

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street - Town Hall
Bethlehem, Pennsylvania
Tuesday, February 18, 2020 - 7:00 PM

INVOCATION

Reverend Suzanne M. Trump, St. Windish Evangelical Lutheran 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 Michael G. Colón, Grace Crampsie Smith, J. William Reynolds, Paige Van Wirt, and Adam R. Waldron, 5. J. Bryan G. Callahan, and Olga Negrón were absent, 2.

CITATION

Honoring Debra Wachter

President Waldron stated that the Citation for Debra Wachter on the occasion of her retirement from the Water and Sewer Department after over 20 years of service will be mailed to her since she was unable to attend this evening.

Honoring William Vash Jr.

President Waldron stated that the Citation for William Vash Jr. on the occasion of his retirement from the Public Works 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 21, 2020 were approved.

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

Council President/Authorities, Boards and Commissions/Police

Ed Gallagher, 49 West Greenwich Street, noted his mind went back to the reorganization meeting a month ago in which the topic of the meeting was the running of the meeting, the qualifications of the President to run the meeting. There are other things that the President does that we could have been talking about and they came up a little bit in the things that President Waldron had said. He said that there is not much to it except running the meeting, there are no perks. Mr. Gallagher imagines that the President of City Council would get invited places. Mr. Gallagher remarked that President Waldron said there are no perks and that the running of the

meeting is the important thing. But we saw at the last meeting that you have the power to appoint Committees and there was some heat about that from one of the Members of Council, so that is an important thing that the President does. The other thing that occurred to him is that the President has the ability to kind of set the agendas, or the ability to try to get Council to come to consensus on things. Mr. Gallagher would like to see President Waldron and perhaps other people try to move towards consensus on a few things. One is that reappointments should be bolstered by records of performance. After the meeting he was thinking about the fact that one of the Council people called one of the nominees to talk. In the past there was another Council Members who has described calling nominees for reappointments to talk. It occurred to him that is not the first thing that should happen. The case should be made for reappointment from the Mayor in a kind of reappointment package. Mr. Gallagher noted it is good for Council people to make that call to check some things but a case should be made from the Mayor for the reappointment. That seems obvious to him. You folks are elected officials; you come up for reelection and have to talk about your past term. When he first started going to the Parking Authority meetings there were representatives there that come from elected official families. There were two spouses of elected officials and they know what it is like, when you come up for reelection you have to talk about what you did. There are two businessmen on the Bethlehem Parking Authority and they know if you come to their establishments you will not come back unless the performance was good. Can Council have consensus with reappointments, maybe on just the Committees that have the power of the purse. He does not have exact figures but from doing quick newspaper searches it looks like the Solicitor of the Bethlehem Parking Authority has been there since 1998 that is 22 years. The Chair of the Bethlehem Parking Authority has been there for 12 years. There is something to be said for experience and continuity that is a good conversation to have. Mr. Gallagher noted that is a long time as one of the Council people pointed out for an ABC that has control of so much money. He wonders if Council could have a consensus that this dispute between the Police Officers and one of the District Magistrates of what we might call a potential racial insensitivity issue and that be on the Public Safety Committee agenda for two weeks from now. The Mayor wrote to him that the Administration would have nothing further to say about that issue but as far as he knows nothing was said to begin with. The Mayor wrote him that the Administration feels that this issue should not be brought up at the Public Safety Committee Meeting. So whose Committee is it? Is it Council's Committee, the Public Safety Committee or does the Mayor get to call that shot. Mr. Gallagher wonders if we could have consensus for talking a little about that issue at that meeting.

President Waldron noted he will touch on a few of those things. As far as the nominations to Boards and Committees there are a few things that Council affects through Councilmanic Appointments and that is the EAC and the Library Board where he would make nominations and the Council votes on that much like the Mayor makes most of those nominations to those boards. As far as the agendas in his two years he has never affected an agenda as far as setting what it will be or what will not be on an agenda. Some of the perks include getting invited to places but he does not go. President Waldron believes the Mayor may be making a comment this evening about the dispute issue.

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

Temporary Closure of Packer Avenue

Brent Stringfellow, 461 Webster Street, Associate VP of Facilities for Lehigh University informed he is at this meeting to discuss the temporary closure of Packer Avenue between Vine Street and Webster Street that we are proposing between March 9, 2020 and April 30, 2020. In terms of why are we proposing this now, there are a number of issues coming to play as we think about the future of Packer Avenue. First is the safety of pedestrians, we count over 1,700 people a day crossing Packer Avenue with a peak of midday of about 800 persons an hour. In addition there is the changing face of Lehigh's campus. As we have embarked on more projects that are fully integrating the campus with the south side such as our leased space at Third and New, the development of Brinker Lofts, our leasing of space at the Flat Iron Building, programs like the South Side Ambassadors and our partnership with the City with the renewal of New Street. There is also the academic work we do with the community and school district. Mr. Stringfellow pointed out that we see this as a way to further pull the core of the campus further into the south side as well as an opportunity to look at what might be an improvement to the pedestrian amenity for the campus and the community at large. This will provide a safe and welcoming east/west access in the community. Another question was why we are having a test closure. Up to this point we have conducted a traffic and planning study and our engineers from Pennoni can address that prior to even proposing the test closure. The result of this, which Pennoni can address generally show that there is fairly minimal impact from the closure of the avenue between Webster and Vine Street. Based on this we believe that the test closure offers the best opportunity for proof of concept. We do not get that chance very often with something that is proposed to actually see if it works knowing full well that if it does not even in terms of the full duration we will reopen the avenue if need be. In terms of what the closure details will look like we are going to be closing it to normal traffic, emergency and service and delivery vehicles will still have access to the avenue. We will be using a chicane approach similar to Musikfest to ensure safety but also to ensure access. The area will be open to pedestrians and in fact will have signage. It is also key to note that we will have signage to ensure that people from the public will understand that Packer Avenue remains open as a pedestrian way and is welcoming to everybody in the community, Lehigh and south side residents entirely. Mr. Stringfellow advised during the closure they will be installing the signs and working with the school district. They have had meetings with the Superintendent and the Principal as of last week to go over some of the procedures that we will put in place including the assisting of the crossing guards during the closure. We will also work in conjunction with the Bethlehem Parking Authority to conduct counts to understand the impact on parking and we will also be conducting ongoing traffic studies of impact in the south side neighborhoods. They can talk a little bit about the scope of where we anticipate that being. The other thing he does want to speak about is the design of it. This will be set up that if there is some sort of emergency on the south side these will be water filled barriers and can be emptied and opened up so that the traffic could be allowed to access in an east/west direction in the event there is some sort of incident on Third or Fourth Street that would require us to divert traffic.

Scott Harney, Pennoni Associates, 2041 Avenue C, explained he is an engineer on behalf of Lehigh and will be performing a transportation study to look at the impacts of the temporary closure of Packer Avenue. We will be looking at pedestrian patterns on Packer Avenue in the area of the closure to see where people cross in different locations and on the streets surrounding the middle school. This will to see how it impacts the students at Broughal Middle School. Those will be in person accounts and observations looking about an hour of the highest activity in the

morning and afternoon and around lunchtime on Packer Avenue which is the busiest part of day for pedestrians. Mr. Harney explained they will work on these studies both before the closure and during the closure to make comparisons. We will also look at 20 different intersections, we will be looking at the pedestrians using the crosswalks to see how many are crossing in each direction and also the vehicles, how many are turning in each direction and how do traffic patterns change. Finally, we will be looking at what we call tooth counts, we will be out on the road for 7 days before and 7 days during the closure that way we can look at 19 roads through the area to look at traffic from vehicles. Mr. Harney related they should be able to use that data to estimate how vehicle and pedestrian patterns change and to see using some engineering what sorts of delays are there both for vehicles and pedestrians and how that changes over time.

