

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street - Town Hall
Bethlehem, Pennsylvania
Tuesday, August 3, 2021 - 7:00 PM

INVOCATION

PLEDGE TO THE FLAG

1. ROLL CALL

President Waldron called the meeting to order. Present were Bryan G. Callahan, Michael G. Colón, Grace Crampsie Smith, J. William Reynolds, and Adam R. Waldron, 5. Olga Negrón, and Paige Van Wirt were absent, 2.

President Waldron announced that Ms. Negrón and Dr. Van Wirt had informed us that they would not be attending this meeting but with 5 Council Members we do have a quorum so we can proceed with our full Council agenda.

2. APPROVAL OF MINUTES

June 1, 2021

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

Arthur Curatola, 813 Laufer Street, explained he is glad we are back and able to see each other again. Mr. Curatola noted he is running for Mayor of Bethlehem and if he is elected he will do everything he can to make this city happen but there are things we need to do to make this city better. He is running for Mayor as a write in, no Democrat or Republican and he probably will not get elected because he is a write in but if he does things will happen. One thing that bothers him is the Parking Authority, they keep getting \$20 dollars of our money for tickets but if you fall in their parking lots and if are injured we cannot get money from them. The head of the Parking Authority told him that the city makes the laws and that he has to present this to City Council. This should be voted on for the people. We do not need to have parking removal Thursdays and Fridays, most of us have to clean up our own streets and sidewalks why do other people have this privilege, why cannot they put them in bins and then the city comes by and takes the trees away and gives more parking. If you go around where he lives you will not find parking around 11:00 at night. This is just putting money in the pocket of the Parking Authority. Mr. Curatola noted we are supposed to be an example, the Christmas City. He would like to make a motion that these Thursday and Friday things be removed for the parking thing, it is a nuisance and harassment and gouging citizens for money they should not have to pay. He is presenting this to Council and putting in a motion for this to be removed and make our city better. There are other issues that need to be addressed. Mr. Curatola hopes Council will do the right thing and vote on this for the people.

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

None.

5. OLD BUSINESS

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

6. COMMUNICATIONS

A. *Director of Financial Services – Records Destruction Resolution*

The Clerk read a memorandum dated July 16, 2021 from Linnea Lazarchak, Director of Financial Services requesting Council to consider a resolution for the Destruction of Records by the Financial Services Department listed in the exhibit to the proposed resolution. The Director has reviewed the Municipal Records Retention Act and the records fall within categories where destruction is permitted.

President Waldron stated the resolution can be placed on the August 17, 2021 Council agenda.

B. *City Solicitor – Street Vacation Ordinance – Portion of Luna Street and Portion of Bushkill Street*

The Clerk read a memorandum dated July 22, 2021 from City Solicitor William P. Leeson, Esq. in connection with an attached proposed ordinance for the vacation or portions of Luna and Bushkill Streets in the City of Bethlehem, 14th Ward.

President Waldron stated Ordinance 9 B-Bill No. 24-2021 is on tonight's agenda for First Reading.

C. *City Solicitor – Use Permit Agreement – Steel Pub LLC – Daniel Roebuck Channel of Peace Benefit*

The Clerk read a memorandum dated July 29, 2021 from City Solicitor William P. Leeson, Esq. with an attached resolution and associated Use Permit Agreement between the City and Steel Pub LLC in connection with the August 29, 2021 Daniel Roebuck Channel of Peace Benefit located at 1st Street from Polk Street to the entrance of Steel Ice Parking Lot.

President Waldron stated Resolution 10 D is on the agenda.

D. *Director of Community and Economic Development – Memorandum – Southside Affordable Housing Local Economic Revitalization Tax Assistance (LERTA) Program*

The Clerk read a memorandum dated July 27, 2021 from Alicia Karner, Director of Community and Economic Development providing background on the proposed south side affordable housing LERTA Zone.

President Waldron stated this is for information only.

7. REPORTS

A. *President of Council*

B. *Mayor*

Musikfest

Mayor Donchez commended ArtsQuest, Kassie Hilgert and her team and all the city departments, we worked well and meet monthly and all the various government agencies from the state, county and federal level, we are prepared for Musikfest, our 10 day festival. Hopefully we have great weather and we are looking forward to the official kickoff on Friday, August 6, 2021.

