

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street - Town Hall
Bethlehem, Pennsylvania
Tuesday, August 6, 2024 - 5:30 PM

PLEDGE TO THE FLAG

1. ROLL CALL

President Colón called the meeting to order. Present were Bryan G. Callahan, Grace Crampsie Smith, Hillary G. Kwiatek, Colleen Laird (via GoTo Meeting), Rachel Leon, and Kiera Wilhelm, and Michael G. Colón 7.

CITATIONS:

Four retirees were recognized for their service to the City. Citations will be mailed to police Sgt. Jeffrey Lutte, Detective Sgt. Bradford Jones, and Lieutenant Jon Buskirk, all of whom served the City for 20 years beginning in 2005, and firefighter David Flores, who served for more than 20 years beginning in 2004.

2. APPROVAL OF MINUTES

July 16, 2024

3. PUBLIC COMMENT

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

Help for the Homeless

Resident Valerie Noonan said she spoke with several people living under the Fahy Bridge. Their major concern is a need for toilets and clean water for washing and cooking. She was shown what was given to the homeless by the City to use as a toilet: a bucket with a lid and lined with a garbage bag. Ms. Noonan said this is better than nothing, but it is not very good or dignified. She said the public bathrooms are typically locked after Labor Day. She asked the City to keep these open year-round and provide electrical outlets to charge cell phones. Ms. Noonan anticipated a response that the bathrooms are locked at off times because of vandalism but said the homeless need these facilities as a bare minimum and better surveillance is needed.

Historic Hotel Competition

Resident Bruce Haines thanked those who have voted for the Hotel Bethlehem on the USA Today Best Historic Hotel Campaign. The hotel has won first place three years in a row. This year's winner will be announced on August 14.

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

Oppose BHA Nomination

Resident James Follweiler said the proposal to name Councilwoman Rachel Leon to the Bethlehem Housing Authority Board is a clear conflict of interest. This is another example of a conflict of interest that includes the Bethlehem Food Co-op, Touchstone Theatre, and New Bethany Ministries. Liaison positions are necessary for oversight, but there must be separation and not direct control. Mr. Follweiler found it hard to believe that there is no legal argument against the appointment of an elected official to an authority. He believes that even the appearance of a conflict of interest is damaging. He urged Council to vote against naming Ms. Leon to serve on the BHA board.

A Key to Reform

Anna Smith, Director of Community Action Development Bethlehem, offered strong support for Ms. Leon's appointment. She considers this an important step in reforming an institution that plays a crucial role in housing our most vulnerable residents and one of the most important tools in addressing our affordable housing crisis. Ms. Leon offers a community leader with significant experience in organizational leadership, deep community connections, and the time and energy needed to support this organization.

Not Inappropriate

Resident Valerie Noonan believes the issue made of Ms. Leon being named to the housing board has been blown out of proportion. She does not believe that this appointment is an example of government corruption.

4. OLD BUSINESS

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

Ms. Kwiatek

Ms. Kwiatek discussed matters related to the last meeting as well as those that have occurred since Council reorganized on January 2. She alluded to examples of microaggression involving Council matters and said these are harmful. Ms. Kwiatek also mentioned recent talk of conflicts of interest, specifically the City's Conflict of Interest Ordinance. She noted that there is no enforcement mechanism. This is on the honor system. She believes there have been two infractions within the past seven months in which a Council member did not disclose the conflict or recuse themselves. She will confer with Council Solicitor Stephanie Steward on the feasibility of adding an enforcement mechanism to this Ordinance. Ms. Kwiatek also raised concern over the absence of a Council member from a recent meeting that already had been rescheduled once. She also was concerned about "frequent breaks from proper order" during Council meetings and asked President Colón to more strictly maintain order.

President Colón recognized the points made by Ms. Kwiatek. He said he attempts to maintain order and decorum as he navigates meetings as they unfold.

Ms. Kwiatek added that, in the interest of decorum, there has been a willingness for Council members to “put up with behavior” that she would say is out of order. That has led to her comments tonight.

Mr. Callahan

Mr. Callahan said that Council meetings are for the action of City Council, not the Mayor. Mayor Reynolds should only speak during the Mayor’s Report; otherwise, he must request to be recognized by the President under Robert’s Rules of Order.

President Colón reminded Mr. Callahan that this was under Old Business.

Mr. Callahan responded that this was in response to Ms. Kwiatek’s remarks and last meeting’s exchange with Mayor Reynolds regarding DCED. He said the Mayor does not request to be recognized, breaking decorum.

Mr. Callahan next explained why he missed the July 31 Curative Amendment Hearing. He said he does not miss one of his children’s events.

Mr. Callahan additionally said he does not know what Ms. Kwiatek was referring to involving a conflict of interest that he might have.