Jason Schiffer, Lehigh University Chief of Police, 321 East Packer Avenue, informed he has been serving in this role since January of 2018 and previous served as a Police Officer here in the City of Bethlehem for 20 years, retiring in 2013 as the Chief of Police. He is here to speak about the proposal of the temporary closure of Packer Avenue in order to study and test the feasibility of a permanent closure. He will speak about the safety concerns and what he believes can be gained by approving this proposal. Chief Schiffer wanted to be clear that he does not stand before Council as an advocate of the closure of the street but as an advocate for rational decision making. Like some of you and many residents he has concerns. In his time working for the City he has seen many proposals come before this honorable Council and many vigorous debates in this room over the approval or denial of them. Some of the ones that come to mind are whether to approve a Casino to be built on Bethlehem Steel land, to demolish the Durkee Plant and build a Lowes and Woodmont Mews, to open the Plaza Mall to through traffic on Broad Street, to construct a CVS at Fourth and Broadway, to build a retro McDonalds on the vacant lot at Five Points, and more recently to build a 5 story building and a parking deck on Third and New Streets. This list goes on and on. These projects all came before City Council under protest. Many projects were amended before their ultimate approval. Chief Schiffer remembers hearing a considerable number of citizens come before this Council to declare that the approval of that particular project would be disastrous for the City. Some projects were not a great fit and obviously were not approved; others were approved under substantial protest. We can agree for the most part the result has not been disastrous. Sometimes with amendments and great debate projects were approved and this honorable Council has guided the City to continue to be a community that is thriving. The proposal before Council tonight is significantly different than any of those he mentioned before. All of those projects were seeking approval and once approved they could not be undone. Chief Schiffer explained in this instance the University is seeking to test a plan with little to no cost to the City. The agreement is that the plan can be terminated early if the results are not as we expect. In this plan we all get to test a theory that will work before the plan gets final approval. That is a rare opportunity and a fact that should not be overlooked. He has worked many years in south Bethlehem and many of them as a Police Officer on a bicycle. He knows and understands the challenges and the traffic patterns that exist in south Bethlehem. In the two years he has been working at the Lehigh University Police Department he has observed some safety concerns on Packer Avenue that are worth noting. He has had discussions with the Bethlehem Health Bureau about traffic calming measures that could possibly be implemented on Packer Avenue because of the speeds that cars are traveling and mainly the pedestrian/vehicle conflicts that exist there. You have heard about the numbers of cars and the numbers of pedestrians that navigate this section of roadway every day, those numbers are not insignificant. He has some other numbers to consider as well. Chief Schiffer noted in the sections of roadway under consideration for closure our Police Department has investigated 3 pedestrians

being struck by cars that is just in the past 2 years. We also have made at least 3 DUI arrests, we have investigated at least 2 hit and run crashes, we have issued 29 citations for failing to stop at stop signs in that section of roadway and at least 64 warnings for failing to stop at stop signs in that section of roadway. There were also 5 instances of failing to yield to pedestrians in crosswalks. He states all those numbers to amplify the point of the pedestrian/vehicle conflicts that do exist in that section of roadway. He emphasized that the amount of conflicts that exist on an hourly basis on this section of roadway are some of the highest he has seen in his law enforcement career. During the lunchtime hours it is nearly impossible to navigate that roadway by car because of the number of pedestrians. It feels kind of like a roadway that is open for traffic during the middle of Musikfest. He would also like to speak of the benefits that he sees that could come from this venture. The Lehigh campus is a place where there are very few plots of land that are level and available for gatherings and events. He believes that this area could be used for student and community events, much like sections of the Greenway and Farrington Square that are currently used for things like VegFest and the weekly summer farmers market. There are a lot of possibilities that cannot even be envisioned unless we have the opportunity to test the plan and see what can become of this space. Chief Schiffer believes that this can certainly become much more than an area for Lehigh affiliated people to park their cars and for there to be constant vehicle/pedestrian conflicts. More importantly, the decision before you tonight can easily be reversed unlike so many other difficult development decisions faced in the past by this Council. Chief Schiffer respectfully requests that Council thoughtfully consider this proposal and give this plan an opportunity to be tested.

Carolina Hernandez, 2614 Bethlehem Fields Way, explained Bethlehem has been her chosen home since 2001. Her role at Lehigh University for 18 years has been as the Director of the Community Service Office. In this role we have focused all of our energy into working in partnership with the south Bethlehem community. She uses the word "with" deliberately. We are the proud lead partners of the community school model at all three south Bethlehem schools, Donegan, Broughal, and Fountain Hill. As a result of this partnership in each of the school buildings we have a Lehigh University employee dedicated to expanding learning opportunities, integrating health and social support services and engaging parents, families, and school staff. We understand the responsibility and duty we have to the greater community and know that this work with south Bethlehem has been and will continue to be transformative for our community. Ms. Hernandez noted 18 years ago on the sidewalk next to the old Broughal Middle School building she was with Lehigh and Broughal students co-creating what is now Spring Fling and Spectacular. The goal of those programs was quite simply to come together as one community. She is proud to say that what started off with 60 kids the first year has grown to be over 1,000 residents annually joining us. Other initiatives have emerged from there with our after school homework clubs that Lehigh University students not only tutor at but facilitate 4 days a week, 24 weeks a year from 3:15 PM until 5:15 PM providing dinner for our kids and families, making sure they complete their homework and provide them with safe space to play and engage. Ms. Hernandez explained 182 tutors just this year alone are working in all 3 south Bethlehem schools both in the classroom and in after school programs. Last year our tutors served over 19,000 hours in just those three schools. We also have parent's night out, programs where we invite all of our kids onto campus for a night off, we give the parents a night off and we assign them their Lehigh student and we come onto campus and we have a fun filled theme night. This Friday we have a mad scientist evening that we are hosting for our kids. We have things like Living La Vida Lehigh where we invite all of our kids onto campus to have a day where they are exposed to college and understand what it means to live on campus and engage. Ms. Hernandez shares all

of this because there is not a single week that goes by that we are not working with and in partnership with our kids. We are starting to blur those lines and it is taking us a while and this is a really important opportunity to explore what that possibility could be for the future. Like Chief Schiffer said we do not have many spaces on campus that are flat and it would be a wonderful opportunity to find ways to engage our community and find other ways to bring folks in. She implores Council to explore this as an opportunity.