8. ORDINANCES FOR FINAL PASSAGE

A. *Bill No. 20 – 2021 – Amending 2021 General Fund – General Fund Adjustments*

The Clerk read Bill No. 20-2021 – Amending 2021 General Fund – General Fund Adjustments sponsored by Dr. Van Wirt and Ms. Negrón and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE 2021 GENERAL FUND BUDGET

Voting AYE: Ms. Crampsie Smith, Mr. Reynolds, Mr. Callahan, Mr. Colón, and Mr. Waldron, 5. Bill No. 20-2021 now known as Ordinance No. 2021-18 was passed on Final Reading.

B. *Bill No. 21 – 2021 – Amending 2021 Golf Course Enterprise Fund – Budget Adjustments*

The Clerk read Bill No. 21-2021 – Amending 2021 Golf Course Enterprise Fund – Budget Adjustments sponsored by Dr. Van Wirt and Ms. Negrón and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE GOLF COURSE ENTERPRISE FUND BUDGET FOR 2021

Voting AYE: Ms. Crampsie Smith, Mr. Reynolds, Mr. Callahan, Mr. Colón, and Mr. Waldron, 5. Bill No. 21-2021 now known as Ordinance No. 2021-19 was passed on Final Reading.

C. *Bill No. 22 – 2021 – Amending 2021 Liquid Fuels Fund Budget – Budget Adjustments*

The Clerk read Bill No. 22-2021 – Amending 2021 Liquid Fuels Fund Budget – Budget Adjustments sponsored by Dr. Van Wirt and Ms. Negrón and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,

COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE 2021 LIQUID FUELS FUND BUDGET

Voting AYE: Ms. Crampsie Smith, Mr. Reynolds, Mr. Callahan, Mr. Colón, and Mr. Waldron, 5. Bill No. 22-2021 now known as Ordinance No. 2021-20 was passed on Final Reading.

9. NEW ORDINANCES

A. *Bill No. 23 – 2021 – Amend Article 913 – Water Rates and Charges*

The Clerk read Bill No. 23-2021 –Water Rates and Charges sponsored by Mr. Colón and Ms. Crampsie Smith and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
ARTICLE 913 OF THE CITY OF BETHLEHEM CODIFIED
ORDINANCES TITLED “WATER RATES AND CHARGES”

Voting AYE: Ms. Crampsie Smith, Mr. Reynolds, Mr. Callahan, Mr. Colón and Mr. Waldron, 5. Bill No. 23-2021 was passed on First Reading.

B. *Bill No. 24 – 2021 – Street Vacation Ordinance – Portion of Luna Street and Portion of Bushkill Street*

The Clerk read Bill No. 24-2021 – Street Vacation Ordinance –Portion of Luna Street and Portion of Bushkill Street sponsored by Mr. Colón and Ms. Crampsie Smith and titled:

AN ORDINANCE AUTHORIZING THE VACATION,
DISCONTINUANCE AND STRIKING FROM THE CITY’S
GENERAL PLAN OF STREETS OF A PORTION OF
LUNA STREET (UNOPENED) AND A PORTION OF
BUSHKILL STREET (UNOPENED) IN THE 14TH WARD
OF THE CITY OF BETHLEHEM, COUNTY
OF NORTHAMPTON, PENNSYLVANIA

Voting AYE: Ms. Crampsie Smith, Mr. Reynolds, Mr. Callahan, Mr. Colón and Mr. Waldron, 5. Bill No. 24-2021 was passed on First Reading.

C. *Bill No. 16 – 2021 – Zoning Text Amendment proposed by the property owner related to the Office Mixed Use (OMU) Zoning District at the former Martin Tower site at 1170 8th Avenue, as amended by a City Council-initiated amendment (Colón) passed in Council on June 15, 2021*

The Clerk read Bill No. 16 – 2021 – Zoning Text Amendment proposed by the property owner related to the Office Mixed Use (OMU) Zoning District at the former Martin Tower site at 1170 8th Avenue, as amended by a City Council-initiated amendment (Colón) passed in Council on June 15, 2021 sponsored by Mr. Colón and Mr. Waldron and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM, COUNTIES OF
LEHIGH AND NORTHAMPTON, COMMONWEALTH OF
PENNSYLVANIA, AMENDING PART 13 OF THE CODIFIED
ORDINANCES RELATING TO ZONING WITH RESPECT TO
PROPERTIES IN THE OMU DISTRICT BY AMENDING SECTION
1311(a)-(b) PERTAINING TO THE CONFIGURATION OF OFF-
STREET PARKING AND DRIVEWAY ACCESS ONTO ARTERIAL
STREETS AND SECTION 1314.02(b)(5) TO LESSEN THE
MINIMUM REAR YARD SETBACK

