

BETHLEHEM CITY COUNCIL MEETING  
10 East Church Street - Town Hall  
Bethlehem, Pennsylvania  
Tuesday, February 4, 2020 - 7:00 PM

INVOCATION

Pastor James Bethea, Life in Christ Church, offered the Invocation which was followed by the pledge to the flag.

PLEDGE TO THE FLAG

1. ROLL CALL

President Waldron called the meeting to order. Present were Bryan G. Callahan, Michael G. Colón, Grace Crampsie Smith, Olga Negrón, Paige Van Wirt, and Adam R. Waldron, 6. J. William Reynolds was absent, 1.

*Executive Session*

President Waldron announced that City Council met in Executive Session this evening Tuesday, February 4, 2020 at 6:00 p.m. in the Mayor's Conference Room. The purpose of the Executive Session was to review a personnel issue.

CITATION

*Honoring Jonathan Desiderio*

President Waldron stated that the Citation for Jonathan Desiderio on the occasion of his retirement from the Police Department after over 20 years of service will be mailed to him since he was unable to attend this evening.

2. APPROVAL OF MINUTES

The minutes from January 6, 2020 were approved.

3. PUBLIC COMMENT (on any subject not being voted on this evening - 5 Minute Time Limit)

*Crime*

Ryan Hulvat, 2067 West Broad Street, remarked that he and his partner are owners of two businesses in the City of Bethlehem and between them they have 5 children that attend Bethlehem schools. We are feeling increasingly unsafe in our neighborhood. There have been a serious of crimes, some of them minor and some major. Recently his catalytic converter was stolen from his car and the Police Officer gave a dismissive response. They have also had their garage broken into with two bicycles stolen. We have had someone break into our front door. Mr. Hulvat pointed out they have witnessed drug deals in their neighborhood on Broad Street

and in the projects behind them. He witnessed a drive by shooting the week before Christmas a year ago on River Street. There was a shooting a week and a half ago on Sunday in the projects behind them. Mr. Hulvat added that weekly they hear gunshots in their 3 to 5 block radius. He filled out another Police report and was given a crimes victims notice. He respects what the crimes victims notice is but it feels very disingenuous because it is the third one he has gotten. He is not expecting any response but that will not help him out. He understands that is set up for people who have been victims of violent crime. There are a few things that he and his partner would like to see to increase the safety in their neighborhood. That includes increased patrols, video cameras and very specifically on the corner of Broad and Keystone, Keystone and Glendale, and Glendale the next corner over. Where there have been frequent crimes the sawing of his catalytic converter would have been seen by these cameras, the two shootings would have been seen by these cameras. There are about 30 kids who play in this neighborhood and ride their bikes, play video games from house to house and help them out in their garden in the back. He does not feel like the solution is for them to move out of their 120 year old home where they garden and take care of. Also, possibly there could be a community Police Officer that would be a great help. There are a lot of people who are out in the neighborhood on Friday, Saturday and Sunday and the kids run around after school so a Police Officer is not simply rolling by in a squad car, he or she could know the kids names and know what is going on and be aware of trends that are happening. He tries to do the best he can, he does artwork out in his garage with the door open and welcomes the neighbors that come by but he is very concerned. Mr. Hulvat pointed out that the Chief of Police called him and the Mayor has reached out and also some Council people, they encouraged him to come to this meeting tonight.

*Packer Avenue Temporary Closure*

Ed Gallagher, 49 West Greenwich Street, noted he is thinking about Mr. Callahan as he comes to the podium. Mr. Gallagher remembers many things that Mr. Callahan has said and he will try not to sound like a CAVE person, he wants to speak against something. He remembers Mr. Callahan's comments about people who are virtually against everything, he will be logical and rational and reasonable in his negative comments. Back in the fall Mr. Callahan made effective use of audio on the panel there, playing audio on his phone.

President Waldron stressed Mr. Gallagher should be directing his comments to all of Council as a whole or to the Chair.

Mr. Callahan noted he does not mind.

President Waldron explained we have rules that he has been impressed to enforce more strictly and that is for Council Members as well as speakers. You can generally speak in the tone of a Council Member used audio.

Mr. Gallagher stated absolutely, that was well said. He will try to adhere to the rules and regulations. Council will remember that Councilman Callahan used audio very effectively from his phone. Mr. Gallagher made a pitch at a budget hearing about this podium being equipped technologically. He would love to be able to show a slide or an image and he would love to be able to play some audio. He wanted to speak against what will seem like a little thing at the next meeting giving Lehigh the permission to do the traffic study on closing Packer Avenue between Webster and Vine. Some of you were at the January 23, 2020 meeting and Lehigh gave three

reasons for that traffic study as a step toward closing that section of Packer Avenue. Number one, to enhance safety, number two, to better connect Lehigh with South Bethlehem and to have more foot traffic supporting the businesses and to improve the pedestrian experience for everyone. The rationale for asking you to take that what would be seem to be what he thinks a small first step toward closing Packer Avenue. Mr. Gallagher feels that Lehigh did not make its case; they did not make a prima facie case for even the study. He would ask Council to consider holding off at the next meeting to give permission for what seems like a small thing. He guesses Lehigh will pay for it; maybe some of our police will work it. This is a step in the direction that really has not been discussed or aired. During the meeting a female student from Lehigh asked a question about these rationales and she prefaced each one with a similar statement, "I just do not understand, I do not really understand, I do not understand" as she asked a question about each of those three rationales. The first rationale is enhanced safety. Lehigh is asking for the nuclear option, if there is a safety problem on Packer Avenue closing the street is a nuclear option. People at the meeting asked if they thought about other things like crossing guards, stop lights, traffic lights, calming measures. Number two is to get more feet to support the businesses on Packer Avenue. Mr. Gallagher does not think that Lehigh tried to answer that at all. How is Packer Avenue now keeping students from getting to the businesses on the south side, so that second goal of better connection with south Bethlehem to have more foot traffic there supporting the businesses. Number three is to improve the pedestrian experience for everyone. Everyone they are talking about he thinks are Lehigh students. So they are asking Council and the City and us to provide something which will be for the benefit and improvement of the Lehigh campus and the quality of life on Lehigh. Mr. Gallagher remarked these are things to think about, the three reasons and whether they made the threshold case, the prima facie case for Council to even take that first step.