Kim Carrell-Smith, 833 Carlton Avenue, remarked she sent a rather long document to a number of people and to Council late this afternoon so you may have not had time to read over it. What she did was as a south side resident who has talked to a lot of neighbors and attended the meeting in south Bethlehem that was held at Broughal Middle School and thanked Council Members who came to that. She collected a lot of information and put together a list and divided it into two. One list was why and what is the closure about, the long term vision but also in the short term of the study. There were four questions, one which was answered already by Chief Schiffer. That was the question about safety data. Another question is what does the City hope to achieve with the proposed closing of Packer Avenue, what is the key objective and what do they see as gains and losses and how do we balance those things. Another reason the folks from Lehigh talked about was the idea of pulling students further down into the south side. She thinks that all of us on the south side are aware that is a tough job. She wonders if this will have an adverse effect on Morton Street by closing Packer and trying to get students to go beyond that barrier because that is one of the biggest barriers getting kids over Morton and down to Fourth Street. The New Street Program that has been initiated to transform New Street is designed to pull people there but the question was if Morton would be a problematic space because of increased traffic for pedestrians. Ms. Carrell-Smith noted another thing the people on the west side of Lehigh are concerned about is the upper campus road through campus. The Mayor said he had asked if Lehigh would include that in the study which is wonderful because that and the neighborhood surrounding is a place where a lot of cars might decide to go to get around the lower part of the south side. Right now that is covered with construction if you have tried to drive through there. It is very congested with flag men. Many people are concerned this might not be the moment perhaps and maybe there would be a better moment to do this when the construction settles down. We want to know who is going through there and how many and how does it change over time. The other grouping of questions is about the study itself and requests for what we would like you to study. Ms. Carrell-Smith pointed out the question is will those results be shared before the decision is made to close Packer for good and how will they be disseminated and will the public have a chance to comment on that. The questions are will the consultants be studying the effects of pedestrians and we heard that they will. A number of folks asked if these consultants are experienced with pedestrian studies and she does not know the answer to that. If they are used to looking at vehicle traffic predominately they may not be thinking the same with pedestrians. Among the things we need to know is how they are planning to track Broughal student walking patterns and safety and see what the changes over time. How do they account for safety issues as they study Brodhead, Summit, Montclair, and Carlton, the places the kids and other pedestrians go as well and where the cars may go. Because this is scheduled for spring break what will happen with the numbers they will be gathering in the beginning of the consulting process because that will be when students are away for a week. That would skew the data if you lump it in as part of the averages. Also, there is the issue of snow because Morton is a difficult street to get the snow off of. Those of us on the south side try to avoid it when there is snow because it does not get cleared. Finally, if the trial closure and study are authorized by Council will you incorporate residents into some of the final decision

making process and share the data from the City, will Lehigh and the City do that. How will they be collecting feedback and how will they be collecting feedback and incorporate residents in that process. She does not see these questions as insurmountable but answering them means that planning for the traffic and pedestrian study would have to be careful and extensive. She wondered if that is written in the contract and are the particular streets written in specifically so we know those will be part of it. Also, how are we going to share that information? There should be a plan in place before the study begins to present the results and hear from the public before the final decision is made. She knows the Mayor has expressed his eagerness to really think about this deeply and hear from people in the community and she hopes that will be part of the decision making process you make tonight. There should be a promise in there just as the contract will have specifics in it.

Breena Holland, 379 Carver Drive, mentioned she thought the consultant stated that they are only going to be studying traffic patterns in the morning and at midday. That is important because one of the things she was going to raise was the implications for parents commuting and going over to pick their kids up in the afternoon. It seems the important time is when kids get out of school that is the time to study. She would like clarity on that. Ms. Holland noted we have a big problem on the south side with traffic going east and west on Third and Fourth Street. She is not a resident of the south side but knows many who live on the south side and what you do when there is traffic on Third and Fourth Street is that you go over to Packer Avenue. It is a local street in that respect to avoid the traffic on Third and Fourth Street. It is very important to understand the impact on residents who live there. Ms. Holland believes it is crucial that you study changes in accidents on Third and Fourth Street. There have been some accidents on Packer Avenue but one of the worst intersections is on the corner of Third and New Streets and Fourth and New Streets with accidents. It will be important to see during the period it is closed you end up having more accidents in those intersections. For students crossing over and all the traffic going over to Morton that especially at the time school gets out will be a problem for the Broughal Middle School students. Just imagine that Packer is closed and you are a commuting parent with a busy schedule you will probably increase the traffic commuting times for many parents. It is important to hear from the parents about that. Ms. Holland pointed out that it seems important to do the study and get the data and everyone is appreciative of the opportunity to study this before actually closing the street but it is important to give the residents the opportunity to respond to that data in a setting where they can talk to elected officials who are making the decision. She knows that Council do not like when someone shows up here complaining about something especially if you know nothing about it, you do not want to end up in a position where there is some data and a decision is made and we are at a public hearing and that is the first time you get to hear from residents. Then all of a sudden people show up here and say not to close the street. She would strongly encourage Council to try to make an agreement tonight to incorporate a meeting into this decision making process where people can come in after the street is closed and talk about the impact on them.

Stephen Antalics, 1201 Butztown Road, noted there is an old adage that says if it is not broken then don't fix it. Because if you try to repair something that works there will be fallout in another area. The question becomes, does this adage fit Packer Avenue. On the south side there are three major east/west routes, Third, Fourth and Packer. Some have mentioned that Third and Fourth Streets are difficult. So the number of people living on the eastern side the south side may wish to go to Route 378 so Packer becomes a very convenient right of way. That is because it keeps them off of Third and Fourth Street and also reduces the congestion on those streets. This

becomes a citizen concern and also the loss of parking on Packer Avenue will then create a problem on other parts of the south side for people to park. Some have mentioned to him that the loss of the parking spots on Packer would force the students to park on the upper campus and then take the bus. A number of students seem to be against the closing. He would like to know whether the loss of revenue of the Parking Authority will be compensated. Mr. Antalics was going to comment on the safety but he has been told by an informed person that there have been pedestrian incidents on Packer Avenue at that crossing. The question is who benefits from the closing and who suffers from the closing. There is one advantage of the closing and that is Packer Avenue at one point way back was the intellectual iron curtain between the campus and the south side as much as the Lehigh River was the social iron curtain between north Bethlehem and south Bethlehem. The closing of Packer Avenue will then make the campus contiguous to the south side by extending it down to Morton Street. He believes Morton Street would not be a viable avenue to get to Route 378 because of the problems with Broughal's closing and opening with school busses and crossing guards. Citizens will be forced down to Third and Fourth Streets. Mr. Antalics thinks this will be a very hard decision to make that both interests have a strong argument and he would ask if additional safety measures at the crossing, traffic lights or a guard at the height of the heaviest crossing, would that eliminate some of the problems of possible pedestrian injuries. These are difficult questions but he thinks they demand an answer. Mr. Antalics then wondered whose best interests will be served here.

Al Wurth, 525 Sixth Avenue, explained he works at Lehigh University and spends quite a bit of time there. He crosses the pedestrian walkway on Packer Avenue frequently during the week. He would echo some of the concerns although he is new to this issue and apologizes if he misinterprets anything. It would appear to him first with closing the road maybe there could be a rule based one way type of system or will it open later at night. It would seem that you only need to be concerned about the pedestrian interaction during a few hours of the daytime. There are not too many students running around at 8 AM and not many running around at midnight either. To close the road permanently and make it impossible to serve all purposes that some of the speakers mentioned would seem to be unnecessary. If you do want to do anything he thinks the smartest thing would be to do some type of traffic calming. Mr. Wurth remarked that maybe they want to tear up the road, although he does not know if this is true, and return it to grass and plantings. He guesses it will remain paved for emergency access and for access to the campus. The when and the how of this issue are much more important than simply having the road be opened or closed. Mr. Wurth is anxious about the political signal it sends to the residents of the south side to say this road is closing and is now a Lehigh only kind of thing. The other anxiety he has is he works on the corner of Vine and Packer or Vine and Asa Packer Drive which he is told by Broughal teachers is off limits to Broughal students, they are invited not to cross the campus. He has no idea whether this exists or not or whether it is just vocal. When you take all the cars that are not crossing at Packer and send them deliberately past Broughal Middle School it seems to him as bad as Lehigh students are and he sees them all the time he is guessing that Junior High School kids are less careful than Lehigh students and that pedestrian car interaction at this area is also a little bit nuts and probably unnecessary. At least Lehigh should invite the Broughal students to go across the campus on the safe route rather than down to Morton where all the cars will be going. Mr. Wurth is not thrilled with the idea of the way this looks in terms of who we are catering to or who we are trying to protect and who we are less worried about. He feels there will be a great impact on Broughal Middle School. He notices a lot of school busses at Broughal with a lot of things going on and kids walking around and not paying attention to the crossing guards. To invite more cars to go by Broughal that could safely avoid the school is not a good thing.

