

BETHLEHEM CITY COUNCIL MEETING  
10 East Church Street - Town Hall  
Bethlehem, Pennsylvania  
Wednesday, June 3, 2020 - 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

President Waldron stated prior to the consideration of the regular Agenda items; City Council will conduct two Public Hearings:

The First Public Hearing is to review and accept public comment on the proposed use of funds to be received through the Bureau of Justice Assistance (BJA) 2020 Coronavirus Emergency Supplemental Funding Grant in the amount of \$146,016.

The Second Public Hearing is to receive public comment on the request for the Inter-municipal Transfer of Restaurant Liquor License No. R-18906 from Sagra Bistro, LLC, Hellertown, Northampton County, Pennsylvania, to Wilbur Restaurant, LLC, 202 Wyandotte Street, Bethlehem, Northampton County, Pennsylvania.

*Public Hearing No. 1*

President Waldron called the First Public Hearing to order and stated he will recognize Police Chief Mark DiLuzio to make the presentation and then accept public comment on the proposed use of funds to be received through the Bureau of Justice Assistance (BJA) 2020 Coronavirus Emergency Supplemental Funding Grant in the amount of \$146,016.

Chief DiLuzio explained this is a grant from the Bureau of Justice Assistance for \$146,016 dollars and it will be used to resupply the Bethlehem Police Department for the supplies we use during this virus season this year. Also it will be used to update communication equipment. We were one of about thirty different agencies in the State to receive part of this grant. The communication equipment we are looking at is to update our outdated car radios which are attached to the Northampton County 911 Center. We are also going to buy an amount of supplies from gloves to masks to spit covers and other cleaners and sanitizers that we use for this year as this continues and into next year for whatever comes next year.

President Waldron queried if there is a breakdown on those two different categories as far as the dollar amount for each one. It does not have to be exact but maybe a rough percentage amount for each of the \$146.016.

Chief DiLuzio stated it is about \$4,000 or \$5,000 dollars in protective equipment and the rest will be for mobile in car radios. Each radio unit is worth about \$5,300 dollars. We would have to be updating them normally but then this grant came along. The other part covers N95 respirators, surgical masks, nitrate gloves, face shields and other cleaning and PPE equipment that police use. We use a lot of these things every year with the normal flu season and anytime during the year with people with certain diseases.

President Waldron mentioned with the car radios and asked if that would outfit the entire fleet.

Chief DiLuzio believes it will outfit 35 or 36 cars.

President Waldron asked of how many.

Chief DiLuzio reported they have about 60 some vehicles and not every police car now has a radio either, the SRO ones do not. Every officer has a portable radio, they really do not need the car radio because the portables are very strong, but the main cars with the computers that the control officers use those are the ones where they have the main radio in them.

President Waldron remarked then that this grant is for radios in cars but at the same time those radios are not necessary.

Chief DiLuzio clarified that he said that not necessary in every police car and in the patrol fleet they are necessary. For detective's cars or for his unit he does not believe in spending \$5,000 dollars on a radio when they have a portable because the newer portable radios are very powerful and do what they need. The other radio systems are hooked into the computer system along with everything else in the patrol vehicles.

President Waldron noted as far as the amount for the direct COVID response as far as the PPE, he imagines they are tracking how much the City has spent thus far directly related to that effort within the Police Department.

Chief DiLuzio informed that he does and he has those numbers and sent them to Michelle Cichocki, Human Resources Director who is doing the numbers for the City.

President Waldron asked if this grant will cover the amount that has been spent or is it in surplus to that.

Chief DiLuzio stated no, this will be for next year. The money we have spent this year for equipment and PPE this year will be covered when we file with the State under the Governor's declaration for reimbursement.

President Waldron then asked how the level of equipment supply is now.

Chief DiLuzio noted they are steady, they have a good supply and they actually have a lot of donations from businesses and corporations in Bethlehem.

Dr. Van Wirt asked what the strategy would be in terms of the utilization of PPE for your officers. She asked what they are using and how frequently are they renewed and when do they put them on.

Chief DiLuzio explained each officer is issued an N95 mask and as soon as that mask is contaminated or the officer believes that he needs a new one, we issue them a new one. They all wear the gloves and every other type of PPE we have is up to the officer, all medical calls and any time there are dealing with somebody. There are some occasions where the officer if it is an in progress call and he pulls up and he cannot put the mask or gloves on and has to engage, that goes with the job. But we are using everything we have and so far we have not had an officer come down with the virus, or a City paramedic or a City firefighter.

Dr. Van Wirt stated that is good to know.

Chief DiLuzio added one of the things they started at the very beginning was that they put a mask on. If in doubt, wear the mask.

Dr. Van Wirt noted if they are in a car with a suspect who they might be taking in she asked if they have an extra surgical mask to give to whoever is in the back of the car.

Chief DiLuzio stated yes we do. We also have the regular N95 masks that the officer uses and we also have spit hoods that we use for uncooperative people.

Dr. Van Wirt remarked that many people do not know this but Chief DiLuzio probably does but she just wanted to make sure that the donations that they receive that the N95 masks with a valve are not helpful in stopping the spread of disease, you have to wear a surgical mask over those valves. It is a one way valve and it is unfiltered so as long as you are using donations from people make sure that if they are using those N95's with valves that you have to have a surgical mask over it.

Chief DiLuzio explained most of the ones that the officers are using will be purchased or we got them from the State or Federal government. He is very happy to report so far nobody came down with COVID-19. We had a lot of officers tested for exposure but have no virus, which is good.

Dr. Van Wirt remarked that while things seem to have peaked here in terms of COVID, although it seems like they have an alternative source of funds for replenishing PPE, she does think this will be an ongoing slow burn. It seems like there is an awful lot of money spent on radios and just a tiny bit spent on PPE but it might be good to perhaps double your PPE just in an emergency. She thinks this will be something we will struggle with for a while.

President Waldron asked if these numbers are locked in and would he consider removing one radio and taking that amount and doubling the PPE request.

Chief DiLuzio reported these numbers are not locked in anywhere; this is just in a preliminary application and saying that they do have this money that will be put aside for us and then going through the process.

President Waldron related within this application when these numbers are requested is there any leeway after the fact, after the grant is given to the City.

Chief DiLuzio stated yes, we have up to the date we order the supplies, we could change these numbers.

President Waldron remarked if there was potentially an uptick in the fall or later on that you wanted to make sure you have a reserve that you could in fact take maybe one radio out and that could pay for as much PPE as you have requested in the grant.

Chief DiLuzio related that if it gets real bad and we have to take 4 or 5 radios out we could easily do it and get whatever supplies we need.

President Waldron asked if this grant can only be used for the Police Department or can it be used for all of public safety.

Chief DiLuzio stated it can be only for law enforcement.

President Waldron related not EMS or Fire.

Chief DiLuzio stated that is correct.

Business Administrator Eric Evans remarked that when we talk about this particular grant he wanted to note that there are other grants in the works that have already been awarded for PPE that can be used across the spectrum. He added that Fire Chief Warren Achey is working on one now that is over \$30,000 dollars. So there is a significant stockpile that is being quarterbacked by Emergency Management Director Robert Novatnack to make sure that they are being collected and stockpiled in City Hall in a safe secure place so they can distribute them across Fire, Police, and EMS, the first responders as needed. The masks that the rest of City Hall has, we have plenty in donations and they are kept in Human Resources and are available to any City Hall workers in different sizes and formats. But the specialized ones are being kept and are at a comfortable level for now and also for the future. He wanted to add that this is not the only source that has to do with the masks as well as the gowns. Mr. Evans pointed out there is some significant level of funding at this time.

#### *Public Comment*

Mary Lou Hatcher, 925 Prospect Avenue, explained that she wanted to thank the Police Chief for the way the Police Department responded over the weekend to the events that were happening here in Bethlehem and across the Nation. She heard from many people that they were appreciative of how the Bethlehem Police Department was present. They were not threatening and they felt like a safe and respectful presence. They were not in riot gear; they were in regular Police gear. She thanked Chief DiLuzio for the planning that went into this. We do have a community policing model and it is a proactive strategy that is a good one. Ms. Hatcher also wanted to thank the Mayor for his comments this morning in the Morning Call newspaper. Related to the subject before you on the Coronavirus it is heartening to hear all the things the City has done to put into place PPE equipment. She wondered if there was some thought being given to helping provide that equipment to marginalized people the Police might be responding to. In

the homeless community and the immigrant community for folks who might not have the equipment themselves but be helped by it, keeping the law enforcement officers safer and keeping those folks safer. She just wanted to raise as a possibility that law enforcement have some of those resources on hand to actually distribute to people that they were interacting with.

President Waldron stated the proposed grant approval Resolution 10 B is on the agenda tonight.

President Waldron adjourned the First Public Hearing at 7:20 pm.

*Public Hearing No. 2*

President Waldron called the Second Public Hearing to order and stated he will recognize Attorney Theodore J. Zeller, III, Esq. to make the presentation and then accept public comment on the request for the Inter-Municipal Transfer of Restaurant Liquor License No. R-18906 from Sagra Bistro, LLC, Hellertown, Northampton County, Pennsylvania, to Wilbur Restaurant, LLC, 202 Wyandotte Street, Bethlehem, Northampton County, Pennsylvania.

Attorney Zeller remarked he is here to represent Wilbur Restaurant LLC and that is a Pennsylvania LLC that is owned now by Mr. John Noble who is a local resident and businessman, with a restaurant partner and those negotiations will be added to the LLC and unfortunately we cannot disclose them quite yet but we are excited about this project. This project involves the Wilbur Mansion which was originally built by E. T. Wilbur back in 1865. It went through renovations in the 1890's and was purchased by the Masons in the 1920's. Mr. Noble purchased the grounds approximately 4 years ago. Attorney Zeller explained typically when he is doing these hearings projects are not as advanced as this current one. This project has actually gone through Zoning obtained the necessary variances for parking, has been approved for a small boutique hotel, an ancillary space of supporting restaurant and events space. The restaurant is defined and he will speak about that momentarily. The event space is not as much given the new coronavirus and all what we are learning on what the new restaurant world may be. This has also obtained Planning approval and it has obtained local BRIA approval for a CRIZ designation. The Wilbur Mansion is part of the Fountain Hill Overlay Historic District. The hotel is going to consist of 9 rooms and that will begin on the second floor. The restaurant is going to be on the ground floor, it is 3,500 square feet. It is a remarkable property and he has walked it and noted that the Masons purchased it in the 1920's and did not necessarily have a use for the Mansion and built the lodge that is on the property. He noted that Council should have 3 exhibits, one with an immediate aerial overview, one backing up a little bit showing the more of the surrounding neighbor and the last rendering of the facility. If you are looking at exhibit one the largest building on the property right now is the lodge and that will be demolished. It will be replaced by an addition which will house the commercial kitchen and in addition the event space. The thinking is that it will be more flexible indoor/outdoor space given what our future restaurant operations will look like. Attorney Zeller continued to say the first floor is approximately 3,500 square feet and it is in remarkable condition, the original woodwork is remarkable including the tile. This only leads to one conclusion walking through it, which is absolutely consistent with the plan that this will be a high end destination restaurant. The goal is to make this the nicest restaurant in the Lehigh Valley that everyone in the Lehigh Valley will want to go to and even draw from the surrounding areas. There is ample parking and in fact there was a slight change in plan from the original proposal that even increase the parking, so there is ample parking to

support this facility. There is also a basement; there may be limited room down there to be usable for maybe some type of wine cellar or chef's dinner table or some type of combination. Attorney Zeller explained he has Mr. Noble here with him this evening. This facility will support 9 restaurant rooms and will have approximately 100 restaurant seats that does not include the addition which we are still evaluating what that will look like. He queried to Mr. Noble if this information is correct.

