

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street - Town Hall
Bethlehem, Pennsylvania
Tuesday, May 7, 2024 - 7:00 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 S. Laird, Rachel Leon, Kiera L. Wilhelm, and Michael G. Colón, 7.

2. APPROVAL OF MINUTES

April 16, 2024

3.

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

Contradictions

Resident Muhammad Khaku asked, "Why are we living in times of horrific contradictions?" He noted that yesterday was Holocaust Memorial Day but said it is a contradiction that Holocaust victims could be so cruel to another group of human beings, Palestinians. Still, Mr. Khaku urged support of speaking out against genocide in Gaza and not remaining silent as occurred with the Holocaust.

Cautions Against Overdevelopment

Resident Mary Jo Makoul spoke on housing and the future of open land. She cautioned against overdevelopment and has observed wildlife including deer on several occasions being driven into the unnatural location of the City. She noted that the City's Climate Action Plan calls for open space to allow wildlife to have its space.

Make Police Log Available

Resident Robert Virgilio asked Mayor Reynolds the definition of "affordable housing" and noted that he has not been able to find the link on the City's website to the Opening Doors initiative. He also was concerned about hearing of a shooting and stabbing near Friendship Park. Mr. Virgilio has noted declining local news coverage about police activity and has asked police to post online at least generalities of crimes in hopes that people could avoid these areas. Mr. Virgilio has been directed to the state's website that includes City activity. He finds this inadequate but instead suggests that the City make a log sheet available to the public.

Does an Exception Exist?

Drew Swedberg, who identified himself as a Moravian University professor, sought clarity from Solicitor Steward. He said it was mentioned a few meetings ago that Council could not vote on a Resolution that was not listed on the agenda based on Section 712.1 of the Sunshine Act. He believes there is at least one exception that falls under business that arises during a meeting. Mr. Swedberg asked if this could be researched and if he could receive a reply by email or at the next meeting.

President Colón asked Mr. Swedberg if he would provide his question via email to the City Clerk to be sure that it would be fully understood.

Parking Authority System Unfair

Resident Arthur Curatola believes the City's Parking Authority is too restrictive with parking regulations in an effort to make money through fines. He believes that City Council should change this. He also believes that the district judges side with the Parking Authority.

Divisive Issue

Resident Kelsi Weber wanted Council to know that she does not feel safe in the City after having spoken out against what is going on in Gaza and expressing views that have been unpopular with some. She hoped that Council could find agreeable language to support a ceasefire Resolution.

Disagrees This Is Not a Local Issue

Josy Irizarry again supported her belief that the Middle East conflict is a local issue. She said Israelis continue to come into the Lehigh Valley. Violence transcends borders and rests in our community. She also disagreed with a message stated by the Jewish Federation of the Lehigh Valley asserting that it has the backing of mayors from the three Lehigh Valley cities as well as all Council members except one from Easton. This message further states that none of the cities is expecting to provide a ceasefire Resolution.

Is This Democracy?

Resident Harry Faber said that Council meetings do not demonstrate democracy. He noted 40 items on tonight's agenda and the abundance of related background materials and believed that Council and the public do not have the time to read and understand it all. He wondered who is running the government. He said it is the capitalists who own and run everything. Mr. Faber wondered the value of Council in running the City and in making effective decisions including fighting the genocide in the Middle East. If Council does not do everything in its power to stop this genocide at the local level, residents will be forced to take action.

Advice/Alley Housing Report

Resident William Scheirer said he applauded the passion of some speakers but not some of their methods. He encouraged those to improve their arguments. He agrees that it is time for

the United States to suspend its aid to Israel. He noted there is a law prohibiting providing military assistance to a country that does not provide humanitarian assistance. Mr. Scheirer next updated Council on a recent zoning hearing involving alley housing at 1604 W. Broad Street. One or more variances are needed for approval. Mr. Scheirer said that such approval would set a precedent, but he was told it was not. He believes this was policy-setting. Mr. Scheirer does not believe the City is going about establishing alley housing standards in the best way, and he also disagrees with the assertion that the need for alley housing is a false dilemma. Vacant land is an alternative, including the former property where Northampton Heights was located.

Head-on Acknowledgement

Anissa Amatul repeated disappointment in Lehigh Valley city councils for not approving ceasefire Resolutions. A Resolution would acknowledge the genocide “head on.” Council should pay attention to Lehigh students. Student protests in eras past have been correct in protests including those regarding Vietnam.

Speaking for Rafah

Abdul, a Moravian student, said the invasion of Rafah is the epitome of the Middle East conflict as it targets 1.5 million innocent men, women, and children packed into a crevice of Gaza. He added that his group’s perceived silence is preparation to speak out against the atrocities.

Water Meters Explained

Resident Stephen Antalics followed up on comments from the last meeting that he was not permitted to make because he brought them up at the wrong time. He discussed the workings of a manual water meter. He said the City’s position has been that mechanical error with these meters is impossible. Mr. Antalics disagreed. For example, he suggested that a particle could wedge between wheels of the meter causing it not to turn and creating an inaccurate reading. The resident deserves restitution for his increased water bill. Mr. Antalics also said he has seen an antagonistic atmosphere involving Council and the residents. He has conducted resident opinion polls of the effectiveness of Council members and will again do so in the future to suggest to the electors how they should vote at election time.

Methods Questioned

Resident Valerie Noonan finds it puzzling that she has directly quoted Council members in her comments and not been interrupted by the chair to tell her it was inappropriate. More than once, Mr. Faber has been silenced in attributing comments to a Council member. She believes it is allowable to speak of a Council member in the third person. Ms. Noonan said that Council does not just have one opinion, so it should be allowable to make clear who an audience member may disagree with. Ms. Noonan takes issue with media reports describing Lehigh Valley protests as peaceful. They have been nonviolent, but part of this is because of on-campus threats against graduation and other free speech limitations.

President Colón said he does not attempt to single out speakers. He has attempted to allow free speech. He asks speakers to address concerns through the chair to avoid getting

outside of boundaries. Council Rules also require that speakers avoid personal attacks, so this is to try to stay within those rules. He may not be a perfect referee, but these are his intentions.

