places that we are. Attorney Buraks mentioned we have been representing the City of Bethlehem since 1999, so we have a good reputation. We also do a newsletter a few times a year and sometimes we will include notes of appreciation that were received. He finds it amazing that despite the fact that we collect taxes for municipalities sometimes people thank them. He remarked the reason that we do this is because for those people

that need assistance with regards to paying their bills, we are generous that way, we provide payment plans for those people that need payment plans. Attorney Buraks pointed out they have a hardship program for those people who have legitimate financial hardships. They fill out an application and through that process those people can pay with more extended terms. He expressed our system works in the sense that those people that need a push, because they are choosing not to pay on time get a push in the sense that they will get a penalty in the form of additional fees and costs if they do not pay. For those people that need a positive incentive push through the payment plans through the hardship program, those programs work very well. Attorney Buraks related that with some notes of appreciation they received over time, a good percentage of them actually came from the City of Bethlehem. Those were people that go through the hardship program and payment plan, and say thank you for working with us. As was mentioned, the suit that was brought up at the last meeting was overturned. We were fully vindicated. As you can imagine sometimes we are the target of class action lawyers who may be looking to make a buck off of the collector, and because of that we generally fight those suits. This is one we fought and were successful. He noted that the City was aware of this the whole time, this was not new information. This suit was initiated in 2006 and was overturned many years ago. Attorney Buraks stated he just wanted Council to know that this was a case that was overturned in the past, and he would be happy to answer any questions. He concluded by saying our reputation with the City through the many years of our representation has been good. We brought a lot of money for you and at the same time we treated the citizens fairly.

4. PUBLIC COMMENT (on Ordinances and Resolutions to be voted on this evening - 5 Minute Time Limit)

*Article 1741 – Short Term Lodging Facilities*

Gina Kelechava, 139 East Market Street, informed she is at this meeting to speak about the short term housing Ordinance. She is a resident of Historic Bethlehem and also a realtor. She currently has four buyers who are looking for homes in Historic Bethlehem, but has had a lot of trouble finding something for them. She noted that three of them have been looking since the beginning of the year. The homes are being bought fairly quickly without even going on the market. Ms. Kelechava explained what she has been told by these people who desire to live here is that they would like a walkable, friendly neighborhood that has not a whole lot of property, but they do need a substantial size house because they have adult children and grandchildren who want to visit. One of the concerns she has heard regarding the need for short term housing, such as Airbnb, is that there are homes that are sitting on the market so long, dilapidated and in need of renovation, and she has not seen that. She noted one couple is moving to the area from Portland, Oregon, and they have lived on a big property with a big house but their children are now adults, and they want to have walkable space; they are late middle age, but still working. Another couple is trying to sell their North Bethlehem home because they prefer something that is walkable. The gentleman has worked in the historic area, and would love to be able to walk to work. This is not only a place where people want to raise families, but a place where people want to retire or semi-retire. Ms. Kelechava added that two other couples are currently renting homes in Lower Saucon waiting for a home. So what was interesting with especially the Portland, Oregon couple is that she showed them many areas of Bethlehem and Allentown, but both of them agreed that Historic Bethlehem is where they would like to live. She pointed out that two homes on Wall Street recently were sold and one

was purchased by a family with children who want to live in a friendly neighborhood where they get to know their neighbors. That home went on the market the beginning of the week and by the end of the week it had multiple offers and sold for \$40,000 dollars over asking price. She showed that home twice, and it did need a lot of work, but people are willing to live here and put in the work that needs to be done. Another one, the old Neisser School town home, went under contract within days with multiple offers, and sold for \$16,000 dollars over asking price. These homes are not only desirable but there are people who want to live here and are willing to do what needs to be done. Ms. Kelechava mentioned that as a resident she loves so many things about this area such as the walkability, and the friendly sociable neighbors. She highlighted the neighbors do get together and people know each other, and to have transients coming in to these homes and not knowing who your neighbors are is really detrimental and not desirable at all. There is the desire for these homes for people to make them their primary residence, and that is so much more desirable.

Patrick Wilson, 64 East Wall Street, explained he wanted to speak further about why he moved to Historic Bethlehem. He grew up in Macungie and the Emmaus area, he lived in Allentown and Catasauqua, and rented at 231 East Market Street for about seven years. He noted that he and his wife then started looking at homes in Allentown, we looked at Rosemont area, West Bethlehem and the Edgeboro neighborhood, but we just like the area of Historic Bethlehem. We were lucky enough to find a home on Wall Street and our attraction to this area is to have the ability to walk down to Main Street and have that community feel that you are in a town where you can go shopping and dining. He thinks that is unique to Bethlehem at this moment and is a delicate balance between commercial borders on a neighborhood. Mr. Wilson mentioned that Allentown, Reading and Easton struggle with that. They all have great downtowns, but that neighborhood feeling is something that once it is gone, it will have to struggle to get back. Since the 1990's Bethlehem has been going the other way where we have been turning this back into a true neighborhood. He related in the eight years that they have lived in their current location he has seen four or five homes go from rentals back to single family homes, many that were restored and turned back to their original state. Mr. Wilson believes when you buy into this neighborhood, these are older homes and some of us have quirky personalities that love these older homes and we put a lot of time and energy into them to keep them the way they should be. The HARB and the rules that are set to keep Bethlehem what it is, was brought to their attention. He expressed in the past two years we have seen many different houses go for sale, and we often go and look at those homes because all are unique. We would then see that many were selling, and there were rental signs in front of them. It is sad to see this because you want to see the single families come in. Mr. Wilson noted he has three children and they all go to the schools in the area and it is nice to have neighbors. So when we saw these homes for sale, and no new neighbors coming in with them, and see some with rentals and some just sitting there, it takes away from the neighborhood. If this was happening eight years ago, we would have questioned if this is where we want to raise our family, and restore our home into what we want it to be. Mr. Wilson thinks this is a delicate balance when neighborhoods butt up against businesses and encroach onto the neighborhood. He remarked he is here in support of Article 1741 and hopes that it passes.