Maybe this should be tested with traffic calming and perhaps a bike lane on the road. We are actually bringing the cars and pollution down the hill to the community and away from the campus although that is probably good for him. He is thinking about the kids at the school, we should pay attention to the impact on them. Mr. Wurth is not sure why the road needs to be closed and certainly not if it is closed 24 hours or all the time.

Ed Gallagher, 49 West Greenwich Street, remarked it occurs to him that this is like a procedure he has gone through for 50 years at Lehigh as a teacher. A student comes with an essay and their thesis is that we want to close Packer Avenue. We have a first draft on January 3rd at Broughal and on his blog he thought it was not quite right, February 4th we got a second draft and on his blog he thought it was not quite right, and the third draft is getting there. He is not against closing the street but he wants Council to have the best argument to make a decision and you are not making it on the fact that you just love Lehigh and Lehigh is our friend. It is getting there but is not quite there. He would still urge Council to hold off. So they had their thesis statement, they want to close Packer Avenue; we have three points, pedestrian safety, changing face of Lehigh, improving pedestrian walkway. A few of them are close but are not there. Pedestrian safety, it was said that 1,700 people cross at a certain hour and that is a perfectly healthy street. Why not some traffic calming? Mr. Gallagher noted that Chief Schiffer raised some concerns with the City but where is the City coming forward and saying we have been thinking about this for years, we have not heard that yet. With Lehigh partnership the Mayor has goals that Mr. Gallagher has heard many times about bringing the campus closer to the City. Those goals are clear and he likes those goals. The triumvirate that he would hear in regard to that point in the essay is that Lehigh funds the Ambassadors and that Lehigh has people who work downtown in the offices and that Lehigh apparently is interested in the refurbishing of New Street. Because Lehigh has done those things and invested those things does not necessarily mean that the City should say okay we will close Packer Avenue. Those things that Lehigh said they do which are true and good things but to Mr. Gallagher there is still a gap between that and saying, let's close Packer Avenue. Third, imagine the programming that Lehigh could do for the south side if that were to close, that is interesting. He would say to the student after the third draft that they have to go one more draft and do traffic calming in your first point, your logic a little tighter in the second point and you have to give some specific examples of what you would do with that space and then we can go to Council. So it is not quite there according to Mr. Gallagher.

Gail Domalakes, 825 Carlton Avenue, mentioned she is a resident that has nothing to do with Lehigh and she listened tonight and is convinced this will be a nice space, this closing of Packer Avenue. But on the other hand she uses Packer Avenue a lot because Third and Fourth Street are a snarl of traffic. Packer Avenue is definitely a nice east/west corridor. We know to avoid it certain times when there are a lot of students walking around. So to close it permanently, it occurred to her that maybe we could have festivals sometimes and close the street sometimes for these gatherings. She walks around a lot and walks on Packer Avenue with her dogs and finds it very pleasant. She walks around other areas of the neighborhood. Ms. Domalakes heard the safety data but does not feel unsafe on Packer Avenue. Where she feels on very high alert as a pedestrian is at Brodhead and Morton and Vine and Morton. To push more traffic down there is not a responsible thing to do. She is not against testing it but she does not know if this test is long enough.

5. OLD BUSINESS

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

6. COMMUNICATIONS

- A. *City Solicitor – Use Permit Agreement – Youth Athletic Associations – Athletic Association’s Sanctioned Football, Baseball and Softball*

The Clerk read a memorandum dated February 10, 2020 from City Solicitor William P. Leeson, Esq., with an attached Resolution and Multiple Use Permit Agreements. The agreements cover various events, detailed in the agreements attached to the memorandum, at the following covered locations: (a) Saucon Fields; (b) Sell Fields; (c) Buchanan Fields; and (d) Northdale Fields.

The Permittees are the following Youth Athletic Associations:

- 1. Bethlehem Saints
- 2. Bethlehem Stars
- 3. Bethlehem Steelers Athletic Association
- 4. Lehigh Sports Association
- 5. North Central Little League
- 6. Northdale Athletic Association
- 7. Northeast Bethlehem Raiders
- 8. Northwest Athletic Association of Bethlehem
- 9. South Side Little League

The duration of the use permit agreements are specified in the body of the agreements attached to the cover memorandum.

President Waldron stated the Resolution can be placed on the March 3, 2020 agenda.

- B. *Director of Community and Economic Development – Residential Rental Housing Ordinance – Revisions to Proposed Bill establishing Article 1738*

The Clerk read a memorandum dated February 12, 2020 from Alicia Miller Karner, Director of Community and Economic Development with an attachment showing revisions to a proposed bill establishing Article 1738 titled Residential Rental Units. On November 11, 2019 the Department of Community and Economic Development forwarded a proposed bill to Council establishing Article 1738. City Council subsequently referred the bill to the Community Development Committee for review. Since forwarding the bill to Council for consideration, the Community and Economic Development Department prepared some minor revisions that would strengthen the ordinance and improve the City’s ability to implement and administer this program. The proposed bill incorporating the revisions shown in redline in the communication will be reviewed by the Community Development Committee at their meeting scheduled on Thursday, February 20, 2020 at 5:30 PM in Town Hall.

President Waldron stated he will refer this to the Community Development Committee for the February 20, 2020 Meeting.

C. *City Solicitor – Use Permit Agreement – Star of Bethlehem Festival, Inc. – Failte Fest*

The Clerk read a memorandum dated February 13, 2020 from City Solicitor William P. Leeson, Esq., with an attached Resolution and Associated Use Permit Agreement. The Permittee is Star of Bethlehem Festival, Inc. and the event is Failte Fest. The duration of the agreement covers March 13, 2020 to March 15, 2020. The location is the Charles Brown Ice House.

President Waldron stated the Resolution can be placed on the March 3, 2020 agenda.

7. REPORTS

A. *President of Council*

B. *Mayor*

Allegations against City of Bethlehem Police

Mayor Donchez stated he considers it necessary and in the City's best interest that this statement be made to address recent blog postings of letters of a highly personal and confidential nature. In the letters, magistrate District Judge Englesson made allegations of unprofessional and illegal conduct against a City police officer and Chief DiLuzio involving a traffic stop and a marijuana possession charge. The allegations have been subject to a thorough internal investigation. This included review of dash camera and body camera footage and audio-visual evidence of the actual event. The evidence showed that the allegations are false. The City Solicitor advises that Pennsylvania laws impose specific constraints which limit further public disclosure by the City at this time. Those constraints also apply to investigatory materials, evidence, and any further review. Therefore, for the foreseeable future, further comment on this matter will be very limited or declined.