Protect Those Speaking Freely

A Penn State student whose name was inaudible noted student protest nationally. He asked for Council to protect the safety of students locally to express their views, which he said are just trying to stop the genocide. He believes it is important for local government to press for a ceasefire.

Recognizing Opposing Views

Resident Victor Perez said he moved here two years ago from Brooklyn. He encouraged all to keep love in their heart. He recognized there are people in the room with differing opinions but to recognize that they believe as passionately as those with opposing views. He urged all to listen to one another to work toward understanding.

Frustrated by Inaction

Lehigh Valley resident Jashira said she is frustrated by Council's inaction regarding a ceasefire Resolution. She believes that voters really do not have a voice in America.

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

Support Business Request

Ivy Kromer identified herself as the owner of Country Club Brewing. She is present to ask Council for its support of expanding outdoor seating for customers to enjoy the Greenway in a matter that is listed for consideration on tonight's agenda.

Don't Change Public Comment

Resident Carol Baylor said much has been said about the March 5 Council meeting events that led up to Item 10D on tonight's agenda concerning changing Public Comment. Ms. Baylor asked who Council is trying to exclude. Students? Allentown residents? And have these groups of people really caused a problem? Instead, she believes that this stems from issues raised about the Middle East conflict. She said these events are important and should be heard.

Don't Be Reactionary

Resident Valerie Noonan said that passing Item 10D would curtail speech in favor of order. She said that the City would technically have a good argument that passing the Resolution would not limit free speech but the reality is that moving non-resident comments to the end and perhaps delaying them until another meeting discourages free speech. The potential for abuse is present.

Potential for Abuse

Drew Swedberg, a Moravian professor, urged Council to vote no on Item 10D. If approved, Council could simply look at the audience and decide to delay Public Comment based on assumption. He also argued that the Middle East issue is local for several reasons including the need to prevent hate crimes and that tax dollars have been spent in support of Israel.

Resolution Unnecessary

Resident Harry Faber said proposed Resolution, Item 10D, suggests that Council does not care about its constituents because it seeks to limit free speech if it goes against the beliefs of Council or its donors. He added that Council already has the ability to move Public Comment for items not being voted on at a particular meeting to the end of the agenda.

Supports Changing Public Comment

Resident Ben Felzer supported Item 10D. He would have preferred approval of the original Resolution proposed about a month ago that was tabled. He also would support reducing Public Comment periods from 5 to 3 minutes but understands that that is not what has been proposed. He was present on March 5 and had to wait 2 ½ hours to speak. He does not believe that Council should have to be present for 5-hour meetings. The modifications proposed under Item 10D would allow Council to streamline its meetings while being able to deal with crucial City business.

Council's Obligation

Lehighton resident Logan Scheirer encouraged Council to oppose Item 10D because it would limit free speech. It is Council's obligation to listen to those making Public Comment and that 5 minutes is not hurting anyone.

Resolution is an Embarrassment

Allison Mickel disagreed with those tonight who have said believe there is a divide between residents and Council. She recalled a few years ago that Council was celebrating a win for transparency for the public. But, she said, people finally care about an issue and Council wants to clamp down on Public Comment. This is an embarrassment. The more barriers there are, the fewer people will comment. That is not how it should work.

Vote Down Resolution

John Irons urged Council to oppose Item 10D. He said unless the City will actively police documentation of residency or taxpayer status, there is no way to enforce the rule. Mr. Irons said it is clear that this is a reaction to March 5 meeting events. He believes March 5 events were democracy in action.

Read the Room

Resident Kelsi Weber noted the number of people who have spoken out tonight against Item 10D. Passing such legislation would tell people that Council does not care about them.

Hear All

Sheila of Lehigh County also noted the large number of people speaking out against Item 10D tonight. She referred to the many people from surrounding communities and said they are just as important as the City residents and business owners because they support the City in other ways because they are the customers of businesses, patrons of festivals, and students. She added that the proposed modifications could allow Council members to determine what is relevant at a meeting based on their own biases. Council should vote no or resign.

No Need for Change

Resident Mark Browning said part of the responsibility as an elected official is to hear public comment. Additionally, the Sunshine Act already provides a remedy if Council believes there is not sufficient time to hear Public Comment at a public meeting, the comment period can be deferred until the next meeting or a special meeting. He believes the reason for moving Public Comment from non-residents to the end is to mute free speech.

Put Effort Toward Ceasefire Resolution

Josy Irizarry was outraged that the public is being discouraged from coming out in numbers and speaking out on issues because Council has to get through its agenda. With genocide in the Middle East, this raises the question: "Is it really time for business as usual?" She believes genocide should take precedence over arranging for fireworks displays and city permits. She condemned Council for trying pass a Resolution to try to silence speakers rather than one to urge a ceasefire.

Potential for Discrimination

A woman who identified herself only as Sam said good things attracted her to Bethlehem, but she does not like the proposed Item 10D. More than just residents are affected by items that Council addresses including roads, and water and sewer customers. Postponing Public Comment to another date may be problematic for those who could not attend at a later date because of other obligations. This creates a barrier and a huge potential for discrimination. Actions like the proposed Resolution can be interpreted as a larger issue of suppression.

Please, Don't Waste My Time

Quincy from Salisbury Township said their household is served by Bethlehem water. If a water problem were at issue, her time would be wasted because, as a non-resident, the issue would be moved to the end of the agenda under the proposed Resolution.

Give Equal Treatment

Anissa Amatul quoted Malcom X in saying that she and many of those assembled are not here to tell Council what it wants to hear but the way they believe things are. She referred to movements such as gun violence and Black Lives Matter of just a few years ago where councils were offering quick support rather than looking to restrict speech. He said if Council silences the public, those same people will work to have members removed from their Council seats.

Supports Resolution

Resident Mary Jo Makoul said she is fed up with the discussion. She wants the City to respond to the issues that are relevant and important to the City. It has been said that about 70 cities nationwide have supported providing ceasefire Resolutions. There are more than 2,500 municipalities in Pennsylvania alone. Seventy is a small fraction of support and has no effect on federal policies. Item 10D puts Bethlehem's needs first. She supports the Resolution.