Norman Roberts, 228 East Market Street, remarked he would like to speak against Article 1741. He has lived at 228 East Market Street since 1988 and since then he has seen many neighbors come and go, and the neighborhood does change, but it is still a neighborhood. On

his west side a home recently was purchased, and they spent a lot of money before they moved in, and the same thing happened on the other side. There are people that want to live here so it is not true that we are desperate to keep these big old things going. Mr. Roberts has to go in and catch up with renovations, to put a new porch on the back of his home to not fall behind everyone else. He does not want what would best be referred to as transient population; that would be a mistake. He owns another building at 10 West Market Street which has three apartments and he has no problem renting them; people want to live here for long term rentals. Mr. Roberts remembers one time he put a notice in the window and he upon returning home, the phone rang, and it was rented that fast. So it is not just true that people want to live here that are purchasers of real estate, but people want to live here however they can get here and that is a good thing. He noted that we do have to be careful; you surely would not want to have a neighborhood that was like Musikfest all year long, that is transient people moving through the neighborhood all of the time, that is not a good plan. Mr. Roberts added that the reason he came originally was because of the architecture, which is certainly beautiful. He mentioned at 10 West Market Street there is a new neighbor, and 2 West Market is a business that he put a lot of money into. So he is not against business; that is not his point. His point is that it needs to remain a neighborhood of people that are there that have invested in it, with not only their money, but their hearts. Mr. Roberts does not think that is going to happen; that is not happening with a transient population moving through.

Mary Rose Wilson, 64 East Wall Street, mentioned she will be reading something on behalf of her friend David Sehring who could not be here tonight and who lives in the Edgeboro neighborhood of Bethlehem and is aware of what is happening with these transient rentals. He supports Article 1741, as does she. "I would hate to see what would happen to the character of this area as a few folks try to cash in and make a quick buck in an effort to skirt the system at the expense of their neighbors and neighborhoods. I moved to Bethlehem after living for ten years in Seacliff, Long Island, another quiet and historic area and two years in Long Island City, New York. Taxes and affordable housing in those areas became too expensive. Bethlehem was affordable and looked like a great place for my wife and I to raise our daughter who is now eight years old. My wife is originally from the area, went to Bethlehem Catholic High School and grew up near Church Street. She told me of its history and charm and it reminded me a lot of the City I grew up in, Bexley, Ohio especially the magnificent houses and sycamore trees that line the sidewalks. I would hate to see Bethlehem sell out to a few Airbnb house speculators who have nothing more to do with raising a family in a quality neighborhood or maintaining a quality of life that this area has to offer. As a father I see the true value of the Bethlehem community with its rich history and historic homes as well as the safety it provides. Who knows what would happen to that feeling of safety if a string of transient house hotels are allowed to pop up with no regulations in place. Surely there must be zoning laws prohibiting the existence of hotels in residential neighborhoods. If the quaint homeowner Airbnb is replaced with speculators that are allowed to go unregulated and drive up home prices to make a quick rental buck without any regard to its taxpaying neighbors and families, this town would be doomed like Bethlehem Steel because its City Council failed to protect its community. It needs to limit and restrict Airbnb businesses in Bethlehem with clear laws and regulations that the community is made aware of. Please do not drive a rusty nail into this Bethlehem homeowner's heart and sacrifice the beauty, history and charm of this family friendly neighborhood for the unregulated Airbnb industry coming to a town near you." Sincerely, David Sehring, 1891 Arlington Street, Bethlehem.

Dayna Plocus, 247 East Market Street, noted when people find out that she lives in Bethlehem the overwhelming response is that they love Bethlehem, the shops, the restaurants, the old houses. Her reply is always that we love our neighborhood, and it is the very best part of living here. She expressed we love this neighborhood so much because we know our neighbors, we consider them our friends and family. We know we can call on them for help whether it would be moving a piece of heavy furniture or mixing up a martini after a difficult day. Ms. Plocus explained they look out for us and we look out for them. She and her husband have lived other places and have never known a sense of community like the one that exists in Bethlehem. She continued to say when we moved to Bethlehem we thought we would stay five or maybe seven years, but we have come to love this town and our neighbors so much that we are planning on living here for the rest of our lives. However, the problems associated with short term lodging are making us reconsider that plan. She is truly worried about the consequences of homes being turned into hotels with no occupying owner. Personal safety is her biggest concern. Criminals, and those with bad intentions, are now using short term lodging platforms such as Airbnb to avoid the background checks and oversights that real hotels provide. Ms. Plocus noted in other words, the availability of short term lodging in residential areas is funneling criminals directly into our neighborhoods. Airbnb's website states that they perform background checks on the names of those who use their system, but this is completely useless because the names that users provide do not have to be real. This anonymity is a serious safety issue. Having an owner live nearby or across the street or next store does not improve safety or mitigate nuisances. Ms. Plocus is fairly certain that everyone on City Council is aware of the Airbnb related police calls made at 2:45 am on Sunday, October 29<sup>th</sup>. She spoke to the owners of that Airbnb about this incident, and although they live across the street they told her they did not hear the noise or the screaming that woke up several neighbors that night. She urges City Council to support this regulation, and in addition amend it so that no whole home may be rented more than four times per year, or with a minimum stay of no less than seven consecutive nights with a total rental of no more than 30 days per year. This will keep the potential for issues to a minimum.

Frank Boyer, 234 East Market Street, stated he and his wife bought their home in December of 2015 and spent about nine months updating it and moved in on Thanksgiving weekend a year ago. They have both lived in Bethlehem for more than 50 years of their lives. All of our parents and grandparents lived in Bethlehem. We are Bethlehem people, and are on their third home that they have owned in Bethlehem. Mr. Boyer noted when they were thinking about moving they looked at Edgeboro Manor, Mount Airy, a nice home on Moreland Avenue and another home on Wall Street, and a few condominiums in Saucon Valley. He stated we chose Market Street because we love the beautiful home, and like being able to walk to the downtown and to Central Moravian Church for Sunday worship. Mr. Boyer explained their home is a perfect size for them. We bought this home being confident with the Historic Review Board that the neighborhood would be kept looking nice and safe if the intent of the City's zoning ordinance was followed. Everything has been great for a year except for right now we have this big commercial business operating at the end of our block. We would have never considered buying our property on Market Street if we had thought that a commercial business would open right in our neighborhood. Mr. Boyer advised their property is 170 feet from the Chandler House, and we are 260 feet plus or minus from the Mott Mansion. This commercial business advertises on the internet, they rent rooms or the whole house by the day, by the week and by the month. He remarked on our block they have ten rooms with beds for 26

people, and they do not charge for extra guests. They have no off-street parking and you can check yourself in and out with a key pad, there is no security there and they even offer complimentary wine, beer and a top shelf bar. He pointed out all that information is on the handout that he just passed to Council. The photocopies of their advertisements from the internet were made yesterday. Mr. Boyer does not believe that this business has any security in place, and he is uncomfortable about it. We have already had one neighbor with small children move out because she felt unsafe. Mr. Boyer explained if he ever decided to move again he would never consider buying another property in Bethlehem with its current zoning and current housing laws when our neighborhoods can be sold out to commercial businesses. The Ordinance that is being proposed is not perfect, but it is certainly a step in the right direction to keep our neighborhoods safe and to keep the neighborhood full of neighbors and not full of businesses. Mr. Boyer asked what will happen when this big multi-million dollar business becomes very profitable, and when the owners get tired of all the work, or when the owner's health starts to fail. He can say that they will sell it, and they could sell it to someone from Philadelphia or New York City or Texas. You do not need to be a resident to run this business. You check in online and make your reservations on line and you pay online. All you need is someone to come in and change the beds and clean in between guests, the business runs itself. Mr. Boyer thanked the employees from the City of Bethlehem that researched this and drafted the Ordinance, and he asks Council to pass it.