Mr. Callahan thanked everyone for putting their best foot forward on this. He especially wanted to thank Councilman Colón for coming up with this amendment, which is a very fair amendment and a way to resolve this issue. This should have been fixed and done years ago when prior Council's passed the zoning on the tower site; it was not and was something that was overlooked on our part. This will be a great development project for the city, school district, and county as far as tax revenues coming in. He can honestly say that we were on the brink of that getting pulled and that development sitting there for another 5 years. Mr. Callahan thanked Mr. Colón for his amendment and he thanked Mr. Reynolds for his forward looking in this and doing the right thing for this project and for the City of Bethlehem, he appreciates his guidance on this.

Ms. Crampsie Smith does appreciate Councilman Colón's efforts in trying to come up with a compromise with this amendment. She does appreciate the developer presenting the plan at the last Council Meeting to give us an idea of what the development will look like. She really thought long and hard about this amendment and as she has said before she is for development but it needs to be smart development. It is important when we are considering changing an existing law that was written because we felt it was written for a good and smart development purpose at the time. While she did consider the amendment she deferred to the comments from Becky Bradley from the Lehigh Valley Planning Commission at the last meeting. Ms. Bradley noted she felt strongly that this amendment is not in alignment with the future Lehigh Valley Plan, the best practices plan of development in the Lehigh Valley. Ms. Crampsie Smith explained for that reason and for other reasons she will not be supporting this amendment tonight.

Mr. Colón announced he will be supporting this tonight. He did not attend the Council Meeting two weeks ago due to an unexpected family emergency but he appreciates everyone that came out to present or provided feedback at that time. He does not have anything to add that has not been discussed at length now over the couple of months we have been talking about this. He proposed this amendment because he thought it was a simple yet sensible solution to what he saw as a problem with the parking as it was laid out at the time. He will be supporting this tonight and he hopes others can consider the same.

Mr. Reynolds stated he has a question for Ms. Karner. One of the things that came up at the last meeting was that we had that presentation from Alloy5 about some of the concepts and potential things that can be done as we see the continuation of this development. One thing we talked about is how our Climate Action Plan will be integrated into development projects. He was curious about what our Planning Department and the Community and Economic Development Department folks have done as far as taking a look at that. This is where the rubber meets the road as we go forward here, how many of these principles and concepts we talked about in making this development as sustainable as possible. Those details will be taken care of

in the land development process. He queried as to what is the internal work we have done so far to try to incorporate those principles and ideas in the Climate Action plan into our development process internally.

Ms. Karner informed she will defer to Ms. Heller on a few points. She noted that the inclusion of the Climate Action Plan recommendations is important to us in the city. Before the development we started to engage the development community on some of those principles and incorporating whether it is solar panels or green roofs, really making sure that other design elements that can be incorporated into these structures are not just good for us but are benefits to the users. She added that Ms. Heller can talk about the formalization of that process that is something that occurs at the land development process and then gets incorporated to the SALDO so that it is something we can obligate or make sure it is a serious consideration from the development community.

Ms. Heller explained their office has been a part of the development of the Climate Action Plan with participation in the different committees. We work closely with the EAC, Environmental Advisory Council and have been doing that for years and they do provide comment in addition to our own comments on many of the projects that go through the Planning Commission. We have the awareness of the many of the broad aspects that the Climate Action Plan addresses. It is broad reaching, some of it has to do with the building construction, some is with site layouts even pedestrian safety and bike safety and people getting out of their cars and walking, looking for native plantings and more trees and saving trees. There are a wide range of things we try to look at as we go through the land development review process. Ms. Heller informed they are looking at formalizing more of those provisions but we have been trying to do that on an ongoing basis for the last several years.

Mr. Reynolds remarked some of it will be things that we recommend or that we will push for as a city and some of it is going to potentially fall under ordinance changes to be consistent with our current SALDO, is that correct?