Mr. Noble stated as far as the hotel and the restaurant, yes this information is correct.

Attorney Zeller noted he would like to open this up for questions from Council and again this is an application for moving a liquor license from Sagra Bistro that was in Hellertown to the City of Bethlehem. This project is somewhat unique and where we are at in the process and that it has obtained all of these approvals. This liquor license approval and application is completely independent of complying with zoning, of complying with CRIZ, of complying with building codes and building permits. With that in mind he opens this up for any questions and thanks Council for the consideration.

President Waldron then asked for an update in that process as far as receiving approval from CRIZ, Planning, Zoning, and the like with what is still required to open the project.

Attorney Zeller stated zoning is obtained and has been approved, planning has approved it. He added that local BRIA has approved it twice, CRIZ state has approved it once and it is back for the second which tweaks the plan to reduce a little bit of the hotel rooms and increase a little bit of the restaurant size and that is pending with the state. We do not expect any issues with that. He thinks in fact that Mr. Noble has already obtained NPDES permits. He then asked Mr. Noble to speak about any addition permits he sees that he will need before he can open the project.

Mr. Noble stated that is pretty much where we stand with the project. He hopes to have this go even faster but the virus right now has changed the restaurant business. This project is about a 4 and a half acre project including the land along Cherokee Street. We shifted gears two months ago and recognized what was going on with restaurants so we now have done some finished up design work on the apartment building and we are hoping to start site work in 4 to 5 months. The Masonic Temple will come down and we still have the new addition that we will use for the commercial kitchen and the outdoor/indoor dining. There is still the design process because we just do not understand totally with this virus what will happen. What we are doing is try to condition ourselves so we can start this project this year and hopefully know exactly where we are going and to finish toward the end of next year.

President Waldron remarked that they are having a little trouble with hearing what Mr. Noble is saying through the GoToMeeting so we will continue the back and forth dialogue and we might need to go audio only on our end. It is a thought that your internet connection might be a little bit slow but if you have a cellphone near you or a home line we can keep your audio feed on but we can call you and talk that way.

Attorney Zeller noted that if Mr. Noble has his cellphone near him that might be causing the interference.

President Waldron asked Mr. Noble to call in on the phone. He then asked Mr. Noble to give us a rundown of where they are at with the process and in the sequence. Obviously there are a lot of moving parts and understandably things are up in the air on a lot of ends as you are waiting for government response on many ends. Sometimes those responses can take a lot longer than expected due to the pandemic that is happening right now. He is just asking for a general update of where the project is overall, separate from where we are at with the Liquor Control Board issue.

Mr. Noble then explained that the project has gone through Bethlehem Planning and Zoning with approvals and we have a fully approved NPDES permit that is inclusive of the additional parking space that we added to the lower site. It was a two phased NPDES permit; the thought was always because the Mansion is on a lower part of the parcel that we would be doing that part of our project first. What has happened because the restaurant world is a little bit confusing right now, we have shifted gears a little bit and we are getting ourselves poised to know how we will fully design the restaurant probably in about 6 months but we are moving forward right now with the upper part of the lot. It is a 4 and a half acre site. We will be starting the site work hopefully within about 4 or 5 months on the entire site which will be inclusive of the apartment building that is on the top part of the site and we are leaving ourselves the flexibility then to design the new addition on the lower Mansion. We are not quite sure how that is going to appear. We know how the kitchen will be but we do not know whether the outdoor space will be an absolute premium or just the ability to have space that can be open to the outdoors. Mr. Noble explained they are trying to move forward which we are right now and leaving ourselves the flexibility then to finalize the design of the actual addition on the lower Mansion a little bit later this year.

President Waldron then asked what the restaurant will look like with the operating hours, the style of service and will there be outdoor seating and then specifically with focus on the alcohol that will be served there, what kind of alcohol and how will that be managed.

Mr. Noble stated the first floor of the lower Mansion is about a 3,500 square foot open floor of literally a Mansion so you had dining, and all sorts of rooms in that level. What we have done is that the upper two floors are going to turn into 9 rooms of a boutique hotel. The focus of the hotel will be a food service type hotel where if you are coming into this hotel basically you are coming in not just for a room in Bethlehem and to see all of Bethlehem has but you are also coming in to get a level of food service which is not as quite as prevalent in the area when you combine it with hotel rooms. The entire first floor will be dining areas because all of the new kitchen facility will be in the new addition off the back of the Mansion. We will have a full service bar within the foot print of the 3,500 square feet and the ability then to serve the area adjacent to the new kitchen and that 3,500 square feet with full alcohol availability. Mr. Noble noted the entire bar area will be toward the front of the Mansion. There is actually a large Tiffany stained glass window in the front of the Mansion, that room was the billiard room for E. T. Wilbur and that room had access to the two outdoor little patio areas that surround it and that area will be where we have our bar service and then all of the adjacent rooms, the grand dining rooms, will then be disbursed with tables that will be served off of the back. The downstairs which is actually relatively spectacular because when this Mansion was built they actually finished the basement also so you have some really unique brick structures and we have opened up the ceiling so you can see all of the beams. We will be able then to serve small functions in the basement area which has unbelievable character. Mr. Noble added that if you look at the front

area of the Masonic Temple itself, you will see bollards that go across the front so the entire front area that will be saved, those bollards, that will become an outdoor patio that will tie into the new construction we will be doing right behind it.

Attorney Zeller remarked that there is going to be a limited bar seating area, even though Mr. Noble said this is a full service bar that will support the various rooms you will not see 30 seats at a bar, there may be 8 seats.

Mr. Noble added this is not a bar; this is a restaurant with a bar. There will be some seating but because of the configuration of the Mansion itself we are anticipating that if we are lucky we might be able to get approximately 8 bar stools in the billiards area. So you are very limited.

Attorney Zeller asked if it is fair to say that we do not expect to be open past midnight on any night even though we will operate most likely 7 days a week but probably off on Mondays.

Mr. Noble remarked that unless we are having a private function he cannot imagine anything going past midnight.

Attorney Zeller added even though it will be full service he does not expect a high percentage to be take out service unless the crisis comes back and then it is only curbside which is 100% of what everybody is doing right now. But with normal restaurant operations the take out of alcohol would be quite limited.

Mr. Noble added that is not the primary focus, the primary focus is the dining and the food.

President Waldron remarked we did get 3 renderings that were sent that we have in front of us. What we do not have is a floor plan and typically when we have a liquor license transfer we get to see the visual of what that space would look like and he asked if that is something Mr. Noble has.

Mr. Noble remarked that he does have a pdf that shows the kitchen and the new construction and then also the first floor of the Mansion itself.

Attorney Zeller pointed out that all they have is the original Mansion footprint that is what it is and is not changing at all. But we do not have the final design of the addition.

Mr. Noble stated no, we know the space and we know the footprint of the new addition which is approximately 4,500 square feet and we know how it ties into the Mansion. The theme has not been designed in the actual first floor at this point because we are not changing any walls. All of the theme will be totally dictated by what is going to be the new normal in dining because are working within the confines of the actual Mansion. Anything he would pull up would be an architectural survey of the first floor of the Mansion.

President Waldron asked about the management of the liquor would be as far as securing it. Since essentially you are attached to a hotel and there will be people staying overnight there

what is the separating factor or the security issue to keep overnight guests creeping out of their room at 2:00 am and helping themselves to a cocktail.

Mr. Noble explained the billiards room itself where the alcohol and the bar would be is actually controlled by 2 doors. It is similar to a house, what we are not is a wide open space with a bar off to the side. We are a Mansion and the one room will then have the ability to be totally locked up. Any alcohol, beers and wines will be locked in a wine cellar in a keg area with a cooler down in the basement. So all of the alcohol will be in areas that are locked and if you are a hotel guest and the restaurant is closed for the evening, the whole bar area will have the doors closed and locked.

President Waldron remarked they did talk about that midnight cut off time potentially of operating hours for the bar and restaurant but would those hours be expanded for overnight guests who would want room service or take out later.

Mr. Noble pointed out the focus of their overnight guests are primarily for people who are coming into town with functions that are sponsored by or are solely for a group of guests. We will not be really doing an A la cart type room service scenario. You will be coming in and staying with us and it will be more of a defined event type hotel where you are coming in with a group or a function because what we plan on doing is to expand the food offerings in the Valley. So you will come in for a cook off for the weekend, so everything will be a little bit more organized and controlled than what you have in a typical hotel.

Mr. Callahan thanks them for investing in the City and added this is not the best time to be opening up a business right now so he gives them a lot of credit. He does not have a layout of the plan and he does not know but he wondered what will happen with the Masonic Temple.

Mr. Noble pointed out the Masonic Temple will be coming down. That actually for lack of maintenance has some major structural issues with the steel and water damage and mold. The tan brick part of everything you see from Wyandotte Street will come down.

President Waldron queried if there is a floor plan that you are able to share with us on the spot what we are able to do is add a box in our GoToMeeting where everyone on the meeting would be able to see it, if you are able to send that over to our City Clerk Robert Vidoni.

Mr. Noble then asked his daughter to find the floor plan of the Mansion.

Mr. Callahan remarked that the Masonic Temple will come down but what will go up on the second floor of the Mansion, the first floor will be the restaurant.

Mr. Noble pointed out that the first floor will be the restaurant and that he has a great schematic that will show everything. What will happen on the top two floors of the Mansion, they were originally bedrooms so what we are doing is taking and restoring the original bedrooms in the upper floors of the Mansion. There will be 2 floors of hotel rooms for a total of 9 hotel rooms.

Mr. Callahan asked what will go in place of the Masonic Temple.

Mr. Noble stated that is a one story addition, it will be about a 4,500 square foot addition.

