

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street - Town Hall
Bethlehem, Pennsylvania
Tuesday, April 6, 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, Olga Negrón, J. William Reynolds, Paige Van Wirt, and Adam R. Waldron, 7.

PUBLIC HEARING

Prior to the consideration of the regular Agenda items, City Council will conduct a Public Hearing to accept public comment on a request for a proposed Zoning Ordinance amendment amending the Zoning Ordinance Section 1322.03 (II) to amend provisions for Multi-Family Dwellings in the CB and CL Zoning Districts.

Communication 6A – City Planning Commission – Zoning Ordinance amendment amending the Zoning Ordinance Section 1322.03 (II) to amend provisions for Multi-Family Dwellings in the CB and CL Zoning Districts.

The Clerk read a memorandum dated February 8, 2021 from Darlene Heller, Director of Planning and Zoning with an attached proposed zoning text amendment related to Multi-Family Development. At their January 14, 2021 meeting the City Planning Commission voted unanimously to recommend that City Council support the proposed Zoning Ordinance amendment to revise the Multi-Family Development Section to ensure that the provisions that currently apply in the IR-R (Industrial Redevelopment) Zoning District also apply in the CB (Central Business) and CL (Neighborhood Commercial) Districts.

President Waldron noted the Lehigh Valley Planning Commission was not able to produce comments in time for this hearing due to unanticipated delays and the timing of this public hearing. We do anticipate we will have comments from them before our first reading two weeks from today. It is also anticipated they will not have any negative comments due to the fact that this should not affect their regional plan.

Darlene Heller, Director of Planning and Zoning informed this is before you because we actually recognized an oversight or an error in the zoning ordinance. In 2012 we did a good overhaul of the zoning ordinance overall. Prior to that we had the section on Multi-Family Dwellings and specific requirements for Multi-Family Dwellings and at that time we added some design guidelines for CB and CL that are not nearly as stringent as the design guidelines that are in the historic districts. They require that the buildings be placed up to the front, the parking is in the back, the buildings must be at least 2 stories high, the doors are in the front, there are windows in the front, and we want interaction with the street, things like that. We also added a

provision in this section 1322 to exempt certain portions from the IRR district so that we can get the kind of dense development that we want in IRR. Really at the time we should have also added the exemptions for CB and CL. She pointed out that CB is our Central Business District, which are our two main downtowns and CL is Limited Commercial, neighborhood commercial and is East Fourth Street or East and West Broad Street, Linden Street, those areas are CL. In each of those areas we want to get compact development, we want it to be dense, we want it to be built up to the street and parking in the back. That is also what we want in the IRR zone. But there are conflicts in 1322 that addresses Multi-Family Dwellings and really is drawn for more suburban areas of the city, the northern side of the city when we used to get garden apartment submissions, things like that. It requires more grass and open space, more distance between buildings and more setbacks. Ms. Heller stated what they are proposing to do here is to allow in the CB and CL zoning districts all of the exemptions that we currently apply in IRR. She noted that IRR is basically the Beth Works area. We think what this is intended to do is really clean up oversights. We have had some questions from the public about this really wondering why now for something like this. In all honesty, when the proposals were being presented to the Boyd Theater it became apparent at that time that if we were going to strictly apply this section that the Boyd Theater would need to be setback some distance, there would need to be setbacks, there would need to be side yard and setbacks to the Boyd Theater. It really did not make a whole lot of sense and that is when we started to look at the impact that this section 1322 would have if we did not exempt CB and CL. It is really before you to clean up what she would consider to be an oversight from the development of the ordinance back in 2012. Ms. Heller stated she would go through the specific sections of the draft, she could do that or if there are any questions, she could answer those.

President Waldron remarked that is enough information at this point to have a general idea of the genesis for this change. This is our first of three meetings to discuss this. This is our public hearing to allow comment and questions from Council and then we will have two readings on our agenda, the first will be April 20, 2021 and the following meeting which will be May 4, 2021.

Dr. Van Wirt remarked that back at our Community Development Committee meeting last week we talked about some of the changes that we need to make in our zoning ordinance to help the density of our downtowns get developed and get more feet on the ground. This is a step for that. She noted that section 4 where it says: "Except within the IR-R district, in multifamily dwellings of 2.5 stories or less in height, maximum building size shall be restricted to not more than 16 dwelling units in one continuous structure and no portion of the building below the first story or above the second story shall be used for dwelling purposes", what is that actually allowing in our CL and CB Districts.

Ms. Heller remarked as she has said this is really drafted for a more suburban area of the city so the language is a little bit convoluted when you apply it in the downtowns. For dwellings that are 2.5 stories or less in height which we would not see downtown, the provision limits the amount of density and part of that is to restrict the smaller units and limit density in that way. Also, no portion of the building will own a first story or basement or above the second story, which is a gable, can be used for any dwelling purposes. So you just cannot put a dwelling in the basement or upper gable, that is basically what that means.

Dr. Van Wirt related it will not be that impactful because of our development that will occur downtown. Her second question is that some in our essential business district in the CL

district overlap with our historic districts, which have much tighter rules especially in terms of parking. How is that tension addressed?

Ms. Heller stated that hopefully the two mesh, the parking is required in other sections to be placed behind a building. If there is no alley to the rear it can be placed to the side of the building but it still has to be deeper into the lot than the front or side of the building. So there are some things in zoning that direct that and those kinds of things are in keeping with what the historic district guidelines would want to see. When it gets down to the details of the materials and color and other things, the zoning ordinance really does not address that, it is all at the level of the historic district review. The design guidelines are much more specific for the historic districts.