Cheryl Dougan, 253 East Church Street, remarked she thinks this Ordinance, with some minor changes, is really important, and is pleading with Council to pass it. She is concerned about the real estate values and all the things that were presented by other speakers tonight. She really wanted to talk about the fabric of community and her fear of its destruction. Ms. Dougan stated they moved to Bethlehem in 1992 from Atlanta where the crime rate was really high. Her husband took a job at Lehigh University and when they arrived we felt like we stepped back in time to a time of our childhoods, where our son at the time who was 7 years old and had the freedom to bicycle and hang out with friends and be safe at Musikfest. It was what we wanted for our child to be raised in. Ms. Dougan noted a parent's worst nightmare happened when our son at age 14 suffered a cardiac arrest while undergoing a Presidential Fitness Test in the school. She expressed our lives were unraveled and it was the community that made our lives palatable, that we could survive this. Our son's prognosis after a month in a coma was that he was likely that he would remain in a persistent vegetative state. He was returned home after about four months in different hospitals, and his last discharge from Hershey Medical Center was where the parents would like to think they see a glimmer of something there, but no proof of this. She noted that 20 years next May 21<sup>st</sup> our son is living on Linden Street in a home of his own that was purchased after taking all the equity out of our home in 2005. We could survive what happened, we were able to survive these next 20 years because of community, and we have got interconnection. Ms. Dougan explained that their community rallied, they did fundraisers to build another room which would allow us to get out of the dining room where he was for a year. They physically were there to help us sheetrock walls, run electrical wiring, and do the work. It buoyed our spirits and gave us hope that we really needed. The neighbors went so far as to develop a calendar that we got on the first of every month of who was going to bring us meals; that went on for a year. That is the value of community that she fears is going to be lost with short term rentals moving into this neighborhood where people will not have the opportunity to know each other, cannot form those bonds and relationships and cannot be there to watch each other's children. It is the

interconnected relationships that make Bethlehem, and in particular the neighborhood, that is at risk right now with short term rentals. Ms. Dougan stated she has gotten so much of value in this neighborhood that cannot and should not be destroyed. She is begging Council to really consider this Ordinance, and vote for this, and vote against the influx of short term rentals that are based on investment and someone's private property making money off of our neighborhood.

Eileen Budd, 257 East Market Street, stated she would like to speak about the proposed Ordinance with regards to the short term rentals. She is the owner and resident of 257 East Market Street along with her husband, Matt. Our home is directly across the street from 267 East Market and two doors down from 238 East Market Street, both of which have been operating as illegal hotels through Airbnb and have housed guests. Ms. Budd thanked the City for its responsiveness and research in developing the proposed Ordinance, which addresses many of her concerns. However, she does feel it is necessary as an immediate neighbor to offer her own personal experiences and issues as well. We have lived in our home for six years; we started our family here and are currently raising our twin three-year old daughters. She has serious concerns with the idea of transient neighbors directly across the street and two doors down from her home as she is raising her two daughters. Ms. Budd explained her biggest concern is the safety of her daughters, and in particular Megan's Law registry that requires past sex offenders to register where they live, whether they are long term tenants or if they are a homeowner, but not as a guest at a hotel or a lodging facility. She has been able to check this registry to know where sex offenders live in relation to her home, and has a strong concern of transient guests coming and going from houses in such a close proximity to her home and her daughters. These people are not vetted, and she will never know anything about them. They will have the freedom to check in and out of homes without any sort of background check, without any security on sight, and that greatly concerns her. Ms. Budd expressed that we live in a residential neighborhood, not a commercial zone, so we should not have the risks that one would typically have to end up residing next to a place of business. As a mother in a residential zone she should be able to do the due diligence of knowing where sex offenders reside so she can do her absolute best to protect her children. We have a unique home that does not have off street parking, but that has not been an issue until the most recent months. She continued to say since two of our neighboring properties have been purchased for the commercial purpose of offering lodging, we have experienced a significant increase in congestion and parking issues. She remarked she has to safely maneuver her children into our home on a busy street. One can say that was her choice to buy the house, and that is correct. She chose to live in a residential area in the City of Bethlehem with the expectations that she would have neighbors in an actual neighborhood. Ms. Budd explained during Musikfest of this year one guest at 265 East Market Street sat outside in his underwear on the front porch. It seems absurd to her to even say this out loud as this incident is not indicative of typical behavior she has witnessed in her past six years of living there. Ms. Budd stated it was shortly after this incident that the another young family, Gretchen and John Rice, who did ask that she mention this, moved to Lower Saucon Township. They were the young family that was referenced earlier this evening. She is deeply concerned about the continued parking issues, safety issues and increased noise. Ms. Budd stressed these houses currently can be rented out to anyone online. In addition, the occupancy allowances are significant, which can lead to party houses and parking taking over an entire street. She urges City Council to consider a number of occupants and ways to eliminate party houses in the proposed Ordinance. On a professional note she has been a licensed realtor for

over 14 years and can personally weigh in that she has had buyers considering 238 East Market Street to purchase. It was another young family that wanted to move into the City, however after three days on the market we were already told that there was an offer on the house and we did not have a chance. So to say that these houses needed to be saved is a complete falsehood. Ms. Budd also note that she currently has two active buyers waiting and hoping to buy in the Historic District and two buyers looking to buy into West Bethlehem, so this is an issue she sees going across the City of Bethlehem. She asserted the neighborhoods in the City are a strong asset to the City, and it is imperative that they remain neighborhoods to hold their value, not only to the homeowners, but to the City as well. We purchased in the Historic District in a residential zone and as a homeowner we should not be directly affected by the commercialization of our neighborhood. We are involved in the community and want to continue to raise our children here. Ms. Budd is most deeply concerned about the safety and well-being of her children first and would like them to know their neighbors in a play safely without the fear of not knowing who is checking in across the street from our house. She expressed please understand the seriousness and importance of this Ordinance and help the residential areas of the City to remain the neighborhoods that they have always been for so many years and a true asset to the City.