Attorney Zeller added that will be the commercial kitchen and the event space.

Mr. Noble then forwarded the email of the floor plan and the kitchen floor plan and apologizes to Council for not getting that to them sooner. This is not a fixed plan but it basically shows the outer area and how the first floor kitchen, new bathrooms and the event flexible space is sized so you can get a good scale of things.

President Waldron remarked that image has been forwarded to us on our cellphones so we have it in front of us. He asked to help orient us to make sure that we are looking at this image in the correct direction as far as what is the easiest way. Knowing the building that routed area would be facing east which is facing towards Wyandotte Street and then on the right side of that image would be the large rectangle which is currently the hall of the Masonic Temple.

Mr. Noble said that is correct. He added the entire Masonic Temple comes down and where you see the stairs the bollards that are there will remain so where you see that dense area of tables is where we do not exactly know how the world is going to be but when this drawing was originally drawn that is where our event space is. It will still be a functional space but we just do not know how dense.

President Waldron asked if that event space would have alcohol.

Mr. Noble stated yes.

President Waldron asked if that would be serviced directly through that bar or would that be an outside vendor.

Mr. Noble informed it would be part of our bar. What we will end up doing is that we will have a controlled alcohol space in the kitchen area that will service that area.

President Waldron imagines if there is an event a bartender will be serving.

Mr. Noble stated yes. We are looking at this fully controlled, this is not a rental space and everything you do will be through the hotel, through the restaurant and we will be controlling all the alcohol, all the service and all the food. It is literally a full service and we will have control of the entire event.

President Waldron remarked that no one would be able to rent the space and bring in an outside vendor for food or be able to bring in a keg of beer and serve themselves.

Mr. Noble stated no, absolutely not.

Mr. Callahan again thanked them for investing in the City and added that he was in the Wilbur Mansion back in 1993 and it is beautiful in there and that he was married in the Masonic Temple and they had some beautiful arched windows in there that were stunning. It is sad to see it come down but he does understand and wishes them luck with everything and added if he can

help with anything let him know. Mr. Callahan really appreciates Mr. Noble investing in the City of Bethlehem.

Mr. Noble appreciates that and added that he has been here for over 40 years now driving by this piece of real estate always thinking there must be something really cool you can do with it and we finally found it.

President Waldron added that Mr. Vidoni has just sent out another email to Council that has a slightly more detailed floor plan with how those walls would separate and it is high definition that can be zoomed in as well. So we do have reference to specifics as far as that floor plan where the doors are and even as detailed of the layout of the circular tables within the event space.

Mr. Callahan asked how many people the event area would hold.

Mr. Noble informed when we originally received approval for this we were anticipating something in the 200 range but the reality of today and with the focus slightly more on the kitchen part you are looking at a plan that was designed to not be focused on food so the commercial kitchen part of this plan is being increased by almost 50%. This will then eat into that event space and we are anticipating events to max out at maybe 125 people.

President Waldron stated the proposed transfer approval resolution is on the agenda tonight as Item 10 H.

President Waldron then asked Mr. Noble to hang up the phone line and monitor along on the GoToMeeting so when this comes up for a vote later this evening if we have any other questions you would be available.

*Public Comment*

None.

President Waldron adjourned Public Hearing Number Two at 7:55 pm.

2. APPROVAL OF MINUTES

The minutes from May 19, 2020 were approved.

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

*Historical Vignette*

Barbara Diamond, 425 Center Street explained she would like to give the Bethlehem Moment. Before that she would like to thank you all for all you are doing during these difficult times. The Bethlehem this moment is about Dr. William L. Estes.

Dr. William L. Estes is a figure of immense importance in Bethlehem's history. In 1881 when he was just 26 years old Dr. Estes was recruited from Mount Sinai Hospital in New York City to be St. Luke's first Superintendent, Director, and Chief Surgeon. That could not have been a better choice to lead the fledgling hospital. Over the course of the next 39 years until his retirement in 1920 Dr. Estes forward thinking leadership and scientific approach to medicine not only saved countless lives but established St. Luke's as a hospital on the forefront of medical care. Dr. Estes training at Mount Sinai was profoundly important to the people of Bethlehem. In the 1880's and 1890's there was still no general agreement about the cause or role of bacteria in wound infections in the U. S. and England. Modern methods of controlling infection were controversial and not typically practiced. In fact, the famous 1885 painting by Thomas Eakins, *The Gross Clinic*, shows renown surgeon Samuel Gross surrounded by assistants who hover over a patient, all in their street clothes, without masks, and the patient wearing socks. This was not the case at Mt. Sinai which was heavily influenced by German medical care at the time. Specifically the ideas of countering infections such as soaking surgical sponges with antiseptic solution, washing surgical instruments and wearing appropriate surgical gowns. As a result, Dr. Estes was an early confirmed practitioner of Listerism (asepsis); he established an advanced standard of care at St. Luke's when he began in the early 1880's. Among Dr. Estes most significant innovations was the founding of St. Luke's School of Nursing. Training women to serve as nurses was controversial at the time, but Dr. Estes' training in New York exposed him to the fledgling movement founded by Florence Nightingale and convinced him that appropriately trained women could be a vital adjunct to patient care. Not long after coming to St. Luke's he began to lay the groundwork for a nurse training program modeled on the Nightingale Plan. The school was established in 1884 making it among the earliest schools in the Country. Today, St. Luke's School of Nursing is the nation's oldest nursing school in continuous operation. The desire by civic leaders for a hospital in Bethlehem grew out of its developing industrialization. Industrial accidents were increasing and the closest hospital was fifty miles away in Philadelphia. Medical care along the railroad lines was poor, coupling and uncoupling railroad cars by hand was dangerous and injuries were frequent. Within a year of arriving at St. Luke's Dr. Estes was named Chief Surgeon of the Lehigh Valley Railroad and set about organizing and training the medical men that served the railroads. In 1886 he devised a uniform first aid kit to be carried on locomotives and cabooses of every freight train, established a course of lectures and demonstrations for first aid, and required conductors, engineers, station agents, and clerks to come to St Luke's for instruction. Dr. Estes' experience treating injuries led to a subsequent innovation that revolutionized the treatment of compound fractures with the "plate and peg" method of splinting. His scientific approach to the study of treatment methods as a leader of a study for the American College of Surgeons led to the permanent establishment of the Committee on Trauma. As a result, the standard of fracture care in hospitals in the US and Canada improved immensely. Dr. Estes was a remarkable man, an exceptional administrator, and medical visionary whose leadership greatly benefited the people of Bethlehem.

### *Policing*

Alex Dobyhan, 1322 Valley Road thanked City Council for offering the opportunity for public comment tonight. He wanted to speak out in regards to the recent protests that were held in Bethlehem in support of the Black Lives Matter Movement. He wanted to continue to engage at the local level to see what we can do with this issue. He thinks the community has spoken loud and clear in favor of ending systemic racism and reducing disparities in policing across communities of color. He wanted to speak out in favor of certain policies that he believes the

Bethlehem Police Department could take in support of these endeavors. We may not think that this is a problem that affects us now but he thinks from what we have seen at the national level with the recent tragic killing of George Floyd in Minneapolis that these events can cause a lot of pain. It is better if they do not happen, we do not want to see them happen in our community. Therefore he wanted to propose some things that we could be doing as a community to reduce the likelihood of something like this happening. Mr. Dobyen wanted to first say that he is not currently aware of what the department policies are. He filed a request with the City's records department in regards to the City Police Department's use of force policy and has not received a response yet but it is still within the window. He hopes that some of these policies are already in place and that we do not have that much to talk about. If not, he would encourage the Police Department and the Police Chief to give these a long look, because they could be very beneficial to our community. These are all things that have been adopted in other States and Municipalities across the Country. Some of them include in Tennessee Police Officers are required to legally exhaust all options before shooting. In New Orleans Police Officers are required to issue a warning before using deadly force whenever possible. In Colorado choke holds and neck restraints are criminalized. In Wichita Police Officers are required to report anytime they threaten civilians with a weapon. In Connecticut Police Officers who are investigated for using excessive force are not allowed to be hired by Police Departments. All of these things would be thinks that the Police Department could do in Bethlehem to make sure that our Police Officers are using the least amount of force possible to safely resolve a situation without even violence. Mr. Dobyen added the great thing about this is it is not something anti-police, it is pro-police, pro-citizen, and pro-safety. The reason why is because Police Departments that have these policies see that Police Officers are less likely to be assaulted and that they are less likely to be killed in the line of duty. This is according to the Use of Force Project. Any of these policies would be a win/win for the Police who are able to reduce the amount of harm that they are putting themselves in and be able to make sure that these kinds of tragic events do not happen within our community. He emphasized that because violent policing disproportionately affects communities of color, specifically African Americans, these are proposals that we could do to reduce the amount of racism that is in our community.

#### *Racial Matter*

Ed Gallagher, 49 West Greenwich informed he wanted to speak about the George Floyd matter and start with an attaboy. He really has been only paying attention to Council very closely for maybe two and a half years. He pointed out that Mayor Donchez has been around for a quarter of a century. His sense is that Mayor Donchez is a man who does not seek the spotlight, he does not seek the limelight and does not come out and speak much that is just from his two and a half years. Mr. Gallagher stated that when he saw the statement the Mayor had in the newspaper on Sunday he thought that the Mayor must have been really moved to do that, to come forward. He was hoping Mayor Donchez would read his statement into the minutes here. Mr. Gallagher is an historian and those minutes are the first level of history of Bethlehem, the documents that the people will go back to in the future. He just wanted to read two short paragraphs from the Mayor's May 31, 2020 statement. "The kind of behavior we have seen in Minneapolis has no place in America or anywhere in the world. We in Bethlehem must condemn acts of violence and hatred, and are deeply saddened by the loss of life of a fellow human being. This is not just a race issue, this is a human issue, and we are all connected by our shared human experience. This is a time for outrage, but it is not a time for violence. The hatred that comes with racism, bigotry, and intolerance will not be condoned or supported here in Bethlehem or

anywhere else for that matter. We are one. Our anger and abhorrence must be converted to something more positive – to hope, to faith and to love.” Mr. Gallagher gives an attaboy to the Mayor for that and an attaboy to Chief DiLuzio for his statement. He will be interested in going back and reading that. The Chief said it is posted on Facebook. It is great to have those things. Mr. Gallagher would not be a gadfly if he did not nip. His nip would be to go to the incident of September 11, 2019 in which there was a traffic stop rolling through a stop sign at Sixth and Hayes Streets. The incident mentioned by his former Lehigh colleague in the statement that Councilwoman Van Wirt read. He covered that a lot on his blog and the Mayor ended that dialogue on February 18, 2020 saying that the charges of unprofessional behavior and illegal activity were deemed by internal investigation to be not true, end of story, there would be no further comment on that. Mr. Gallagher thinks that we have to say reasonably from the outside one can be skeptical of a judgment like that made by an internal review. He does not know the matters involved, the personnel matters involved, the contract matters involved. It seems like there was an executive meeting before the February 18, 2020, maybe it was about this and maybe Council was clued in and agreed with everything that was going on. But from the outside that issue did not come to closure. Mr. Gallagher does not know what the answer is but the Chief has affirmed that we are going through all of the training and guidelines and the national recommendations and certifications and things like that. Let’s add on thinking about how issues like this when they come up, and they will, are handled. Are internal investigations the end all and be all of situations like this. Do we somehow need more transparency with the public, more trust from the public? Remember that the Public Safety Committee on March 3, 2020 did not take up the issue at all and that was very curious to him, not even to mention it, not to say that we know about what happened, we have seen the facts and we agree what is going on and trust the decision made was okay. Mr. Gallagher will follow along with some the other statements made that there is more to be done beyond those attaboy texts to make sure people in the public can trust the procedures going on. The one he would have you not forget is how are these investigations done.