*Venture X Company*

Stephen Antalics, 1201 Butztown Road, noted that Venture X opened in Bethlehem which is a work space community for entrepreneurs and businesses. They announced their first location in Pennsylvania and the term open means now, of a new 13,000 square foot facility located at 306 South New Street in Bethlehem. Venture X offers a collaborative workspace and dedicated private offices for companies that range from 1 to 50. This will be the first of several locations coming to the Lehigh Valley, with plans to open in Easton and Allentown. Flexible office spaces benefit a broad spectrum of professionals, freelancers, small businesses, commuters, global entrepreneurs with local presence. Mr. Antalics queried if companies like this have a requirement to appear before the City or announce their plans, and do they require a permit or whatever or can the owner of the building, we all know what building this is, do what he wants and have people move in without having any public comment or permit. Mr. Antalics wonders if they are required to get a permit or are there any other requirements that this be presented to the City.

President Waldron stated he does not believe there is a requirement to vet businesses before they move into the City.

Mr. Antalics passes this building with irregularity and he noticed many signs were on the first level. If some of the spaces they are speaking of would be on the first level, the street level he wondered if that would require anything from the City.

President Waldron noted that exterior modifications in the Historic District must be approved.

Mr. Antalics noted this is interior and in other words they could have this flex spaces on the first level without any need for any permit or whatever.

President Waldron stated he would imagine it would depend on the zoning law.

Mr. Antalics remarked the zoning law made it very clear that stores and restaurants would meet the requirement so he guesses we need to wait and see where those offices go and whether the signs are just advertising the space or if they will go on the first floor. We will know shortly but the answer is that the owner of the building can put in anyone he wants as long as they fit.

President Waldron stated in the Commercial District first floor must be retail or professional service. He is sure that Darlene Heller, Director of Planning and Zoning can clarify this for Mr. Antalics; he can have a conversation with her.

Ms. Heller related it would depend where on the first floor they are going.

President Waldron suggested they have a private conversation about this.

*Short Term Lodging Ordinance/Packer Avenue Temporary Closure*

Bruce Haines, 63 West Church Street, remarked he is at this meeting to reinforce the short term lodging ordinance that he knows is being introduced tonight although it is not being voted on tonight. The housing ordinance Article 1741 supplements the zoning ordinance. It is extremely important that these ordinances be properly vetted to be sure that they really accomplish what we are trying to accomplish which is to be sure at the end of the day that Airbnb, whole house or apartment rentals can only occur in the commercial district of the City. Also that anything occurring in the form of Airbnb in our residential neighborhoods is home sharing where the homeowner is welcoming the guest in the front door and renting Johnny's room who is off to college or whatever. This is so that our guests that are going into our neighborhoods are being hosted by the owner of the property and not in some apartment or some house that is not owner occupied and owner present to host that guest. Mr. Haines remarked that is the important part of this ordinance. He is not totally convinced the language in the ordinance that is presented to Council accomplishes that objective. He has been in touch with Mayor Donchez, Ms. Heller, and the City to try to be sure that this thing is done right. Obviously, Airbnb is destroying neighborhoods across the country; Cities are reacting to it just like Bethlehem is. We need to be sure that we do this right. Mr. Haines stressed that commercial enterprises do not belong in residential neighborhoods. We are not the Jersey Shore where weekly rentals occur all over the place, we are neighborhoods. A neighborhood without neighbors is not a neighborhood. It is important that this be accomplished correctly. He knows that Council will be deliberating this over the next hearing and a few other meetings. He is not convinced the language being presented to you tonight accomplishes that and will perhaps be communicating with Council in the future. Mr. Haines pointed out there was an article "Airbnb is good for Bethlehem" in the Morning Call by Paul Peucker and what Paul is doing out in West Bethlehem is absolutely exactly what we support. The Hotel Bethlehem supports it; the

residential community supports it because they are hosting a guest in one of their bedrooms. So he speaks to that but unfortunately the picture that is shown in that article is exactly the opposite which is a whole house rental without an owner on property greeting and hosting the guest. There should have been a picture of his house because he is doing it right. Just to be clear the Hotel Bethlehem has no issue competing with Airbnb on a level playing field on our commercial businesses. It is where they end up in residential neighborhoods and are not collecting the proper taxes that go to LVEDC and goes to Discover Lehigh Valley, that is not happening and also it is destroying neighborhoods. Mr. Haines implores Council to protect your neighborhoods as you go through the process. Secondly, supporting Mr. Antalics, first floor must be retail, restaurant or not professional services but retail, restaurant or truly retail services in the commercial business district. Thirdly, supporting Mr. Gallagher as a Lehigh grad, it pains Mr. Haines to think that the most beautiful nostalgic view as a market person that brings people to Lehigh, where he takes everybody is right to the bottom of Packer and the roadway that goes up between the church, Packer lab and to the University Center that has Lehigh on it. That is where periodically he does not abide by the rules and takes somebody who he is trying to sell on Lehigh directly up that road. It personally pains him to see that road closed. Lehigh is expanding down to the new business school going past Webster towards Taylor, so is the next step going to be Lehigh asking for Packer to be closed between Webster and Taylor for the same reasons? Mr. Haines suggests that this be given a lot of consideration and if the road will be closed he hopes the City gets a lot of revenue of the sale of Packer Avenue to help get us our World Heritage Site.