Ms. Heller stated that is correct and some of those things fall under land development and some of them fall under building construction, there are different phases of a project as it moves forward.

Mr. Reynolds appreciates those answers and as he said last time as we move forward it will take time to do this well, to take a look at what is in the Climate Action Plan and how we can make that consistent with our own ordinances. The things that do not necessarily fit into an ordinance, it would be wise to maybe have a check list when we present these large projects as a city, and your department goes in front of the Planning Commission, to be able to go through those. There are many questions and Ms. Heller did spend a lot of time with the Climate Action Plan process as had a lot of citizens. One of the things citizens want to know would be how we are going to incorporate a lot of those changes. Mr. Reynolds explained he will be voting for this tonight but he wanted to go back to a letter from the Lehigh Planning Commission. He had done some research and took a look at this and one of the things we talk about with the Martin Tower project is the use conversation we had 7 years ago when we talked about what it was going to be, what is was not going to be, what people might be scared it will be. A lot of the conversations we had 6 or 7 years ago really determined what types of uses and the fact that we are dealing with what we have in front of us. Mr. Reynolds remarked it is everyone's goal here to try to make this

as high of a quality of a project as possible, get it back on the tax rolls. We do not want to see it sitting there vacant. We talked about this many times that 20-25 years ago that Martin Tower and the surrounding buildings were paying \$1.5 million dollars in property taxes to 3 taxing bodies and we have seen that decline to only a few thousand dollars. That money just becomes aggregated over years and years and years and we lose out on that revenue. Mr. Reynolds noted as he has watched this process over the past 7 years one of the things he looked at were all the communications we had from the Lehigh Valley Planning Commission and one of the ones we had from November, 2015, and he believes it was Mr. Evans at the time who had come up with the latest zoning amendments, was the letter we received about the changes in the uses that we then approved in response to a lot of public feedback. At the time with the Lehigh Valley Planning Commission there was a different Chair and Vice-Chair and Treasurer but Ms. Bradley was the Executive Director then as she is now. If you take a look at the November, 2015 letter having to do with the amendments at the time it says "In short these revisions to the zoning map and zoning ordinance do not deviate greatly from the previous proposal, and the ordinance as a whole remains consistent with the County Comprehensive Plan. The LVPC recognizes that these revisions attempt to reconcile criticism of some of the ordinance's provisions with a sincere effort to return a long-vacant tract of land back to economically viable use." Mr. Reynolds noted at the time in November and December of 2015 when we were trying to work through how we create some type of development that balances all of the different interests that was a pretty influential paragraph for him at the time. Obviously some of the communication we received now about what the goals are over there, he would say if you take a look at those two letters are not exactly consistent as far as the message and the recommendations are concerned. With that being said, he thinks that everybody shares the same end goal, to create the highest quality development there possible. With the comments a few minutes ago from Ms. Heller and Ms. Karner as we move forward this is a very small piece of what we are looking at as far as the total development of the site. Mr. Reynolds is encouraged about what he heard from Alloy5 and the representatives of the developer a few weeks ago and it would be wise that the Mayor said before that the developer stays in contact with Alloy5 moving forward with this development. This is the first step and it is an amendment he will be supporting tonight from Mr. Colón.

Mr. Callahan remarked that when Ms. Bradley was making some of her comments at the last meeting as representative of the Lehigh Valley Planning Commission there were a few thing he thought needed to be addressed and corrected. She had said that the surrounding neighbors did not have that parking and that was untrue. The St. Luke's building across the street has the same parking that the developer of this site wants. Also, Ms. Bradley along with one of the callers had mentioned that they were against it because the new wave of transportation will be either electric or propane or some type of new technology but no matter what mode of power for a vehicle they still need parking, whether it is electric, gas, or propane. No matter what type of technology there is to propel the vehicle, they will still need parking and that is basically what this is about. It is the additional parking out front for the patients who are going to these medical buildings. Mr. Callahan just wanted to bring this up and he thought the comments last week were a little slanted on her side and he wanted to correct that.

President Waldron remarked this has been a long road to get us to where we are this evening. This is kind of the last step for Council to move this project forward. There are a lot more steps which Mr. Reynolds alluded to with the plan that the developer will work with the City Administration on to get some of those fine points ironed out. He wanted to thank the folks at Alloy5 for putting together that presentation and letting us see what was proposed, that really

did not change what the developer brought forward but it just gave us a feel for what their intentions are and hearing about what that end use would look like and feel like. That helped solidify the plan in his mind as a positive one, not only for that area of Bethlehem but as well as the entire city, nationally and internationally too potentially. President Waldron believes this is a good project that he would like to see move forward and he looks forward to development at the site.