Packer Avenue Temporary Closure

Mayor Donchez noted pertaining to Packer Avenue, as he reflects back on the New Street garage there were many individuals making recommendations about doing a study before we would build a garage. That is something that we took into consideration with Packer Avenue. This is a study, no decision has been made. We had a public meeting which Lehigh was receptive to and had a very good turnout. Many of the ideas that were mentioned about including additional streets were incorporated into the study. If there are more streets they can still be incorporated into the study. The City of Bethlehem's Police, Fire, Public Safety, Michael Alkhal's Public Works Department have all been involved in the planning along with Lehigh for the temporary closure of Packer Avenue. There are many issues to review even when the study is complete. He believes someone made reference to the revenue, the loss of meters. These are all issues that still need to be discussed. We have expanded the study, met with the school district. We will have crossing guards at the key intersections. The key question he will be looking at if this is approved by City Council is the impact of the cars into the neighborhoods, where will the cars go that are parked on the 62 meters from Packer Avenue. That will be a key question along with any additional traffic flow or accidents. Mayor Donchez stressed these are all issues that will be studied. Lehigh did do a study, the Parking Authority did a study, the City reviewed the studies and we have been talking about this for the past year. Then we will get the data and results. He has not discussed this with Lehigh but he will certainly be open to a public meeting at

Broughal Middle School for residents to make their input. If the recommendation were to be to recommend to Council to close, which we are nowhere near that point, he certainly would be open and encourage another public meeting at Broughal for the neighbors and anyone to make their input. Mayor Donchez noted it is also important to take into consideration; he has had many conversations with PennDot over the new or reconstructed Hill to Hill Bridge that is scheduled in a few out years. No decision has been made on this issue but he would like to see a reconfigure of the ramp and if there is a way to have a Third east/west Street going down Second Street past the Charter School and right into the Casino. That would alleviate some traffic. That is something he has had discussions with PennDot over the last three or four years. We are getting close to a final design of the bridge possible sometime this year. Mayor Donchez explained these are all issues that need to be discussed. But as he said and as many Lehigh speakers have said, if one week into the study it turns out to be the wrong thing to do we will pull the plug right away, he will pull the plug. We will watch this very carefully and this 40 day study he hopes that Council would approve this tonight. Mayor Donchez noted that he grew up on the south side and this issue has been discussed for the last 25 years about closing Packer Avenue. Is there a good time? We can say that about 5 years ago today or 5 years from now. He thinks there has been a lot of effort put into this with various studies and if any members of Council or the public have any more suggestions he will encourage them to email him and he will forward them to Lehigh University and they could be incorporated into the plan before it starts.

C. *Finance Committee*

Chairman Reynolds announced the Finance Committee met on Tuesday, February 11, 2020 at 6:00 PM in Town Hall. The Committee reviewed several proposed budget adjustment bills presented by the Administration. The Committee voted to forward the following proposed Bills to full council for consideration: Bill amending the General Fund in connection with General Fund Adjustments; Bill amending the Non-Utility Capital Improvements Fund in connection with 2019 Year End Adjustments; Bill amending the Water Capital Fund in connection with 2019 Year End Adjustments; Bill amending the Sewer Capital Fund in connection with 2019 Year End Adjustments. The Bills are each on the agenda tonight for First Reading.

8. ORDINANCES FOR FINAL PASSAGE

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 on Final Reading.

Voting AYE: Mr. Reynolds, Dr. Van Wirt, Mr. Colón, Ms. Crampsie Smith, and Mr. Waldron, 5. Bill No. 1-2020 now known as Ordinance No. 2020-03 was passed on Final Reading.

9. NEW ORDINANCES

A. *Bill No. 02 – 2020 – Amending General Fund – General Fund Adjustments*

The Clerk read Bill No. 02 – 2020 – Amending General Fund – General Fund Adjustments, sponsored by Dr. Van Wirt and Mr. Reynolds and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE 2020 GENERAL FUND BUDGET

Voting AYE: Mr. Reynolds, Dr. Van Wirt, Mr. Colón, Ms. Crampsie Smith, and Mr. Waldron, 5. Bill No. 02 - 2020 was passed on First Reading.

B. Bill No. 03 - 2020 - Amending Non-Utility Capital Improvement Fund - 2019 Year End Adjustments

The Clerk read Bill No. 03 - 2020 - Amending Non-Utility Improvement Fund - 2019 Year End Adjustments, sponsored by Dr. Van Wirt and Mr. Reynolds and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE 2020 CAPITAL BUDGET FOR NON-UTILITIES

Voting AYE: Mr. Reynolds, Dr. Van Wirt, Mr. Colón, Ms. Crampsie Smith, and Mr. Waldron, 5. Bill No. 03 - 2020 was passed on First Reading.

C. Bill No. 04 - 2020 - Amending Capital Budget for Water Utilities - 2019 Year End Adjustments

The Clerk read Bill No. 04 - 2020 - Amending the Capital Budget for Water Utilities - 2019 Year End Adjustments, sponsored by Dr. Van Wirt and Mr. Reynolds and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE 2020 CAPITAL BUDGET FOR WATER UTILITIES

Voting AYE: Mr. Reynolds, Dr. Van Wirt, Mr. Colón, Ms. Crampsie Smith, and Mr. Waldron, 5. Bill No. 04 - 2020 was passed on First Reading.

D. Bill No. 05 - 2020 - Amending Capital Budget for Sewer Utilities - 2019 Year End Adjustments

The Clerk read Bill No. 05 - 2020 - Amending the Capital Budget for Sewer Utilities - 2019 Year End Adjustments, sponsored by Dr. Van Wirt and Mr. Reynolds and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE 2020 CAPITAL BUDGET FOR SEWER UTILITIES

Voting AYE: Mr. Reynolds, Dr. Van Wirt, Mr. Colón, Ms. Crampsie Smith, and Mr. Waldron, 5. Bill No. 05 - 2020 was passed on First Reading.

10. RESOLUTIONS

A. *Approve Records Destruction – Health Department*

Dr. Van Wirt and Mr. Reynolds sponsored Resolution No. 2020-038 that authorized the disposition of the Health Department public records, as stated in Exhibit A.

Voting AYE: Mr. Reynolds, Dr. Van Wirt, Mr. Colón, Ms. Crampsie Smith, and Mr. Waldron, 5. The Resolution passed.

B. *Approve Use Permit Agreement – Temporary Closure of Portion of Packer Avenue to Motorized Vehicular Traffic*

Mr. Reynolds and Mr. Colón sponsored Resolution No. 2020-039 that authorized the execute a Use Permit Agreement with Lehigh University for the temporary closure of portions of Packer Avenue to motorized vehicular traffic in order to assess the community impact of potentially closing portions of Packer Avenue.

Mr. Colón informed he will be supporting this temporary closure tonight. He is supporting it curious to see what comes out of the temporary closure. In his time on Council we have already vacated a few streets and we did not have this opportunity to have a study. Each circumstance is unique to its own, we vacated portions of Second Avenue, and we did the street for the new garage. He kind of has some hesitation because he thinks back to West Broad Street by the former Boyd Theater and he was not paying attention to City business back then but he was part of the 5 K to reopen Broad Street and he remembers how big a deal it was when that street was closed and then reopened. He will not speak to what happened around those circumstances. What is unique to this is that we have an opportunity to do a temporary closure and then come back to the table and see what happens. There is a lot of merit to both arguments for doing the full closure and some other points that other people have brought up. Mr. Colón noted now is a good time, now specific to this time of year is that it is important that we do the study of a temporary closure while all schools are in session. We are getting to a point now where we are in mid-February. He knows that the University lets out in early May and this will take us to late April and of course having Broughal open we will have those students. It is good timing also as we approach more of the spring time we do not have to worry about clearing the street if we were to have some snow. If we do have a weather event, that street will have to be cleared. The further we get into the spring that is good. There is a lot of construction at Lehigh now but you want to test that when you have the time where there is less than ideal circumstances and the surrounding sidewalks and roads already under stress because if we do permanently close it we will have similar stresses on the sidewalks and roadways in that area in a few years. Where he stands on permanent closure, he does not know right now. But he does agree with doing a temporary study, seeing what happens and now is a good time given some of the circumstances he outlined to move forward with it. He is encouraged by the Mayor's comments about having another public hearing at Broughal. Most of us were at the previous one and were able to hear feedback from the student community and others in attendance. Then also he would be curious to hear from the Parking Authority because they are involved with this also with the loss of meter revenue and how the parking on the south side might be stressed during this temporary closure. He will be supporting this tonight.