Ms. Wilhelm

Ms. Wilhelm commented on Mr. Callahan’s reference to “our meeting” as it relates to Council meetings. She said this meeting belongs to Council and the public. She has clocked the amount of time that Mr. Callahan has “wasted in repeated comments, interruptions and direct accusations.” This has been 20, 25, 40, 45 minutes during four meetings. He has lacked decorum and respect. She agreed with Ms. Kwiatek that this has been a growing issue.

Ms. Kwiatek

Ms. Kwiatek added that the two instances to which she referred regarding conflict of interest were the vote on the Walnut Street Garage, which involved a financial interest by a family member of Mr. Callahan’s, and a Certificate of Appropriateness that involved a project that would financially benefit one of Mr. Callahan’s family members.

Mr. Callahan

Mr. Callahan reminded that he voted against a Certificate of Appropriateness for the garage, so that went against the interests of his family member.

Mr. Colón recalled that Mr. Callahan asked the attorney/presenter at this year’s conflict of interest training session whether it would be appropriate for him to vote on the garage matter if he voted against the interests of his family member. Mr. Colón believed the advice from the attorney to

Mr. Callahan was that it would be best to recuse himself, whether he would favor voting for or against the matter.

Mr. Callahan said he believed he had the approval from Council's solicitor that he could vote on the matter.

Ms. Wilhelm

Ms. Wilhelm addressed use of the phrase "behind closed doors," which has been uttered several times this evening. The implication is "back-door dealings." "We all know what that phrase implies," she said. She wanted to differentiate between the phrase "behind closed doors and doing your research between meetings." It is necessary to inquire between meetings leading to Council members making an informed vote. She wanted to clarify this for the public.

Ms. Crampsie Smith

Ms. Crampsie Smith said the flow of the meeting and the following of Robert's Rules of Order should be consistent. She believes this has not been the case. Ms. Crampsie Smith believes that certain Council members sidebar between Council meetings and not everyone is included. Sometimes votes are decided upon before meetings. She believes this happens not only in Bethlehem and believes this is not the best way to conduct government business. It is best to be transparent and discuss these things at public meetings.

5. NEW BUSINESS

Ms. Wilhelm

Ms. Wilhelm addressed a comment made about the appearance of a conflict of interest, specifically about Touchstone Theatre. She assumed this was directed at her and her part-time role with the organization. She said Touchstone has built its reputation over 43 years, not the two years in which she has served on Council. Ms. Wilhelm also commended the Parking Authority for receiving the Lehigh and Northampton Transportation Authority's Transit Partner Award. This recognizes efforts to facilitate and promote the use of public transportation.

Ms. Leon

Ms. Leon referred to earlier comments about the buckets being used by the homeless. She believed these were distributed by the Health Bureau. She believed this was positively received by the homeless living along the canal. A chemical is included to neutralize the waste. She asked for an evaluation of this program and whether public restrooms could at some point be provided.

Sara Satullo, Deputy Director of Community Development, said the bucket distribution was done by the Health Bureau in conjunction with the Bethlehem Emergency Shelter. These were distributed in the encampment. More receptacles have been placed to accept trash and human waste.

Ms. Crampsie Smith

Ms. Crampsie Smith asked if the public bathrooms in City facilities could be kept open longer at least until the winter shelter opens for the season.

Director of Public Works Michael Alkhal said he is working on this possibility. This could include installing locks that can be remotely controlled. The biggest problem is vandalism. Severe vandalism has occurred on numerous occasions.

Ms. Crampsie Smith also thanked the IBEW, Wind Creek, Hatzel & Buehler, and Mr. Callahan for restoring some of the lights at SteelStacks, especially in time for Musikfest.

Mr. Callahan

Mr. Callahan asked Mr. Alkhal how much money is earmarked this year for repaving.

Mr. Alkhal said a little over \$2 million for both inhouse and contractor paving. This would include a little under \$400,000 is received from UGI toward repaving streets where utility work was done.

Mr. Callahan asked for a report to be provided for the amount of UGI reimbursement that has been received in recent years.

Mr. Alkhal said it would be a little under \$700,000 in the last three years.

Mr. Callahan said he would like to track how much is spent on City roads. The roads are in bad shape.

Mr. Alkhal said the City has put more resources in recent years into trying to catch up with maintenance.

Mayor Reynolds said the City is putting together a GIS map that will show what the overlays for paving have been over the last several years. A chart in last year's budget presentation showed an increase in repaved lane miles in recent years. In 2022 and 2023 almost 47 lane miles were provided thanks to an infusion of American Rescue Plan funding. The goal for 2024 and 2025 is 50 lane miles.