#### *Food Carts/Electric Scooters*

Victor Blasucchi, 111 East Third Street, remarked there are two industries and public resources that are successful in other Cities that could benefit our City here. First, he would love to see food carts in downtown Historic Bethlehem. Secondly, rental electric scooters and he knows that is currently not permitted in Philadelphia but he thinks this would be perfect for Bethlehem to travel from the south side to downtown Historic Bethlehem.

President Waldron remarked we are joined by some representatives from Lehigh University this evening. Some comments were made about the temporary closing of Packer Avenue that is on our agenda as a Communication tonight. We will not be having a discussion or vote on this so if you are looking to make a comment this would be your opportunity to do so.

#### *Packer Avenue Temporary Closure*

Brent Stringfellow, Associate Vice President of Facilities at Lehigh University would like to give a brief overview of what we are proposing with the temporary closure of Packer Avenue. He then passed out exhibits to Council. The closure is between Vine and Webster streets and that is in the first three pages of your exhibit. In terms of the current timing that was asked why we are doing this now that Mr. Gallagher pointed out. Mr. Stringfellow will reiterate that we identified three major issues overlapping one another. One is the safety of pedestrians, the traffic is substantial and on a given day during the school year we have 1,700 people who cross Packer Avenue and that peaks around midday with about 800 people an hour. Secondly, the changing face of the Lehigh campus and increasing shift of the center of gravity from the UC lawn area, the traditional heart of Lehigh towards the south side. So a lot of this is partly the development that is happening at Lehigh but also our investment in the City of Bethlehem. Projects such as leasing space in the flat iron building, the 3<sup>rd</sup> and New building as well as investment we have made like

the South Side Ambassadors, Code Enforcement Officers and support of the City's renew on New Street indicates Lehigh's commitment to extending our partnership with the south side and opening up a point of connection. We see this as providing that in the east/west direction. Mr. Stringfellow stated, finally, improving a pedestrian experience not only for the Lehigh community but for the public at large. In terms of the closure what we are looking are doing has emerged from early discussions where we broached this topic with the City was initiated with a traffic study that was complete by Pennoni Associates who are at this meeting tonight. This was looking at what the impact would be if Packer Avenue would be closed between Webster and Vine. That study concluded at the end of 2018 and early 2019 that the impact would be minimal so what this closure is proposing is proof of concept. We have some evidence that based on the study that we do not anticipate a major impact. The idea of the closure is that this will prove it in terms of getting feedback and data live, real time, to see if it impacts the neighborhood and is it negatively impacting the various groups. Mr. Stringfellow remarked in terms of the details we would be closing the avenue to normal vehicular traffic. It would remain open to pedestrian traffic but obviously Lehigh and public would be invited and it would still be fully accessible to the public. We would be limiting access to emergency vehicles, service vehicles and delivery as well as vehicles providing accessible routes for some of the folks with disabilities on campus. The layout will use what we call Chicane which instead of closing it off with a gate this is similar to what is used at Musikfest to allow vehicles to move through but just not in a straight direction, they are forced to slow. In the exhibit package it gives an idea of what the view would be from Webster Street and from Vine Street looking in. There are a few things we will be doing during the closure. One is that prior to the closure and during the closure of significant importance is coordinating with Broughal Middle School to ensure the safety of students. We have a meeting next week with Dr. Roy and Principal Amato and we will be remaining in touch and obviously working to ensure measures are in place to ensure safety of school children during the closure. Some of those concerns were raised at the public meeting. The Bethlehem Parking Authority will be doing parking counts to understand the impact on parking during the closure and Pennoni Associates will be conducting the traffic study during the closure as well to look at the impact. The original study has been expanded based on input during the public meeting in order to gather the data that he thinks everyone feels is needed to be sufficient. Mr. Stringfellow explained the closure will be able to be open in the event of an emergency. It will be designed that we can open it up to public traffic. So if Third Street and Fourth Street were to be shut down for any reason we would have the capability of opening up the space to allow traffic. We have agreed and are fundamentally committed to this, if the closure starts, right now it is planned to be for 45 days starting from March 9, 2020 until the end of April, if for any reason there are circumstances that show the closure can no longer continue we will reopen Packer Avenue. That is part of the agreement we will have with the City.