Dr. Van Wirt asked if this raises the height that buildings can be built as a right within these districts.

Ms. Heller explained this does not address height, that is a completely different section of the ordinance; it is in the dimensional section. Although the one section that is pertinent in Section 5, the taller of the building, the greater the setbacks, so that is where there is a conflict with what we want to see downtown. If the building is even 4 stories high it has to be setback from front, side, and rear which we really do not want. So it does not set the maximum height but it does say the higher you go, you would be exempted from those setbacks. The height is addressed in a different section.

Dr. Van Wirt remarked that some of the changes that we are making here are to allow more adaptive reuse of our current buildings to allow them to be flexible to have ground story retail, buildings above and parking that fits within what we currently have downtown.

Ms. Heller stated yes.

Ms. Crampsie Smith thanked Ms. Heller for this information. It sounds like we are looking at adding exemptions to CB and CL that already exist in the IRR and it would be that we would allow for greater densities in these areas in CB and CL. Does that mean if it would allow for greater stories that are normally allowed in the zoning now, if someone wanted to put 5 or 6 stories on and the allowable number is 2 or 4.

Ms. Heller reiterated this amendment is not addressing height at all. The maximum height is 60 feet in the district and the maximum height is still 60 feet. That is what it is in CL and this not affecting that at all. It just says if you built taller what the setbacks have to be and we are exempting those additional setbacks for CB and CL. It just eliminates the setback requirement.

Ms. Crampsie Smith remarked those setbacks and then the parking issue also.

Ms. Heller stated it does talk a little bit about the location of the parking, we want it to be to the rear and we are not requiring so much open space and grassy areas, the parking can be built up to the building in CB and CL because there is denser development there. We want it to be dense and compact.

Ms. Crampsie Smith noted this would be the area on the south side it would be Fourth Street and Third Street.

Ms. Heller stated the CB zoning district is the downtown for north side and south side, CL is the neighborhood commercial which would be more on the fringe. So East Fourth Street is an example of zoning that is CL, limited commercial.

Ms. Crampsie Smith remarked with these exemptions they are only looking at parking and the setback so we are not looking at changing anything as far as the height goes or making any exemptions for height within this.

Ms. Heller stated that is right, you may be familiar that separately we are doing a south side study and are looking at height there but that really is a much more in depth analysis of what is appropriate there and this is just cleaning up this amendment.

Ms. Crampsie Smith would say those are separate issues.

Ms. Heller noted that is correct.

Public Comment

None.

President Waldron stated the Zoning Amendment will be placed on the April 20, 2021 Council agenda for First Reading.

President Waldron adjourned the Public Hearing at 7:18 pm.

2. APPROVAL OF MINUTES

March 2, 2021

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

None.

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

B. *Director of Purchasing – 2021 Vehicle Auction*

The Clerk read a memorandum dated March 22, 2021 from Sandra Steidel, Director of Purchasing with an attached a list of vehicles to be sold at the next on-line auction to be held within the next 60 days.

President Waldron stated if Council has no objection the property listed; the same may be added to the on-line auction. If Council would like to discuss a specific item, the same shall be removed from the list and discussed at the next Council Meeting on Tuesday, April 20, 2021. President Waldron queried if any Member of Council would like to discuss a specific item, have it removed from the list, and discussed at the next City Council Meeting on Tuesday, April 20, 2021.

President Waldron stated a memo will be sent to the Purchasing Director that City Council has no objections to the property listed.

C. *Health Director – Recommendation of Award – Lehigh Valley Health Network – Electronic Health Record System from NextGen to EPIC*

The Clerk read a memorandum dated March 25, 2021 from Kristen Wenrich, Health Director recommending a contract with Lehigh Valley Health Network for services related to transitioning our current electronic health record system from NextGen to EPIC. Software, technical support and maintenance are included in this project. The cost is \$50,590 and will be covered by CARES grant funding. There is an annual renewal option with annual maintenance cost of \$14,580.

President Waldron stated Resolution 10 A is on the agenda.

D. *Director of Water and Sewer Resources – Recommendation of Award – AECOM Technical Services, Inc. – WWTP Process Improvements*

The Clerk read a memorandum dated March 29, 2021 from Edward Boscola, Director of Water and Sewer Resources recommending a contract with AECOM Technical Services, Inc. for WWTP Process Improvement Services. The contract runs through December 31, 2021. The total cost is \$237,480. There are no renewals.

President Waldron stated Resolution 10 B is on the agenda.

E. *Director of Community and Economic Development – Resolution – PY 2021 CDBG/HOME Annual Action Plan*

The Clerk read a memorandum dated March 30, 2021 from Alicia Karner, Director of Community and Economic Development with an attached resolution approving the City's 2021 annual CDBG/HOME Action Plan.

President Waldron stated Resolution 10 C is on the agenda.

F. *Councilman Callahan – Proposed Ordinance – Bid Preferences*

The Clerk read a memorandum dated March 31, 2021 from Councilman Bryan Callahan with an attached proposed ordinance that would award bid preferences for City contracts to certain locally-owned businesses including minority, veteran, and women-owned businesses.

President Waldron stated the ordinance will be referred to the Public Works Committee for discussion. No date has been set for that meeting yet.

G. *Councilwoman Crampsie Smith – Fireworks Law – House Bill 988 Support Resolution*

The Clerk read a memorandum dated March 31, 2021 from Councilwoman Grace Crampsie Smith with an attached proposed resolution urging our state legislators to work in the Pennsylvania General Assembly to pass HB988 in the Pennsylvania House of Representatives and comparable legislation in the Pennsylvania Senate. HB988 would address the growing nuisance of consumer fireworks in the state. The legislation would repeal the changes made to the state's fireworks laws in 2017 that allowed Pennsylvania residents to purchase larger and louder fireworks.