Mr. Callahan thanked Hatzel & Buehler for covering the cost to repair most of the lighting at SteelStacks. The cost was about \$5,000 to fix perhaps 85 percent of the problem.

Mr. Callahan also said he was on the road for the July 31 continuation of the Curative Amendment Hearing and could not participate remotely. However, had he been present, he would have voted against the petition, as did the other five voting Council members. He took offense to it being brought up that he missed that meeting and others. He asked the City Clerk to provide Council's attendance record since January.

Ms. Kwiatek

Ms. Kwiatek thanked Ms. Noonan for her concern over bathrooms for the homeless. She was glad to hear that Public Works is already investigating ways to increase the time in which public bathrooms would be open.

She also commented on Ms. Wilhelm's comments addressing allegations of conflicts of interest. There is no "kick-back" to serving a nonprofit other than the privilege of serving unpaid or minimally paid hours trying to help solve problems and make the world a better place. It is incomprehensible to her the misunderstanding of "conflict of interest." Instead, she called this a "confluence of interests." It seems that the only people interested in serving on these boards are the people already involved in these matters.

Mr. Colón

Mr. Colón reported that he asked Parking Authority Executive Director Steven Fernstrom how parking was going with Musikfest especially considering the temporary lost spaces due to the demolition of the Walnut Street Garage. He said that parking is going well particularly with the addition of the free shuttle, which already has had hundreds of riders.

6. COMMUNICATIONS

A. *Director of Water and Sewer Resources – 2024 37 Sewer Model Update Engineering Services*

The Clerk read a July 24, 2024 memorandum from Edward Boscola, Director of Water and Sewer Resources. Mr. Boscola recommends a contract with Remington & Vernick Engineers II, Inc. of Allentown. Engineering services shall be provided to assist the City with upgrades to the sanitary sewer modeling software which allows the City to evaluate the impact of proposed developments and improvement projects on the sewer collection infrastructure. The cost is \$60,012. The estimated completion date is February 28, 2025. There are no renewals.

President Colón stated that Resolution 10 A is on the agenda.

B. *Director of Water and Sewer Resources – HOME-ARP Application*

The Clerk read a July 31, 2024 memorandum and proposed Resolution from Laura Collins, Director of Community and Economic Development. The memorandum seeks permission to apply for an additional \$1.1 million in HOME-ARP funds from the Pennsylvania Department of Community and Economic Development for the development of non-congregate sheltering.

President Colón stated that Resolution 10 B is on the agenda.

C. *Director of Public Works – Memo – PennDOT Winter Agreement*

The Clerk read a July 30, 2024 memorandum from Public Works Director Michael Alkhal with an attached Winter Maintenance Services Agreement and proposed Resolution. The agreement is with PennDOT and covers the five-year winter period starting in 2024/2025 and running through

2028/2029. It outlines payment to be made to Bethlehem to provide snow and ice removal from certain state roads within the City limits.

President Colón stated that Resolution 10 C is on the agenda.

D. City Solicitor – Lease Agreement – Wells Fargo – Emergency Services Training Facility

The Clerk read a July 31, 2024 memorandum from City Solicitor John F. Spirk, Jr. with an attached Lease Agreement and a Resolution. The agreement is between the City and Wells Fargo Bank, N.A. setting forth terms and conditions to lease approximately 4,944 rentable square feet of office space in the basement of 52 West Broad Street to be used by the Bethlehem Police Department as an emergency services training facility.

President Colón stated that Resolution 10 D is on the agenda.

E. City Solicitor – Use Permit Agreement – Seven Sirens Brewing Company – 2024 Bethlehem Brew Fest

The Clerk read a July 30, 2024 memorandum from City Solicitor John F. Spirk, Jr. with an attached Use Permit Agreement and a Resolution. The Permittee is Seven Sirens Brewing Company, LLC, and the event is the 2024 Bethlehem Brew Fest. The event time is noon to 4 PM on September 1. The duration of the permit is from noon to 8 PM on August 31 and 10 AM to 7 PM at the Danny Rice Field and 10 AM to 6 PM at property on Main Street between Lehigh and Spring Streets.

President Colón stated that Resolution 10 E is on the agenda.

F. City Solicitor – Use Permit Agreement – Christmas City Spirits – 2024 Cider Fest

The Clerk read a July 30, 2024 memorandum from City Solicitor John F. Spirk, Jr. with an attached Use Permit Agreement and Resolution. The Permittee is the Christmas City Spirits, LLC and the Sub-permittee is the Redevelopment Authority of the City of Bethlehem. The event is 2024 Cider Fest. The event time is noon to 5 PM on September 7. The duration of the permit is from 10 AM to 6 PM on September 7. The specified premises are the Nevin Place right-of-way and West Walnut Street parcel as well as the Redevelopment Authority parcel. All are adjacent to the Sun Inn Courtyard and designated on an attached exhibit.