Ms. Crampsie Smith noted that her brother, her niece and she are all alumni of Lehigh and her daughter was a high school scholar at Lehigh and are all very grateful for the valuable education we received there. She is familiar with all the great things Lehigh does in the community and is grateful for that also having worked at Donegan School at one point while she was a grad student at Lehigh. That being said, she does have a lot of concerns, even about the temporary closure. One is the proximity to Broughal Middle School. We talk about the pedestrian safety of college kids but from working in a high school and working with middle school kids at times she worries about their maturity level especially with their pedestrian safety. She is concerned about having increased traffic in the Broughal area. There is also St. Peters Church that borders the University and she worries about the traffic for those people in that congregation. Ms. Crampsie Smith pointed out that the south side is so congested already. All she heard about when she spoke to people about this is that we need more streets on the south side, not less. We are also looking at another 72 unit apartment building on Third Street with not as many parking spots as there are going to be apartments. That will be an increased issue with parking as well as traffic. Another thing that is important to her as well is walkability, she thinks that is awesome. She lives in downtown Bethlehem and can walk everywhere but for many people walkability is not an option. We have a good percentage of a population of people with physical disabilities as well as an aging population. She has gone to many events at Zoellner and some of the buildings on Packer Avenue for lectures with some friends who are older and if she was not able to drop them off at the door they would have been impeded from attending some of those events. Ms. Crampsie Smith thinks the closure would be great for Lehigh but she is concerned about the community, even with it temporary. She wonders if this is not an extreme jump and why we cannot looking at doing a very sophisticated crosswalk like they did at Moravian on Elizabeth Avenue. She has heard nothing but positives about that crosswalk. It is very sophisticated, traffic can see it, she drives by that every day and traffic can see people and they do stop and adhere to it. There are also overpasses and walkways that many Universities have. As a Guidance Counselor she visits many Universities and she thinks of all Universities within Cities, for example UPenn, NYU and Drexel, they have challenges also but they get around that by the crosswalks and built overpasses. She wonders if we are not taking an extreme leap by looking at closing the road versus looking at other alternatives. Ms. Crampsie Smith also thinks about the Broad Street closure and that was not successful. She has a lot of questions and perhaps in the future she would be more inclined to agree with this. If we can enhance the Hill to Hill Bridge and look at Second Street, she is on the south side a lot and she thinks that Second Street is the best kept secret. She uses that all the time to avoid Third and Fourth because it is constantly congested. Unfortunately, she will be voting no on a temporary closure for all the reasons she just described.

Dr. Van Wirt noted she agrees that this is a very hard decision to make. She will be candid because she told the Mayor this as well as Ms. McNeil exactly what she is going to say tonight. Her first concern is why is this being done and she is not convinced with the safety argument. She understands there are incidents but if you boil it down to the serious ones not just the warnings there were 42 incidents in 24 months, that is less than 2 per month. People do not say they feel unsafe on Packer. Certainly there are many urban Universities that struggle with safety of their students. The first thing that comes to mind is not vacation of a City street to solve it. Dr. Van Wirt believes the reason they are asked to be doing this tonight is because Lehigh wants to consolidate their campus and that is not inherently a bad thing but it has to be addressed in the correct way so that the citizens who are giving up city owned land have faith in the process that all the data was transparent, everything was available and made clear. This study will assess the

impact but it is imperative that we all understand exactly what we are assessing. We cannot get this wrong; it is not like we want to do another closure. The data we are gathering has to be well understood. She would ask the Mayor and Lehigh make the contracts with the consultant transparent so the citizens who want to know what we are studying can see it now and assess what it looks like as this temporary closure happens. This study must have a plan in place how to disseminate the study results. She went to the community meeting and thought that there were not enough people from the community there. She thinks that more people could have been brought in by a more robust campaign to get the word out about what was going to be talked about and who could ask questions and all that type of data. What was good about that meeting was that a lot of the stuff that was brought up was incorporated into the plan now. The traffic study was expanded with the concerns of the Broughal Principal. He was really concerned about the impact on the students to walk from school and wanted to make sure that they were going to be safe. From the note that we received Lehigh is now funding 5 Lehigh University personnel to serve as crossing guards at key intersections. Dr. Van Wirt stated, way to go, you incorporated what the people brought. There are also a lot of people calling out the fact that this was not being done for safety. She thinks that you can engender trust in the community of south Bethlehem if you are frank and candid about why we are doing this. We are doing this to make Lehigh stronger, to make a stronger campus and consolidate what we have got going on, that is why we are doing this. It does have the added benefit of ameliorating some of the safety concerns but really the primary reason is for the University. Dr. Van Wirt pointed out there will be significant impacts on south Bethlehem. The citizens are losing land that is City and citizen owned land that we would be giving up so that has a steep price and is very valuable land. The traffic concerns have been exhaustively talked about tonight, they are real. We really are going to have much more traffic shunted onto Third and Fourth Streets. That will be a significant impact on quality of life. There is convenience of accessing Route 378, the pedestrian experience and safety issues with 911. These negative impacts will expect to be mitigated. We have to figure out what are those negative impacts. She is talking about a permanent closure ultimately, what do we do with the dollars that were given for that land, we are not going to dump them into the General Fund. She would like to have some discussions now so that the community is brought into this process at an early stage of what it looks like if this is permanently closed. Also, what will it physically look like? There were some good points made by Mr. Wurth if it will look green like the Greenway but a little bit wider or will it be a street with lights. Are those crossing guards going to be permanent for the Broughal students? How do we draw the citizens up into this space that was formerly theirs? Do we put a playground there? How do we make it more of something that the citizens of Bethlehem feel like they are still pulled into and a part of the community? How do we create better bike and pedestrian experiences? We want to bring the students down from Lehigh into south Bethlehem so how do we pull south Bethlehem back up into the campus so we can integrate it. What does that pedestrian look like, how do we make it easier for them and how does Lehigh make it happen? How do we plan for that now? Dr. Van Wirt explained for all these reasons she is going to vote no today. However, what she would encourage Lehigh to do is postpone this. She believes this is a great idea, she is all for a study on what this would look like but she thinks there is too much that needs to be done before the March date that we could take care of now and address through the summer and then have this study happen in the fall when Lehigh is back in session, not during spring break, that will skew the results. Dr. Van Wirt is asking that this be postponed to let people like Ms. Crampsie Smith and herself who actually might vote for a permanent closure if all these impacts are mitigated and talked about in an open way and the community is more brought in on a robust way. She would like to say that she does have a vision of what this permanent closure could look like for Bethlehem and it is a great vision.