Bill Scheirer, 1890 Eaton Avenue, noted he lives far from the neighborhood in question, but is an associate member of the Bethlehem Historic District Association. Originally he joined because he likes Historic Districts and he was on the equivalent of the HARB for his district in Washington D. C. where there are 24 Historic Districts. He started going to the meetings and socials and found this is a very friendly neighborhood, and he made some new friends. Of course, the primary purpose of zoning is to separate certain issues, in particular keeping commercial separate from residential. Mr. Scheirer provided an analogy of when Francis Gary Powers was shot down over Russia. There were questions in the Houses of Parliament if it was true. The Home Secretary was asked if the British Secret Service was training RAF pilots in Arizona to fly U2's. He answered "If I were to answer that question, the British Secret Service would not really be secret, would it." Mr. Scheirer related if you allow something like Airbnb into a residential neighborhood, is it still really a residential neighborhood.

Tim Stevens, Attorney of Davison and McCarthy, 645 Hamilton Street, Allentown, informed he is at the meeting as an Attorney representing over 30 neighbors with respect to the current Ordinance, and also from personal experience as a homeowner of 54 East Market Street that he has owned for 16 years. He wanted to echo what the neighbors have said with respect to this regulation being so important to preserve the fabric of not just the Historic District, but every neighborhood throughout the City of Bethlehem. The neighbors have outlined numerous issues that are so important with respect to passage of this regulation as far as security, safety, cleanliness of the neighborhood, the decrease in the housing stock where that would continue to decrease if the City allows the intrusion of short term transient lodging. Attorney Stevens informed we urge Council to pass the Ordinance that is before them. He does have one legal case that supports this particular type of housing regulation because that is what this is, a housing regulation to promote the health, safety, and welfare of the citizens of Bethlehem. There is a 2012 case that is similar, which is housing regulations to regulate landlords who owned properties and they were facing similar issues. That particular housing regulation was challenged by a group of landlords and other interested parties and it withstood and was an appropriate regulation. There were constitutional challenges and other challenges and largely

this held and remained intact. Attorney Stevens then passed out a handout to Council showing legal support for this type of regulation. He expressed it is a concern if this gets passed, will there be legal challenges or lawsuits. He just wanted to show this handout to give Council comfort that a similar regulation has withstood scrutiny. The other handout he has is their proposed amendment to Section (3) (b) of the regulation, and that deals with the whole house rental when there is a rental of the whole house for 30 consecutive or non-consecutive days. The concern is that there may be higher transient usage with the current language so we are asking Council to add with a seven-day minimum rental or a four times a year maximum rental. That would reduce the potential where you could have basically 15 separate two-day weekends and that would be more transient. We are simply asking Council to consider that additional language.

Bruce Haines, 63 West Church Street, expressed that he is also a managing partner of the Hotel Bethlehem. He thinks it is very important that you strongly consider the amendment that Attorney Stevens has put in front of you representing many people in the community. That would tighten down on that second area where the 30-day rental can take place. The reason he wants to echo why that is important for these people is so they do not have to deal with this the potential of 15 weekends, someone goes away for the summer and decides to rent out their house on Airbnb for 15 weekends all summer long. What is very desirable about Airbnb places is for wedding groups to use that. As most of you know we do 85 weddings at the Hotel Bethlehem. What is happening since the Airbnb properties opened on Market Street is that the wedding blocks that we put out for the groups are not being consumed and instead the wedding parties are renting Airbnb properties so they can have their after wedding parties, and bachelor parties outside of the Hotel. Mr. Haines noted that if they are staying in a suite in the Hotel we have 24 hour security and if there is noise we will knock at their door and shut them down. So after the party they know if they are staying in a Hotel that there are 70 security cameras, 24 hour security and three people working all night long and they will be told to shut down because another guest is being disturbed. Mr. Haines stressed they have the ability to handle that and if we do not we call the Police. So if you do not put in this 4 time minimum to preclude the 15 nights or the 30 Saturday night rentals by wedding parties you will put that burden on the neighbors, the people who live next door to these houses. Mr. Haines informed as more and more of these houses turn into Airbnb that means more and more neighbors will have to deal with calling the Police at 2:30 in the morning. We are equipped as a Hotel in the commercial district to deal with all of those issues, but absentee Airbnb people are not. That is an important amendment for Council to consider, if not tonight, but to talk about it between now and the next vote. Also Eileen Budd helped to put together an exhibit that he will pass out to Council that dispels the myth in the newspapers over the last six months. There is a general misinformation campaign that large homes in the Historic District do not sell, and that no one wants them, and therefore an investor is doing a favor to the community by buying them and turning them away from being single family homes and making them into Airbnb properties. What this exhibit shows is in this decade, since 2010, in the Historic District there have been 20 homes that are over 3,000 square feet that have sold that were single family homes before they sold and the remained single family homes after they sold. In fact one of those 20 homes was a bed and breakfast, the Morning Star Inn, which is the largest home at 7,500 square feet which was converted to a single family home. All 20 homes in the Historic District in the last 7 years, his old one on Market Street being one of them, were single family when they were sold and remained single family. Half of them were rundown and needed upgraded and that was done,

the other half had already been upgraded. This exhibit shows that. The only homes in this decade that did not sell to a single family that were single family, were the four that were purchased by the party that opened the four Airbnb's in the community. Those are the only homes that did not remain single family.

5. OLD BUSINESS

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

6. COMMUNICATIONS

A. *Assistant City Solicitor – Amending Article 1737 – City Fair Housing Ordinance*

The Clerk read a memorandum dated November 8, 2017 from Assistant City Solicitor Edmund J. Healy, Esq., to which is attached a proposed Ordinance to amend Article 1737 – Fair Housing Ordinance. The amendment would modify Article 1737 to contain the identical protections provided in Article 145 by the Bethlehem Human Relations Commission.

B. *Assistant City Solicitor – Amending Article 151 – Firemen's Pension Fund*

The Clerk read a memorandum dated November 8, 2017 from Assistant City Solicitor Edmund J. Healy, Esq., to which is attached a proposed Ordinance to amend Article 151 – Firemen's Pension Fund. The Ordinance proposes to make several amendments to the Firemen's Pension Fund Ordinance to conform the Ordinance to the actual plan already in place.