President Colón stated that Resolution 10 F is on the agenda.

G. City Solicitor – Use Permit Agreement – Christmas City Spirits – Vintage Market Sept. 2024

The Clerk read a July 30, 2024 memorandum from City Solicitor John F. Spirk, Jr. with an attached Use Permit Agreement and Resolution. The Permittee is Christmas City Spirits, LLC. The Sub-Permittee is the Redevelopment Authority of the City of Bethlehem. The event is the Vintage Market for September 2024. The event time is 11 AM to 4 PM on September 14. The duration of the permit is from 9 AM until 5 PM on September 14. The specified premises are the Nevin Place right-of-way and West Walnut Street parcel as well as the Redevelopment Authority parcel. All are adjacent to the Sun Inn Courtyard and designated on an attached exhibit.

President Colón stated that Resolution 10 G is on the agenda.

H. *City Solicitor – Use Permit Agreement – ArtsQuest – 2024 Oktoberfest*

The Clerk read a July 30, 2024 memorandum from City Solicitor John F. Spirk, Jr. with an attached Use Permit Agreement and Resolution. The Permittee is ArtsQuest and the event is the 2024 Oktoberfest. Specified event times and duration vary on October 4th thru 6th and 11th thru 13th. The specified premises are 1st Street from Polk Street to the eastern terminus; and Founders Way between 1st and 2nd Streets.

President Colón stated that Resolution 10 H is on the agenda.

I. *Business Administrator – Memo – Bill #25 Postponed and Bill #26 Amended*

The Clerk read a July 24, 2024 memorandum from Business Administrator Eric Evans. Mr. Evans recommends that Council postpone taking action on the Second Reading of Bill 25 on tonight's agenda until its August 20 meeting. Although he remains optimistic that the City can send some cadets to the fire academy in Harrisburg, evaluations finalizing those numbers and costs will not be known until August 9. Additionally, Mr. Evans recommends a motion to amend Bill 26 tonight if Bill 25 is postponed. Postponement of Bill 25 would impact the amount in which the 2024 General Fund Budget would be increased.

President Colón stated that Ordinances 8G and 8H are on the agenda.

7. REPORTS

A. *President of Council*

B. *Mayor*

7B1. Administrative Order No. 2024-26 – A. Craig Evans – Historic Conservation Commission

Mayor Reynolds appointed A. Craig Evans to the Historic Conservation Commission. The appointment is effective through April of 2026. Ms. Kwiatek and Ms. Leon sponsored Resolution No. 2024-168 to confirm the appointment.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and President Colón, 7. The Motion passed.

7B2. Administrative Order No. 2024-27 – Michael Simonson – Historic Conservation Commission

Mayor Reynolds appointed Michael Simonson to the Historic Conservation Commission. The appointment is effective through April of 2027. Ms. Kwiatek and Ms. Leon sponsored Resolution No. 2024-169 to confirm the appointment.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and President Colón, 7. The motion passed.

7B3. Administrative Order No. 2024-28 – Rachel Leon – Bethlehem Housing Authority

Mayor Reynolds appointed Rachel Leon to the Bethlehem Housing Authority. The appointment is effective through March of 2029. Ms. Kwiatek and Ms. Colón sponsored Resolution No. 2024-170 to confirm the appointment.

President Colón reminded that this action was postponed during the July 16 Council meeting. Council Solicitor Steward was tasked with researching the permissibility of having a sitting Council member also serving on the BHA board.

Ms. Steward summarized her August 2 memo that was sent to Council. She thoroughly reviewed Bethlehem City Ordinances, state and federal law, contacted Brad Rader who is the Regional Counsel for the U.S. Department of Housing and Urban Development, and the solicitors' offices of some other Third Class Cities in Pennsylvania. All efforts confirm that, unless otherwise precluded by legislation authorizing their creation, council members may sit on authorities, boards, and commissions. Specifically, Pennsylvania Third Class City council members may sit on a housing authority board. Voting on a board matter in which the council person sits does not constitute a conflict of interest and need not be avoided. A conflict of interest arises when a voting member of a council, authority, board or commission, a family member or an entity in which the voting member or their family members associated would receive personal financial gain due to a vote and is cause for filing a statement regarding the conflict and abstention from the vote. Every of a council, board or commission should act accordingly when a conflict of interest arises. Simply sitting on an ABC and simultaneously sitting on city council does not constitute a conflict.

Ms. Leon said at this meeting, as she did at the last, that she would recuse herself from this vote since she is the subject of the appointment. She added that she does not have a financial conflict of interest. The Hatch Act was mentioned on July 16. It is her understanding that the Hatch Act involves using a position of influence for personal political gain. She does not plan on campaigning at BHA meetings.