Changed Rule Might Send Wrong Message

Resident Stephen Antalics believes that a person would only come before Council to discuss a matter of interest to Bethlehem, whether they are a resident or not. However, a restriction on Public Comment might inhibit a non-resident from speaking because there is an implication that it is improper.

Opposes Rule Change

Hannah, who identified herself as a non-resident but someone who works in Bethlehem, said she was born in Palestine. She opposes Item 10D. Free speech fosters democracy.

"Please Don't Silence the Youth"

Father John Stratton of the Cathedral Church of the Nativity also recommended that Council vote against Item 10D. He believes the voice of the people should be the voice of Council. He believes the proposal is in reaction to March 5. Voices were heard from the reaction of people. The result should be listening more to people, not trying to limit speech or control what is said. He observed that many who spoke on March 5 and tonight are youth. "Please do not silence the youth," he said.

Open Forum

Resident William Scheirer said he hopes he has been clear that he supports the cause of the protestors, but he believes their methods need some work. When you make extreme statements, people stop listening, he cautioned. He recommended that they study Dr. Martin Luther King, Jr. and adopt his methods. It has been implied that the Council is arrogant, cowardly, racist, corrupt and bigoted. He has pleaded with these speakers to change their message. It only hurts their cause. Mr. Scheirer said it is his suggestion to hold a special meeting for Public Comment for items not to be voted on. He believes this "community forum" is one of the purposes of Public Comment. But this comment on general topics cannot supersede the general business of the City; otherwise, the activity comes to a halt.

Mixed Emotions

Resident Terry Kloiber said she likes having her say for 5 minutes but she also recognizes that it is now 9:15 PM and this agenda has not yet gotten past Public Comment.

Vote No

Mohammed Khaku opposes Item 10D. He also said when he arrived tonight, he tried to provide printed materials to Council members. He said his free speech was restricted by an unspecified Council member. He said Council's Solicitor witnessed events. One Council member refused to take his gift of the booklet he was passing out. He said he does not want an apology but for her to resign.

President Colón asked Mr. Khaku to speak at this time only on matters being voted on this evening. He said he would address the matter that Mr. Khaku was speaking of after the meeting.

Mr. Khaku urged Council to vote no on the Resolution.

Actions Speak Louder Than Words

Resident Raya Addelaal suggested that Council should only vote in favor of Item 10D if they really believe in it. She will vote against those who do. She believes that promises were made in recent months but many have not been backed up with actions. This has exposed those who wish to influence the public but are not sincere. This legislation allows for biases and uncovers racism. She believes this sets apart classes of people.

Concerned How Far It Could Go

Resident Lauren Gilmore also opposed Item 10D. She believes the proposed Resolution is a retaliation for those who called on Council to draft a ceasefire Resolution. She additionally opposes pushing non-resident comments to the end as not being neighborly. This decreases their likelihood of being heard. She believes enforcement would be impractical. Deferring Public Comment to another meeting poses a hurdle to encouraging public commitment. Ms. Gilmore also believes that language regarding refraining from public criticism of public officials infringes on free speech and is uncertain how far it would go on providing the ability to shut down discussion that is unfavorable to a public official.

Wants Equal Voice

Jashira works in Bethlehem and patronizes festivals and businesses. She believes it would be unfair if Item 10D would limit her ability to speak. It would enable blatant racism. She was upset that a series of events that began with some calling for Council to pass a Resolution urging a Middle East ceasefire has led to a Resolution instead urging more control over free speech.

4. OLD BUSINESS

- A. Members of Council
- B. Tabled Items

C. Unfinished Business

5. NEW BUSINESS

Mr. Callahan

Mr. Callahan said that Council is listening to speakers. He is retired and does not mind if meetings take long, although he is sympathetic to those who must get up early for their jobs. The City has business that must be conducted. A meeting had to be adjourned because it was taken over by the audience; it was out of control. He supports peaceful protest, but we cannot have meetings being taken over where business cannot be conducted. Mr. Callahan supports encouraging our federal representatives to push for a mutual immediate ceasefire in Gaza along with the immediate return of the hostages. He hopes this would be acceptable to those present. But he also is hopeful that all can move on to other issues. He has had five or six initiatives that he wanted to work on with Council. These have been delayed as Middle East and other issues have moved to the forefront.

Ms. Kwiatek

Ms. Kwiatek announced that there will be an informational meeting about alley houses on Thursday at 6:30 PM in Nitschmann Middle School.

Ms. Kwiatek addressed some public comments made to all of Council. She said Council regularly receives thick packets and the colleagues she knows well accept as their responsibility the need to read and understand this information. She does not expect the public to be as well informed, because there is a lot of information. She also does not want to dampen the enthusiasm of youths in speaking out on issues.

Ms. Kwiatek also encouraged the reading of Opening Doors and people getting informed about affordable housing, the needs, and potential remedies.

Ms. Laird

Ms. Laird said there was concern during budget season about those with low incomes being able to have access to swimming pools during the summer. There are several partnerships, such as with Bethlehem Area School District in which the City benefits in exchange for some groups gaining access to Yosko Pool. Some new initiatives have been created. One provides swimming passes to school coordinators that give access to families in need.

Ms. Laird also asked if there was information that could be shared about the recent incident at Friendship Park.

Chief Kott said there was an isolated incident, not a random act of violence, that was domestic in nature. She said there are cameras in the park area that have assisted in the investigation.

Mayor Reynolds said the Administration shies away from sharing specific crime data. He said there have been 13,293 year-to-date reported crimes. For the same period last year, there were 14,384, an obvious decrease. While it is good that these numbers have decreased, there are

still several factors that must be remembered: all crimes are important and they reach across all boundaries and must be tended to. There are issues about guns and addiction that transcend all neighborhoods.

Ms. Leon

Ms. Leon thanked Father John from the Cathedral Church of the Nativity for offering space to hold a housing meeting. She also thanked the Public Works Department for its assistance in related matters. She has made connections in the Friendship Park area who would like a Public Safety meeting in that neighborhood. She also announced a community clean-up this Saturday at Lynfield Community Center from 10-noon. Ms. Leon addressed those present to say that it is a privilege to serve Bethlehem even when things get controversial and that she hoped everyone will feel safe in speaking their mind.