C. *Deputy Fire Chief – Amending Article 1702 – Fees for the Enforcement of the Pennsylvania Uniform Construction Code*

The Clerk read a memorandum dated September 27, 2017 from Deputy Fire Chief Craig Baer to which is attached an Ordinance to amend Article 1702 – Fees for the Enforcement of the Pennsylvania Uniform Construction Code. The changes were carefully considered and are recommended to closer align the fees the City charges for these services compared to other municipalities.

D. *Director of Water and Sewer Resources – Recommendation of Award – Polydyne Inc.*

The Clerk read a memorandum dated November 9, 2017 from Edward J. Boscola, Director of Water and Sewer Resources recommending a contract with Polydyne, Inc. for a goods and services contract for delivery of polymer to the Wastewater Treatment Plant. The term of the contract is from the notice to proceed until December 31, 2018. Renewal options are four-one year renewals. The estimated cost for 2017 is \$17,608 and \$224,840 for 2018.

President Reynolds stated Resolution 10 B is on the agenda.

E. *Director of Public Works – Recommendation of Price Increase – Construction Masters Services*

The Clerk read a memorandum dated November 10, 2017 from Michael Alkhal, Director of Public Works recommending an amendment to a contract with Construction Masters Services for a price increase of \$55,000 due to schedule acceleration necessary as a result of delay in securing permit, unforeseen site conditions and increase to the final quantities related to the Monocacy Creek Pedestrian Bridge site construction.

President Reynolds stated the Resolution 10 C is on the agenda.

F. *Director of Water and Sewer Resources – Resolution – PennDOT Water Utility Relocation Reimbursement*

The Clerk read a memorandum dated November 16, 2017 from Edward J. Boscola, Director of Water and Sewer Resources requesting a Resolution to authorize the Mayor to submit a request for reimbursement and subsequent agreement with PennDOT for seventy-five percent (75%) of the total cost to relocate water facilities in relation to the replacement of a bridge on Camp Meeting Road in Upper Saucon Township.

President Reynolds stated Resolution 10 D is on the agenda.

7. REPORTS

A. *President of Council*

*Committee of the Whole Meeting/Climate Action Plan*

President Reynolds communicated that on December 13, 2017 at 6:00 pm in Town Hall City Council will be having a Committee of the Whole Meeting to discuss the progress we have made on our Climate Action Plan. This includes the work that has been taken on by City Council, our working group, the work with the Administration. There is a lot of exciting news there and he encourages everyone to come to see what is the central part of Bethlehem 2017, what we have done so far and what we will do in 2018.

B. *Mayor*

C. *Human Resources and Environment Committee Meeting*

Chairman Colón stated the Human Resources and Environment Committee met on Monday, November 13, 2017 at 5:00 pm in Town Hall. The Committee reviewed the Proposed 2018 Budget – Personnel. This item was for information and review at this time in conjunction with the proposed 2018 budget.

8. ORDINANCES FOR FINAL READING

None.

9. NEW ORDINANCES

A. *Bill No. 35 - 2017 - Amending Article 1733 - International Property Maintenance Code*

The Clerk read Bill No. 35 - 2017 - Amending Article 1733 - International Property Maintenance Code, sponsored by Mr. Martell and Mr. Waldron and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
ARTICLE 1733 OF THE CODIFIED ORDINANCES OF  
THE CITY OF BETHLEHEM TITLED  
"INTERNATIONAL PROPERTY MAINTENANCE CODE"

Craig Hynes, Chief Building Inspector informed that the International Property Maintenance Code has been enforced for many years. The one we currently enforce is roughly 26 pages without references and indices. Our Article for that is actually ten pages long. We have decided to reduce that drastically. The Ordinance in front of you is putting things back in that we took out years ago and more closely aligns with the actual code. The second Ordinance, is Article 150 -Board of Appeals. Mr. Hynes explained in the last couple of years we have had a situation where if we issue a violation notice to a property owner they have the right to appeal in front of the Code Board of Appeals. They then have the right to appeal the Code Board of Appeals decision to the Commonwealth Court and all the way up through Superior and Supreme Courts. At the same time, or during that process we can issue a violation through the magistrate, they then can appeal the magistrate's decision to the Commonwealth Court, the Superior Court and the Supreme Court. We have had that come up several times in the past few years. Mr. Hynes noted the Commonwealth Court has asked us to look into it because they are basically the same exact Court or case travelling two different times through the Court system. So we have made an amendment to the Board of Appeals, Article 150 and the 1733 Article to address that situation.

Voting AYE: Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Reynolds, 6. Bill No. 35 - 2017 was passed on First Reading.

B. *Bill No. 36 - 2017 - Amending Article 150 - Board of Appeals*

The Clerk read Bill No. 36 - 2017 - Amending Article 150 - Board of Appeals, sponsored by Mr. Martell and Mr. Waldron and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
ARTICLE 150 OF THE CODIFIED ORDINANCES OF  
THE CITY OF BETHLEHEM TITLED  
"BOARD OF APPEALS"

Voting AYE: Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Reynolds, 6. Bill No. 36 - 2017 was passed on First Reading.

C. *Bill No. 37 - 2017 - Establishing Article 1741 - Short Term Lodging Facilities*

The Clerk read Bill No. 37 - 2017 - Establishing Article 1741 - Short Term Lodging Facilities, sponsored by Mr. Martell and Mr. Waldron and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, ADDING  
ARTICLE 1741 OF THE CODIFIED ORDINANCES OF  
THE CITY OF BETHLEHEM TITLED  
"SHORT TERM LODGING FACILITIES"

President Reynolds asked Mr. Hynes to explain what is in front of us with this Ordinance and the factors that were taken into consideration.