Voting AYE: Mr. Reynolds, Mr. Callahan, Mr. Colón and Mr. Waldron, 4. Voting NAY: Ms. Crampsie Smith, 1. Bill No. 16-2021 was passed on First Reading.

10. RESOLUTIONS

A. *Approve Resolution and Intergovernmental Agreement with Redevelopment Authority – Grants Program Manager Position*

Mr. Colón and Ms. Crampsie Smith sponsored Resolution No. 2021-134 that approves and ratifies the intergovernmental cooperation agreement between the city and the Redevelopment Authority attached to this resolution.

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

B. *Approve Use Permit Agreement – Lehigh Valley Business Corporate League – 2021 LVBCL Softball Tournament*

Mr. Colón and Ms. Crampsie Smith sponsored Resolution No. 2021-135 that authorized a Use Permit Agreement amendment with the Lehigh Valley Business Corporate League for the 2021 LVBCL Softball Tournament at Saucon Park Fields on August 20 through August 22, 2021.

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

C. *Approve Use Permit Agreement – McCarthy's Irish Pub, Inc. – Oyster Festival*

Mr. Colón and Ms. Crampsie Smith sponsored Resolution No. 2021-136 that authorized to execute a Use Permit Agreement with McCarthy's Irish Pub, Inc. for their Oyster Festival on September 18, 2021 on Walnut Street between Main Street and Guetter Street.

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

D. *Approve Use Permit Agreement – Steel Pub, LLC – Daniel Roebuck Channel of Peace Benefit*

Mr. Colón and Ms. Crampsie Smith sponsored Resolution No. 2021-137 that authorized to execute a Use Permit Agreement with the Steel Pub, LLC for the Daniel Roebuck Channel of Peace Benefit on August 29, 2021.

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

11. NEW BUSINESS

A. *Proposed Affordable Housing LERTA Bill discussed at the July 20, 2021 Finance Committee Meeting and request for consideration of the proposed Bill by full Council*

President Waldron related we have a proposed Affordable Housing LERTA Bill discussed at the July 20, 2021 Finance Committee Meeting and a request for consideration of the proposed Bill by Full Council. President Waldron informed he will turn to Ms. Karner touching back to the Communication that was entered into the record, Communication 6 D. That memo came forward this week and he will let Ms. Karner give her thoughts on that memo that she brought before Council.

Ms. Karner informed she very much intended to lay out the case for Council and provide some background information on why we use LERTA as a valuable tool here in the city and what happens when we couple it with another priority which in this case is affordable housing. There was a lot of talk about the Finance Committee Meeting around the payment in lieu fee and a lot of talk about some of the methods. She wanted to really detail when we use one of those methods that we rely heavily on and what those numbers look like. They are numbers that are a little more than what we proposed but she believes because of all of the other considerations and reasons why we use LERTA there are important factors to consider when setting the fee but much less than some of the numbers she heard thrown around at the Finance Committee Meeting. Ms. Karner related LERTA is something that involves tremendous cooperation between the city, the county, and school district and typically the city entertains it first, then it goes to the school district and then to the county. That can be a prolonged process. After the last meeting and with the inability to schedule a committee meeting before she thought it was important that Council reconsider so that we can set on a timeframe that is attainable to this calendar year. Therefore the request for this conversation tonight and potentially setting a Public Hearing date she thought was important to have.

President Waldron asked if she could help us with the parallel timelines with the county and the school district.

Ms. Karner added they are intending to present to the school district on Monday night at the Finance Committee Meeting, a lot of governmental bodies like to discuss things in committee meetings. If City Council were to set the public meeting for next week and vote on it we could potentially have the school district entertain this in September. If that is not the case we would be looking at October 25th which she thinks is their regularly scheduled meeting and she could not get it to the county and through the county committee process until we get through the school district. So there is some sensitivity around this body acting within a prescribed fashion.

President Waldron asked what those constraints are as far as pushing this out 6 months and why that would be detrimental.