Mr. Callahan

Mr. Callahan asked the Mayor if it would be possible to address Mr. Virgilio's request to make the "Opening Doors" link more visible on the website. He said he also could not find it.

Mayor Reynolds said the link is now under Community Development/Housing and under We Build Bethlehem, but the goal is to have as many people see it as possible.

Mr. Callahan also asked Chief Kott if the reported shooting and stabbing were related.

She said they were.

Mr. Callahan also asked about the implementation timeline for "Opening Doors." Under Strategy 1, update zoning and land use and encourage a variety of housing types and infill development, he noted a two-year implementation period. He asked if this estimate has changed.

Mayor Reynolds said that everything in Opening Doors is a recommendation and the times attached are estimates. Some of the suggestions are quick hits and already have been started. Potential zoning changes would take much longer. For example, the last time that the Zoning Ordinance was redone, the process took four or five years. The research has not even started if that is to be considered this time. It would require internal research to see what might be desirable and what is allowed, community meetings for feedback, and then the decision is made as to whether an initiative with public hearings would take place. The process has not been started, and he does not know if it will be started. However, if a decision is made to move ahead, it would certainly be shared in the quarterly meetings, such as the one announced for next week. The Mayor added that Opening Doors lists the possibilities that have been arrived at. He does not believe that all will be possible. That will have to be determined.

Mr. Callahan said that zoning will be a "hot-button issue." He asked whether City-owned land has been considered for affordable housing or a shelter.

Mayor Reynolds said that has not yet been discussed other than land owned by the BHA.

Mr. Callahan also strongly encouraged meetings in the neighborhoods that could be affected, such as Mount Airy, Edgeboro, and Rosemont. Leaders of these neighborhoods have told him that they were invited to meetings at City Hall. They do not want to do that. They feel like they are being intimidated. They would like these meetings to be held in the neighborhoods open to all of their neighbors.

Mayor Reynolds said a meeting was proposed with the Mount Airy neighbors. A date was proposed, but City representatives were not available. The meeting was held anyway and some Council members attended. They are working on another date to hold this meeting in the neighborhood that would include staff members and address additional topics. Mayor Reynolds believes there have been some assumptions made in the community and that some misinformation is being spread. He encouraged all to read Opening Doors and to attend meetings to hear what is being said and ask questions.

Mr. Callahan believed neighborhood meetings would help. He said people are protective of where they live. Many chose where they wanted to live and what surrounds them. He continues to get phone calls from people who are concerned that some housing types, if rezoning were to occur, would be different than their neighborhood.

Mayor Reynolds said that they have been discussing affordable housing as a Citywide problem. He believes that some people did not think this was a problem they needed to pay attention to. Now some are reacting to a small portion of Opening Doors out of context. He encouraged all to learn the facts and participate.

Mr. Callahan said that some who live in mansions along Macada Road are concerned that their area could be rezoned to allow a three- or four-unit apartment building next door.

Mayor Reynolds said he did not believe that would happen. He repeated that nothing has been studied or planned, but Opening Doors mentions not wanting to change the quality of neighborhoods.

Ms. Crampsie Smith

Ms. Crampsie Smith said she would save most of her comments for when the Resolution involving Public Comment is considered later in the meeting. She feels she has been attacked on this subject, but she believes there are people who support what she is saying and she has been dedicated to serve the City. She is heart-broken over events abroad. She also has worries and compassions for issues with local youth she encounters with her job. Ms. Crampsie Smith disagreed with certain characterizations that she does not care and just wants to hurry through meetings. Her proposal to change Public Comment is not solely based on March 5 behavior. There have been multiple meetings since that time that have approached 5 hours. She said it was difficult to get through the business of the City. She believes the primary purpose of City Council is to be able to get to the business of the City and many of her constituents have said the same. That is the reason for the Resolution.

Ms. Leon

Ms. Leon encouraged holding multiple housing meetings in the neighborhoods. Considering the density of South Bethlehem and the activity there, she encouraged that one session be held on the South Side.

6. COMMUNICATIONS

A. *Director of Water and Sewer Resources – Contract 2024 26 – Water Filtration Plant NPDES Permit Renewal – SC Engineers*

The Clerk read an April 18, 2024 memorandum with a proposed Resolution from Director of Water and Sewer Resources Edward Boscola. Mr. Boscola recommends a contract with SC Engineers of Allentown to submit the City's renewal for its National Pollution Discharge Elimination System Permit for the City's Water Filtration Plant. The cost is \$3,000. The contract will run from the Notice to Proceed through March 31, 2025. There are no renewals. The firm was selected among three bidders based on price, general experience, and past working knowledge of the City's water system.

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

B. *Director of Water and Sewer Resources – Contract 2023 50 – Willowbrook Rd Water Main Relocation – Joao & Bradley Construction*

The Clerk read an April 18, 2024 memorandum and proposed Resolution from Director of Water and Sewer Resources Edward Boscola. Mr. Boscola recommends a change order to a contract with Joao & Bradley Construction Co., Inc. of Bethlehem on the relocation of a 30-inch water main along Willowbrook Road in Allen Township. The added \$98,523 will be evenly split between the City and Northampton County. The increase is necessary because of unforeseen site conditions. The change order will increase the original cost of \$357,850 to \$456,373. The added work is to be completed within 180 days of the Notice to Proceed. There are no renewals.

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

C. *Director of Public Works – Contract 2024 22 – Bridle Path Outfall and Swale Improvements – Remington & Vernick Engineers*

The Clerk read an April 18, 2024 memorandum with an attached Resolution from Public Works Director Michael Alkhal. Mr. Alkhal recommends an agreement with Remington & Vernick Engineers of Allentown to improve, regrade, and stabilize the swale and outfall on Bridle Path Road to reduce erosion and flooding. The cost is \$27,751 and the work is to be completed within 180 days of the Notice to Proceed. There are no renewals. Four proposals were received ranging from \$25,000 to \$42,000. Remington & Vernick Engineers was deemed to have submitted the most qualified, responsive, and detailed proposal.