Mr. Hynes stated this Article will help promote the health, safety, and fair non-discriminatory treatment of transient visitors to the City of Bethlehem. We currently have a gap in our Ordinances to address these types of facilities. We have several Ordinances that regulate - a Rental Ordinance, a Long Term Rental Ordinance, a Bed and Breakfast Ordinance, so there are several Ordinances that address renters and non-single family use of homes. As a quick explanation, the City has adopted many codes. The first and major thing is the structure itself, gravity loads, wind loads, rain and all those things are the first thing you address in the Code. Then the second section of the Code is for the actual use and occupancy of structures. There are four major themes that run through all of the Codes. The first one being a hazardous occupancy which is not addressed in this Ordinance, which would be excessive heat, cold, chemicals, explosive things. It is a very critical section of the Code if you are working in one of these types of facilities; it is usually manufacturing or processing. Mr. Hynes continued to say the second is self-preservation. It is a main theme in the Code and deals with incarceration, infants who are not capable of taking care of themselves, or mentally or physically handicapped people that are not capable of taking care of themselves. Obviously the Codes want to address safety issues for those types of situations. The third big theme is sleeping; anywhere designated for sleeping has a lot of consequences where you are sleeping and do not understand what is going on and when you wake up it takes time to orient yourself. So sleeping is another area in the Code where they provide a lot of additional safety requirements for that. The last one is familiarity; there are many sections in the Code that deal with people coming into structures something similar to this. It may be someone's first time in here and they are not familiar with all of the exits and not familiar with the facility, bars, restaurants, hotels, and there are special sections in the Code for that too. Mr. Hynes remarked all of these weave together and they include the amount of combustible material that is allowed, the emergency lighting and signage, sprinkler systems, alarms systems, detection systems, number of exits and it goes on and on. As you can see, this particular transient Ordinance deals with two of these, sleeping and familiarity. It is very important in this Ordinance that we have someone familiar with the property where people are staying. We feel strongly for the safety of individuals. We feel for the safety of individuals who will rent the property that the owner be present or there is some sort of safety,

and through this Ordinance with the requirement of registration, annual inspections and other things, we hopefully will achieve that. So the Administration strongly encourages you to adopt this new Article.

President Reynolds noted it was mentioned that it needs to be owner occupied and he asked for an explanation of the licensing or registration requirements.

Mr. Hynes stated it is very similar to our Regulated Rental Ordinance which we have had in place for 20 years. We would do an annual inspection of the property, they would have to register their hauler, keep a list of the people who came in, their duration, so we would have a sense of trends and we would know the people who are utilizing these facilities. So the Ordinance itself has a lot of penalty areas in it which came out of the Regulated Rental Ordinance, which has been working well for the City over the last two decades.

President Reynolds queried if these Airbnb's will be paying hotel taxes.

Mr. Hynes noted there are several platforms and that is why we are saying Short Term Transient Rentals, but yes, they are required through the State law and the County law to pay taxes and then with ours we would require them to pay any that we have through ours when they register. They have to pay the City section of the hotel tax. So basically the hotel tax will be levied upon them.

President Reynolds wondered if that is included in our Ordinance.

Mr. Hynes explained that is not included in our Ordinance because that is a State law requirement and a County law requirement. We cannot enforce those requirements. He mentioned that Airbnb currently has an agreement with the State; they pay every single tax when someone registers and pays, and they pay that tax up front. Mr. Hynes added that Lehigh County has an agreement with Airbnb that is very similar. Northampton County is looking into it, they have no agreement currently with Airbnb, which is the major player, but there are others.

Mr. Colón mentioned looking through what the City can do with warnings and suspensions, we heard someone talk about a party house. He noted with a nuisance bar, after so many visits from the Police Department there are a certain amount of warnings, and the LCB can get involved. If there is a property that is deemed to be a constant nuisance and they are not using proper discretion of who they are renting to, then potentially they could lose their permit.

Mr. Hynes stated that is correct.

Mr. Waldron does think there is a need for this Ordinance, and with so many stories they do add up to create a trend in what is happening in our neighborhoods. It was wise for our Administration to be thoughtful and proactive in drafting this Ordinance. Admittedly it is not as strong as some folks are looking for, but this is a great starting point, and as this sinks in and we work out the kinks of this, and there is enforcement, maybe then we might have a better

idea of how to amend any of this or come back and have another conversation about what we can to do make this even better. He will be supporting this Ordinance tonight.

Ms. Negrón stated she, also like Mr. Waldron, is thankful that the Administration is proposing this Ordinance. She appreciates hearing all of the stories, and appreciates the feedback from the two realtors who spoke. She remembers when she was on the Planning Commission listening to the Administration saying we need to make changes because no one wants to buy these big homes, they have been left empty because no one wants a big house. She of course will support this Ordinance, and hopes that she and her colleagues will take a closer look at the suggestion for the changes to make this stronger.

President Reynolds noted we came from a place where a lot of the short term rental was unregulated almost completely, these things can happen. He noted we cannot plan for everything that might happen in the future. He knows that as these concerns came to the City we heard them, and the Administration went through the process to address them. He asked if they had a chance to sit down with some of the neighbors that are here to offer their feedback, and ideas in crafting the Ordinance.

Mr. Hynes replied yes, a lot of effort went into this Ordinance. We looked at over 27 Ordinances throughout the United States and did a lot of research on Airbnb's. Many of his colleagues and the Administration helped, and the Law Bureau did a lot of work on this because there may be challenges to this Ordinance. He remarked we wanted to put something forth that we felt would be sustainable. We had three different meetings with the public, some of the neighbors, people who have rented Airbnb's and we put a lot of time into this.

President Reynolds knows that feedback from residents and anything that will affect property owners is important any time we look at an Ordinance. One thing is that we are trying to balance that residential versus commercial, and just about everyone here lives within walking distance of one of our two downtowns. Many of the concerns were raised about what some of these short term houses affect, such as the parking. He lives by Moravian College in a half a double, and when you have the college students around, that affects the parking in the area. There is also the uncertainty when we are use to a neighborhood being a certain way and then someone sells a home and turn it into something that may not be what we wanted when we bought our homes. President Reynolds noted when he bought his home ten years ago the next door neighbor was thinking about selling and moving out, and that provides all sorts of uncertainty. He noted that he paid \$160,000 dollars for the house he lives in now and when he sells the unknown of what the house will be used for can provide nervousness in a neighborhood. What we try to do is balance the needs of owners, renters, people within our commercial districts and residential districts. President Reynolds stated he will be supporting the Ordinance, and we will vote on this again in two weeks. We do look at how do we balance what is also good for our small business community. One of the things this Ordinance does is drives down the probability of buying these big homes and turning them into these short term lodging facilities where people are in one day and out the next. As with anything we need to regulate this so it makes sense for everybody. There are people who have businesses on Main Street, and one thing we heard in previous conversations is how we also support these small businesses. It is important to find a way to regulate this for safety purposes, but we also need to provide that economic benefit to our restaurants and retail, they need customers. When people

come into our City, whether or not it is at the Hotel Bethlehem or renting a short term leasing facility for a couple of days, those people are generally not staying in their particular place for the whole day, they will go out to Main Street and walk around. He mentioned putting in the requirement for owner occupied, and while it might not make people happy who bought these homes, it will help with regulation. The Ordinance is a step in the right direction. Between now and two weeks there is the opportunity for adjustments, but much in here balances the needs of our neighborhoods, and he will support this Ordinance.

Mr. Callahan queried how many homes right now are Airbnb.