It could be a great thing for south Bethlehem if it is done correctly and that means it has to be a slower process that has the community involved from the get go. She would advocate for a citizens steering committee that is made up of representatives of the community including the Broughal Principal, Lehigh student representatives, citizen representatives, public safety representatives and cyclists and pedestrians. If we have a closure of this land and it becomes part of the campus that if the citizens know that all these other things are being done maybe the money we get for the land itself gets into a community fund that is dictated by the community what it is used for, not by Lehigh or the Mayor's Office but by the citizens. Maybe Lehigh can help start a south Bethlehem Business Association because they do not have one and it is needed. Perhaps that could help balance some of the problems that we have in not being able to draw those students down into Third and Fourth Streets. Dr. Van Wirt has a vision that this could work but she is asking Lehigh to slow down. There is no urgency here and nothing will happen if we delay for 6 months and go back and try to do more of a community process. The same plans that you have thoughtfully created and thoroughly addressed, these can be put on hold while we come up with a community process that better addresses the concerns brought up tonight to fully pull the community into this so that they believe in the process rather than feeling like it is being jammed down their throats. For these reasons she will not be voting for this tonight.

Mr. Reynolds thanked everyone for coming out tonight and for their thoughts and comments and their openness to understanding what the right questions are without necessarily knowing what the answers are. That is always the healthiest way to have this debate. If we look at the process of anything that the local government does and you look at somebody with a private interest coming forward. Of course when there is something with private entities, whether they are colleges, or businesses or citizens, there are reasons that they want to do it. The key and decision that the governmental entity has to make is whether or not there is overlap between the private interests and the public good or public interests. We have to look at the different people who are affected. We have heard from some citizens and we need to hear from more citizens. We heard from our own public safety, Lehigh's public safety, the school district, different people that have a real interest in what is going on here. Mr. Reynolds stressed that we are very fortunate here in that a lot of times we have to deal with hypothetical benefits or negatives, thinking something is going to happen or that we feel something will happen. That is not always the best way to make decisions. The best way to make decisions is when you have rational qualitative data to go on. That is what this is really about, it is about giving the City and the public an opportunity to see whether or not there is a public interest in doing this. Mr. Reynolds appreciates the comments today from Lehigh and also from the citizens in that the real boundaries between Lehigh and the community are not unique to Lehigh and the south side but they are also not physical. They are economic or emotional or based on identity and he does give the Lehigh community a lot of credit for understanding that and directing more and more of their interest and energy towards how to bring the south side together in a way that as Dr. Van Wirt said, it is not just bringing people down from the hill, it is how do we bring people up from the other neighborhoods. Mr. Reynolds noted there are a lot of people who spend a lot of their time at Lehigh, more than us that really understand that dichotomy. What we need to try to do is to bring people together and how to do that. We are getting good at creating things for people that fit exactly what they want to do. What we are not as good at is bringing people together that have different identities that can interact in a diverse way that creates a community. If this is done well it is another step in that direction. When he read the letter from Mr. Stringfellow today he looked at the goals, that is really what it will come down to. There are the goals about concerns about safety for the 1,200 pedestrians, that is a City issue and a Lehigh issue. The

second and third one is the desire to knit together the Lehigh campus and to hopefully draw more students to the south Bethlehem business district and also create an attractive pedestrian walkway for both the Lehigh community and the Bethlehem community. Those two goals have an overlap between the City of Bethlehem's public good and Lehigh University's self-interest. That also has to be proved before anybody is able to take that next step. If this was just good for one group of people this would not make sense to do. When you look at those two things one of the challenges of the study is going to be how do we prove those things. Mr. Reynolds spent a lot of time in Lehigh classrooms because he went to Moravian and could not take some classes at Moravian because his father was his professor. He understands that sometimes questions are difficult to answer. Sometimes you have to make decisions even if you do not have great answers. He thinks it was Ms. Carrell-Smith who sent over the big list of questions and he read that before this meeting. The first few questions asked if the closure be done and why and the second set of questions asked how is the study going to go forward. That is the one common thing, even with his colleagues that are not in favor of moving forward with the study. It is really about how is this going to be done and whether or not the important questions are going to be answered, some of which we do not even understand yet. One of the difficult things about any conversation is when something is proposed people come out because they do not want to see it happen. Then we have some other people come out because they think it is a good idea. Mr. Reynolds explained that often times the groups that are most affected are not here because they do not exist yet because they have not seen this as a positive or seen this as a negative. He thinks this study could actually be longer to be able to gain more information and work on that education piece so we could see how these factors affect with and without Lehigh students. When you take a look at this we often talk about we do not have more information to make a decision. This is an opportunity to be able to gain information before we make a decision but it has to be proven. This is just basically saying I understand what you are trying to prove here. The decision we make tonight is much smaller than the decision we will make probably at the earliest several months from now as far as when this study will be done, everything brought together and questions answered. That is a much more final decision. He does not think that the Broad Street comparison where you are relying on commercial traffic and people doing business is necessarily the same as this. It will not be him saying he thinks this might be unsafe for Broughal students, it will be what is the Broughal Principal saying 6 months from now or what is Dr. Roy saying 6 months from now or what is Chief DiLuzio saying 6 months from now or what is Mr. Alkhal saying 6 months from now or what are the neighbors saying. It will be these institutions and these people that are coming out to say we see this or we do not see this as a good thing. Mr. Reynolds point out it is in the first paragraph where Mr. Stringfellow and Ms. McNeil stated that "We recognize that there are long standing cultural issues that can make our campus feel inaccessible to the Bethlehem Community." Mr. Reynolds thinks there is an opportunity with this to really go about doing this the right way. He understands that you cannot ever answer all 500 questions and that is not a reason not to move forward. He does think we can do a good job to look at these different questions, ideas and the potential long term and short term ramifications. For him when it comes down to make the final decision on this it will come down to if he thinks this is a step in the right direction for bringing the Lehigh community together with the south side community that has often been at odds and very different. Some of that mistrust has come out but at the same time we have taken little steps as a community on both sides of the river but especially on the south side between south side institutions whether it is the Touchstone Theater or the Homer group that Ms. Hernandez talked about. We are breaking down these emotional and economic barriers one at a time and that will be the big question for him at the end of the day. Is there a public good here that is worth us closing down or vacating Packer Avenue

and does that work for the institution before us as well as our community and the public good? Mr. Reynolds stated he will be supporting this tonight.

President Waldron mentioned it is rare that we have the opportunity to test something. So often we are changing zoning or changing an ordinance and we are as well informed as we can be but we do not know what those effects will be until it happens. This is an opportunity where we can see how it will shake out. His concern however is how this data is used after we receive it, how is it disseminated to the community and the stakeholders and then what mechanisms for feedback will there be to communicate some of those concerns, not just from Lehigh and the City but as well as the surrounding community. President Waldron remarked it this was a full time street vacation, he would not be supporting it but he is in support of a temporary closure because we have a great opportunity to see what the impact will be. He also agrees with Mr. Reynolds and Dr. Van Wirt about some of that conversation about how the community is drawn up to Packer Avenue and feels a little bit more welcome on the campus. He has spent some time walking around Lehigh's campus and it is tremendous. He thinks it is a wonderful asset to our City and to expose that to more people is only a good thing for Lehigh and for the community. President Waldron queried about some of the timing of the study because there has been much talked about with that window or time. He wondered why these days were picked and why this duration was picked with spring break and construction on the campus. He queried how this study was designed to start on this date in March and go through all of April.