4. PUBLIC COMMENT (on ordinances and resolutions to be voted on by Council this evening – 5 Minute Time Limit)

#### *Boards and Commissions Reappointments*

Ed Gallagher, 49 West Greenwich Street, noted there was a funny moment at the last Council Meeting when he asked if there were copies of Robert's Rules in the house. If we go to minute 32 of the video from last meeting you can watch Mr. Spirk dive to the back to get his copy and President Waldron dive to the front and wave the copies of Robert's Rules, more than enough to handle any situation. He is asking Council to think of an analogous kind of thing now, we

have some votes coming up on reappointments to City Boards and Commissions tonight and he asks not literally but in your imagination waive the nomination material you got from the Mayor for the reappointments. Think of what you got from the Mayor to justify reappointments to Committees. Mr. Gallagher is asking of there was evidence, was there performance evidence. He can see appointing people the first time because they are intelligent and are good community people or part of the same political party but second time around you would have to ask for evidence of performance, especially on the hot button Committees, like the Parking Authority. Mr. Gallagher stated he goes to those meetings, he reads the minutes. The meetings now have audio and they resisted coming and moving here and having the meetings videoed but they are on audio. So suppose someone is coming up for reappointment, would you not ask what have they done in the past term, make your case for reappointment, that they stand up for certain things and maybe criticize other things. Mr. Gallagher remarked that is what he would want, what we would want for a reappointment. If you do not have that he thinks Council should rethink what is happening here. He noted that he had mentioned what Councilman Callahan said that sticks with him. He thinks there is something that Councilwoman Van Wirt said a year ago that Council has three important responsibilities, legislation, budget, and appointments. He believes that reappointments should be evidence on the basis of performance. With the Bethlehem Parking Authority you can rarely see the name of any of the board members in the minutes, so what are they doing there for us. Mr. Gallagher accepts the admonishment to him, the hard gavel comes to him but perhaps he would appreciate that President Waldron reminds Council Members that it would be nice to be paying attention to people at the podium during public comment.

5. OLD BUSINESS

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

6. COMMUNICATIONS

A. *Director Bureau of Health – Records Destruction*

The Clerk read a memorandum dated January 10, 2020 from Kristen Wenrich, Director of Health Bureau requesting Council to consider a Resolution for the Destruction of Records from the Health Department listed on the attached exhibit. Director Wenrich has reviewed the Municipal Records Retention act and the records fall within categories where destruction is permitted.

President Waldron stated the Resolution can be placed on the February 18, 2020 agenda.

B. *Director of Public Works– Recommendation of Award – Billitier Electric. – Memorial Pool Electrical Portion*

The Clerk read a memorandum dated January 27, 2020 from Michael Alkhal, Director of Public Works recommending a contract with Billitier Electric for the electrical portion of the work for the Memorial Pool Replacement. The estimated completion date is May 15, 2020 and the cost increase would be \$27,605.56 with no renewals.

President Waldron stated Resolution 10 B is on the agenda.

C. *Director of Community and Economic Development – Proposed Zoning and Housing Amendments to Article 1741 – Short Term Lodging*

The Clerk read a memorandum dated January 27, 2020 from Alicia Karner, Director of Community and Economic Development recommending amendments to Article 1741, titled Short Term Lodging Facilities with an attached proposed Ordinance. The proposed amendment brings the existing Article 1741 in line with the proposed zoning text amendments that will be considered at a March 3, 2020 Public Hearing and address issues such as the definition of a short term lodging facility, adding requirements that all applicable lodging facilities comply with applicable zoning ordinances, and maintain accurately drawn floor plans, a restriction on changing the licensed area, and add the requirement for compliance with Article 705, titled Disorderly Conduct. In addition, the proposed ordinance includes other amendments shown in blackline.

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

D. *Police Chief – Resolution Request - Firearm Purchase*

The Clerk read a memorandum dated January 28, 2020 from Police Chief Mark DiLuzio to which is attached an agreement and Resolution for the purchase of a duty weapon by a retired Officer of the Bethlehem Police Department. Retired Officers may purchase their duty firearms at fair market value and according to the Third Class City Code regulations.

President Waldron stated Resolution 10 C is on the agenda.

E. *City Solicitor – Use Permit Agreement – Temporary Closure of Portion of Packer Avenue to Motorized Vehicular Traffic*

The Clerk read a memorandum dated January 30, 2020 from City Solicitor William P. Leeson, Esq. with an attached a proposed resolution and associated Use Permit Agreement. The permittee is Lehigh University. The purpose is the temporary closure of portions of Packer Avenue to motorized vehicular traffic in order to assess the merits and community impact of potentially closing portions of the avenue in order to establish an area predominantly for pedestrian use. The agreement covers West Packer Avenue and East Packer Avenue between Vine Street and Webster Street and City right of way abutting the street proper. The duration of the agreement is March 9, 2020 to April 30, 2020.

President Waldron stated the Resolution can be placed on the February 18, 2020 agenda.

F. *Director of Water and Sewer Resources and City Solicitor – Amendment to Water Utility Counsel – Thomas T. Niesen, Thomas, Niesen & Thomas, LLC*

The Clerk read a memorandum dated January 29, 2020 from Edward Boscola, Director of Water and Sewer Resources and City Solicitor William P. Leeson, Esq. recommending a contract with Thomas, Niesen and Thomas, LLC for the Water Utility Counsel, in connection with all necessary legal services before the Pennsylvania Public Utility Commission in respect to the



City's upcoming water rate filing. There is no change to the term of the existing contract. The initial term ran from March 1, 2019 through December 31, 2019 with three (3) automatic renewal terms of twelve months each, running from January 1 through December 31 for calendar years 2020, 2021, and 2022, subject to 30 day termination by either party without cause. The fee for the contract is not to exceed \$175,000 dollars plus expenses to be paid on a time and expense basis for the contract amendment for the Water Rate matter. There are no renewals.

President Waldron stated Resolution 10 D is on the agenda.

7. REPORTS

A. *President of Council*

B. *Mayor*

1. *Administrative Order – John J. Tallarico – Bethlehem Authority Board*

Mayor Donchez reappointed John J. Tallarico to membership on the Bethlehem Authority Board effective through January, 2025. Mr. Callahan and Mr. Colón sponsored Resolution No. 2020-025 to confirm the reappointment.