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

D. *Director of Water and Sewer Resources – Contract 2024 12 – Applebutter Rd Pump Station Design PSA – Keystone Consulting Engineers*

The Clerk read an April 24, 2024 memorandum with an attached Resolution from Edward Boscola, Director of Water and Sewer Resources. Mr. Boscola recommends an agreement with Keystone Consulting Engineers, Inc. of Allentown to design upgrades to the Applebutter Road Sanitary Sewer Pump Station. The cost is not to exceed \$51,197.60. The contract will run through July 1, 2025. There are no renewals.

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

E. *Director of Water and Sewer Resources – Contract 2024 27 – Easton Rd Sanitary Force Main Replacement Engineering Services – Keystone Consulting Engineers*

The Clerk read an April 24, 2024 memorandum with an attached Resolution from Edward Boscola, Director of Water and Sewer Resources. Mr. Boscola recommends an agreement with Keystone Consulting Engineers, Inc. of Allentown to design upgrades to the Easton Road Sewer Force Main, which is undersized. The cost is not to exceed \$39,213. The contract will run through July 1, 2025. There are no renewals.

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

F. *Director of Water and Sewer Resources – Contract 2024 07 – Walnut Street, Bethlehem Township, Water Main Relocation – Almeida & Hudak Contractors*

The Clerk read an April 25, 2024 memorandum with an attached Resolution from Edward Boscola, Director of Water and Sewer Resources. Mr. Boscola recommends an agreement with Almeida & Hudak Contractors, LLC of Plymouth Meeting to provide labor and materials to relocate the City's 8-inch water main on Walnut Street and Willow Park Road in Bethlehem Township in support of storm water and infrastructure and road construction improvements. The cost is not to exceed \$558,400. The contract shall run for 180 days from the Notice to Proceed. There are no renewals. Almeida & Hudak was found to be the lowest responsible bidder among the 7 bids received.

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

G. *DCED Business Manager – Contract 2024 29 – Greenway Acquisition Appraisals – Raymond C. Geiger*

The Clerk read a May 1, 2024 memorandum with an attached Resolution from DCED Business Manager Tiffany Wismer. Ms. Wismer recommends an agreement with Raymond C. Geiger of Allentown to review the November 2022 appraisal of 23 acres of Norfolk Southern land. Mr. Geiger will appraise two additional land areas for proposed future purchase by the City of Bethlehem. All parcels involve potential land acquisitions for the Greenway. The cost for the contract is \$7,000. The contract will run through December 31, 2024. There are no renewals.

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

H. *DCED Business Manager – Contract 2024 28 – Greenway Acquisition Survey Work – T&M Associates*

The Clerk read a May 1, 2024 memorandum with an attached Resolution from DCED Business Manager Tiffany Wismer. Ms. Wismer recommends an agreement with T&M Associates of Bethlehem to perform a boundary survey for six properties comprising the proposed acquisition relating to the Greenway. The cost is \$34,000 and the work is to be completed by December 31, 2024. There are no renewals.

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

I. *Director of Public Works – Contract 2024 14 – Street Overlay – H&K Group*

The Clerk read an April 25, 2024 memorandum with an attached Resolution from Public Works Director Michael Alkhal. Mr. Alkhal recommends an agreement with H&K Group, Inc. of Skippack to provide labor and materials to upgrade ADA ramps and mill and overlay various streets throughout the City. The cost is not to exceed \$783,298.78. The contract will for 45 days from the Notice to Proceed. The contractor was the lowest responsible and qualified bidder among four bids received.

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

J. *City Solicitor – Use Permit Agreement – Greater Lehigh Valley Chamber of commers – 2024 Suds N Roses*

The Clerk read a May 1, 2024 memorandum from Solicitor John F. Spirk, Jr. with an attached Use Permit Agreement and a Resolution. The Permittee is the Greater Lehigh Valley Chamber of Commerce for use of the Bethlehem Rose Garden for the 2024 Suds N Roses Event. The event date is June 1, 2024 from 2:30 to 4:30 PM with a rain date of June 2 from 2:30-4:30 PM. The duration of the permit is from 1-6 PM on June 1 with a rain date of 1-6 PM on June 2.

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

K. *City Solicitor – Use Permit Agreement – ArtsQuest – 2024 SteelStacks Summer Concert Series*

The Clerk read a May 1, 2024 memorandum from Solicitor John F. Spirk, Jr. with an attached Use Permit Agreement and a Resolution. The Permittee is ArtsQuest and the event is the 2024 SteelStacks Gated Summer Concert Series. Event dates are May 18 and July 10 from 6-10 PM. The duration is May 18 and July 10 from noon until midnight. Additional dates may be added by Amendment. The specified premises are from 1st Street from Polk Street to the eastern terminus and Founders Way between 1st and 2nd Streets.

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

L. *City Solicitor – Use Permit Agreement – ArtsQuest – 2024 Tacofest*

The Clerk read A May 1, 2024 memorandum from Solicitor John F. Spirk, Jr. with an attached Use Permit Agreement and a Resolution. The Permittee is ArtsQuest and the event is the

2024 Tacofest. The event date is June 2, 2024 from noon to 7 PM, and the duration is June 2 from 8 AM until 9 PM. The specified premises are from 1st Street from Polk Street to the easter terminus, and Founders Way between 1st and 2nd Streets.

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

M. *City Solicitor – Use Permit Agreement – Mount Airy Neighborhood Association – 2024 Rose Garden Farmers Market and RoseFest*

The Clerk read a May 1, 2024 memorandum from Solicitor John F. Spirk, Jr. with an attached Use Permit Agreement and a Resolution. The Permittee is the Mount Airy Neighborhood Association, and the sub-Permittee is Hilltop Haven, LLC. The event is the 2024 Bethlehem Rose Garden Farmers Market and RoseFest. Event dates for the Farmers Market are Saturdays between June 1 and October 12, 2024 from 9 AM until 1 PM with RoseFest on June 22 from 11 AM until 1 PM. The duration is the same dates from 8 AM until 2 PM. The specified premises are the Bethlehem Rose Garden Park including the bandshell for RoseFest.