Ms. Karner explained there are development projects that will miss the opportunity of including affordable housing or attaining the payment in lieu of fee. That is the biggest fear. Our goal is really to be able to incentivize affordable housing, whether your goal is for the financial resources to put into other projects or the actual units, there will be development opportunities on

these sites that she fears will be developed and will be entirely market rate and that is not going to help what we are trying to accomplish.

Mr. Callahan does not know why we are rushing this through; he thinks it should go through a normal timeframe. He would like to talk to some of the school board members also and see what their feelings are about it and some people from the county also. He is not sure why the school district would be in favor of giving away their taxes into a development project that will bring in more kids into the schools. It is something he would like to talk to them about; he does not know why we have to push this through so quickly.

Mr. Reynolds noted he would make the same point as he did at the Finance Committee Meeting in that any potential changes to the fee could be handled at the potential Public Hearing we would have. He believes we would have to pass this twice, is that correct?

President Waldron stated yes, similarly to any time we do a zoning change, we have a Public Hearing as well as First and Second Reading of the ordinance. So the timeline that Ms. Karner has asked us to lay out would be two weeks from now having that Public Hearing and in the same evening have the First Reading followed by Second Reading at the first meeting in September.

Mr. Reynolds remarked we had our Finance Committee Meeting where Dr. Van Wirt and he were here for and Mr. Colón was not at that meeting and would defer to Mr. Colón for any comments he would like to make.

Mr. Colón noted as he stated before he was unexpectedly absent at the Finance Committee Meeting two weeks ago, that being said, he had every intention to support the LERTA ordinance to come to Council with a positive recommendation at the time, if he were there. It did not come to Council because the support was not there at the committee meeting but if he were at that meeting and the vote shaped up to what to be what they were at the time we would have had this taken out of committee and moved forward. He is in favor, to Ms. Karner's point trying to sensitive to the timeline that the Administration is trying to work with to get this moved forward so that it can be serve its purpose with certain development projects. He always thinks if we could use a calendar year as a good baseline to use as a deadline if we want to get this in place for January 1, 2022, that makes sense. Not to use the term to rush it through, he does not think we are rushing anything through because this will still have to go through the hands of the school district and the county. But if the contention from Members of Council is the dollar amount for that payment in lieu of then that is something that can be ironed out and discussed by individual Members of Council, he is all ears if anyone wants to have a conversation. If the goal is to change that number bringing it out of committee does not eliminate that goal, it just gets us to where we would have been if he were at the meeting two weeks ago. Mr. Colón mentioned we could still do that work to where we are moving forward at Ms. Karner's request to let the Administration manage their timeline and when they want to get this before the different taxing bodies that have to review it. At the same time because we will have two votes Members of Council can have those discussions of what is a number we are comfortable with. He is comfortable with the intent and purpose of what is in front of us. If some of the particulars need to be discussed or changed in a fashion that is the will of Council in order to move it forward to the next step, he is willing to have that conversation and he invites anyone on Council to reach out to him. But going back to

what is in front of us today, this idea of pulling it out of committee and moving it to full Council or scheduling a public hearing, he would support that.

Mr. Reynolds added that August is one of those months that has 5 Tuesdays so we have the meeting two weeks from today which is August 17th but this is something we have to vote on twice and the second meeting for a vote will be September 7th so that creates 35 days to be able to change anything. The biggest thing that came was that potential payment in lieu of number and how it affects other parts of the ordinance. That would give us time. If Mr. Colón had been here last time and we voted this is probably the same schedule that would have existed at that point.

President Waldron remarked we probably would have had that public hearing this evening and potentially the First Reading this evening as well. So this has already slowed the process. It is unusual that we have something stuck in committee where you are unable to have a second for the purposes of pushing it forward to have a full discussion with Council. Unfortunately it is stuck in purgatory now if we decide to take action in order to continue that conversation so all of Council can weigh in and be part of the process.