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 Water and Sewer Resources – Recommendation of Award – AECOM Technical Services, Inc. – Wastewater Treatment Plant Process Upgrade Evaluation and Preliminary Design Effort – Act 537 Sewage Facilities Planning*

The Clerk read a memorandum dated May 20, 2020 from Edward Boscola, Director of Water and Sewer Resources recommending a contract with AECOM Technical Services, Inc. for work related to the Wastewater Treatment Plant Process Upgrade Evaluation and Preliminary Design Effort – Act 537 Sewage Facilities Planning. The term of the contract runs through

December 31, 2020. The cost is \$150,000. The maximum dollar amount of any renewals is \$150,000 dollars but there are none currently planned.

President Waldron stated Resolution 10 A is on the agenda.

*B. Director of Purchasing – Records Destruction*

The Clerk read a memorandum dated May 22, 2020 from Sandra Steidel requesting Council to consider a Resolution for the Destruction of Records from the Purchasing Bureau as listed on the attached exhibit. 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 June 16, 2020 Council agenda.

*C. Director of Public Works – Recommendation of Award – Bracalente Construction, Inc. – Carlton Avenue Reconstruction*

The Clerk read a letter dated May 27, 2020 from Michael Alkhal, Director of Public Works recommending a contract with Bracalente Construction, Inc. for work related to the Carlton Avenue Reconstruction. The term of the contract is 100 days. The fee for the contract is \$518,604.45 and there are no renewals.

President Waldron stated Resolution 10 C is on the agenda.

*D. Business Administrator – Lease Agreement – Art of Flight Golf, Inc. – Golf Course Training, Playing, Practice Facility Lease*

The Clerk read a memorandum dated May 27, 2020 from Business Administrator Eric Evans with an attached proposed Lease Agreement between the City of Bethlehem, as lessor, and Art of Flight Golf, Inc., as lessee, for a golf training, playing, and practicing facility at the Lower Cart Barn at the City's Municipal Golf Course. Also attached is a proposed authorizing resolution for Council's consideration.

President Waldron stated Resolution 10 D is on the agenda.

*E. Housing and Community Development Administrator – Substantial Amendment CDBG-CARES Act Resolution – CDBG HOME Action Plan Amendment*

The Clerk read a memorandum and proposed resolution dated May 28, 2020 from Alicia Miller Karner, Director of Community and Economic Development, with an attached proposed resolution authorizing a substantial amendment to the City's 2019 CDBG Action Plan. The Department is recommending a Substantial Amendment to the CDBG Action Plan to incorporate CARES Act funding for disaster relief efforts resulting from the COVID-19 pandemic. CARES Act funding is a new allocation of funding.

President Waldron stated Resolution 10 E is on the agenda.

- F. *City Solicitor – Use Permit Agreement – Mount Airy Neighborhood Association – West Side Farmers Market – Fegley Enterprises, Inc.*

The Clerk read a memorandum from City Solicitor William P. Leeson, Esq. to which is attached a Resolution and Use Permit Agreement. The permittee is the Mount Airy Neighborhood Association and the SubPermittee is Fegley Enterprises, Inc. The event is the West Side Farmers Market. The location is the Bethlehem Rose Garden and the agreement covers the 2020 time periods specified in the authorizing resolution.

President Waldron stated Resolution 10 F is on the agenda.

- G. *City Solicitor – Use Permit Agreement – St. Luke’s University Health Network – Impact Through Infusion Initiative*

The Clerk read a memorandum from City Solicitor William P. Leeson, Esq. to which is attached a Resolution and Use Permit Agreement. The permittee is St. Luke’s University Network. The event is Impact through Infusion Initiative. The duration is specified in the authorizing resolution and the locations are the Earl E. Schaffer Ice Rink and Illick’s Mill Tennis Courts.

President Waldron stated Resolution 10 G is on the agenda.

## 7. REPORTS

- A. *President of Council*

- B. *Mayor*

### *COVID-19 update*

Mayor Donchez stressed he wanted to thank Police Chief Mark DiLuzio, Deputy Chief Scott Meixell and Emergency Management Director Robert Novatnack for all of the time and effort with working on Saturday for the very large crowd. We probably spend 2 and a half hours planning this and it worked very well. Hopefully we will continue to have that success in future events. Police Chief DiLuzio is at this meeting and if anyone Member of Council has any questions he will be glad to answer them. Mayor Donchez added that Alicia Karner, Director of Community and Economic Development is at this meeting as well to discuss over the business opening plan on Friday if Members of Council have any questions. As of this morning with COVID-19 the City of Bethlehem had 953 positives throughout the City and 46 deaths. Members of Council did receive a memorandum from him last week that stated we opened the Compost Center so it is open for drop offs and pick up of compost and mulch. We are in the process of reviewing the opening of the Recycling Center and it is possible that might happen within the next 2 weeks. All Board Meetings, Planning, Zoning, etc. will take place in June by GoToMeetings, so we will go back to the Board Meetings. We did announce that all parks will be closed along with the pools but we are evaluating the possible opening down the line of playgrounds. That is in the process of being discussed internally. Mayor Donchez would like to comments about the Minneapolis incident entered to the record as part of his report:

### Mayor's Remarks - Minneapolis

Almost 250 years ago, Thomas Jefferson, declared, "That all men are created equal." Our nation has had a long and difficult history dealing with those simple and profound words. Since 1776 it has taken numerous conflicts and much bloodshed for us to live up to those words. And yet, have we? Once again, we are grieving as a nation and standing together to condemn the shocking violence in Minneapolis and the innocent loss of life, and those simple words of Thomas Jefferson, somehow got lost in translation or understanding.

I grew up in South Bethlehem. The words "all men are created equal" were words to live by in my neighborhood and in my world. We were a melting pot, a cauldron of hope where there was no room for racism, bigotry, and intolerance. We had our differences - culturally, linguistically, racially and religiously, and yet we were a community. When we had to, we locked arms across the many lines and boundaries of our differences and dedicated ourselves to unity. Because of that, we were able to achieve some early measure of social and economic justice and equality for many in our community.

Those lessons of social and economic justice and equality traveled with me and were a daily part of my 35 years as a teacher at Allen High School in Allentown. I made sure my students were tolerant of all who attended Allen High School - Black and White, Latino and Asian, Gay and Straight, Male, Female and Transgender, Rich and Poor, and all who made up the city, the Lehigh Valley and the country.

As the son of a police officer and as a Mayor, watching the images from Minneapolis has been tough. I have great respect and admiration for our police officers, so it was very emotional watching that Minneapolis police officer suffocate handcuffed George Floyd with a knee to his neck. I know that almost all police officers adhere to the law and would never hurt someone like that, and yet this behavior continues and it hurts - it hurts the police and it hurts every one of us.

The kind of behavior we have seen in Minneapolis has no place in America or anywhere in the world. We in Bethlehem must condemn acts of violence and hatred, and are deeply saddened by the loss of life of a fellow human being. This is not just a race issue, this is a human issue, and we are all connected by our shared human experience.

Max Lucado wrote, "If Jesus could teach us only one thing, it would be that a person has value simply because they are a person."

This is not the time to pretend that there's not a problem in America.

This is not the time to turn our backs on racism.

This is not the time to accept innocent lives being taken from us.

This is not the time to think this doesn't affect you.

This is not the time to sit back and say nothing.

This is not the time to think that you can't be part of the solution and the change needed for this to stop.

Benjamin Franklin said, "Justice will not be served until those who are unaffected are as outraged as those who are." This is a time for outrage, but it is not a time for violence. The hatred that comes with racism, bigotry, and intolerance will not be condoned or supported here in Bethlehem

or anywhere else for that matter. We are one. Our anger and abhorrence must be converted to something more positive – to hope, to faith and to love.

To quote Rev. Dr. Martin Luther King, “Darkness cannot drive out darkness, only light can do that. Hate cannot drive out hate, only love can do that.”

President Waldron remarked that obviously there is quite a lot going on within our City, State, our Country, and the World right now. If we thought things could be less unsure with the pandemic, clearly this past week has shown us that there is quite a lot of inequity in this world and it is affecting everyone in a large way. He would be interested to hear the perspective of Chief DiLuzio and maybe start a dialogue if there is anyone else on Council who would like to make a comment generally or have a question for the Chief regarding the current climate that is happening within our State and Country right now. We would also like to talk about the reopening of our downtowns as well with Ms. Karner.

Mayor Donchez stated we received word that there will be an event at Payrow Plaza at 3 pm, a Black Lives Matter Rally. He wanted to thank Councilwoman Crampsie Smith for providing him the contact phone numbers for the two co-organizers. He felt it was important as Mayor to reach out to them and he did that this morning. He offered to meet with them to start a dialogue. They did call him back and they did meet this afternoon for almost 90 minutes and had a very good discussion. Mayor Donchez added that the Chiefs were with him and they said they had no problem if the Chief attended. He wanted to thank Matty Fall and Michael Henriquez, two very well educated and very eloquent individuals. We had a very productive and positive meeting. In fact, as the meeting ended we intend to continue our dialogue and have meetings in the future. Mayor Donchez was pleased with the reach out and appreciative that they did return the call and we established a positive dialogue. He is looking forward to additional meetings.