President Waldron stated Resolution 10 D is on the agenda.

H. *Director of Community and Economic Development – Recommendation of Award – Artefact Inc. – To Provide required HUD Historic Reviews*

The Clerk read a memorandum dated March 2, 2021 from Alicia Karner, Director of Community and Economic Development recommending a contract with Artefact, Inc. for services related to providing the required HUD historic reviews as part of a PA PHMC Programmatic Review Program in accordance with HUD rules. The term of the contract runs through December 31, 2022 with an option to extend 2 years. The cost is \$11,200 and will be funded through CDBG and/or HOME grant funds.

President Waldron stated Resolution 10 E is on the agenda.

7. REPORTS

A. *President of Council*

B. *Mayor*

1. *Administrative Order – Earl Bethel – Redevelopment Authority*

Eric Evans, Business Administrator, read Mayor Donchez' reappointment of Earl Bethel to membership on the Redevelopment Authority through March, 2026. Mr. Colón and Mr. Waldron sponsored Resolution No. 2021-066 to confirm the reappointment.

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, and Mr. Waldron, 7. The Resolution passed.

2. *Administrative Order – Earl Bethel – Blighted Property Review Committee*

Eric Evans, Business Administrator, read Mayor Donchez' reappointment of Earl Bethel to membership on the Blighted Property Review Committee effective through March, 2025. Mr. Colón and Mr. Waldron sponsored Resolution No. 2021-067 to confirm the reappointment.

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, and Mr. Waldron, 7. The Resolution passed.

3. *Administrative Order – Rosalee Sabo – Civil Service Board*

Eric Evans, Business Administrator, read Mayor Donchez' appointment of Rosalee Sabo to membership on the Civil Service Board effective through October, 2022. Mr. Colón and Mr. Waldron sponsored Resolution No. 2021-068 to confirm the appointment.

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, and Mr. Waldron, 7. The Resolution passed.

4. *Administrative Order – Shirley Morganelli – Civil Service Board*

Eric Evans, Business Administrator, read Mayor Donchez' appointment of Shirley Morganelli to membership as an Alternate to the Civil Service Board effective through October, 2022. Mr. Colón and Mr. Waldron sponsored Resolution No. 2021-069 to confirm the appointment.

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, and Mr. Waldron, 7. The Resolution passed.

5. *Administrative Order – Ronald R. Heckman – Redevelopment Authority*

Eric Evans, Business Administrator, read Mayor Donchez' reappointment of Ronald R. Heckman to membership on the Redevelopment Authority through March, 2026. Mr. Colón and Mr. Waldron sponsored Resolution No. 2021-070 to confirm the reappointment.

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, and Mr. Waldron, 7. The Resolution passed.

Summer Jobs/Lifeguards/Golf Course

Mr. Evans remarked they have had internal meetings about spring and summer operations. He wanted to ask anyone on Council to spread the word about hiring for summer positions. They are now posted on the City's website under Job Opportunities, specifically lifeguards. We are looking to open up our pools and are attempting to understand the moving CDC guidelines. At this point it is our intention to open a number of pools including Memorial Pool which just finished up construction as well as Yosko, and also Clearview and then we may have an issue with regards to personnel. We are short on lifeguards, last year at this time we had 84 signed on and ready to go but this year we are at 24 signed on and ready to go. We have the same recruiting step strategies, we have 3 social media network sites going on, it is on our website and high schools have been contacted. There are a number of issues, number one being Covid and the loss of last year in that pipeline, there is also the issue of certificates, the certificates need

to be renewed that include first aid and CPR and the lifeguard certificate. The good news is that we do provide that, if we can get the lifeguards and get them to pass the background checks. This is a great summer job; he did it for a number of years. We have trouble recruiting lifeguards and with that shortage we may have an issue in opening up pools 3 and 4 which would be Clearview and likely Westside. Mr. Evans added they are looking into putting some work into the Stark Pool but we cannot open more than 2 or at the most 3 unless we get some help from lifeguards so please spread that word. Mr. Evans continued to say that the Golf Course is now open, the range opened last week and the 9 hole, the 18 hole opened on Thursday and the weather has been nice in March and now into the month of April. Our General Manager Larry Kelchner will be leaving us; he is taking a step back. He will stay around but it was always the plan that when Mr. Kelchner came on he was contracted and was not brought in as a full timer but to bridge what we had and where we wanted to go with that. He was listed under contract as a part time General Manager and the objective at that time was to identify, engage, and take all the needed actions to restore the success of the Golf Course and put is on the path to the future. Of course there is still work ahead but Mr. Kelchner's primary objectives have been achieved. When we talked last fall Mr. Kelchner indicated that sometime this summer would be the appropriate time for him to take a step back and at that time Mr. Evans asked if he would be willing to stay on as a consultant on a much lower role but it is important because he will remove himself from daily operations and the rest of the management team agreed to step up. He was happy to agree to that so he will be available to support our staff through the end of this year. A few words about our staff, if you remember Chris Judd is a lifelong Bethlehem resident and joined us from a neighboring county club to take on the role of Superintendent last spring. The conditions were excellent last summer and the course conditions are in great hands with the experience and professionalism that Chris brings to the table. The other leader is Paul Viola and he has been a PGA pro at the Golf Course since 2008 and has been waiting for this opportunity for taking on this complete responsibility for golf operations. He has the experience that is needed and is renowned in the region as a PGA professional and has built strong relationships with the golfing community specifically to Bethlehem. So he has been fully involved in running the operations day to day for over a decade. He added that Chris and Paul have built that relationship over the last year and work great together and have a blue print to keep the golf course as the most heavily played in the Lehigh Valley and as long as we have good weather we are fully confident those two will be able to take care of the course out there. Mr. Evans thanked Larry for his tremendous efforts. It was a short time which went quick but the course is in better shape in every way and is poised for long term success. Whether you tour the course or you take a look at the financials that it has built up in the last three years there is no doubt about either of those points. He has the utmost respect for Larry and will miss seeing him at the course; he puts in a lot of time and has a true passion for it. From time to time he will probably be playing a round of golf with a group of his friends or family and hopefully he can spend more time at home but he is available to us as needed. Mr. Evans just wanted to deliver that warm thank you because it was a wonderful job he did in the time he was with us.