Mr. Stringfellow stated there are a few issues with this. One was that there is some confusion over the spring break piece. We purposely selected spring break as a time to implement, that means getting all the barriers in place with the construction, put the gates up and set everything up and actually do some tests. We will be working with the Fire Department to make sure vehicles can drive through. We will be working with some of our in service vehicles when we lay out the chicanes. He added because the students will not be on campus that will give us more freedom to do some of these tasks without as much impediment. Mr. Stringfellow pointed out that spring break period is thought of as a setup time. We will not gathering real data at that point; the real data will be when the students return. That will be what we consider the start point. He thinks the 45 days was actually a result of a lot of discussion with the City about what we felt was a long enough period that people would settle into patterns and we would see how they would change because of the closure. He explained that is also not too long that we were potentially putting too large a burden on the neighborhood.

President Waldron noted that answers his question and that second part was about the construction and some of the road closures that force cars down the hill a little bit.

Mr. Stringfellow noted they do have a lot of construction, more than has ever been occurring at any one time at Lehigh in its history. He would say that he would anticipate a circumstance in the future that there could always be a major construction project going on at Lehigh for the next 5 to 10 years. Maybe not with the level of intensity that we have right now but it is a reality that this is a condition we would have to live with. In some ways we would argue that it is kind of a worst case scenario in that respect to understand impact and again he goes back to the fact that if there is anything that seems extraordinary in terms of the closure we will reopen it, there is no question in our minds. We understand that and to be honest we face a number of significant internal pressures as much as community pressures in terms of that as well. Mr. Stringfellow stressed they are very mindful and sensitive to that.

President Waldron noted much has been made to the point that this is an extreme reaction to at least the public safety issue, those 1,200 pedestrians crossing the street and suggestions of something less intrusive that would still allow traffic, such as traffic calming measures, crossing guards, elevated or lit crosswalks. He cannot help but think that those were considered.

Mr. Stringfellow mentioned one of the things that is unique about the campus is obviously right now we funnel all the students at that central access that feeds down to the New Street point. One of the challenges we face on Packer Avenue is that people do not always cross at that access, so even if we had a crosswalk there we would face some of the issues in terms of that. Because we have buildings all along that area and in fact future planning may put more activity along that area having a single point such as a crosswalk or bridge would certainly have some impact but would not necessarily address all the issues related to safety. He emphasized they do look at safety as being one component of this and not being the sole reason for the closure.

President Waldron noted that has been very clear in your messaging as you have talked about bringing campus employees and students off as well as the component he would like to see a little bit more of in the conversation, how to bring the community up to that space. If Packer Avenue is eventually vacated based on the trial we are discussion this evening he would hope for an all in approach from Lehigh. Some thoughts especially from Dr. Van Wirt about how can you make that space feel more inviting, is there a playground there, is there a community space. We heard for the first time tonight about community programming and having events on that flat space and using that. He thinks that should be a major consideration in a potential permanent vacation of the street, which he understands was not a question.

Mr. Stringfellow remarked he would say that he does not think that Lehigh takes any issue with that. It would be something that we would look into. We talk about the fact that Farrington Square is the only little sliver we have for that, programs like the Farmers Market where we get those mixes and ways we look at programming that area.

President Waldron queried if Packer Avenue is eventually vacated who owns that property from curb to curb, is that the City's or is it Lehigh's at that point.

Solicitor William Leeson stated generally if you vacate the street the ownership then conveys half the street goes to the owners of the one side of the street and the other half of the street goes to the ownership of the other. That is generally how it works out.

President Waldron remarked half would be Lehigh and the other half Lehigh.

Solicitor Leeson stated it might be, he just does not know who owns all the way down. Assuming that is true then that would probably be the result.

President Waldron informed clearly on the south side of Packer Avenue that is Lehigh and he guesses the question is the north side of Packer if that is Lehigh owned from Vine to Webster.

Mr. Stringfellow noted it is.

President Waldron remarked that Lehigh would then own the street. What would be the potential legally, but not what your plans are, for Lehigh to develop or build on that space? Would they be allowed to do it?

Solicitor Leeson explained once they acquire ownership they can develop plans and go through the regular processes which would include a review of whether the property is eligible, lot sizes, there are a lot of things to be subjected to review. The answer you are looking for is yes or no and the answer is yes.

President Waldron added there are utilities under that road.

Michael Alkhal, Director of Public Works remarked as part of that agreement there would be easements reserved for utilities, there are issues that may make it difficult to do anything and would essentially prohibit development.

Solicitor Leeson pointed out that Council has been down that road many times before and he thinks you are well aware that with every street vacation there is a process we go through to access the impact on utilities. He added that Mr. Alkhal's point is well taken that it may render real development impractical.

President Waldron remarked essentially if that street is vacated he knows in the past there has not been a transfer of funds when we have done some street vacations but there is value to this as roadway for cars but he would also imagine there is a financial value for Lehigh. They are a non-profit so they would not be paying property tax on expanding their campus essentially. He does not know if that is a question that can be or should be answered this evening. But that is a question that has crossed a few minds about where the dollars come from and go to. Then also the additional impact from the parking meters loss revenue which maybe that is something that could be answered this evening.

Business Administrator Eric Evans explained that consideration of any financial issues would be definitely phase two, when we talk temporary closure we know we will add those thoughts internally, but we have not advanced anything or collected any offers or made any asks yet. We are mainly focused on the idea to see what works here and take a step back and take a very big step if it goes to consideration of permanent closure.

President Waldron added he did have an opportunity to talk to Mr. Fernstrom, Executive Director of the Parking Authority and obviously they have a revenue number that those meters bring in so that is in their budget. That would have to be offset by something. It is tricky and it is a negotiation that goes back and forth. From what he has seen thus far from Lehigh and the representatives, they seem willing to have those conversations and build a give and take on that. Ultimately this has to be a partnership with Lehigh, the City, and the community as well for it to be successful. He will be supporting this temporary closure this evening.

Voting AYE: Mr. Reynolds, Mr. Colón, and Mr. Waldron, 3. Voting NAY: Dr. Van Wirt and Ms. Crampsie Smith, 2. The Resolution passed.

C. *Certificate of Appropriateness – 523-525 Main Street*

Dr. Van Wirt and Mr. Reynolds sponsored Resolution No. 2020-040 that granted a Certificate of Appropriateness to install an elevator and stair shaft at the rear façade at 523-525 Main Street.

Voting AYE: Mr. Reynolds, Dr. Van Wirt, Mr. Colón, Ms. Crampsie Smith, and Mr. Waldron, 5. The Resolution passed.

11. NEW BUSINESS

Passing of Dr. John Reynolds

Mr. Reynolds thanked everyone in this room who reached out in the past few weeks after the passing of his father Dr. John Reynolds. He had mentioned before that the strongest thing that keeps us together when we have disagreements is the fact that we have individual relationships and friendships and we have a respect for each other. There were a lot of people that reached out to him and his family in very heartfelt ways. He and his family appreciated it, especially his mother. Mr. Reynolds pointed out in a difficult time it is one of those things when you looked around at the different cards and comments and emails and the phone calls, it reminded him about one of the reasons why our community works. It is the same way when other people in this room lose somebody. One of the reasons why our community works is because we care about each other as individuals and that supersedes any individual issue that comes before us. We care about each other and we care about maintaining those relationships. Mr. Reynolds emphasized this was just one more reminder and he just wanted to say thank you to everyone in this room who reached out.

12. ADJOURNMENT

The meeting was adjourned at 8:46 pm.

ATTEST:

Robert G. Vidoni, Esq.
City Clerk