Chief DiLuzio explained that tomorrow we will have an event here at City Hall in Payrow Plaza from 3-5 pm. We also have one planned on Saturday and we are looking at another one planned on Sunday at 3:00 pm all related to the Minneapolis incident. We are in contact with the organizers like we do with every other protest in the City. We handle them yearly. The one event on Saturday was run very good, we had a great turnout. The people voiced their concerns and were able to get their message out there without resorting to any type of physical violence or anything else that has marred other protests across the Country. If you look on our Facebook page today there are comments from Chief DiLuzio on George Floyd’s death and policing in America. He would like to read this into the record on behalf of the Bethlehem Police Department:

Last Tuesday, when the video of George Floyd’s death was aired, I was horrified at what I saw. Like all Americans across this nation, I was outraged at the callous actions of the Police Officer kneeling on Mr. Floyd’s neck. I was also shocked at the actions of the three other officers who stood idly by and did not attempt to intervene even though it was their duty to do so. Since last week, many police officers across this country have watched the video of George Floyd’s death. We as police officers condemn what happened to Mr. Floyd. I have not met one police officer, either Bethlehem Police Department (BPD), or other agency, who viewed this video and justified the actions of ex-officer Derek Chauvin. I have heard from officers comments of “disgust,” “this is not what we stand for,” and “this is plain wrong.” Every police officer I have spoken with has said that ex-officer Chauvin should have been fired and arrested for what he did

and that the other officers should have been fired. Many officers indicated that the other three should be investigated and charged if appropriate and to update that, today they were charged with a degree of Homicide. They failed to stop what was taking place. Just like our citizens, our police officers are rightfully outraged at what happened and also at what is happening now across this country with the violence, rioting, and looting by certain radical criminal groups using this incident to further their agenda of violence, destruction, and hate. On Saturday, in Bethlehem, a rally and march was held to protest George Floyd's murder, to condemn racism, and ask for justice. My Deputy Chief and I were there. BPD Officers were present to assist with the large protest and march from the Rose Garden on 8th and Broad, down Broad Street, to New Street, to City Hall on Church Street, and back. The march was peaceful. The protester's message about what happened in Minneapolis, the injustice that took place, was loudly heard. Unlike other cities across our nation, our protest was peaceful, not marred by violence, rioting, and looting. Over the weekend, as I watched media and social media accounts of what was transpiring nationwide, I saw a photo of a young black woman holding a large sign that read "Not All Blacks are Criminals. Not All Whites are Racist. Not All Cops are Bad. Ignorance comes in All Colors." After reading the sign, I said to myself "It's so very true." Human beings are an imperfect species. We are all different in some ways but all the same in other ways. There is good and bad in all groups of people. We should not group people into certain broad categories, to do so is plain wrong. Police Officers are no different. What occurred in Minneapolis was 100% wrong. What the four Officers did was wrong. What Ex-Officer Derek Chauvin did was criminal. The horrific events of that day that lead to Mr. Floyd's death should be investigated thoroughly, and if additional criminal charges are needed, they should be filed accordingly immediately, today criminal charges were filed. The type of force used by ex-officer Chauvin is never an acceptable use of force by any properly trained officer. In my 40 years of law enforcement experience and training, I have never had anyone ever advocate this type of use of force. I know many officers, and from talking with them, they too from their experience and training agree that a properly trained officer would never use this type of force under the circumstances. Police departments across the country this weekend joined with protesters. In Los Angeles, Flint, Michigan, Orlando, Miami, and other places, police departments engaged and even marched with protesters to state together what happened to Mr. Floyd was wrong and criminal. We are currently at a set of crossroads in our country. We can peacefully protest for change, to stop the violence, work together in our communities like many police departments are, or we can riot, loot, create anarchy, and create more pain and suffering for many innocent people. About 200 years ago, Edmund Burke stated "The only thing necessary for the triumph of evil is for good men to do nothing." That quote is so very true today, especially now. All Police are not the same. All people are not the same, and all protesters are not the same. We must come together under our common belief that what transpired in Minneapolis that resulted in the death of George Floyd was 100% wrong. We also must state together that the violence, the looting, and rioting by some groups and individuals is also wrong and has no place in a civilized society. Only when we work together towards common ideas, communicate peacefully, and work out differences without violence, can we achieve overall mutual change, and in that change, due justice for George Floyd and his family.

Chief DiLuzio stated those are the comments from the Bethlehem Police Department.

President Waldron thanked Chief DiLuzio. Obviously when we have such a large event like we did last Saturday and what you have seen in many other Cities where things have turned violent it is a great indication of the folks that we have in our community as well as the restraint

and the respect the Police Department showed when there was not a single incident within that large rally last Saturday. The berth that the Police department gave the marchers, to allow them space to be heard, is a testament to the planning and the thoughtfulness that went into that event, and he would encourage you and the department to continue that practice. Where you've seen other Police departments in the country escalating the tensions that are there and forcing stand-offs and physical altercations that are not necessary, he thinks the Police department in Bethlehem did a great job in helping to be part of supporting the First Amendment rights that everyone is granted. He would hope that that practice can be encouraged in future events tomorrow and through the weekend as well.

Chief DiLuzio stated that is what they are aiming for.

Dr. Van Wirt thanked Chief DiLuzio and stated that she agrees with everything President Waldron said about the commendable bonds that the police formed in a difficult situation, but is going to raise the bar a little bit. Thank you for addressing recent civil unrest nationally and locally; however, what she explicitly did not hear from Chief DiLuzio was an acknowledgment of systemic racism at the heart of Minneapolis police officer Chauvin's murder of George Floyd. That racism was the reason for this event and many other similar events and not just a lack of training. That racism played a role in the other three officers looking away. Mayor, you're a good man, Chief DiLuzio, you're a good man, if the only thing necessary for the triumph of evil is for good men to do nothing, then she asks you to do something, to look at our own city and address systemic economic and social racism where it exists. She noted that Chief DiLuzio said in the paper that the one thing he could have done, Officer Chauvin, was to take his knee off of him. My question to you is why did he not? It was not a lack of training here; clearly, it was because of institutionalized racism in the police department. She too is glad that the Bethlehem Police Department modeled a calm attitude and insured protestors could have their say. But that is simply not enough. She is going to read a letter published locally from a Lehigh professor which encapsulates her concern over both the Mayor's letter and the Chief's response. And while this letter might paint broad strokes for police officers she thinks implicitly it does not mean every police officer, and explicitly she certainly does not mean every police officer. She then read the letter from Breana Holland:

Breana Holland

"With all due respect to Mayor Donchez, I do not share your enthusiasm for his "powerful statement." Powerful words are easy to come by this week, as many leaders are speaking out about racial justice and police violence. The Mayor did not use these particular words, which reflect that the relevant problem is bigger than just some cops behaving badly. But even so, the words the Mayor did use are not that meaningful unless they get turned into action that goes beyond condemning a single instance of police violence. So my question for the Mayor is: What does it mean for a Mayor and the people he oversees to not "turn our backs on racism," to not "accept innocent lives being taken from us," to not "think that you can't be part of the solution and the change needed for this to stop"? Surely it must mean more than merely saying we should not do these things. I believe the mayor can do a bit more. For example, the mayor can start by admitting that the problem is not out there, in some universe other than Bethlehem. Just earlier this year we had an incidence of racial bias in policing, which was raised by two local judges who went public with the information after receiving no response from the Chief of Police. In his response, the Mayor demonstrated he neither understood nor had an interest in doing something

about the problem. I recall his statement at city council, which asserted he had investigated the issue and found no problematic behavior, so he would not be commenting on it further—case closed. Does the Mayor really think there are no problems with how our police department is dealing with people of color? What is he doing to stop the double standard that allows Lehigh University students to benefit from the local marijuana ordinance while his Police Department pretends the ordinance does not exist for others who are found with marijuana? What is he doing to make sure that the Police Department is not operating and acting on the assumption that black and brown people are likely to be criminals? Is he aware of obvious racial bias in the ways that city Police Officers respond to and interact with people of color whom they suspect are breaking the law? The Bethlehem Police may not be killing people, but that does not mean that they treat black and brown people the same way they treat white people. Racism that is not overt and does not result in a person's death is still racism. The Mayor and Police Chief can pretend it does not exist locally and condemn what happened to George Floyd for the brutal inhumanity it displayed, but if that is all they do, then they are part of the problem. Leadership requires hearing what people are saying about double standards and unequal treatment that operate through our own political institutions at the local level to undermine the experience, well-being, and security of people of color. Once this is understood, leadership then involves doing something about it. If the Mayor and Police Chief can't even see the structural nature of the problem and its pervasiveness right here at home, then they are the wrong leaders for this time." Breena Holland.

Dr. Van Wirt stated she knows this does not leave us with a great Bethlehem Moment feeling, but if you cannot speak the truth for what it is, she does not know what the use is in saying anything. We are very used to handing out attaboys up here, but the quality of good leadership is how they respond to the pointed criticism of it. And she does fully place this burden on your shoulders, Chief and Mayor, and she thanks you for listening.

Ms. Crampsie Smith stated she has a few questions for Chief DiLuzio. The first question is body cams and that we had a movement to get body cams for all officers but at this point does every officer have a body cam when they are on duty.

Chief DiLuzio stated every uniform officer has a body cam and the incidents that Dr. Van Wirt talked about, they are all on body cams.

Ms. Crampsie Smith remarked that we really cannot legislate compassion and inclusiveness but she is wondering about trainings that officers receive as far as de-escalation, cultural competence and diversity. Do our officers receive those kinds of trainings initially and then on an ongoing basis?

Chief DiLuzio stated yes they do and many of the things the one citizen called up about we already have, they have been in place for years. We are a dual accredited law enforcement agency at the national level and at the State level. He pointed out that 4% of agencies in the United States out of all law enforcement agencies are dual accredited that means that your standards are high; they are the best standards out there. Many of the things he is writing to him and what the citizens are asking for are already in our rules and regulations. They are approved by the Department of Justice which oversees this accreditation and also with the State they all focus under Federal law and State law. We are doing many of these things already plus others. We do de-escalation, we do crisis intervention, and we have a strict use of force policy. All these

things that have been talked about, we are in front of it already and have been in front of it over the last 10 to 15 years. We learned by mistakes over the years.

Ms. Crampsie Smith asked how often the Police men and women receive the training.

Chief DiLuzio stated it is yearly. They do taser de-qualification, defensive tactics, de-escalation training, crisis intervention training. We just do not give them a uniform and a gun and throw them out there anymore. They go to the Academy for half a year now and when you get out you still have to continue training just like many occupations. The law changes every year and techniques change every year and the officers have to get re-certified on things. There is a training division that is all they do is constantly train and recertify people.

Ms. Crampsie Smith remarked that it would be good for them to connect with different organizations that support people of color that they could maybe be consultants or help them as far as ideas for training.

Chief DiLuzio added that they do that already, they have courses with the LGBTQ that are endorsed by their community, there are courses we take endorsed by the NAACP, we have Hispanic Courses. Chief DiLuzio stated he has Black Officers, Hispanic Officers, an Asian Officer, we are a diverse department and every year we keep getting more diverse. The training is continuous in Police work and if you do not train you are behind the eight ball and that is what is important.