Mr. Hynes noted he believes there are 285 in the City of Bethlehem on the internet, but that is difficult to judge because you really have to register to find them. It may be that one house has four or five rooms, and that could be four or five of those listings. He remarked until you rent it, you do not know the exact address.

Mr. Callahan asked besides Airbnb, who also does this.

Mr. Hynes stated there are a few other platforms that do it, but it is basically just Airbnb, they are the largest. When this first came to his attention three and a half years ago at one of the code meetings there were some discussions about these facilities. He started his research on them and at that time Airbnb rented more rooms in the world than the top three hotel chains combined. It has far exceeded that now.

Mr. Callahan advised he has used Airbnb, and he is 100% behind voting for this, and would also look into the amendment that the residents are in favor for. Initially he looked at Airbnb as a changing with the times, but in a residential area like that Historic Bethlehem, that is something to look at.

Mr. Hynes stressed this will be for the entire City, this Ordinance.

Mr. Callahan thinks that is also where zoning comes in. He is familiar with Market Street and the historic area, and to see that turn into a bunch of businesses would be heartbreaking, so he is in support of this proposal and will be voting for the Ordinance.

Mr. Martell just wanted to echo what his colleagues have said and thanked all of the neighbors that came to this meeting, Mr. Hynes and his department, the Law Bureau and the Administration. There has been a lot of research that has been done for this and a lot of give and take. Ultimately, when you look at this, and look at the specific issues, it does address those in focusing on the owner occupied, putting the limits on the duration of the stay, requiring various safety checks, and protecting the character of the neighborhood. We are all in agreement that the neighborhoods are what make Bethlehem great.

Voting AYE: Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Reynolds, 6. Bill No. 37 - 2017 was passed on First Reading.

*D. Bill No. 38 – 2017 – Adopting the 2018 General Fund Budget*

The Clerk read Bill No. 38 – 2017 – Adopting the 2018 General Fund Budget, sponsored by Mr. Waldron and Mr. Evans and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, ADOPTING  
THE GENERAL FUND BUDGET FOR 2018

President Reynolds remarked that all of budget Ordinances will receive the First Reading tonight and we will vote on them again at Final Reading on December 19<sup>th</sup>. So whatever we pass here, just like with other new Ordinances, they have the opportunity to amended or changed between now and when we pass the budget on December 19<sup>th</sup>.

Voting AYE: Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Reynolds, 6. Bill No. 38 – 2017 was passed on First Reading.

*E. Bill No. 39 – 2017 – Adopting the 2018 Water Fund Budget*

The Clerk read Bill No. 39 – 2017 – Adopting the 2018 Water Fund Budget, sponsored by Mr. Waldron and Mr. Evans and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, ADOPTING  
THE WATER FUND BUDGET FOR 2018.

Voting AYE: Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Reynolds, 6. Bill No. 39 – 2017 was passed on First Reading.

*F. Bill No. 40 – 2017 – Adopting the 2018 Sewer Fund Budget*

The Clerk read Bill No. 40 – 2017 – Adopting the 2018 Sewer Fund Budget, sponsored by Mr. Waldron and Mr. Evans and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, ADOPTING  
THE SEWER FUND BUDGET FOR 2018.

Voting AYE: Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Reynolds, 6. Bill No. 40 – 2017 was passed on First Reading.

*G. Bill No. 41 – 2017 – Adopting the 2018 Golf Course Enterprise Fund Budget*

The Clerk read Bill No. 41 - 2017 - Adopting the 2018 Golf Course Enterprise Fund Budget, sponsored by Mr. Waldron and Mr. Evans and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, ADOPTING  
THE GOLF COURSE ENTERPRISE FUND BUDGET FOR 2018.

Mr. Callahan stated he will be voting Nay for this. He has put a lot of thought into this in the past few weeks, especially with our meeting that Mr. Evans held, and at this point we need to try to look into seeing what an RFP would bring to us.

Ms. Negrón informed she agrees with Mr. Callahan, and as we talk about the funding and better ways to use the Golf Course, she agrees that we should do an RFP this year.

Voting AYE: Mr. Waldron, Mr. Colón, Mr. Martell, and Mr. Reynolds, 4. Voting NAY: Mr. Callahan, and Ms. Negrón, 2. Bill No. 41 - 2017 was passed on First Reading.

*H. Bill No. 42 - 2017 - Adopting the 2018 Liquid Fuels Fund Budget*

The Clerk read Bill No. 42 - 2017 - Adopting the 2018 Liquid Fuels Fund Budget, sponsored by Mr. Waldron and Mr. Evans and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, ADOPTING  
THE LIQUID FUELS FUND BUDGET FOR 2018.

Voting AYE: Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Reynolds, 6. Bill No. 42 - 2017 was passed on First Reading.

*I. Bill No. 43 - 2017 - Adopting the 2018 Capital Budget for Non-Utilities*

The Clerk read Bill No. 43 - 2017 - Adopting the 2018 Capital Budget for Non-Utilities, sponsored by Mr. Waldron and Mr. Evans and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, ADOPTING  
THE 2018 CAPITAL BUDGET FOR NON-UTILITIES.

Voting AYE: Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Reynolds, 6. Bill No. 43 - 2017 was passed on First Reading.

*J. Bill No. 44 - 2017 - Adopting the 2018 Capital Budget for Water Utilities*

The Clerk read Bill No. 44 – 2017 – Adopting the 2018 Capital Budget for Water Utilities, sponsored by Mr. Waldron and Mr. Evans and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, ADOPTING  
THE 2018 CAPITAL BUDGET FOR WATER UTILITIES.

Voting AYE: Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Reynolds, 6. Bill No. 44 – 2017 was passed on First Reading.

K. *Bill No. 45 – 2017 – Adopting the 2018 Capital Budget for Sewer Utilities*

The Clerk read Bill No. 45 – 2017 – Adopting the 2018 Capital Budget for Sewer Utilities, sponsored by Mr. Waldron and Mr. Evans and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, ADOPTING  
THE 2018 CAPITAL BUDGET FOR SEWER UTILITIES.

Voting AYE: Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Reynolds, 6. Bill No. 45 – 2017 was passed on First Reading.

L. *Bill No. 46 – 2017 – Adopting the Community Development Block Grant Budget for 2018*

The Clerk read Bill No. 46 – 2017 – Adopting the Community Development Block Grant Budget for 2018, sponsored by Mr. Evans and Mr. Waldron and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, ADOPTING  
THE COMMUNITY DEVELOPMENT BLOCK GRANT  
BUDGET FOR 2018

Ms. Negrón informed she needs to abstain from this Ordinance because she is a member of the CACLV.