C. *Community Development Committee Meeting*

Chairwoman Van Wirt stated the Community Development Committee met on Tuesday, March 23, 2021 at 6:00 PM in Town Hall. The Committee considered the following agenda items:

1. 2021 CDBG/HOME Action Plan Public Hearing; and
2. Affordable Housing and the Affordable Housing Task Force

On the first agenda item, the 2021 CDBG/HOME Action Plan Public Hearing, the committee voted to approve the 2021 action plan and authorized the administration to send appropriate approval legislation to full council for consideration. An approval resolution is on tonight's agenda for consideration. The second agenda item, discussion of affordable housing issues and the Affordable Housing Task force, was for information purposes only and no actions were taken.

D. *Finance Committee Meeting*

Chairman Reynolds stated the Finance Committee met on Tuesday, March 30, 2021 at 6:00 PM in Town Hall. The Committee discussed and voted on four (4) agenda items:

1. Amending the General Fund - 2021 General Fund Adjustments
2. Amending Water Capital Fund - 2021 Budget Adjustments
3. Amending the Sewer Capital Fund- 2021 Budget Adjustments
4. Amending the CDBG/HOME Budget - 2021 Budget Adjustments

Committee votes were taken on each of the four agenda items. The committee voted to recommend placement of appropriate bills on tonight's Council meeting agenda for each item. The four bills are on tonight's agenda for first reading.

8. ORDINANCES FOR FINAL PASSAGE

- A. *Bill No. 09-2021 - Adopting Policies and Regulations for the Determination of Stormwater Use Fee Credits and for Appealing Stormwater User Fee Determinations*

The Clerk read Bill No. 09-2021 - Adopting Policies and Regulations for the Determination of Stormwater Use Fee Credits and for Appealing Stormwater User Fee Determinations - sponsored by Ms. Negrón and Mr. Waldron and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
PENNSYLVANIA, ADOPTING POLICIES AND
REGULATIONS FOR THE DETERMINATION OF
STORMWATER USER FEE CREDITS AND FOR
APPEALING STORMWATER USER FEE DETERMINATIONS

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, and Mr. Waldron, 7. Bill No. 09-2021 now known as Ordinance No. 2021-08 was passed on Final Reading.

9. NEW ORDINANCES

- A. *Bill No. 10 - 2021 - Amending 2021 General Fund - General Fund Adjustments*

The Clerk read Bill No. 10-2021 - Amending 2021 General Fund - General Fund Adjustments 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
THE 2021 GENERAL FUND BUDGET

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, and Mr. Waldron, 7. Bill No. 10-2021 was passed on First Reading.

B. Bill No. 11 – 2021 – Amending 2021 Capital Budget for Water Utilities

The Clerk read Bill No. 11-2021 – Amending 2021 Capital Budget for Water Utilities 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
THE 2021 CAPITAL BUDGET FOR WATER UTILITIES

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, and Mr. Waldron, 7. Bill No. 11-2021 was passed on First Reading.

C. Bill No. 12 – 2021 – Amending 2021 Capital Budget for Sewer Utilities

The Clerk read Bill No. 12-2021 –Amending 2021 Capital Budget for Sewer Utilities 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
THE 2021 CAPITAL BUDGET FOR SEWER UTILITIES

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, and Mr. Waldron, 7. Bill No. 12-2021 was passed on First Reading.

D. Bill No. 13 – 2021 – Amending 2021 Community Development Block Grant Budget

The Clerk read Bill No. 13-2021 –Amending 2021 Community Development Block Grant Budget 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
THE 2021 COMMUNITY DEVELOPMENT BLOCK GRANT
BUDGET

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, and Mr. Waldron, 7. Bill No. 13-2021 was passed on First Reading.

10. RESOLUTIONS

- A. *Approve Contract – Lehigh Valley Health Network – Electronic Health Record System from NextGen to EPIC*

Mr. Colón and Mr. Waldron sponsored Resolution No. 2021-071 that authorized to execute a contract with Lehigh Valley Health Network for services related to transitioning our city medical records system from NextGen to EPIC.

Dr. Van Wirt wondered if there was a representative from the Administration who could discuss why we are doing this. She is not saying it does not make sense, just to get a background on this.

Mr. Karner noted she is not in a position to comment but does not know if Mr. Evans is.

Mr. Evans added that he is not and that they can get back to Council on that information.

Dr. Van Wirt does not want to hold this up but added that we are obligating ourselves to not only a \$50,000 dollar plus transition fee but then \$14,000 in ongoing annual costs. It may be a benefit but she wants to know what that was and what our current obligation to maintain Next Gen are. It would be nice to understand. She knows we are getting CARES money for the initial \$50,000 dollar outlay but she does not think we will have that money for ongoing and that is just a cost the city was incurring and she just wanted to understand it better.