Ms. Crampsie Smith just wants to make sure we get the proper training.

Chief DiLuzio pointed out that they started the de-escalation training years ago, going back 5 or 6 years before it became a common word so we were in front of that in Bethlehem.

Ms. Crampsie Smith noted as President Waldron said, this has been an extremely difficult week, more so for some than others, but she just want to speak from the heart because she feels she wants to say something, and she is not really sure what to say, but she has been thinking a lot about it, at every Council meeting, every morning at the beginning of school, and at almost every public meeting, we cite the pledge of allegiance. And within it are these words, "liberty and justice for all." And she really takes that part and thinks about it every time she says it. She thinks, is there really justice for all? And obviously the answer is no. There has not been for even the past 100 years since this pledge was written in 1892 and for many hundreds of years before that. They say anger is a bodyguard of hurt, anger is a bodyguard of hurt. While she never condones violence, it is really important for us to reconcile with the fact that people of color are deeply and profoundly hurt and that hurt is manifesting itself as anger. Can we blame them, absolutely not. She would not be in this position of councilmember if it were not for my dear friends of color. She is blessed every day to see the gifts, talents, and dignity of my wonderful students of color. My heart is broken for them and for our country. As a mother you live with many fears regarding your children's well-being. She thanks God my twenty-year-old son is white, for his safety is greater than his friends of color, and that is truly wrong. My heart breaks for the parents of children of color; for she cannot fathom the fear they live with each and every day. Their fears are above and beyond what any parents' fears ever should be. Our path to justice for all and especially for people of color has been diverted especially in the past 3 1/2 years. Ms. Crampsie Smith stressed we must continue on this path, bolder, stronger, and even more

determined. The time is well past for justice for all. We must open our ears, eyes, heart, and soul to our brothers and sisters of color. We must work together as a city to assure that all our community members and visitors of color feel safe, secure, equal, and loved. We must assure that we are not just against racism, but we are anti-racist, we are inclusive, and we always strive to insure justice for all.

Mr. Reynolds stated he wanted to thank the Chief for making sure that the rally last week on Saturday was peaceful, and he also want to thank the Mayor for reaching out to the organizers as well as his comments. He does share the feelings of my colleagues, though; he thinks it is really only the beginning of the conversation here. He think that the fact that everybody in this country just about agrees that what happened to George Floyd was horrific, it was a tragedy, it was an injustice unlike what we have seen on camera for a long, long time. But there is also a difference between not doing something wrong and doing what is right. And that is part of the conversation we need to have in the city. And to piggyback on what other people have said, we need to start with the understanding that we do not have the same experience in this country based on our skin color. We do not and as a government we need to be creating institutions that are equitable and fair. Ms. Crampsie Smith just gave the line and Dr. Roy just said that recently, that it's just not enough to be against racism, but we need to pro-actively be anti-racist. He pointed out that 150 years ago you could be an ally of African Americans by being against slavery. A hundred years ago you could say Jim Crow laws were wrong, 60 years ago you could say desegregation is wrong. Today it takes more than that. It is conversations about where highways are built, and how you draw zoning codes, and how you can make sure you cannot make a house on a lot smaller than a certain amount so that you can include affordable housing. Those are the conversations. We are not to blame for those things, but it is our responsibility to fix those things. Look at the history of Bethlehem; look at our African American population compared to Allentown or Easton. A lot of that has to do that Bethlehem Steel did not want to hire African Americans for a long time. So we have, what is our population of African Americans according to the census – 6, 7, 8%? What has that done? It has created generations of African American families in this city that have inherited that discrimination and had to face those challenges. Look at what has happened to our Hispanic community as people have moved to this city. Once again, we are not to blame for those things, but it is our responsibility to understand that a lot of the anger we are seeing in the country over the past several days is not just about what happened in Minnesota. It is about the discrimination, the anger, the frustration that has crossed over generations that we have inherited as elected officials. One of our jobs here is to understand that as our country's identity changes, our city's identity is changing as well. Mr. Reynolds stated we need to do everything we can to make our institutions and build the trust because a lot of us are teachers, he would guarantee you, Mr. Callahan, Ms. Crampsie Smith could tell you the same thing. When students walk in to our classrooms and a lot of times they are angry at us or they are angry or pissed off at the world, they are not actually angry at us. It is traumatic experience after traumatic experience that has led to damage, hurt trust to the people standing in front of them. As a teacher, it took me years to understand that, when a kid was angry, he was not angry at me. And it is not our police department's fault, it is not our fault that this has happened, but it needs to be a wake-up call to us, and we need to be inspired going forward that it is not enough just to say what happened in Minnesota is wrong. It is not even enough just to say that we can have peaceful demonstrations here. It is going to be enough when people that are in marginalized communities are able to look at us as our elected officials and look at things we have done and say, you know what, they made things better, they made things more inclusive, they gave power to people that did not have power before, because as he said before, it is more difficult sometimes

to point out some of these biases and existence of racism than might have been fifty or a hundred years ago. It is a challenge for us to do that, but that is our job. He would agree with Ms. Crampsie Smith when she said that she would not be up here if she did not feel strongly about these issues, and he thinks we need to make more of an effort as a community, as individuals, and this does not all fall on our police department. It falls on every public institution, every governmental institution to make sure that we understand both the history, the pain, the anger, the frustration, and we need to be committed to creating better, fairer institutions that are equitable and that our citizens can look at and say that they believe them. That is the challenge for all of us going forward.

Mr. Callahan stated he just want to echo everybody's statements. It really touched everybody, what happened, the tragedy last week and on the weekend he did not know about the parade that was going on but he heard all the noise up there, and he walked there and he was so proud and posted the video he saw. He was so proud of the way people were behaving themselves and just peacefully protesting. Our police department did a great job, and he want to say thank you to them too for such short notice. They allowed everybody to speak up. He thinks everybody knows how he feels about the president of the United States, he is trying to divide everybody but that is a whole other issue. As Ms. Crampsie Smith said maybe we should send some type of resolution to the State, our State senators, our United States Senators. This is not America, and it is a shame. As Mr. Reynolds said about schools, Mr. Callahan knows Allen High School, Northeast, and Easton has a lot of poverty, and we have a lot of minorities in there. These kids are great, great kids, great souls, and great hearts, and they come from extreme poverty some of them. It brings a set of issues you do not see in white middle class America, and it is time for us to step up, and he does not know if anybody wants to write a resolution or vote for it, but it is just not a resolution, it is what we do, and it is what we say. He just wanted to reiterate what everybody said, you know, we are really in unprecedented times. For some reason he feels like we are back in 1969 again. This is crazy. And so my heart goes out to everybody and the family of the gentleman in Minnesota. It is time for a change, you know, and the only way we are going to get that is by going out and voting. So he appreciates all who spoke about this tonight. If there is anything he can do to help or push along some resolutions or whatever he is all for it.

Mr. Colón stated he really does not have that much to add that members of Council haven't said already other than he is glad things have been going peaceful and well for the past few days. He is someone who comes from a diverse family, a Puerto Rican family. My youngest brother whom many of you know and have met is African American. And he is still using now as a time really for listening, thinking that my experience and what he sees and the life that he live is reminding myself every day that my existence is not the scope of all that goes on here in Bethlehem. While he is using this time to listen he is glad that others have mentioned that now is the time for listening and to keep the dialog going. So he hopes we can really achieve something because this is encouraging. He knows the department is trying to stay ahead a lot of the things that are coming whether the norm or ahead of the times a little bit but keep all those things going. He was glad to hear from Mr. Dobyen who called in, some of those things he thought were just common operating procedures in all departments across the country, and they all sound pretty reasonable.

Chief DiLuzio stated there are not very many departments that have such operating procedures. We do have them here but when you get to many smaller departments they are a mess, they do not have rules or regulations or directives. That is part of the problem across the

Country. What you are all talking is called criminal justice reform. The system is broken and that goes back to everything Dr. Van Wirt said and everything Councilman Reynolds said and Councilwoman Crampsie Smith said. What he said here, he will stick by his comments. What he saw in Minneapolis is disgusting and he will not back off from that and also everything else going on. Americans do not act that way, cops do not act that way. That was murder what you saw on national television. He knows murder because he has done murder cases in 25 years as a detective. Chief DiLuzio stressed he stands by his comments and if someone did not like them that is their opinion.

Mr. Colón truly believes that Bethlehem, Pennsylvania, we are not going to be the ones to change the world, to change the country; he thinks we could continue beyond today as we have and even change is incremental. As he said before, change takes time and effort. The calendar days keep ticking away. He knows the effort is there, and he really just hope we can stay and move forward. He is proud of the city he grew up in, we could all say we appreciated whether it is the cultural diversity that go no further in South Bethlehem and all the different churches and ethnic backgrounds that really built Bethlehem through the Steel and just growing up in the City and the people he grew up around and the family he comes from. He really hopes we can just continue again not only having the time for listening but keeping the dialog going and continue to do whatever we can here locally. We are not going to change what is going on in D.C.; we are not going to change what is going on even in Harrisburg necessarily, as long as we keep doing our part to change what is going on here in Bethlehem.

Chief DiLuzio added he agrees with Mr. Colón and stated this will take a change at many levels, not just the police level. It will need to change at the political level, Senate, State, Federal, many levels. This is not something that will happen overnight, it is something that should have been done years ago. We are functioning in his opinion with a criminal justice system, and policing that is about a good 50 years old and not what fits society today.

Ms. Negrón informed she appreciates some of the comments that some of you have made. She also will remind you that the change that we need, it is not about creating a resolution or a magic pill. It is simpler than that. We have been taught, we have been cautioned, and we have been advised that there is injustice going on in our courts, in our district courts who are brown and black people in our community, and everybody turned the side to look another way. That is not happening, that is not in here. We are very blessed, very lucky that we have a great community, a beautiful community that she loves, that she chose to raise her daughters in, and she does not regret it. But there is a lot of wrong-doing, a lot of wrong going on right here. We have been advised and she knows this because she hears the stories, each one of us has been advised of wrong-doing in terms of injustice to the brown and black people, your constituents. Your brown and black constituents are being right now, every day treated in an unjust way. You have been told, you have been cautioned, you have been warned. You did nothing about it. So, yeah, she is glad that nobody in our Bethlehem Police Department has killed any of our brown and black people here today. Right? But the injustice exists. And there is no way for anybody to say otherwise unless you lived it or heard the stories directly from the individuals that are crying they are afraid, even myself. She is, as all of you know, very proud to be a Puerto Rican woman, and she carries her flag, and she even has a face mask now her sister gave her with the Puerto Rican flag, but she is afraid to wear it to some places. There are a lot of places that she would not wear her flag. There are a lot of places where even without her flag, she is afraid to go. She feels intimidated, afraid, and she is not the only one. All of your constituents, all of your constituents,

76,000 people who live in the City of Bethlehem, all of the brown and black individuals, are feeling something very similar. So we do not need a resolution, we do not need a magic pill, we just need to listen to what we have been told that is happening, and we need to do something about it. It is unfairness. It is like what Councilwoman Smith said, with liberty and justice for all. Really? Justice for all as long as you have light skin, gold hair, and blue eyes. She pointed out that because if you do not, there is no such a thing in here as justice for all.