Ms. Negrón informed she wanted to thank Mr. Gallagher for talking about these reappointments. This is something she had in her mind already. She noted that John Tallarico has been on many other Boards and she even read an article in the Morning Call last year asking individuals to join and to be part of this movement we are doing in the City being part of Commissions and Boards. Mr. Tallarico has been on the Parking Authority, he has been on the Bethlehem Water Authority for many years going back to 2004 and 2002. She wishes to see more individuals interested in participating on these Boards and Authorities. Seeing the same individuals you are getting the same result and same situation even from the Mayor's office when they asked for meetings to happen later on in the day. She has a problem supporting the appointments of individuals with the same names floating around. Ms. Negrón stated she will not be supporting this appointment.

Dr. Van Wirt advised she agrees with Ms. Negrón and believes that our Authorities, Boards and Commissions are a huge source of power in Bethlehem and they are often cloaked power. While she thanks Mr. Tallarico for his very many years of service to the City she does think there should be room on these Authorities, Boards and Commissions for people who are more citizen advocate oriented or perhaps represent a different geographic part of the City that has not been represented. Dr. Van Wirt would like to request that the Mayor consider appointing people who have expressed interest on these Boards and may represent a different point of view especially coming from City Council who is given the job of approval of these. We on Council have blocked two appointments so far of probably 50 and those two individuals; it was because of clear conflict of interest. She thinks it is also relevant to bring forward a discussion about how we as Council who are the representative body for the citizens have an obligation to make sure that our Authorities, Boards and Commissions represent the citizens as well. That means putting new blood on these Authorities and Commissions and hopefully that new blood will also support what the Mayor requested which is moving all of these to a time after work where working people can attend as well as taking place here or somewhere that they can be videoed. Dr. Van

Wirt noted for that reason she is not going to support this appointment tonight. It has nothing to do with the individual himself and again she thanks him for his many years of service to the City.

Ms. Crampsie Smith advised she hears these points that were made and they are good points. She queried if the Mayor has people who are interested in these positions and a waiting list of people who want to be on these Boards.

Mayor Donchez explained he has a list but does not know if they have a long waiting list. He has always encouraged people to serve on these Boards; we have put this on our website a few times a year for anyone who would be interested to submit their resumes to the Administration for review.

Ms. Crampsie Smith asked to clarify, are there people on a waiting to be appointed to the Boards or not.

Mayor Donchez stated we have a few people that are interested in different Boards. Regarding Mr. Tallarico, his experience on the Authority is very valuable also in working with Stephen Repasch, Director of the Bethlehem Authority and Edward Boscola, Director of Water and Sewer, they have done a very good job at the Watershed and with our water system. Mr. Tallarico has very good expertise that Mayor Donchez appreciates and that is why he is reappointing him.

Ms. Crampsie Smith asked if there are other Boards because she thought at one point there were vacancies on Boards. She wondered if there are vacancies on Boards where people interested can go to the other Boards or not.

Mayor Donchez explained they have very few vacancies, especially on the major Boards. He had a discussion with Allentown Mayor O'Connell about 6 months ago pertaining to the number of vacancies they have on Allentown Boards and we have a few but not many vacancies especially on the major Boards. Maybe a few on the Fine Arts Commission but he would have to look. We are pretty well at the max. Mayor Donchez added if Council has anyone who is interested he would certainly welcome their resume in what Board they would be interested in.

President Waldron remarked he wanted to clarify the position of Dr. Van Wirt and Ms. Negrón. It does not seem like there is anything specific against this nominee for the Authority but just the number of years they have been in this position.

Dr. Van Wirt stated no, it is just the case of the lack of turnover of positions on this Board and the Parking Authority.

Ms. Negrón added she heard the Mayor say that he has people who are interested in Boards and she thinks that is important especially for appointments like this one, on the Parking Authority and the Bethlehem Authority. It is important that we make a stronger effort to reach out to people for the opportunity. Yes, we have a completely full Board on these Authorities which are the most important but we have people that are reappointed again and again but it is time for new blood. It is important for our part and the Administration to reach out before it is this time and reach out to new people. When she did the article in the Morning Call people were asking her that they want to be part of the Boards. There are not too many opportunities so when

there is an opportunity why do we keep the same people and reappoint them. It is important that we give the opportunity and let the community know that there is an opportunity for them to be involved. The only way that can happen is if we do not keep reappointing the same individuals and moving them around.

President Waldron remarked the counterpoint to that would be because they are knowledgeable and qualified to be in that position. He does not know if there is a long list of people clambering to serve on the Bethlehem Authority and he would be curious to know how many people in this room know specifically what the Bethlehem Authority does. That generally is a good thing because the reputation of the Authority for managing and utilizing one of Bethlehem's most undervalued resources in the water that is served to the Bethlehem area. He does not see a reason that the specific nominee should be voted against because we want to get new blood in there. He does not see an example of an alternative to say that person A would be better than this reappointment. President Waldron stated he will be supporting this nominee this evening.

Mr. Callahan commented the elections have consequences and the Mayor gets elected and it is his prerogative to choose people to be on Boards. Mr. Callahan understands our oversight responsibility but he does not remember in the last three Administrations other than someone having a major problem that was appointed by the Mayor where Council denied the appointment, other than the two in the last year. It is probably more of a personal preference against individuals just for whatever reason, whether political or whatever. Generally, when the Mayor appoints someone other than a major problem with that candidate they are usually approved. It is a courtesy usually given to the Mayor.