Mr. Evans pointed out that is something that Health Director Kristen Wenrich could respond to. That concern is valid going forward.

Dr. Van Wirt asked if this will be a final vote.

President Waldron pointed out this will be a one and only vote on this and he wondered if this there is a timeline on this.

Mr. Evans reported he will get in touch with Ms. Wenrich and maybe the vote can be postponed until after all the other resolutions.

President Waldron asked for some guidance from Solicitor Spirk but we can table this and look at it in two weeks.

Solicitor Spirk stated you can do that and you can also hold the vote until the rest of the resolutions.

Mr. Evans stated he was able to get through to Ms. Wenrich, she just walked through the door from the clinic they had at Wind Creek this evening. She will be able to dial in.

President Waldron remarked to Ms. Wenrich that Dr. Van Wirt had the question as to why the change and where will the money come from in the future after this first contract.

Ms. Wenrich remarked we have had NextGen as our electronic health record system for the last few years, they are a national company and at the time when we selected NextGen both health networks in the Lehigh Valley were not using EPIC so we decided to go down the path of

using NextGen where they were trying to assist in getting public health departments utilizing their technology. She added that NextGen has worked but it is a rather clunky system and we really did not have the support from NextGen for billing. We struggled with billing for clinical services. With the Covid funds it offered us the opportunity for quality improvement with our electronic health system, to really look at the cost benefits of whether we want to continue with NextGen or move to EPIC since both health networks were utilizing that system. The decision was made when looking at all the factors to move and migrate to EPIC, given the fact that her staff were using EPIC on a daily basis and we have clients and patients that we share and were using both health network EPIC systems already and then we Lehigh Valley also offered the additional support with billing services. So that was the decision to move to EPIC with full health networks that were utilizing that system and just the fact that the staff is familiar with EPIC and is a more efficient system and finally we will be using the Covid funds to pay for the system, so it will all be grant funded.

President Waldron asked if there is a maintenance or update in the next 2 to 5 years out.

Ms. Wenrich stated yes and that is included in the contract, you will see in the contract the overall cost for EPIC and then the maintenance and actually the maintenance is cheaper than what we are paying now for NextGen.

Dr. Van Wirt remarked that answers her questions, so you will be able to integrate these records with LVHN and St. Luke's records seamlessly.

Ms. Wenrich stated yes, it will offer a more seamless system where right now NextGen was totally exclusive of EPIC, so it will be better for our clients and our staff. We will be only utilizing one system.

Dr. Van Wirt stated she is sorry to pull Ms. Wenrich out of the clinic; she does appreciate her answering these questions.

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, and Mr. Waldron, 7. The Resolution passed.

B. Approve Contract – AECOM Technical Services, Inc. – WWTP Process Improvements

Mr. Colón and Mr. Waldron sponsored Resolution No. 2021-072 that authorized to execute a contract with AECOM Technical Services, Inc. for WWTP process improvement services.

Voting AYE: Dr. Van Wirt, Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, and Mr. Waldron, 7. The Resolution passed.

C. Approve Resolution – Approval of PY 2021 CDBG/HOME Annual Action Plan

Mr. Colón and Mr. Waldron sponsored Resolution No. 2021-073 that approved the Annual Action Plan for PY 2021 for the City of Bethlehem for the period from January 1, 2021 to December 31, 2021 and authorized to submit the PY 2021 CDBG/HOME Annual Action Plan and the necessary assurances and certifications for HUD approval.

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, and Mr. Waldron, 7. The Resolution passed.

D. Approve Resolution – Fireworks Law – House Bill 988 Support Resolution

Ms. Crampsie Smith and Mr. Reynolds sponsored Resolution No. 2021-074 that urges state legislators to work in the Pennsylvania General assembly to pass HB988 in the Pennsylvania House of Representatives and comparable legislation in the Pennsylvania Senate to address the widespread nuisance of consumer fireworks.

Ms. Crampsie Smith remarked that Mr. Reynolds had brought up a resolution regarding the fireworks a few years ago. Now it has come to her attention that our local state representatives, Jeanne McNeil, Peter Schweyer, Mike Schlossberg, and Steve Samuelson are all proposing a repeal of the fireworks law from 2017 where it made it legal to buy fireworks that are extremely loud. Recently the fireworks issue has become unfortunate as it was last summer and fall. It is a real issue as far as quality of life of the people in this city and anything we can do to support our state legislators in getting a repeal of the former law is important because fireworks are very disruptive to people but there are some populations where it affects children with sensory disorders, people with post traumatic distress disorders. There are also people who work different shifts and they are trying to sleep when these fireworks are going off. Ms. Crampsie Smith remarked anything we can do to try address this issue is important. She did speak to Police Chief Michelle Kott on this issue and she said that the police department is well aware of it and are doing everything they can but it is a challenge in enforcing it. They asked that the community assist in any way that they can and that any time they see or hear fireworks going off that they call the police immediately so they can try to get to the location. Often times by the time the police get there the culprits are gone. She also spoke to Chief Kott about excessive speeding and drag racing on our streets, especially on Main Street and Elizabeth Avenue. She has been on Main Street where people are trying to dine out and have a nice evening but there is excessive speed on Main Street going on, but Chief Kott told her they are well aware of that.