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

N. *City Solicitor – Use Permit Agreement – BEDCO-SouthSide Arts District – 2024 Live on the Greenway*

The Clerk read A May 1, 2024 memorandum from Solicitor John F. Spirk, Jr. with an attached Use Permit Agreement and a Resolution. The Permittee is BEDCO by and through its initiative, the SouthSide Arts District. Sub-Permittees are Social Still, LLC; Five Maidens LLC d/b/a Five Maidens Cider Co; and Country Club Brewing, LLC. The event is the 2024 Live on the Greenway. Event dates are May 19 and 26 and June 2 and 9 from noon until 3 PM. The duration is the same dates from 11 AM until 4 PM. The specified premises are the Greenway between Webster and Taylor Streets including the Harmony Pavilion.

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

O. *DCED Business Manager – Contract 2024 30 – Greenway Acquisition title Work*

The Clerk read a May 1, 2024 memorandum with an attached Resolution from DCED Business Manager Tiffany Wismer. Ms. Wismer recommends an agreement with Gross McGinley, LLP of Allentown to perform title and closing work for land acquisition from Norfolk Southern associated with the Greenway. The cost is \$18,581. Work is to be completed by December 31, 2024. There are no renewals.

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

P. *City Solicitor – Lease – Peron Pierce & Country Club Brewing*

The Clerk read A May 1, 2024 memorandum with an attached Resolution from DCED Business Manager Tiffany Wismer. Ms. Wismer recommends an agreement with Gross McGinley, LLP of Allentown to perform title and closing work for land acquisition from Norfolk Southern

associated with the Greenway. The cost is \$18,581. Work is to be completed by December 31, 2024. There are no renewals.

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

7. REPORTS

A. *President of Council*

7A1. *Curative Amendment Hearing*

President Colón announced that Council held a Curative Amendment Hearing on April 30, 2024 in Town Hall. This hearing was requested by the petition submitted by BAHX, LLC, which is the equitable owner of property proposed for development as the Hanover Apartments. The Curative Amendment requests removing any building length limitation from the CL District. The hearing lasted for more than 5 hours and will be continued at 6 pm on June 11 in Town Hall.

B. *Mayor*

7B1. *Administrative Order – 2024-22 – Rachelle J. Wehden – Human Relations Commission*

Mayor Reynolds re-appointed Rachelle J. Wehden to the Human Relations Commission effective May 7, 2024. The term expires in March of 2027. Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-092 to confirm the appointment.

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

Next Opening Doors

Mayor Reynolds reminded that the next Opening Doors update meeting will be on May 15 at the Northampton Community College Fowler Center. Doors will open at 6 PM with a 6:30 PM program start time.

Live in the Garden

Live in the Garden began on Saturday in the Rose Garden. This will be for seven Saturdays in a row. Events will begin earlier this year at 5:30 PM.

Air Quality Preparedness

A meeting today with the Bethlehem Health Bureau addressed wildfires from Canada and their effects on us in City. Recommendation will be shared within the next few weeks. The period of concern is likely to be June through September.

Block Party

The Northside Alive Block Party will be from 4-8 PM on Saturday at the YMCA. Events are free and a large turnout is anticipated.

Paramedic Update

The Mayor reminded that a justification last year for hiring four more paramedics would be that the response percentages would improve service and revenue. The response rate was down to about 91 percent, which meant the remaining 9 percent required mutual aid responses. Through April, the response rate is up to 94 percent by City ambulances. In addition to faster response times, it is anticipated that revenue for billed services will help pay for the new paramedics. Billing and payment for services is about four months behind, so these figures are not yet available for analysis.

C. *Community Development Committee – F.A.I.R. Hearing (May 21)*

Chairwoman Kwiatek said The F.A.I.R. Hearing, which is required by Article 349 and reviews economic development incentive reports submitted by the Administration, will be held at 6 PM on May 21, 2024 in Town Hall. This meeting is for informational purposes and no actions will be taken.

8. ORDINANCES FOR FINAL PASSAGE

A. *Bill No. 09-2024 – Bill No. 09-2024 Budget Adjustments – Sewer Capital Fund*

The Clerk read Bill No. 09-2024 Budget Adjustments – Sewer Capital Fund, 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 SEWER UTILITIES

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and President Colón, 7. Bill No. 09-2024, now known as Ordinance 2024-10, passed on Final Reading.

B. *Bill No. 010-2024 – Bill No. 10-2024 Budget Adjustments – Sewer Capital Fund*

The Clerk read Bill No. 10-2024 Budget Adjustments – Sewer Capital Fund, 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 SEWER UTILITIES

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and President Colón, 7. Bill No. 10-2024, now known as Ordinance 2024-11, passed on Final Reading.

C. *Bill No. 11-2024 – Bill No. 11-2024 Budget Adjustments – Water Capital Utilities Fund*

The Clerk read Bill No. 11-2024 Budget Adjustments – Water Capital Utilities Fund, 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 WATER UTILITIES

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and President Colón, 7. Bill No. 11-2024, now known as Ordinance 2024-12, passed on Final Reading.

D. *Bill No. 12-2024 – Bill No. 12-2024 Budget Adjustments – Water Capital Utilities Fund*

The Clerk read Bill No. 12-2024 Budget Adjustments – Water Capital Utilities Fund, 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 WATER UTILITIES

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and President Colón, 7. Bill No. 12-2024, now known as Ordinance 2024-13, passed on Final Reading.

E. *Bill No. 13-2024 – Bill No. 13-2024 Budget Adjustments – Police PCCD Grant – General Fund Budget*

The Clerk read Bill No. 13-2024 Budget Adjustments – Police PCCD Grant – General 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 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. 13-2024, now known as Ordinance 2024-14, passed on Final Reading.

F. *Bill No. 14-2024 – Bill No. 14-2024 Budget Adjustments – Health – General Fund Budget*

The Clerk read Bill No. 14-2024 Budget Adjustments – Health – General 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 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. 14-2024, now known as Ordinance 2024-15, passed on Final Reading.