Dr. Van Wirt thinks Mr. Callahan has pointed out exactly why we are having this discussion. Part of Council's role is oversight and we were given this power expressly so that we could counterbalance the power of the Administration and ensure that our Authorities, Boards and Commissions have people on there who do not represent one point of view but many points of view. That is including points of view of citizens who may not traditionally be represented on these Boards. Thank you Mr. Callahan for making her point so clearly that just because we have been doing this for perpetuity does not mean it is the right thing and does not mean that it should continue.

Mr. Callahan thinks she is taking his comments out of context. It is also important that we respect the Mayor's decision. It is his choice and if the person has been doing a quality job that is also important. Mr. Callahan does not know if the Mayor has had any issues with any Boards, especially on the Water Authority since that is what we are talking about right now. But from everything Mr. Callahan understands Mr. Tallarico is a much respected individual on the Board and has a lot of experience. Mr. Callahan would be in favor of honoring the Mayor's wishes.

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, and Mr. Waldron, 4. Ms. Negrón, and Dr. Van Wirt, 2. The Resolution passed.

2. *Administrative Order – Dino Cantelmi – Parking Authority*

Mayor Donchez reappointed Dino Cantelmi to membership on the Parking Authority effective through January, 2025. Mr. Callahan and Mr. Colón sponsored Resolution No. 2020-026 to confirm the reappointment.

Ms. Negrón informed she feels the same way about this reappointment. She knows that it is our role and job to be the check and balances that is the reason we were elected. So we have an obligation to the people that elected us and it is to make sure that we are not just rubber stamping. These are extremely important Boards and we have a job to make sure that the community knows about it and make a big deal who wants to be part of this, a great opportunity for you and not to keep on with the same individuals. Ms. Negrón commented that these people are talented and bring a lot to the table and that makes her wonder, she has been on Council for 4 years and she has always requested to be on the Community and Economic Development Committee and she has never been assigned to it. She has worked under Governor Rendell's advisory board and worked for the City of Allentown in the Community and Economic Development area. She has a lot of work experience in Community Development but she has never been appointed. She comes to the meetings because she cares that much. Ms. Negrón thinks it is important and we have an obligation to be the check and balances, the Administration has a job to make sure that the community understands that there are opportunities for them to be part of this. But they do not know it is happening. She does understand that the Mayor appoints individuals and she was appointed for the Library Board and the Planning Commission. We have an obligation to have a balance and we represent the community. We need to make sure we are the check and balances so she will not be supporting this appointment.

Dr. Van Wirt believes we have made the point about turnover. She does think that the Parking Authority does have a huge public perception problem. She is hopeful as Liaison that she can help bring forward community concerns but she also thinks that the time has come for our community advocate to be appointed to the Parking Authority. She would like to see someone even from the south side appointed to the Parking Authority. The experience she had on the ad-hoc committee only lends itself to this example that there was nobody there that was listening to what the committee had to say. They asked us to get together and figure out what would be best for Bethlehem. Dr. Van Wirt added that was the litmus test, what was best for Bethlehem. The recommendations were made and they were not even discussed nor was the committee who made the time to go to the meeting where it was discussed. We were not even acknowledged that we were in the room. The decision was ultimately made to choose the developer that got chosen for the bottom line, for a difference in price which was not even valid if you took into consideration other factors. Dr. Van Wirt brings this all up because to her that exemplifies exactly why she and Ms. Negrón are pushing for community representation on that Board. The appropriate thing would have been to say what is the best thing for Bethlehem and have that vigorous discussion. No discussion happened. They can choose whoever they want but at least talk about it and at least have a vigorous informed discussion and none of that happened and no one on that Board put up their hand and said anything. This is not about Mr. Cantelmi and again she thanks him so much for being willing to be of service to Bethlehem. It is not about him personally, it is about the fact that this Board does not represent the needs of the citizens of Bethlehem. Dr. Van Wirt thinks it is time to have new people on there and she would say that if he is approved she would say the same thing for the next person who comes up. It is not about the actual individuals who are on the Board, it is the fact that there is not anybody who is putting their hand up and saying what is best for the City and the citizens of Bethlehem.

Ms. Crampsie Smith noted with this appointment she thought about it a lot because there have been a lot of hot issues on her short time on Council with the Parking Authority. She called Mr. Cantelmi because she does not know him personally although many people know of him and speak of him with high integrity. Also, it is very important with the Parking Authority right now because of the Polk Street garage project that we will be dealing with in the next year or two. Ms. Crampsie Smith pointed out in speaking with him she spoke of the need we have for increased communication between the Parking Authority and Council and he did state he certainly understands that and he will work towards that as well as transparency. He did not feel he had any conflicts of interest and if he does in the future he will recuse himself. She weighed what is best for this appointment and she thought that experience is important because of the Polk Street garage project and given his experience and how well people spoke of him, she has decided to support him tonight. Ms. Crampsie Smith added moving forward we can look at if there people interested in Authorities and they do have the qualifications maybe having some turnover because it is a good point. As it is with politics, there are some term limits, or do we have people in politics forever and that is a very important issue to deal with. We have the same thing here, we have the importance of the experience on the Authorities but yet also new blood is important. She believes this is a balancing act. She will support Mr. Cantelmi but in the future we can look if there are people who are qualified they can bring experience and qualifications to the table.