Ms. Crampsie Smith noted that she raised related legal and ethical questions. She believes that, at one time, it was illegal for council members in Third Class Cities to serve on authorities. First Class Cities still do not permit this. Despite her social services background, she would not sit on a housing board because she believes it is a conflict of interest as well as bad public policy. Council already has a liaison to the BHA, so it will be informed of ongoing matters. She also could not recall a Council member ever being appointed to the BHA board. She suggested a solution might be for Ms. Leon to trade liaison responsibilities with Ms. Kwiatek, the current BHA liaison. Even if the appointment is legal, she believes it would set a bad precedent and would not be good policy. She contacted several Third Class Cities. They do not permit this and questioned why Bethlehem would. They felt it was bad policy. BHA receives a significant amount of funding. The City leaves itself open to public scrutiny with this appointment. Civic involvement should be encouraged as well as a separation of powers.

Ms. Laird noted that it has been determined that there are some Council members who sit on other ABC's. This helps to answer those legal questions that have arisen.

Mr. Callahan believes that this sets a "terrible precedent." This action has never been done in Bethlehem before or any Third Class City in Pennsylvania other than Allentown. Just because it is legal does not make it right. He highlighted the words "perceived conflict of interest" in Bethlehem Council's Code of Ethics. He implied that he perceives this to be a conflict of interest. He stated he would like Ms. Leon to withdraw from the appointment and instead seek the liaison's position.

Ms. Wilhelm returned to Ms. Crampsie Smith's earlier public comments. They addressed the fitness of Ms. Leon for this position and the need for reform on the BHA. It has now been confirmed that this is not a conflict of interest. She also restated that Ms. Leon is an excellent candidate for the housing board because she has experience in board governance, strategic decision making, and understanding of the affordable housing sector. Many of these skills predate her time on Council. She also has developed genuine and trusted connections with individuals and organizations within the BHA community. That goes very far in ensuring that she can foster collaboration and advocate effectively. These skills connect dealing with high levels of regulations to dealing with human beings in need. She additionally has a sincere interest in housing justice to ensure fair and equitable housing. Lastly, she has a high level of integrity and character. She added regret that Ms. Leon had to sit through this undeserved experience these past two meetings.

Ms. Kwiatek said she was horrified by the kinds of insinuations and accusations that have been made against Ms. Leon, both as a resident and Council member. Conflict of interest involves financial incentive benefit. That is not present. The insinuation that Ms. Leon would shunt money toward herself or a family member was a microaggression. She was angry at the suggestions of corruption or bad government. It is legal, just and correct. She, too, was sorry for the treatment of Ms. Leon.

Ms. Laird asked for clarification as to whether some Council members presently sit on ABC's.

President Colón sits on the Human Relations Commission, and Ms. Leon is on the library board. These have been unanimous appointments.

Ms. Laird summarized that this is just a continuation of an existing practice.

Ms. Kwiatek added that the liaison to the Blighted Property Review Board is also a sitting member and votes. It is automatic.

President Colón added that liaisons are appointed by the Council President.

Ms. Crampsie Smith repeated that her reservations on this matter are not about the person but about the practice of a Council member serving on an ABC. She believes that circumstances are different when it comes to the BHA board rather than the other ABC positions where the Council crossover is present. This has something like a \$65 million annual budget. She never questioned the integrity of Ms. Leon but believes this practice is bad government.

Mr. Callahan agreed with Ms. Crampsie Smith's comments.

Ms. Steward clarified that she did not do a full survey of all Third Class Cities in Pennsylvania. She used a sampling to conduct her research. She added that Attorney Rader of HUD mentioned that in some states, council serves as the Housing Authority board. She believes this additional information further suggests that the practice is not a conflict of interest.

Mr. Callahan said that this practice is true, but it only occurs in smaller cities of about 40,000 people or fewer.

Ms. Steward said that qualification was not stated by Attorney Rader to her inquiry.

President Colón thanked Ms. Steward and City Solicitor Spirk for their research and legal opinions. He noted the interest on Council in hearing HUD's opinion on this matter. It appears that HUD believes there are "no red flags." As to the vote, each member of Council is entitled to an individual opinion, but he believes "grievance is taken" when things were characterized as just or unjust. He hoped that as other work of Council continues, Council members' motivations will not be questioned. He supported Ms. Leon's motivations and willingness to additionally service on the housing board.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Wilhelm, and President Colón, 4; NAY: Mr. Callahan and Ms. Crampsie Smith, 2; ABSTENTION: Ms. Leon, 1. (A completed Conflict of Interest Form has been attached to the minutes for this meeting.)