Mr. Reynolds added the ideal situation is that the state rescinds its current fireworks law but we also need to plan for that world in which this is going to continue. We could look at down the road whether or not there is more regulation on the people that are selling the fireworks or some type of license for people selling them, because this is a problem. He and Councilwoman Crampsie Smith do not live too far away from each other and already we have nights in March where people are setting off these fireworks at 2:00 am or 3:00 am in the morning. It is a problem in every neighborhood in Bethlehem. Mr. Reynolds stated we should take a look at maybe a licensing system for the people that are selling them, or investigate whether or not people need to leave their information so at least we know where they are in the neighborhood, those are just a few ideas. It is a problem and will only get worse if the state does not do something or if we do not find some type of local regulatory potential. We do give out permits and licenses for all sorts of things but this is not one that we do yet.

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds, Dr. Van Wirt, and Mr. Waldron, 7. The Resolution passed.

E. Approve Contract – Artefact, Inc. – To Provide Required HUD Historic Reviews

Mr. Colón and Mr. Waldron sponsored Resolution No. 2021-075 that authorized to execute a contract with Artefact to provide the required HUD Historic Reviews as part of a PA PHMC Programmatic Review Program in accordance with HUD Section 106 review.

Voting AYE: Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, Mr. Reynolds Dr. Van Wirt, and Mr. Waldron, 7. The Resolution passed.

11. NEW BUSINESS

Federal Funds

Mr. Callahan queried when we find out from the state the guidelines for the \$33 million dollars of federal funds.

Mr. Evans reported it will not be from the state but from the U. S. Treasury, so there will be federal guidelines. We have been on a series of calls with the Pennsylvania Municipal League, Senator Casey, Representative Wild, as well as Senator Boscola's office and County Executive Lamont McClure and we are all in the same boat waiting for those guidelines. We have not been given a definitive date. Last week Senator Casey mentioned it could be up to 30-60 days so we wait for those instructions and clarity on uses and timelines. We have also been busy with phone calls into what we label our seven cities phone call and that is when we get on the phone and check with other cities when things are going on whether it was Covid or especially with the CARES Act. We will touch base with Scranton, York, Lancaster, Reading, Allentown, and Easton and we will hear what their thoughts are and what they are hearing so we all understand the same things. That has been going on in the meantime. It is difficult because we do not want to take action until we know what we need to know. Mr. Evans informed that they expect some time in April that we will get that information; maybe by the next Council Meeting on April 20th we will be able to report something and have clarification and guidelines which will probably be in the newspaper. We will also be able to forward anything to Council Members that we receive from the Treasury.

Mr. Callahan asked if that is for the guidelines or is that for the funds themselves, and do we have the funds now?

Mr. Evans stated no.

Mr. Callahan asked when the funds will come in.

Mr. Evans stated they do not know, and that they said it could be 30 days from the initial signing but they will also clarify because this is the first time they will do something like this directly to localities. So we are not sure when we will receive it although we do believe it will be in two groups, whatever that number is if it is that \$33.7 million, that would be split into 50/50 with receiving half the funds sometime this spring or summer and the other half would then arrive within 12 months of the first.

Mr. Callahan reported he was on the phone with some people from Harrisburg and he is sure Mr. Evans is getting more accurate guidelines than they are. He heard that there is a 3 year time period to spend the money.

Mr. Evans noted there is a 3 year time period and there is also a list of anything under a grant scenario when you have a number of eligible uses. One thing we are looking at is that you are able to qualify that funding as an eligible use that would then be able to extend the timeline. For example if we are able to use our EMS payroll out of response to the Covid, that is what Lancaster was talking about, they have been responding and all of public safety under the CARES Act was considered a reimbursable expense. Let us say if we have \$35 million dollars of public safety payroll, Police, Fire, and EMS and we qualify that would then certify with the federal government that funding is then eligible and we check that box with the federal government and we could treat that as reimbursed funds and maybe be able to spread it out. We are looking at different options but that is what Lancaster did in the fall, they asked that question and it was said that as far as they understand, the guidelines are not out yet, but the these funds would be treated like the CARES funds in the fall, that would be an eligible expense. That changes the discussion in the City of Bethlehem on how they then treat or use the funds in the timeframe and where they are directed. But it is a discussion we hope as we have more information, we will discuss with Council and also believe it could be a larger discussion with regard to community involvement and weighing in on what are the priorities and how it can be used. Mr. Evans added that they just do not want to spend too much time, we have our thoughts which we will hold them to ourselves right now until we know what we can truly do so it does not get people set up on something and we find out that is not the case.

Mr. Callahan is sure they have been inundated by other department heads and others about a wish list that everybody has. He does not know exactly what we are allowed to use this money for but he was told that we could not use the money to reduce taxes but we could give a tax rebate back to the citizens of the city. He was pretty vocal last budget season when we talked about raising taxes and the 5% tax hike in the middle of a world pandemic. He understands the situation we were in at the time but with that federal money that could change things. The 5% tax increase brought in \$1.5 million.

Mr. Evans believes it was a little bit under that, the calculation was \$1.3 to \$1.5 million and that is the equivalent of 5% in this year's budget.

Mr. Callahan knows we will have many discussions on this so he would ask at some point that we have a serious discussion about possibly giving a rebate of that 5% back to the taxpayers of the City of Bethlehem and use about \$1.3 million of the \$33 million dollars to help the people that are hurting out there. Many people lost their jobs and are hurting financially and businesses closed down so this would be a good will gesture on a part of the city. We were in a bad financial time and had to raise taxes 5% but due to the windfall of the money from the federal government we would like to give a tax rebate back of that 5%. Mr. Callahan is not sure that everyone on Council feels the same as he does with this but he would hope. He was very impressed with Councilwoman Grace Crampsie Smith's efforts in trying to get affordable housing. He would be the first one to second any type of motion that she might have. With this money, we do have all sorts of things we can use that money for but this is an opportunity where we can put our money to good use and put some of that money, if allowed, into moderate income housing. Anywhere from \$3 to \$5 million would be a good starting point for trying to get low and medium income affordable housing in the City of Bethlehem. Whether we could use that for some type of fund to build that type of housing, he would be supportive of it and in honor of all of the work that Councilwoman Crampsie Smith has done. He is sure we will be having many discussions on

what we will be doing with that money and projects and things that can be done that can help the city over the next few years. Mr. Callahan looks forward to those discussions.