G. *Bill No. 15-2024 – Bill No. 15-2024 Budget Adjustments – Amend Liquid Fuels Budget*

The Clerk read Bill No. 15-2024 Budget Adjustments – Amend Liquid Fuels 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 LIQUID FUELS FUND BUDGET

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and President Colón, 7. Bill No. 15-2024, now known as Ordinance 2024-16, passed on Final Reading.

9. NEW ORDINANCES

A. *Bill No. 16-2024 – Bill No. 16-2024 Budget Adjustments – 2024 Capital Budget for Non-Utilities*

The Clerk read Bill No. 16-2024 Budget Adjustment – 2024 Capital Budget for Non-Utilities 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. 16-2024 passed on First Reading.

10. RESOLUTIONS

A. *Approve Resolution – Records Destruction – Department of Public Works – Engineering Records*

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-093 that authorized the disposal of public records in the Department of Public Works – Engineering, as set forth in Exhibit A.

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

B. Approve Resolution – Records Destruction – Department of Police

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-094 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.

C. Approve Resolution – Contract 2024 26 – Water Filtration Plant NPDES Permit Renewal – SC Engineers

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-095 that authorized to execute all documents and agreements with SC Engineers for submitting the NPDES renewal application for the City’s Water Filtration Plant.

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 – City Council Amended Rules of Council (revised) – Public Comment

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-096 that authorized that the Rules of Council be further amended as follows:

1. Amendment of Rule 3(A). Rule 3(A), setting forth the Order of Business at public meetings, is amended to provide for the following Order of Business:

Roll Call

Approval of Minutes

Public Comment by residents and taxpayers (*on Ordinances and Resolutions to be voted on this evening - 5 Minute Time Limit.*)

Public Comment by residents and taxpayers (*on any subject not being voted on this evening - 5 Minute Time Limit.*)

Public Comment by non-resident/taxpayers (*on Ordinances and Resolutions to be voted on this evening - 5 Minute Time Limit.*)

Old Business

New Business

Tabled Items

Unfinished Business

Communications

Reports

Ordinances for final passage

New Ordinances

Resolutions

Public Comment by non-residents and taxpayers (*on any subject not being voted on this evening - 5 Minute Time Limit.*)

Adjournment

2. Amendment of Rule 3(D). Rule 3(D), providing that “Public Comment will not be extended for personal insults or personal attacks on any individual, name calling or other behavior that is inconsistent with the purpose and intent of Public Comment” is hereby amended to provide that “Public Comment will not be extended for personal criticism unrelated to City business, nor for disruptive behavior that interferes with the administration and progress of a public meeting.”

3. Addition of Rule 3(E). Section 3(E) shall state as follows:

When any Council Member believes that Council will not be able to address the business before it unless Public Comment is suspended as provided for in §710.1 of the Sunshine Act, Council may, by motion and majority vote, defer the Public Comment period to the next regular meeting or to a special meeting occurring in advance of the next regular meeting.

Ms. Crampsie Smith said that Council is elected to address the business of the City. She believes her proposed Resolution will allow Council to get to the business on the agenda while concurrently preserving the right to free speech in that all members of the public can provide comment. The amendment would only change the order in which the public can comment. She conceded that delineating resident/taxpayer and non-resident/non-taxpayer is not defined and relies on the honor system, but so does the language in the Sunshine Act. Several municipalities throughout the state only allow residents to comment, not non-residents. They use the same honor system. The intent is not to interfere with free speech, but it is within the Sunshine Act and it is intended to allow Council to conduct necessary business. Ms. Crampsie Smith also clarified that Public Comment will remain at 5 minutes. She never proposed reduction. Ms. Crampsie Smith also explained that the change to Rule 3(D) would be more tolerant of criticisms if they are related to Council business, and Rule 3(E) is already in place and would allow Public Comment of non-agenda items to another meeting or special meeting if it is felt that time would not permit within the same meeting. She would prefer that Public Comment not have to be moved but believed it was better to move non-agenda items for non-residents if anything had to be moved.

Mr. Callahan said he is for free speech, but he agreed with Ms. Crampsie Smith that Council must prioritize tending to City business. He assessed that no one is being stifled. All that is being done is moving non-agenda items for non-residents to the end of a meeting. This is something that Council can try. It could be changed if it does not. Mr. Callahan added that non-residents, in addition to still being able to comment in Bethlehem, may provide Public Comment in the municipalities where they live. He added that several municipalities do not allow non-residents to speak.

Voting AYE: Mr. Callahan and Ms. Crampsie Smith, 2; NAY: Mrs. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, and Mr. Colón, 5. The Resolution failed.

E. *Approve Resolution – Contract 2023 50 – Willowbrook Rd Water Main Relocation – Joao & Bradley Construction*

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-096 that authorized to execute all documents and agreements with Joao & Bradley Construction Co., Inc. for a change order associated with Willowbrook Road water main relocation project in Allen Township.

Ms. Crampsie Smith noted that this is a joint project with Northampton County. She asked if the figures are Bethlehem's share or are actually half of what Bethlehem will pay.

Mr. Boscola said the figures shown are the total contract value, which will be split with the county.

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

F. *Approve Resolution – Contract 2024 22 – Swale Improvements – Bridle Path Outfall and Swale Improvements – Remington & Vernick Engineers*

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-097 that authorized to execute all documents and agreements with Remington & Vernick Engineers to provide outfall and swale improvements.

Ms. Laird asked for a more precise location of the swale.

Mr. Alkhal said it will run all along the creek.

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

G. *Approve Resolution – Contract 2024 12 – Applebutter Rd Pump Station Design – PSA – Keystone Consulting Engineers*

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-098 that authorized to execute all documents and agreements with Keystone Consulting Engineers, Inc. to provide engineering services for upgrades to the Applebutter Road Sanitary Sewer Pump Station.

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

H. *Approve Resolution – Contract 2024 27 – Easton Rd Sanitary Force Main Replacement Engineering Services – Keystone Consulting Engineers*

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-099 that authorized to execute all documents and agreements with Keystone Consulting Engineers, Inc. to provide engineering services for upgrades to the Easton Road Sewer Force Main.