### *Business Re-Opening*

President Waldron stated we will transition here to talk about the business reopening that is happening this Friday, June 5, 2020 with specific focus on the downtowns and what the plan is to help support the restaurants. We did get what was sent out by Ms. Karner last week that included some plans, overviews, and some maps. Obviously a lot of work went into that and there has been a lot of thoughtful dialogue, not just within the City but stakeholders as well. President Waldron then asked for an update of how we got there and what those plans will look like.

Ms. Karner remarked they did forward this plan and she hopes that everyone had an opportunity to take a look at it. This is on our website and we have had a lot of press coverage over it. This has also been all over social media and we have gotten a good response from the business community, largely because we work heavily with individual businesses and with a variety of business associations to develop the plan. She cautions as with any good plan there is some opportunity for change and for alteration and so we are already presenting this with the feedback we got from the businesses what they want to see but that does not mean when you walk out onto the south side on Friday you will see every one of these closures. Some of these businesses need a little more time to prepare. Some have presented their ideas to us and said we need to order more tables and chairs or we need to revamp our process to be able to accommodate what we ultimately want to do. Ms. Karner stated there is also regular guidance produced by the Pennsylvania Liquor Control Board (LCB) and there are a lot of inquiries as to servicing alcohol and what the limits the businesses are operating under. While we do not advise on that aspect we ask them to contact the LCB directly. There is some apprehension that we do not understand what exactly will be enforced. So there are three primary components to this, it is street closures, it is parking space closures called parklets, and it is expansion on public space whether that be sidewalks, city owned space, Redevelopment Authority owned space, and Bethlehem Parking owned space. Ms. Karner advised she is trying to give restaurants and retailers as much opportunity as possible to expand outside of their building footprint to serve the public. You have seen our examples and she is happy to take any questions. She is thrilled that instead of putting the responsibility on the businesses we as the City have decided to build these parklets ourselves, build these structures and put that out there. So the Mayor is closing streets, the Mayor is crafting the parklets, so that is a different approach than what we have seen historically which gives greater opportunity for more businesses to take advantage of it and then just work with us to get the appropriate right-of-way permissions.

President Waldron noted obviously there is a lot that goes into this and it will be a plan that changes every weekend and he imagines you will revisit to see what was successful, what could be tweaked, and how can we improve this. He gets the sense there is a lot of built up demand so people may come out and also this will be weather dependent. If there is a beautiful weekend people will come out to support those businesses and to be social. We have our

overview map of where those parklets will be located and what streets will be closed and what times. In looking at that his immediate thought is will this be enough, will those spaces potentially be overwhelmed by the amount of people who want to come out. He knows there is encouragement for folks to call ahead and make reservations so those businesses can know how many people are coming and they can withhold those capacity requirements. But if there is just an abundance of people who are out there who want to either be part of the dining experience or just want to be there and be part of the energy of being on the street or on the sidewalk, is there thought to growing that space to allow for more tables or more pedestrian space.

Ms. Karner stated certainly and we are open to entertaining additional parklet opportunities and additional street closures from what you see on this plan. It is really going to depend on exactly what President Waldron talked about, how does the public respond. We have been working with the Bethlehem Chamber to launch a campaign, Back to Bethlehem, to ask people to come back into Bethlehem. It is a component of Vow to the Valley which is that restaurants and retailers are going to keep you safe, we will clean and we are going to ensure that people are properly trained and provide adequate handwashing and sanitary conditions so you feel comfortable coming out. We in Bethlehem are saying please come back to Bethlehem, come back to dine and shop and do all those things you have done on the south side, west side, and north side over the years. We have seen restaurants try to limit the time period, like you get an hour and a half at a table, they take reservations and have specific seatings, something very structured to say to people to make their plans to come back so we can accommodate you. Ms. Karner advised we can see how that goes and if we need to look at additional streets and additional parklets we are happy to do that. We also facilitated some connections with private property owners in an effort to open up some of the private space so it is maximizing our outdoor availability.

President Waldron remarked this is about balance because you want to try to inject as many people and as many dollars into our downtowns as possible but you need to be thoughtful about the safety of not only the visitors but the employees and business owners. In your head it is easy to remember the good old days of any of the many festivals that happens in our downtowns and say why not just close all of Main Street, why not close all of Fourth Street or New Street and have a wide open festival feel. The reason for that is kind of obvious because then there would be mingling and anytime you have alcohol some of those social distancing requirements or mask wearing or sanitation, that bar will drop quickly. You do not have to look very far past some of the weekends where the Wooden Match has had live music and they have had tailgating there and it is clear that the social distancing and mingling is liberal. It is great to see people wanting to get out and wanting to support but it is about finding that balance. President Waldron is sure there was consideration to closing off all of Main Street and what some of these conversations would be like but the next question would be where do we have to get within our phases from red to yellow to green in order to potentially do that. We might be in the green phase but indoor dining is not allowed but we could have a more open outdoor dining experience.

Ms. Karner pointed out they worked with the retailers who do not typically want to see the streets closed. We have restaurants that want to maximize outdoor space because they cannot have people inside under the yellow phase, they cannot go to 50% until phase green and frankly even 50% is probably going to be less than that based on social distancing and separations. We have the retailers on the other side who say please do not close our streets completely, please still allow us some convenient parking; please allow us visibility with the through traffic. We did

actively talk about what streets in the Fourth Street corridor or Main Street could we close. That is why it is so important to note that these are not just our ideas, these are the business communities ideas in partnership with us. There is also the physical health to be concerned about. If you throw a party there is a consequence to that. We are trying to not throw a party, we are not prepared for that, we are not ready for that yet. You see the hybrid approach that we are proposing.

President Waldron thinks this is about starting conservatively because if you start too liberally you are not going to be able to tailor it back and say we opened up Main Street or Third Street too quickly and we were overwhelmed and now we have to have more restrictions. A more conservative approach and kind of feeling it out is the best way to do it from his point of view. He wanted to talk more about the parklets, he asked if they will be semi-permanent.

Ms. Karner stated Public Works is constructing what are ultimately large planters and they are just going to be placed in the street. So you might be thinking of a parklet that has sides and a back to it and has a raised platform. Because of time constraints and financial constraints and a desire to make it a wide open space and have the flexibility to move planters around we changed the model a little bit. You will actually have to step off the sidewalk and your tables and chairs will be placed on the macadam but these constructed planters by Public Works are really what is creating the safety outline, being the barrier between the seating area and the traffic. They are in the process of making about 100 of those. It will take them a few weeks so Friday night you will see water barriers and other less attractive features. That is not the long term plan, we ask everyone to be patient until we can get all of these constructed and in place and beautify the area at the same time. Having that flexibility is a key component to this so that if we put a parklet somewhere and they realize it is not working for them, whether we move into green and they can move indoors and do not want to be outside or it is bad weather, we can move those planters to another area and accommodate a different parklet at a different location.

President Waldron asked if those parklets will stay there 7 days a week.

Ms. Karner stated yes, they will be there all the time and we are looking at least until Labor Day if not into the end of October like our traditional parklet program.

President Waldron asked what the design and material will be of those.

Ms. Karner informed they are wooden with soil and plants.

President Waldron queried how they will be moved.

Ms. Karner remarked she has does not know if they weigh hundreds of pounds so please do not think that is the case. When you are sitting at a table and chairs on the sidewalk you do not have a hundred pound barrier between you and a vehicle but they can be lifted.

President Waldron was not sure if they were there as a physical barrier or a protective barrier because if you are thinking about being in what was a parking spot and there is traffic there you are feet only from a vehicle. The same point is that there are some spots on Main Street you do have seating that is to the curb so you still have that same distance.

Ms. Karner stated we do, we have bump outs that you will see tables and chairs on which are typically on the corners, like Tapas where they have tables and chairs all the way out, this is a similar situation. When you narrow the road there is also a natural traffic calming effect of that and so you may see some of the diminished noise. We do get issues every year on mufflers and cars and so forth, we may see a greater benefit of narrowing that street, slowing traffic and making it more pedestrian friendly.

President Waldron remarked on that note of slowing traffic he wondered if there was consideration of putting in a speed hump or two to potentially slow traffic even more but he knows that is not easy to do.

Ms. Karner informed they did not talk about that in this first phase but that may be something to consider.

President Waldron added that all depends how quickly people are driving down there and if people are cruising and keep doing laps because people will get itchy to get out and do something. He continued with liquor enforcement and asked if that will be up to the individual businesses. Any time people are on Main Street or on Third Street or First Street they have typically been there and the liquor laws are lax for the festivals as far as you go into a restaurant and fill up your mug and then you can walk in the street and mingle. That muscle memory for people might still be there so what is the encouragement and enforcement to make sure people are getting a cocktail or beer at a table and not getting up and walking down the sidewalk to another restaurant to talk to somebody they know.

Ms. Karner pointed out aside from a small section of Walnut Street on the north side which you are used to being able to walk during Musikfest for those 10 days or another festival; we are only closing that section of Walnut Street. You are not hopefully going to trigger that muscle memory which includes a complete street closure and the opportunity to carry. That does not mean we get a lot of questions because everybody wants to create a festival atmosphere all the time. We say the same thing we have always said which is that it is the Liquor Control Board that issues the licensing for serving alcohol and it is LCB enforcement and certainly defer to our police if there are issues associated with that enforcement. We do not advise as to whether or not they can pick up there drink at one location and walk down the street and enjoy it at another one.

Mr. Callahan thanked Ms. Karner for all the work she has done and also the Downtown Bethlehem Association. He mentioned that the LCB sometimes is very frustrating and he knows that the restaurants were allowed to sell a drink to go in a disposable container as per a few weeks ago. Then he heard there was supposed to be a vote today to relax or let the restaurants that have permission to expand their tables on the adjoining businesses and if there get permission as of yesterday the LCB was not allowing the restaurant owners to sell alcohol although they could sell beer there. Mr. Callahan asked if there is any information from the State relaxing that without having the business go and get rezoned for their sale of alcohol.

Mr. Karner informed the LCB did issue guidance today that is on their website and we distributed that to the business association. We do not interpret that for them but we provided them with today's guidance which does give them some direction related to expansion on sidewalks, electronic applications and almost an automatic permission. Again, she is not interpreting that and you can go on the website for the LCB and you will see it there.