Mayor Reynolds reported that the City's public safety officials are dealing with rain and more predicted rain associated with Musikfest and planning contingencies if flooding were to occur. He also announced that Bethlehem recently was designated a World Heritage Site. This process was started more than 20 years ago. He called it a thrill for the community. Bethlehem is part of a four-way nomination that includes Northern Ireland, Germany, and Denmark and their Moravian settlement locations. The distinction acknowledges both the buildings and the spirit of the community. Being recognized on the world stage will be a benefit for tourism. But it also will be a challenge to live up to the ideals of humanity associated with this inscription. Events will be held October 17-19 as well as a community celebration in spring of 2025. He credited resident Charlene Donchez Mowers for being a driving force toward the effort along with the mayors during the 20-year effort. He added that the late Bishop C. Hopeton Clennon deserves exceptional credit.

8. ORDINANCES FOR FINAL PASSAGE

A. *Bill No. 19-2024 – Bill No. 19-2024 Budget Adjustments – Non-Utility Capital Fund*

The Clerk read Bill No. 19-2024 Budget Adjustments – Non-Utility Capital Fund Budget, sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE 2024 CAPITAL BUDGET FOR NON-UTILITIES

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and President Colón, 7. Bill No. 19-2024, now known as Ordinance 2024-20, passed on Final Reading.

B. *Bill No. 20-2024 – Bill No. 20-2024 Budget Adjustments – Community Development Block Grant Budget*

The Clerk read Bill No. 20-2024 Budget Adjustments – Community Development Block Grant Budget, sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE COMMUNITY DEVELOPMENT BLOCK GRANT
BUDGET FOR 2024

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and President Colón, 7. Bill No. 20-2024, now known as Ordinance 2024-21, passed on Final Reading.

C. *Bill No. 21-2024 – Bill No. 21-2024 Budget Adjustments – Community Development Block Grant Budget*

The Clerk read Bill No. 21-2024 Budget Adjustments – Community Development Block Grant Budget (HOME), sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE COMMUNITY DEVELOPMENT BLOCK GRANT
BUDGET FOR 2024

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and President Colón, 7. Bill No. 21-2024, now known as Ordinance 2024-22, passed on Final Reading.

D. *Bill No. 22-2024 – Bill No. 22-2024 Budget Adjustments – General Fund Budget (World Heritage)*

The Clerk read Bill No. 22-2024 Budget Adjustments – General Fund Budget (World Heritage), sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE GENERAL FUND BUDGET FOR 2024

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and President Colón, 7. Bill No. 22-2024, now known as Ordinance 2024-23, passed on Final Reading.

E. *Bill No. 23-2024 – Bill No. 23-2024 Budget Adjustments – General Fund Budget (Mercantile Tax)*

The Clerk read Bill No. 23-2024 Budget Adjustments – General Fund Budget (Mercantile Tax), sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE GENERAL FUND BUDGET FOR 2024

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and President Colón, 7. Bill No. 23-2024, now known as Ordinance 2024-24, passed on Final Reading.

F. *Bill No. 24-2024 – Bill No. 24-2024 Budget Adjustments – General Fund Budget (Keystone Communities Grant)*

The Clerk read Bill No. 24-2024 Budget Adjustments – General Fund Budget (Keystone Communities Grant), sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE GENERAL FUND BUDGET FOR 2024

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and President Colón, 7. Bill No. 24-2024, now known as Ordinance 2024-25, passed on Final Reading.

G. *Bill No. 25-2024 – Bill No. 25-2024 Budget Adjustments – General Fund Budget (Fire Academy Cadets)*

The Clerk read Bill No. 25-2024 Budget Adjustments – General Fund Budget (Fire Academy Cadets), sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE GENERAL FUND BUDGET FOR 2024

Mr. Evans was asked to explain the circumstances of his recommendation to postpone consideration of this Bill. He expects that this matter will be resolved in time for the August 20 Council meeting. This Bill was to cover funding necessary to send nine cadets to the fire academy in Harrisburg for \$360,000. Positive physical and psychological test results are needed for qualification. At least one candidate has not passed. The exact amount of money needed will not be known until after August 9, so postponement is sought.

President Colón invited a motion and a second to postpone the Second Reading of Bill 25-2024 until the August 20 City Council meeting. The motion was made by Ms. Leon, seconded by Ms. Wilhelm.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and President Colón, 7. The Motion passed.

H. Bill No. 26-2024 – Bill No. 26-2024 Budget Adjustments – General Fund Budget (Housing Inspectors)

The Clerk read Bill No. 26-2024 Budget Adjustments – General Fund Budget (Housing Inspectors), sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE GENERAL FUND BUDGET FOR 2024

Mr. Evans explained that all allocations will remain the same for this Bill; however, Section 1 should be amended because money has not yet been approved for the previous Bill involving firefighter training. Section 1 should be amended to state that the 2024 General Fund Budget would be increased from \$113,589,955 to \$113,684,955.