President Waldron believes Ms. Crampsie Smith brings up an interesting point. If you are going to have term limits for some of these Boards he is open to that conversation. It feels a bit arbitrary to pick and choose which Boards and how long someone can serve before they are selected as they have been around too long and we need new blood. He would support this Administrative Order this evening and support this nomination of Mr. Cantelmi. However he is open to the conversation about term limits but he does not want to be picking them as they come up, but have a policy in place that the Administration would support or that City Council can get on board with to say that this is the path forward. But to pick and choose feels a bit unfair to the folks who have volunteered their time and energy to serve on these Boards. President Waldron also pointed out to Council that when he makes Committee Assignments as well as Liaison Assignments he asks for preferences and he does his best to balance those preferences. He can say that all 6 Members of Council did not get what they wanted. He did his best to give people an opportunity to serve in positions where he thought their interests would fit. Unfortunately, not everyone gets what they want all the time but that is how life goes as we know very well in this room.

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, and Mr. Waldron, 4. Ms. Negrón, and Dr. Van Wirt, 2. The Resolution passed.

3. *Administrative Order – Hillary Rose Harper – Fine Arts Commission*

Mayor Donchez reappointed Hillary Rose Harper to membership on the Fine Arts Commission effective through December, 2022. Mr. Callahan and Mr. Colón sponsored Resolution No. 2020-027 to confirm the reappointment.

President Waldron queried if anyone knows how long Ms. Harper has served on the Fine Arts Commission.

Mayor Donchez stated he would have to check.

Mr. Colón informed he knows Ms. Harper personally and she has served for a few years at least.

President Waldron questions whether we need new blood on the Fine Arts Commission as well if we are going to go with changing Boards and Commissions.

Dr. Van Wirt stated she will be happy to talk about that. She thinks that the Authorities, Boards and Commissions that wield the power of the purse whether it is leveraging money for new garages or deciding who gets a CRIZ benefit, those are the ones where we need to pay particular scrutiny. That is why she personally felt the way she did about the Parking Authority. The Bethlehem Authority, there is room in there for new people to come on Board. It is an environmentally sensitive area and she does think there is a place for community advocates to be involved there. But the main Authorities, Boards and Commissions she feels deserve this type of scrutiny are the ones that have the power of the purse.

President Waldron stated that is understood. Again, he thinks that serves to the point of having a conversation about term limits potentially and where those would apply whether those are as she said, the higher profile Boards and Authorities based on the budget and impact or if that is for every Board and Authority in order to allow for maximum input by the citizens of Bethlehem.

Voting AYE: Ms. Negrón, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, and Mr. Waldron, 6. The Resolution passed.

4. *Administrative Order – James A. De Pietro – Fine Arts Commission*

Mayor Donchez reappointed James A. De Pietro to membership on the Fine Arts Commission effective through December, 2022. Mr. Callahan and Mr. Colón sponsored Resolution No. 2020-028 to confirm the reappointment.

President Waldron pointed out that this person is a resident of Allentown which goes to the point that not every Board and Authority is filled with folks from Bethlehem who are willing to do this job. Sometimes we do not always get a full representation of the people we want on these Boards but are subject to people who are willing to graciously volunteer their time and energy to serve on the Boards.

Voting AYE: Ms. Negrón, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, and Mr. Waldron, 6. The Resolution passed.

5. *Administrative Order – Patricia J. Zurick – Board of Health*

Mayor Donchez reappointed Patricia J. Zurick to membership on the Board of Health effective through January, 2025. Mr. Callahan and Mr. Colón sponsored Resolution No. 2020-029 to confirm the reappointment.

Voting AYE: Ms. Negrón, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, and Mr. Waldron, 6. The Resolution passed.

6. *Administrative Order – Lee Cunningham – Codes Board of Appeals*

Mayor Donchez reappointed Lee Cunningham to membership on the Codes Board of Appeals effective through January, 2023. Mr. Callahan and Mr. Colón sponsored Resolution No. 2020-030 to confirm the reappointment.

Voting AYE: Ms. Negrón, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, and Mr. Waldron, 6. The Resolution passed.

8. ORDINANCES FOR FINAL PASSAGE

None.

9. NEW ORDINANCES

A. *Rezoning of 2015 City Line Road from CS – Shopping Center to PI – Planned Industrial*

The Clerk read Bill No. 1-2020 – Rezoning of 2015 City Line Road – from CS-Shopping Center, to PI-Planned Industrial sponsored by Mr. Callahan and Mr. Colón and titled:

AN ORDINANCE AMENDING PART 13 OF THE CODIFIED  
ORDINANCES OF THE CITY OF BETHLEHEM, PENNSYLVANIA,  
AS AMENDED, KNOWN AS THE ZONING ORDINANCE OF THE  
CITY OF BETHLEHEM, PENNSYLVANIA, BY AMENDING  
THE CITY ZONING MAP

Voting AYE: Ms. Negrón, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, and Mr. Waldron, 6. Bill No. 1-2020 was passed on First Reading.

10. RESOLUTIONS

A. *Approve Records Destruction – Fire Department*

Mr. Callahan and Mr. Colón sponsored Resolution No. 2020-031 that authorized the disposition of the Fire Department public records, as stated in Exhibit A.

Voting AYE: Ms. Negrón, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, and Mr. Waldron, 6. The Resolution passed.

B. *Approve Contract – Billitier Electric – Memorial Pool*

Mr. Callahan and Mr. Colón sponsored Resolution No. 2020-032 that authorized to execute a contract with Billitier Electric for the Memorial Pool Electrical Portion.

Voting AYE: Ms. Negrón, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, and Mr. Waldron, 6. The Resolution passed.

C. *Approve Firearm Purchase*

Mr. Callahan and Mr. Colón sponsored Resolution No. 2020-033 that authorized an agreement to effectuate the transfer of the City issued handgun assigned to Robert Urban, Retired City Police Officer.