Mr. Evans followed up saying there will be a lot of thoughts and conversation moving forward and he would ask anyone on Council to take a look at what is involved in the entire act. When you look at the \$1.9 trillion that is astronomical and he added that Senator Casey was thrilled at the opportunity of what this money can provide. There are a whole lot of what he will say buckets and that \$350 billion was sent to states and municipalities, half to the states and half to the cities. There is an entire listing with some of what was talked about with affordable housing and rental assistance and utility assistance, there is also healthcare. Mr. Evans stated he will send the links that Council can explore. One of the things we are also trying to look at is that we are not overlapping efforts that are already being made, whether it is on the federal, state, or county level. We are taking a trip out to the county to meet with the County Executive and check with their thoughts on how they might be distributing it. There is a whole bucket in there for restaurants, the Paycheck Protection Program was extended but there is also a restaurant specific to where they can go in for lost revenue. These are large numbers and will be game changing a lot of levels at the social support systems for hopefully many years. At the same time another thing we need to look at is to talk about the infrastructure bill and that has not even come to vote yet. There are things we talk about internally and then another year you hear there may be infrastructure help and will that come down to the local level or is that only bridges. We would like to put some towards the roads and that would be something we will talk about but if it is in the infrastructure bill we will do it then with that money. Mr. Evans reported we want to make the best of this, it is certainly an opportunity and we want to present a plan that will be open to debate and conversation but responsible to all taxpayers. We felt the pain last fall, it was not fun. The idea of governing comes down to decisions and we talk about if something goes into this bucket then this has to happen, we maybe cannot keep personnel and keep the taxes flat, so we try to balance it through a series of conversations between the Administration and with the community and then for Council's vote. We do hope to propose something once we know the facts and bring some proposals to Council and have a framework of some things we will be able to do in the community, whether internally in holding off taxes. Some of you may remember 10 years ago we heard what happened to that Casino money, but we know where it went and we know what the budget looks like, we know how important that was to put to good use and is a tremendous benefit we have. We do not want to be asked that same question, although we may do despite our best intentions hear where did that \$30 million go? So it will be put to a great use, although we may not all agree when decisions are made but we will have some type of agreement whether it be through a series of compromises or other ideas and thoughts. We will send this through social media, we thought about maybe once we have a proposal to put on a YouTube presentation with a slide show that the residents can see and hear their thoughts. Mr. Evans reported so everyone can understand and hopefully agree, it may not be exactly what we wanted but a good use for the whole City of Bethlehem.

Mr. Callahan stated he appreciates Mr. Evans thoughts and comments on this. He knows there is a large wish list for a lot of things that have to be done. When he was talking to Harrisburg he was told that in the infrastructure bill that President Biden is looking at is money for bridges and roads and also for wastewater treatment plants too. We have some huge needs down there at our sewage treatment plant. He hopes that comes through and as we know Bethlehem has an aging pipe system that is underneath our historic and downtown area. Mr. Callahan added that Mr. Alkhal is always telling us how much it would cost to replace a linear

mile of water and sewer piping. Every time we talk about he walks away disheartened because he realizes we do not have the funds for that right now. Hopefully that infrastructure bill comes through. He reiterated if it is true that this can be used for a tax rebate he would like to propose and hopes that he would have everyone's support on that to give a break back to the citizens of Bethlehem with that 5% rebate back to the taxes we raised, which we had to do at the time. He does understand we were all in a tough position but it would be a good will gesture to the city to say we are trying to help you out also.

South Side Arts District/Police Hiring/Marijuana Legalization

Mr. Colón remarked that we had received an email from Councilwoman Negrón and the South Side Arts District and another one earlier today that the South Side Arts District coordinator was looking for volunteers to help clean up on the Greenway this weekend because of some dumping that is going on. That dumping is going on specifically between Hayes Street and the Skatepark over on the Greenway. He does know as with the fireworks that Councilwoman Crampsie Smith talked about, it is very difficult to police who is dumping whether it is through the Health Bureau with some ordinances or the police department, you really need to catch someone in the act or if they throw out something with their name on it. Mr. Colón remarked any remedy or intervention through the different departments will help. Even with a group of volunteers cleaning it up, this will still be a problem that will continue again. He does appreciate the efforts of getting volunteers to help, if there is anything that can be done to monitor that as we celebrate the Greenway and the weather gets nicer, let us know if we can help. This might have been addressed already but any attention that can be given is appreciated. He also wanted to mention that he saw on our website that the Bethlehem Police Department is hiring now. To anyone who is watching at home, we cannot hire someone if they do not apply for a job, he knows that the police department is going out there and recruiting through social media, schools and other methods. He is glad to see the attention given to that and hopefully there is a strong group of applicants. The hiring window is open until May 14th of this year to apply for the police department. Mr. Colón then brought up the topic that was initially brought up by Councilwoman Negrón, the idea about the decriminalization of marijuana. Another one of our neighbors, New York State on March 31st now passed legislation to legalize marijuana so that is something we have been trying to do in Bethlehem with decriminalization, we do have the challenge of straddling the two counties. But another state legislature that we can get to in about an hour has now made something fully legal that remains a misdemeanor in our state. So New Jersey is fully legal and now New York is fully legal and every other state in the northeast except Pennsylvania is at least decriminalized at the state level, so he thanks Councilwoman Negrón again for bringing that forward and to his colleagues who have done all we can in our ongoing efforts as we look forward to Pennsylvania hopefully not being one of the last states to get on board with something that will sweep across the country.