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 – Contract 2024 07 – Walnut Street, Bethlehem Township, Water Main Relocation – Almeida & Hudak Contractors

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-100 that authorized to execute all documents and agreements with Almeida & Hudak Contractors, LLC to provide labor and materials to relocate a water main at Walnut Street and Willow Park Road in Bethlehem Township.

Ms. Crampsie Smith noted that this project is outside the City and wondered if the bill is being split with Northampton County.

Mr. Boscola said this main is owned by the City and does not involved the County. This main is being relocated because of construction of a County bridge.

Ms. Crampsie Smith noted the Willowbrook Road project and asked if the circumstances were the same and whether the County would pay for more.

Mr. Boscola said this was negotiated and what is being recommended. He said this is similar to when the state reconstructs a bridge. The cost to move utilities is generally a 50/50 split.

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 – Contract 2024 29 – Greenway Acquisition Appraisals – Raymond C. Geiger

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-101 that authorized to execute all documents and agreements with Raymond C. Geiger to perform appraisal services.

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

K. Approve Resolution – Contract 2024 28 – Greenway Acquisition Survey Work – T&M Associates

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-102 that authorized to execute all documents and agreements with T&M Associates to provide surveying services.

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

L. Approve Resolution – Contract 2024 14 – Street Overlay – H&K Group

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-103 that authorized to execute all documents and agreements with the H&K Group, Inc. to provide ADA ramps, and mill and overlay various streets.

President Colón asked for an update on expectations for the upcoming road paving season.

Mr. Alkhal said the City tries to maximize the amount of paving in-house. About 9,000 or 10,000 tons of blacktop can be laid. (This is 25-30 lane miles, depending on the road widths being done.) The total cost for this season is \$1.8 million. The contract cost of this is about \$780,000. Mr. Alkhal said that supply chain issues have improved, but cost remains high.

Mr. Callahan asked for a list of streets intended for resurfacing. He was unsure if the City is aware of all of the roads and their conditions.

Mr. Alkhal assured Mr. Callahan that Public Works is aware of all streets and their conditions, which are evaluated every two years and prioritized for resurfacing.

Mr. Callahan asked that a list of intended repaving for 2024 be emailed to Council.

Mr. Alkhal reminded that he agreed to have a list added to the City's website but said he could send it to Council also.

Mayor Reynolds agreed with Mr. Callahan that UGI and other utility work exacerbates the road problems. There are procedures in place to attempt to limit the inconvenience and coordinate repair. However, there can be delay in restoring roads.

Mr. Callahan suggested an added tax be levied to allow the City to repave more roads annually, adding that it would save motorists from having to repair flat tires and get wheel alignments.

Mayor Reynolds pointed to other statistics that include the City repaving 47 lane miles in 2022 and 2023, which was an increase over from 29 lane miles in 2020 and 2021. The goal is 50 lane miles for the next two years, thanks in part to American Rescue Plan funds that will not require incurring interest. This will boost the paving program in the next few years.

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

Ms. Laird made a motion, seconded by Mr. Callahan, to consider Use Permit Agreement 10M through 10Q as a group.

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

M. *Approve Use Permit Agreement – Greater Lehigh Valley Chamber of Commerce – 2024 Suds N Roses*

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-104 that authorized to execute a Use Permit Agreement with the Greater Lehigh Valley Chamber of Commerce for the 2024 Suds N Roses Event.

N. Approve Use Permit Agreement – ArtsQuest – 2024 SteelStacks Summer Concert Series

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-105 that authorized and directed to execute a Use Permit Agreement with ArtsQuest for the 2024 SteelStacks Summer Concert Series.

O. Approve Use Permit Agreement – ArtsQuest – 2024 Tacofest

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-106 that authorized and directed to execute a Use Permit Agreement with ArtsQuest for 2024 Tacofest

P. Approve Use Permit Agreement – Mount Airy Neighborhood Association – 2024 Rose Garden Farmers Market and RoseFest

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-107 that authorized and directed to execute a Use Permit Agreement with the Mount Airy Neighborhood Association for the 2024 Rose Garden Farmers Market and RoseFest.

Q. Approve Use Permit Agreement – BEDCO-SouthSide Arts District – 2024 Live on the Greenway

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-108 that authorized and directed to execute a Use Permit Agreement with BEDCO and the SouthSide Arts District for the 2024 Live on the Greenway series.

Voting AYE: Ms. Kwiatek, Ms. Laird, Ms. Leon, Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, and Mr. Colón, 7. Resolutions 10M through 10Q passed.

R. Approve Resolution – Contract 2024 30 – Greenway Acquisition Title Work

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-109 that authorized and directed to execute all documents and agreements with Gross McGinley, LLP to provide title and closing work related to the Greenway property acquisition.

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

S. Approve Resolution – Lease Agreement – Peron Pierce and Country Club Brewing

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-110 that authorized to execute a Lease Agreement with Peron Pierce & Country Club Brewing.

Ms. Leon thanked the business owners for working with the City. She knows that this has been a long process. She is eager to see interaction with the Greenway.

Ms. Wilhelm echoed Ms. Leon's thanks for patience and said she also is looking forward to seeing this project unfold.

Mr. Callahan also thanked the businesses for supporting the City.

Ms. Laird said she is excited to hear that this project is moving ahead. She predicted that it will bring some more life to the Greenway.

Ms. Crampsie Smith thanked Ms. Kromer for coming tonight and seeing the process through.

Ms. Kwiatek also believes this will be a worthwhile new endeavor. She also asked about the contract.

City Solicitor Spirk answered a question about an easement. He said an easement is present. He is satisfied that requirements have been met.

Ms. Crampsie Smith sought clarification that the City owns the land that is on the Greenway.

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

T. Certificate of Appropriateness – HCC – 2024.04#832 – 313-315 East Fourth Street

Ms. Leon and Ms. Crampsie Smith sponsored Resolution 2024-111 to replace the existing roof sheathing of both structures using GAF Slateline asphalt shingles.

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

11. ADJOURNMENT

The meeting was adjourned 11:11 PM.

ATTEST:

Tad J. Miller
City Clerk