Voting AYE: Ms. Negrón, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, and Mr. Waldron, 6. The Resolution passed.

*D. Approve Contract – Thomas, Niesen & Thomas, LLC*

Mr. Callahan and Mr. Colón sponsored Resolution No. 2020-034 that authorized to execute a contract with Thomas, Niesen & Thomas, LLC for Water Utility Counsel (amendment for Water Rate Case).

Voting AYE: Ms. Negrón, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, and Mr. Waldron, 6. The Resolution passed.

*Motion – Considering Resolutions 10 E through 10 G as a group – Certificates of Appropriateness*

Mr. Callahan and Ms. Negrón moved to consider Resolutions 10 E through 10 G as a group.

Voting AYE: Ms. Negrón, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, and Mr. Waldron, 6. The Motion passed.

*E. Certificate of Appropriateness – 306 South New Street (ZEST)*

Mr. Callahan and Mr. Colón sponsored Resolution No. 2020-035 that granted a Certificate of Appropriateness to install new signage per elevations and plans at 306 South New Street (ZEST).

*F. Certificate of Appropriateness – 601 East Fourth Street (NEST)*

Mr. Callahan and Mr. Colón sponsored Resolution No. 2020-036 that granted a Certificate of Appropriateness to install corner signs at 601 East Fourth Street (NEST).

*G. Certificate of Appropriateness – 17 East Third Street*

Mr. Callahan and Mr. Colón sponsored Resolution No. 2020-037 that granted a Certificate of Appropriateness to replace existing windows at the front façade due to fire damage at 17 East Third Street.

Voting AYE on Resolutions 10 E through 10 G: Ms. Negrón, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, and Mr. Waldron, 6. The Resolutions passed.

11. NEW BUSINESS

*Committee Meetings*

President Waldron announced a Finance Committee Meeting will be held on Tuesday, February 11, 2020 at 6:00 PM in Town Hall. The subject is Budget Adjustments.



Chairman Colón announced a Public Safety Committee Meeting will be held on Tuesday, March 2, 2020 at 5:30 PM in Town Hall. The subject is Marijuana possession enforcement update, Article 744.

Chairman Van Wirt announced a Community Development Committee Meeting will be held on Thursday, February 20, 2020 at 5:30 PM. The subject will be the Bill establishing Article 1738 titled Residential Rental Units and Inspections and the Bill repealing and restating Article 1741 titled Short Term Lodging Facilities.

Chairman Callahan announced a Human Resources Committee Meeting will be held on Tuesday, February 25, 2020 at 6:00 PM in Town Hall. The subject is establishing a new Article titled the Gender-based Wage Inequality Bill.

*Earthquake in Puerto Rico/Fundraiser*

Ms. Negrón remarked she wanted to speak about something at the last meeting but it was hard for her to do so. She will try this time. As you might have heard Puerto Rico has been trembling since the beginning of the year. She went with a group of elected officials from the Lehigh Valley and it was the hardest visit she had to do. She is sharing this because since the beginning of January the Hispanic Center has received 14 families from Puerto Rico to Bethlehem. More will come because Puerto Rico is shaking every day. She felt on earthquake at 4.6 and it was very scary especially after you see whole downtowns completely closed and empty because of the destruction. She is saying this because if you have anyone you know that is from Puerto Rico they probably have family in Puerto Rico and their hearts are breaking. Ms. Negrón has talked to Mayor Donchez already, the Hispanic Center is having their annual fundraiser in April and she is hoping that individuals and Members of Council place an ad for \$150 dollars that would be a big help. She is hoping that individuals do support the Center because more families are going to come. According to the experts Puerto Rico might be shaking for 6 months or a year. She saw families that lived in tents outside in their backyards because they are afraid to go back to sleep in their own bed because the ground is shaking and they are afraid their houses will collapse. She talked to a mother with a two year old who has not been able to eat because she is scared. She has never seen something like this. Ms. Negrón informed she heard heartbreaking stories. Ms. Negrón stated she expects many more families to come to Bethlehem, but she is worried there will be inadequate housing options for these families that have gone through so much pain and suffering. She is asking everyone to have empathy towards these families and to help out and think about these people and support the Hispanic Center because they will need more funding to use to help these families that keep on coming. Ms. Negrón has spoken to Mayor Donchez and he said he will put something on the City website and she appreciates that.

President Waldron thanked Ms. Negrón for sharing that with us.

*Comments in honor of Dr. John Reynolds*

Ms. Crampsie Smith acknowledged that this past week we lost an icon in the City of Bethlehem in Dr. John Reynolds who was Willie's father. She knew him and was very impressed with him and added that he was a wonderful man. Ms. Crampsie Smith noted he was a mentor and a coach to many of the young children for many years. She knew him personally as the professor of Political Science at Moravian. He helped positively impact many young adults and

formed them into responsible adults in this community and beyond. She met him through the Promise of the Rainbow Program which he started at Moravian College which was unbelievable. We would bus load hundreds of Lehigh Valley students in once a year and to a program on diversity and inclusion. His passion for inclusion and justice and diversity was so apparent to that program and so many of us in the Lehigh Valley owe him for that. Ms. Crampsie Smith wanted to acknowledge him and added that he will be missed. As her nephew, one of his students said, he was really one cool dude. Ms. Crampsie Smith just wanted to send her blessings to Dr. John Reynolds and his family.

President Waldron thanked Ms. Crampsie Smith and noted that is a fitting way to end this meeting.

12. ADJOURNMENT

The meeting was adjourned at 8:16 p.m.

ATTEST:

Robert G. Vidoni, Esq.  
City Clerk