President Colón said he would invite a motion and second to amend the figures in Section 1 of this Bill. Ms. Kwiatek made a motion, seconded by Ms. Wilhelm.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and President Colón, 7. The Motion to amend passed.

President Colón next called for a vote on the amended Bill No. 26-2024.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and President Colón, 7. Bill No. 26-2024, now known as Ordinance 2024-26, passed on Final Reading.

9. NEW ORDINANCES

None.

10. RESOLUTIONS

A. Approve Resolution – Water and Sewer Resources – 2024 37 Sewer Model Update Engineering Services

Ms. Kwiatek and Ms. Leon sponsored Resolution No. 2024-171 that authorized to execute all documents and agreements with Remington & Vernick Engineers II, Inc. to perform sewer model updates.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Resolution passed.

B. Approve Resolution – HOME-ARP Application

Ms. Kwiatek and Ms. Leon sponsored Resolution No. 2024-172 that authorized and directed to execute all application forms necessary to apply for additional HOME-ARP funding from the state Department of Community and Economic Development for the development of non-congregate sheltering and that the Mayor and Controller are authorized to execute necessary agreements and documents.

Ms. Kwiatek asked about this project. She said she understands that this would provide 11 family units for non-congregate sheltering. She added that this has been an uninhabitable building because of code violations that would be redeveloped into a productive shelter.

Ms. Satullo said the Lehigh Conference of Churches is the owner. She said there will be 11 units plus space for a care worker to provide oversight and support services. Funds are expected to be awarded in 4-6 months.

Ms. Crampsie Smith asked if there is an update on the congregate shelter plans.

Ms. Satullo said there are regular meetings with Bethlehem Emergency Shelter officials. Results of an analysis of a potential site are being reviewed.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Resolution passed.

C. Approve Resolution – PennDOT Winter Agreement

Ms. Kwiatek and Ms. Leon sponsored Resolution No. 2024-173 that authorized to execute the Pennsylvania Department of Transportation's Winter Traffic Services Agreement covering the five (5) year period for winter seasons 2024/2025 through 2028/2029.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Resolution passed.

D. Approve Resolution – Lease Agreement – Wells Fargo – Emergency Services Training Center

Ms. Kwiatek and Ms. Leon sponsored Resolution No. 2024-174 that authorized to execute an office lease between the City of Bethlehem and Wells Fargo Bank, N.A. for the use of basement space at 52 West Broad Street by the Bethlehem Police Department as an emergency services training facility.

President Colón noted that Wells Fargo has announced it will close this bank branch. He added that City police have had a presence in this building for a long time. He noticed that the new lease runs through the end of April in 2025 and wondered what will happen with the ability of police to continue to use this space.

Mr. Spirk added that it was learned that there was not a lease in place for this property despite the many years of use by the Police Department. When Chief Michelle Kott discovered this, she suggested preparing a lease for protection given the uncertainty of future ownership.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Resolution passed.

Ms. Wilhelm made a motion, seconded by Mr. Callahan, to group 10 E through 10 H for approval consideration.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Motion passed.

E. Approve Use Permit Agreement – Seven Sirens Brewing Company – 2024 Bethlehem Brew Fest

Ms. Kwiatek and Ms. Leon sponsored Resolution No. 2024-175 that authorized to execute a Use Permit Agreement with Seven Sirens Brewing Company, LLC for 2024 Bethlehem Brew Fest.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Resolution passed.

F. Approve Use Permit Agreement – Christmas City Spirits – 2024 Cider Fest

Ms. Kwiatek and Ms. Leon sponsored Resolution No. 2024-176 that authorized to execute a Use Permit Agreement with Christmas City Spirits, LLC for 2024 Cider Fest.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Resolution passed.

G Approve Use Permit Agreement – Christmas City Spirits – Vintage Market Sept. 2024

Ms. Kwiatek and Ms. Leon sponsored Resolution No. 2024-177 that authorized to execute a Use Permit Agreement with Christmas City Spirits, LLC for the Vintage Market for September 2024.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Resolution passed.

H. Approve Use Permit Agreement – ArtsQuest – 2024 Oktoberfest

Ms. Kwiatek and Ms. Leon sponsored Resolution No. 2024-178 that authorized to execute a Use Permit Agreement with ArtsQuest for the 2024 Oktoberfest.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Resolution passed.

I. Approve Resolution – Records Destruction – Department of Water and Sewer Resources

Ms. Kwiatek and Ms. Leon sponsored Resolution No. 2024-179 that authorized the disposal of public records in the Department of Water and Sewer Resources, as set forth in Exhibit A.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Resolution passed.