Trash and the blowing winds/Police Anti-Violence Training/Police Hiring/National Borinqueneers Day

Councilwoman Negrón remarked about the way the problem with the Greenway is even worse because of the way it curves. She was looking around her house, she has plastic bags, surgical masks, cigarette boxes, and the wind has been brutal over the past few months so garbage blows around. The bushes just catch all the trash that blows around. There are some areas where people are dumping but most of it is just the wind and the bushes just serve as a

place for the trash to catch. She does not know what can be done except clearing the bushes. She wanted to shout out a thank you to County Executive McClure, it was in the newspaper today of them growing their relationship with the anti-violence training for local police departments. That is something they were doing at a small level but it is now getting to a different level. She just wanted to thank County Executive McClure for moving forward with that anti-violence training because it is very much needed. She also wanted to mention the police hiring, and that Chief Kott will be with Officer Flores at the Spanish organization Mega for bilingual interview next week and that interview will be aired simultaneously all over the Lehigh Valley, Reading, and Philadelphia so individual from not just from the Lehigh Valley will be listening to her with information about sharing the hiring process. She had sent an email to Mr. Vidoni who sent it out to all of Council that April 24th Touchstone Theater is opening the outside stage. They will also have a Latin Fiesta night so she hopes that everyone gets excited and puts their masks on and shows up. Monday, the Hispanic Center is going to offer a free virtual conversation about trust building with law enforcement. They will have 5 Chiefs of Police including our own so that will be a good opportunity for everyone to join in virtually and listen to the conversation in building the trust. Lastly, April 13th has been designated by Congress on January 1st of this year, they passed a law that it is a National Borinqueneers Day and this is about the 65th Infantry Regiment that was Puerto Ricans only and it was for years the only regiment that has received the congressional gold medal. She works with the Borinqueneers Congressional Alliance for a long time. She noted that President Obama on April 13, 2016 signed the bill honoring the 65th Infantry. This is something extremely important to the Latinos especially the Puerto Rican community because we this segregated regiment was never recognized and to have a national day this is even more important. We here in Bethlehem will have a groundbreaking ceremony on the Greenway on Tuesday, April 13th at 4:00 pm and will do a monument dedicated to the 65th Infantry Regiment. This has been an effort between the City of Bethlehem, CADCD, and the South Side Initiative. She thanks everyone that was involved. She hopes that everyone will come and join us in celebration of such an important day for the Puerto Rican community.

Climate Action Plan Release

Mr. Reynolds informed he wanted to remind everyone that we will be releasing our Climate Action Plan (CAP) on Monday, April 12th at 4:00 pm. This will be a virtual event. Our actual plan is that we will be doing a series of events in 2021 because it is so comprehensive but our first one will be on Monday at 4:00 pm. He added that Mr. Vidoni will send out the link and we will go through a summary of it, this will be an exciting day as we look at the roadmap here for a city Climate Action sustainability going forward.

Affordable Housing/Tax Refund

Ms. Crampsie Smith stated she wanted to go back to the conversation between Councilman Callahan and Mr. Evans. As far as the rescue plan funds she knows that both our city and individuals in our city have been hard hit by Covid and thank you Councilman Callahan for bringing up the housing issue. She also attended the webinar about how the money can be used and there are a lot more questions than answers and they said it could be about 2 months until we get most of our answers from the Treasury Department. She noted that housing and homeless was one area that the funds could definitely be used on. We do have to look at the total picture for the city and where we need the funds to go but she hopes that we can designate some of the funding at least to affordable housing as well as for homelessness. She does agree with

Councilman Callahan about the tax refund, but we do need to look at the total picture and see where needs are within the city but it is important to look at the citizens who were hit most hard by Covid. Perhaps rather than giving everyone a blanket maybe we could look at this as an income basis just like the stimulus checks were only given to those within a certain income threshold. Maybe we can look at those within a certain income and give them some percentage of a tax refund. We talked at our last Community Development Meeting with Mr. Evans about this and that we have to wait until we get more answers and hopefully then we can allow for multiple options for input from all different entities on how best we should use these funds.

Thank You to Larry Kelchner

Mr. Callahan did not want to have the meeting end without thanking Larry Kelchner for everything he did over at that Golf Course. If anyone remembers the shape that course was in just 3 years ago, that man did an amazing job. He is a self-made financially retired guy and did this at the golf course out of a love he has for golf and for the municipal golf course. He devoted an enormous amount of time and energy into that and really did a great service for the City of Bethlehem. Mr. Callahan noted that Mr. Evans would remember the conversation when he called him and sent him some pictures of how sad of shape the golf course was in and that is where it started. We started talking about it and we were then accepting bids to see if we would privatize the golf course or keep it. We got lucky that Mr. Kelchner stepped in and really did a great job on that property with the irrigation and the water pumps and all the trees, the driving range, the golf cart paths, just everything. It was budget neutral so that was a huge thing also. Mr. Callahan just wanted to thank Mr. Kelchner for all his efforts and all his time he devoted to the City of Bethlehem. The people who golf over there and all the junior golfers also appreciate all of the work Mr. Kelchner did.

12. ADJOURNMENT

The meeting was adjourned at 8:22 pm.

ATTEST:

Robert G. Vidoni, Esq.
City Clerk