Mr. Callahan asked if they passed that today.

Ms. Karner stated no, the LCB issued administrative guidance today which they can do in an emergency declaration in partnership with the Governor.

Mr. Callahan stated he hopes to get as much activity as possible for these restaurants because they lost a tremendous amount of income in the last 3 or 4 months and many of them are worried about a spike coming back in late fall or early winter and that they would have to close again. Many of them would not survive if that happens. It is imperative that the restaurants and retailers have an environment where they can increase their sales for a quick 3 or 4 months to have some cash flow and money available to get them through a second peak or outbreak of the virus, if that happens and hopefully that does not happen. He is in favor of this reopening, that is good for the restaurants but we also need to come up with something to allow the stores to have displays out on the sidewalks or street during nice weather and maybe close one side of the street. People can keep social distancing but can also shop. It is not only a restaurant issue but it is also a retail issue. He totally applauds the work with the parklets in such short notice but long term over the next 3 or 4 months of the summer and early fall we need to come up with a plan where we can open up some of the roadways. Everyone agrees that we will have to social distance for a long period of time. By giving more room for all businesses especially retail to expand their area will help them. Mr. Callahan pointed out the last thing we want to see is any business being closed down and boarded up whether it is Main Street, Broad Street, Third Street, or Fourth Street or anywhere else in the City. We all lived through that when Bethlehem Steel closed and it took many Administrations from Mayor Cunningham up to Mayor Donchez for us to recover. Our job right now is to try to give them as much leeway as possible and going in this weekend he knows that the open container law is not an LCB issue, it is a City issue. He does not want people walking all over the neighborhoods but if they are in the central business district, let people get out there and hopefully the Police Department will have some room for allowing people to have an open container if they are trying to create social distance while they having dinner or a cocktail on Broad Street or Main Street or Third and Fourth Street. The last thing we need to do is have strict interpretations of some laws that will prohibit people from going out and enjoying themselves, especially in the warm weather months. Mr. Callahan would hope that the Chief and Mayor could come up with some guidelines. He added that our Police Department has been awesome whether it was Musikfest or Harvest Fest or Celtic Fest; they were very tolerant of that type of activity. He would hope that they would do that now. He does appreciate all of the work with the parklets on behalf of Ms. Karner and the DBA and getting this up and running so quickly but he would just ask that we possibly look into expanding out into the streets. He knows that is a whole other issue in slowing down traffic and traffic flow but with the coronavirus there is a decrease in the amount of traffic on the roads right now. We do need to give not only the restaurants who are a majority of the ones who got the parklets but by opening up the street to other vendors and retail people to expand their sales is the least we can do.

Ms. Karner remarked she wanted to apologize if she gave anyone the impression this is only for the restaurants, it is not. We will have retailers that will have the opportunity to operate both on the sidewalks and in the parklets. There are a few things you do not see here which include future plans that have not been completely ironed out yet. We have been working with the south side arts district and with CDCB on a Greenway fair to provide additional space for retailers, restaurants, and other personal service to go out and expand their footprint. So you see a lack of personal opportunity service here, it is really hard to have a space where you are cutting

somebody's hair and you are eating for instance and that is the last phase of the State's opening. There is a lack of information and we are still working on that to be able to accommodate those businesses.

C. *Finance Committee*

Chairman Reynolds announced the Finance Committee met on Wednesday, June 3, 2020 at 6:00 PM in Town Hall. The Committee agenda included the following items: The first agenda item was review of a proposed amendment to Article 121.12(a) Section 121.12 is titled "Bond Issues, General Obligation Notes, and Lines of Credit and the Finance Committee voted 2-1 to send the proposed Bill to full Council for review. The second agenda item was review of a proposed adjustment to the General Fund related to the Public Works Department's budget. The Finance Committee voted to pass along that adjustment with a recommendation of a 3-0 vote and that Bill is on tonight's agenda.

8. ORDINANCES FOR FINAL PASSAGE

None.

9. NEW ORDINANCES

A. *Bill No. 13-2020 – Amending 2020 General Fund – Adjustments*

The Clerk read Bill No. 13-2020 – Amending 2020 General Fund – Adjustments, sponsored by Ms. Negrón and Mr. Waldron and titled:

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

Voting AYE: Mr. Reynolds, Dr. Van Wirt, Mr. Callahan, Mr. Colón, Ms. Crampsie Smith, Ms. Negrón, and Mr. Waldron, 7. Bill No. 13-2020 was passed on First Reading.

10. RESOLUTIONS

A. *Approve Contract – AECOM Technical Services, Inc. – Wastewater Treatment plant Process Upgrade Evaluation and Preliminary Design Effort – Act 537 Sewage Facilities Planning*

Ms. Negrón and Mr. Waldron sponsored Resolution No. 2020-087 that authorized to execute an agreement with AECOM Technical Services, Inc. for the Wastewater Treatment Plant Process Upgrade Evaluation and Preliminary Design Effort – Act 537 Sewage Facilities Planning.

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

B. *Approve Police Department 2020 Coronavirus Emergency Supplemental Funding Grant*

Ms. Negrón and Mr. Waldron sponsored Resolution No. 2020-088 that authorized to execute the grant award documents for funds to be received under the 2020 Coronavirus Emergency Supplemental Funding Grant in the amount of up to \$146,016. The grant will be used by the Bethlehem Police Department to add and replenish personal protective equipment (PPE) and upgrade the mobile radios located in police vehicles.

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

C. *Approve Contract – Bracalente Construction, Inc. – Carlton Avenue Reconstruction*

Ms. Negrón and Mr. Waldron sponsored Resolution No. 2020-089 that authorized to execute an agreement with Bracalente Construction, Inc. for work related to the Carlton Avenue Reconstruction.

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

D. *Approve Lease – Art of Flight Golf, Inc.*

Ms. Negrón and Mr. Waldron sponsored Resolution No. 2020-090 that that authorized to execute a Lease Agreement with the Art of Flight Golf, Inc., and other documents necessary for the operation of an indoor golf instruction, technology, and fitness facility.

President Waldron noted that Larry Kelchner, Golf Course General Manager is at this meeting if anyone has questions.

Mr. Callahan thanked Mr. Kelchner for all the work he has done at the Golf Course, it has come a long way in the last year although we still have a little bit of work to do. He just wanted to say a thank you to Mr. Kelchner and his employees for all the hard work and dedication to the facility. It looks awesome and Mr. Callahan stated he is 100% in favor of this lease tonight. It will be a great addition to this facility and he is looking forward to it.

Ms. Crampsie Smith queried what the Art of Golf is and who the clientele are.

Mr. Evans explained this is another exciting opportunity for the Bethlehem Golf Club and it is Mr. Kelchner who brought this deal to the table that we could meet and work with this group. There are clear synergies with this opportunity; it will increase golf activity and visitors to the complex. It will increase income and there is no financial exposure or risk to the City of Bethlehem or the golf course itself.

Mr. Kelchner advised the customers would be the general public, anybody is welcome to come.

Ms. Crampsie Smith asked what the program is and if it is lessons or something else.

Mr. Kelchner stated it could be lessons, indoor golf in the winter, fitness, so there would be 5 track simulators. So basically their business model is the exact opposite season as ours.

Daylight Savings Time ends in November, their busiest time would be in the winter until Daylight Savings Time starts. They will be open all year. Basically you cannot golf in the winter in the northeast but indoor lessons would be all year round and training.

Mr. Callahan informed it seems like an indoor simulator for golf.

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

*E. Approve Substantial Amendment CDBG-CARES Act Resolution – CDBG HOME Action Plan Amendment*

Ms. Negrón and Mr. Waldron sponsored Resolution No. 2020-091 that that authorized to approve the Action Plan for FY 2019 for the City of Bethlehem for the period from January 1, 2019 to December 31, 2019 and provide the necessary assurances and certificates to the U. S. Department of Housing and Urban Development and to submit the FY 2019 Action plan for HUD approval.

President Waldron noted Michael Brett is at this meeting and is our Housing and Community Development Administrator and is new to the role and this is first outing to City Council.

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

*F. Approve Use Permit Agreement – MANA – West Side Farmers Market – Fegley Enterprises*

Ms. Negrón and Mr. Waldron sponsored Resolution No. 2020-092 that that authorized a Use Permit Agreement with the permittee Mount Airy Neighborhood Association and subpermittee Fegley Enterprises, in connection with the West Side Farmers Market.

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

*G. Approve Use Permit Agreement – St. Luke’s University Health Network – Impact Through Infusion Initiative*

Ms. Negrón and Mr. Waldron sponsored Resolution No. 2020-093 that approved a Use Permit Agreement with St. Luke’s University Health Network for the Impact Through Infusion Initiative events.

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

*H. Approve Inter-municipal Liquor License Transfer – Wilbur Restaurant, LLC – 202 Wyandotte Street*

Ms. Negrón and Mr. Waldron sponsored Resolution No. 2020-094 that approved the applicant's request for an inter-municipal Liquor License No. R-18906, from Sagra Bistro, LLC formerly licensed at 620 Main Street, Hellertown, Northampton County, Pennsylvania to Wilbur Restaurant, LLC for licensed premises at 202 Wyandotte Street, Bethlehem, Northampton County, Pennsylvania.

President Waldron noted that Mr. Noble and Ms. Noble are at this meeting if there are any questions or comments.

Mr. Callahan stated he wanted to reiterate what he said earlier, he does think this will be a great addition. If anyone gets a chance they should go in and see the interior of that building, it is unbelievable and he is happy that facility will be up and running and back in use again. He thanked the owners for investing in Bethlehem and he wishes them all the luck.

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

11. NEW BUSINESS

*Summer Activities for Kids*

Ms. Crampsie Smith related she is thinking about the kids in the City and she knows we will not have the pools open and possibly not the playgrounds. She is wondering if we can look at maybe alternate activities or opportunities for the kids even if it was something like virtual programs. Can we have the Recreation Department to reach out to businesses to see if they could donate, like Crayola with arts and crafts? She is thinking about the kids who are suffering and maybe have parents who have lost jobs through this virus or they cannot afford to buy things that will keep them busy and out of trouble this summer.

Mayor Donchez stated the answer is yes and that Jodi Evans, Recreation Director is working with the Health Department on some alternative programs. There is a chance and we will review the possibility of opening the parks, not the pools but he would say at the moment we are evaluating the opening of the parks.

Ms. Crampsie Smith stated she is hearing from people that they are disappointed and it is just so important that we give opportunities to all kids.

12. ADJOURNMENT

The meeting was adjourned at 9:38 pm.

ATTEST:

Robert G. Vidoni, Esq.  
City Clerk