J. Approve Resolution – Records Destruction – Department of Police

Ms. Kwiatek and Ms. Leon sponsored Resolution No. 2024-180 that authorized the disposal of public records in the Department of Police, as set forth in Exhibit A.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Resolution passed.

President Colón called for a vote to consider approval for Resolutions 10 K through 10 U as a group. Ms. Leon made a motion, seconded by Ms. Wilhelm, to group these items.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Motion passed.

10 K. Certificate of Appropriateness – HARB – 17 East Church Street

Ms. Kwiatek and Ms. Leon sponsored Resolution 2024-181 to build a custom cedar privacy gate on the west and north facing brick walls.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Resolution passed.

10 L. Certificate of Appropriateness – HARB – 23 East Church Street

Ms. Kwiatek and Ms. Leon sponsored Resolution 2024-182 to remove a door, frame, header, and roof along Long Street and install brick in the resultant opening.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Resolution passed.

10 M. Certificate of Appropriateness – HARB – 35 East Market Street

Ms. Kwiatek and Ms. Leon sponsored Resolution 2024-183 to replace aluminum gutter and downspout on gable roof with white aluminum k-style gutter and downspout.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Resolution passed.

10 N. Certificate of Appropriateness – HARB – 48 East Walnut Street

Ms. Kwiatek and Ms. Leon sponsored Resolution 2024-184 to repair in-kind slate shingles on lower gable roof and replace aluminum gutter and downspout with white aluminum k-style gutter and downspout.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Resolution passed.

10 O. Certificate of Appropriateness – HARB – 123 East Market Street

Ms. Kwiatek and Ms. Leon sponsored Resolution 2024-185 to remove all existing vinyl shutters and paint exterior including previously painted brick façade, all wood trim and soffits, front door, and rear fire escape.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Resolution passed.

10 P. Certificate of Appropriateness – HARB – 247 East Market Street

Ms. Kwiatek and Ms. Leon sponsored Resolution 2024-186 to install copper roofing, install copper gutters and downspouts, install slate shingles, and install standing seam metal roofing.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Resolution passed.

10 Q. Certificate of Appropriateness – HARB – 316 West Street

Ms. Kwiatek and Ms. Leon sponsored Resolution 2024-187 to paint the masonry façade of the structure in its entirety.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Resolution passed.

10 R. Certificate of Appropriateness – HARB – 446 Main Street

Ms. Kwiatek and Ms. Leon sponsored Resolution 2024-188 to install an aluminum wall sign with vinyl-applied graphic.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Resolution passed.

10 S. Certificate of Appropriateness – HARB – 452 Main Street

Ms. Kwiatek and Ms. Leon sponsored Resolution 2024-189 to install a double sided, non-illuminated, projecting sign and a vinyl graphic window sign.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Resolution passed.

10 T. Certificate of Appropriateness – HARB – 459 Old York Road

Ms. Kwiatek and Ms. Leon sponsored Resolution 2024-190 to reconstruct an original dormer, install exterior house lighting, and paint trim and shutters.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Resolution passed.

10 U. Certificate of Appropriateness – HARB – 523 Main Street

Ms. Kwiatek and Ms. Leon sponsored Resolution 2024-191 to install a double sided, non-illuminated, projecting blade sign, a single sided hanging sign parallel to the street, and vinyl graphics on the door.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Resolution passed.

President Colón next called for a vote to consider approval of Resolutions 10 V through 10 X as a group. Ms. Leon made a motion, seconded by Ms. Crampsie Smith, to group these items.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Motion passed.

10 V. Certificate of Appropriateness – HCC – 1318 Prospect Avenue

Ms. Kwiatek and Ms. Leon sponsored Resolution 2024-192 to replace the current wood porch decking with Aeratis (composite) decking of the same dimension and color as the existing and also to replace the existing Bilco doors with the same material.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Resolution passed.

10 W. Certificate of Appropriateness – HCC – 117 East Fourth Street

Ms. Kwiatek and Ms. Leon sponsored Resolution 2024-193 to finalize details and finishes for a proposed new construction project that previously received Certificates of Appropriateness in November of 2021 and November of 2023.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Resolution passed.

10 X. Certificate of Appropriateness – HCC – 418 Martel Street

Ms. Kwiatek and Ms. Leon sponsored Resolution 2024-194 to remove Insulbrick siding on the one-story rear addition and to remove Brickote siding on the two-story rear addition and replace with vinyl siding.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. The Resolution passed.

President Colón noted the recent passing of Otto Ehram, who served as a City Councilman for nearly 20 years. He asked for a moment of silence in his memory.

11. ADJOURNMENT

The meeting was adjourned 7:50 PM.

ATTEST:

Tad J. Miller
City Clerk