Ms. Crampsie Smith related she is not part of the Finance Committee but she did have comments at that meeting. She wanted to clarify some of her comments. She does agree, contrary to what people might say she does not want to hold up this development any longer and contrary to what Mr. Callahan said, time is of the essence because this has been on the books for some time. Her concerns at the Finance Committee Meeting were that \$25,000 for a fee in lieu of was pretty low because as she said State College gets an average or \$129,000, Pittsburgh gets an average of \$200,000. It does not mean that she is looking for 6 figures for a fee in lieu of for every unit. Ms. Crampsie Smith explained she spoke to Ms. Karner to try to get clarification and what she was trying to say is that we need to have some standard formula because we have 21 LERTA parcels in the city and she does not think we can just come up with an arbitrary figure since we will have more LERTA parcels we will look at. We really need to standardize and have a formula. She does understand they got to \$25,000 but she also is interested in the fact that you are looking at the affordability gap index and with that you get an amount of \$42,450 per unit cost. She can certainly see that, this is a much better amount for a fee in lieu of. At the last meeting she said while she understands that the developers are challenged right now with high construction costs and other things, she appreciates that. But individuals have been equally challenged if not more so because of the pandemic, specifically with the rising housing costs and the lack of affordable housing. If we want to promote the wellbeing of this community and try to persevere an inclusionary Bethlehem we have to do something about housing that will be multi-income level housing for the wellbeing of the entire community. That is why she feels it is important that we come up with a figure that will be prudent and the \$42,000 is a more prudent figure. Ms. Crampsie Smith agrees timewise that there is not any point to go back to the committee because we will be back to where we are anyway. She is in favor of moving this forward to the full Council and her hope is that we can negotiate a more reasonable figure.

President Waldron agrees with Ms. Crampsie Smith that we want to continue the discussion and we want all of Council to weigh in and be able to make motions and argue points. The best way to do that is to bring it to full Council as opposed to trying to have that more nuanced conversation in committee where you are at the will of those committee members to make those motions. This will be something that ultimately will have to be adopted by full Council so it would be prudent to move this forward and have that conversation on the timeline

that Ms. Karner has laid out. In order to do that we would need a motion to discharge the Finance Committee and bring that Bill to full Council. That is the process which requires a motion and a second and a majority vote in order to discharge the review within the committee and bring it to full Council. President Waldron noted that would be the process we would do and then we would potentially at the next Council Meeting on August 17, 2021 we would be able to have the Public Hearing and the First Reading of the ordinance. Then as Mr. Reynolds said we would have 3 more weeks before the Second Reading in September on September 7, 2021 which would be 35 days from today until adopting with the Second Reading where we would have the potential of increasing the payment in lieu of that was referenced.

Mr. Reynolds added taking this out of committee also will lead to that conversation because as long as it is just Mr. Colón, himself, and Dr. Van Wirt it is the three of us having ideas. The payment in lieu of will obviously have the most discussion so from an operational point of view the best place to have that conversation would be with all of City Council. If not, say he and Mr. Colón come up with a number and we do not know how everyone else feels then we will end up having the conversation all over again with the number for the unit.

President Waldron remarked if there are no other questions or comments he would accept a motion and a second to discharge the Finance Committee from consideration of the proposed Affordable Housing LERTA Bill that was received at the July 20, 2021 Finance Committee and to schedule a Public Hearing for all of Council on August 17, 2021.

Motion – to discharge the Finance Committee from consideration of the proposed Affordable Housing LERTA Bill that was received at the July 20, 2021 Finance Committee and to schedule a Public Hearing for all of Council on August 17, 2021.

Mr. Reynolds and Mr. Colón moved to discharge the Finance Committee from consideration of the proposed Affordable Housing LERTA Bill that was received at the July 20, 2021 Finance Committee and to schedule a Public Hearing for all of Council on August 17, 2021.

Voting AYE on the motion: Ms. Crampsie Smith, Mr. Reynolds, Mr. Colón and Mr. Waldron, 4. Mr. Callahan was absent from the vote. The Motion passed.

President Waldron noted at this point the Bill will be received by full Council and reviewed at the August 17, 2021 Public Hearing at the Council Meeting. He asked Mr. Vidoni if we at this point need to schedule a Public Hearing with a vote or can that be done through the office.

Mr. Vidoni stated that scheduling the Public Hearing was just included in the motion made.

President Waldron remarked we will have a Public Hearing on August 17, 2021 and First Reading of the Bill at that same evening.

Musikfest

Mr. Colón related he hopes everyone has a safe Musikfest. It will be fun to be back out there. He hopes everyone enjoys themselves and stays safe, again it will be nice to have everyone back out and about.

12. ADJOURNMENT

The meeting was adjourned at 7:45 pm.

ATTEST:

Robert G. Vidoni, Esq.
City Clerk