Voting AYE: Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Martell, and Mr. Reynolds, 5. Abstain: Ms. Negrón, 1. Bill No. 46 – 2017 was passed on First Reading.

M. *Bill No. 47 – 2017 – Adopting the 2018 9-1-1 Fund Budget*

The Clerk read Bill No. 47 – 2017 – Adopting the 2018 9-1-1 Budget, sponsored by Mr. Evans and Mr. Waldron and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, ADOPTING  
THE 9-1-1 FUND BUDGET FOR 2018.

Voting AYE: Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Reynolds, 6. Bill No. 47 – 2017 was passed on First Reading.

N. *Bill No. 48 – 2017 – Fixing the 2018 Tax Rate for All City Purposes*

The Clerk read Bill No. 48 – 2017 – Fixing the 2018 Tax Rate for All City Purposes, sponsored by Mr. Evans and Mr. Waldron and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, FIXING  
THE TAX RATE FOR ALL CITY PURPOSES  
FOR THE YEAR 2018.

Voting AYE: Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Reynolds, 6. Bill No. 48 – 2017 was passed on First Reading.

10. RESOLUTIONS

A. *Approving Records Destruction – Community and Economic Development*

Mr. Martell and Mr. Waldron sponsored Resolution No. 2017-218 that authorized the disposition of the public records as stated in the attached Exhibit A for the Office of Community and Economic Development.

Voting AYE: Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Reynolds, 6. The Resolution passed.

B. *Authorizing Contract – Polydyne Inc.*

Mr. Martell and Mr. Waldron sponsored Resolution No. 2017-219 that authorized to execute a contract with Polydyne, Inc. for Wastewater Treatment Plant Polymer.

Voting AYE: Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Reynolds, 6. The Resolution passed.

C. *Authorizing Contract – Construction Masters Services, LLC.*

Mr. Martell and Mr. Waldron sponsored Resolution No. 2017-220 that authorized to execute an amendment to the agreement with Construction Masters Services, LLC for the Monocacy Creek Pedestrian Bridge Replacement-Site Construction.

Mr. Colón asked what triggered this \$55,000 dollar increase.

Michael Alkhal, Director of Public Works stated we were trying to complete the bridge in time for Musikfest in August. One of the key tasks was securing the permits from the DEP to be in the water to do the abutments for the bridge. Even though we submitted the application to the DEP in ample time for them to issue a permit, for one reason or another, it dragged out with DEP and essentially they issued the permit about two weeks past the time that the contractor that we secured was promised. He could start his work in water in order to be done by Musikfest, or a few days before Musikfest. At that point the contractor was only obligated to get done a week or two past Musikfest, if it took that long. We pressed the contractor to make sure that the DEP expedited the work so it is done. For example, instead of working on one abutment at a time, he mobilized an extra crew to work the two abutments at the same time. Mr. Alkhal informed there were other quantities that were higher, and that is the change.

Mr. Colón noted the timeline was to have this finished by Musikfest.

Mr. Alkhal related it was finished in time for Musikfest.

Voting AYE: Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Reynolds, 6. The Resolution passed.

*D. Authorizing Resolution – PennDOT Water Utility Relocation Reimbursement*

Mr. Waldron and Mr. Evans sponsored Resolution No. 2017-221 that authorized the Utility Reimbursement Agreement for this highway project.

Voting AYE: Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Reynolds, 6. The Resolution passed.

*E. Certificate of Appropriateness – 238 East Wall Street*

Mr. Martell and Mr. Waldron sponsored Resolution No. 2017-222 that granted a Certificate of Appropriateness to re-roof the house at 238 East Wall Street and install two new skylights on the rear roof.

Voting AYE: Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Reynolds, 6. The Resolution passed.

11. NEW BUSINESS

*A. Setting Date for Adoption of the 2018 Budget*

President Reynolds stated he will accept a motion to set the date for adoption of the 2018 Budget on Tuesday, December 19, 2017 at 7:00 pm in Town Hall.

Mr. Waldron and Ms. Negrón made the motion.

Voting AYE: Mr. Waldron, Mr. Callahan, Mr. Colón, Mr. Martell, Ms. Negrón, and Mr. Reynolds, 6. The Motion passed.

*Third Budget Meeting/Fourth Budget Meeting*

President Reynolds encourages everyone here to come out to the budget meetings. There are two next week, and he noted that the first two budget meetings combined had about eight citizens in attendance. This does give an opportunity to see what provides the structure and framework for the decisions we make throughout the year. Our budget is about \$76 million dollars next year, and when we have an opportunity during these budget hearings to dive into what services the City provides, how we pay for them, how we pay for salaries and pensions, this helps to provide the background for some of the decisions we make as the year goes on.

President Reynolds stated the Third Budget Meeting is scheduled for Tuesday, November 18, 2017 at 6:00 pm in Town Hall on the following Budgets: Community Development Block Grant, Community and Economic Development Department, Water Fund Revenue and Expenses, Water Capital Budget, Sewer Fund Revenues and Expenses and Sewer Capital. The Fourth Budget Meeting is scheduled for Wednesday, November 29, 2017 at 6:00 pm in Town Hall on the following Budgets; Public Works Department, Liquid Fuels Fund, and the Non-Utilities Capital Fund.

*Bethlehem/Bangor Police Assisting in Recovery Program (BPAIR)*

Mr. Colón informed he wanted to commend the Administration, Health Bureau and Police Department with the Bethlehem/Bangor Police Assisting in Recovery Program (BPAIR). There was a write up about it and we all heard some of the numbers yesterday at the Public Safety Budget Meeting. There were over 150 overdose calls this year by EMS, and cited in the paper were over 200 deaths in the Lehigh Valley related to opioids. He thinks this will be a program that will take a step in the right direction to help curb some of those numbers and get people help rather than put them in jail.

President Reynolds noted many of us were not necessarily surprised, but the news of that increase in the calls we have as far as the opioid crisis is just heartbreaking. He speaks for everyone on Council that we are all looking to help with any further efforts we can make to partner with our own Health Department. We see those numbers and there was almost a 100% increase in calls from one year to the next. He expressed that is frightening, because next year they could go on the same amount of calls, and that is still almost 100%.

Mayor Donchez informed they appreciate Council's support.

*Happy Thanksgiving*

President Reynolds explained on behalf of City Council he would like to extend best wishes to everyone for a Happy Thanksgiving, enjoy the holiday with your family.

12. ADJOURNMENT

The meeting was adjourned at 8:35 p.m.

ATTEST:

City Clerk