

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street - Town Hall
Bethlehem, Pennsylvania
Tuesday, December 3, 2024 – 7:00 PM

PLEDGE TO THE FLAG

1. ROLL CALL

The meeting was called to order by President Colón. Present were Bryan G. Callahan, Grace Crampsie Smith, Hillary G. Kwiatek, Colleen Laird, Rachel Leon, and Michael G. Colón 6; absent was Kiera Wilhelm, 1.

2. APPROVAL OF MINUTES

November 19, 2024

3. PUBLIC COMMENT

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

Personal Attacks/Vandalism

Resident Mary Jo Makoul was disappointed during the November 19 meeting when accessory dwelling units were discussed. She noted personal attacks directed toward several Council members and said these comments were out of place. On the topic itself, Ms. Makoul believes that money being paid to a consultant would be a “considerable sum of money being spent only to result in, at most, 30 dwellings.” This will not reduce the affordable housing need by much. She also raised concerns that Bethlehem is becoming too populated and hoped the City will not lose its charm. Ms. Makoul also spoke against vandalism that occurred when Lehigh University students tore down a goalpost last month and tossed it into the Lehigh River following the Lehigh-Lafayette football game.

Boycott, Divest, Sanction

Resident Harry Faber said it is easy to hate, and it is easier to hate on politicians and bureaucrats. We see problems and blame them. He has observed that most on Council care about things that are happening in Bethlehem, but nothing gets done relating to the Middle East conflict. He urged Bethlehem not to be complicit in this conflict. Leaders should boycott, divest, and sanction. He specifically asked Bethlehem to divest in arms manufacturing investments.

Reassess DCED Spending

Resident Bud Hackett attended Council’s November 25 budget hearing that included the Department of Community and Economic Development. It was interesting to hear how the money will be spent. The DCED budget represents a lot of money, and he does not believe that a majority of this money will be spent to benefit a lot of people throughout the City. This spending

appears to be weighed very heavily toward the issues that Mayor Reynolds has prioritized, namely homelessness and affordable housing. Mr. Hackett said the world has changed since the election. The City received \$34 million in “gifts” under the Biden Administration, but this is not likely to continue under President Trump. Bethlehem should re-examine how it will spend this money. There were long lists of nonprofit spending in the DCED budget, but there was nothing addressing the private sector. Mr. Hackett urged the City to pay attention to the hundreds of employers in Bethlehem.

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

None.

4. OLD BUSINESS

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

5. NEW BUSINESS

None.

6. COMMUNICATIONS

- A. *Director of Water and Sewer Resources – 2024 08R GC WWTP Main Control Bldg Renovation – CMG of Easton, Inc.*

The Clerk read a November 20, 2024 memorandum and proposed Resolution from Edward Boscola, Director of Water and Sewer Resources. Mr. Boscola recommends a change order to the contract with CMG of Easton, Inc. for Phase 3 renovations being done at the Waste Water Treatment Plant Main Control Building. The additional cost will be \$133,048.16 bringing the total cost of Phase 3 to \$1,118,478.16. The change is proposed because of unforeseen conditions and additional work items to improve the quality and aesthetics of the finished product. Completion is expected by February 19, 2025. There are no renewals.

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

- B. *City Solicitor – Use Permit Agreement – 2024 Peepsfest*

The Clerk read a November 22, 2024 memorandum from City Solicitor John F. Spirk, Jr. with an attached Use Permit Agreement and a Resolution. The Permittee is ArtsQuest and the event is 2024 Peepsfest with fireworks. Event times will be noon to 9 PM on both December 30 and 31. Fireworks times are estimated to be 5:30 PM on both days. The covered premises will be 1st Street from Polk Street to the easter terminus and Founders Way between 1st and 2nd Streets for festival events and Sand Island East for the fireworks.

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

C. *City Solicitor – Use Permit Agreement – Touchstone Theatre – 2025 Use of Parham Park*

The Clerk read a November 20, 2024 memorandum with a proposed Resolution and Agreement from City Solicitor John F. Spirk, Jr. The Permittee is Touchstone Theatre and the agreement is for the use of Parham Park for all of 2025 for theater and creative arts events, productions, performances, rehearsals; student and community lectures, workshops and related activities.

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

7. REPORTS

A. *President of Council*

None.

B. *Mayor*

Business Administrator Eric Evans presented two Administrative Orders in the absence of Mayor Reynolds.

7B1. Administrative Order No. 2024-38 Ali McDaniel – Redevelopment Authority

Mayor Reynolds appointed Ali McDaniel to the Redevelopment Authority. The appointment is effective through December of 2029. Ms. Leon and Ms. Kwiatek sponsored Resolution 2024-259 to confirm the appointment.

Voting AYE: Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and Mr. Colón, 6. The Motion passed.

7B2. Administrative Order No. 2024-39 Lee Snyder – Codes Board of Appeals

Mayor Reynolds re-appointed Lee Snyder to the Codes Board of Appeals. The re-appointment is effective through October of 2027. Ms. Leon and Ms. Kwiatek sponsored Resolution 2024-260 to confirm the re-appointment.

Voting AYE: Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and Mr. Colón, 6. The Motion passed.

C. *Finance Committee Chair*

Ms. Crampsie Smith reported that the Finance Committee met at 5:30 PM this evening in Town Hall. There were nine agenda items. The first was a presentation outlining the 2023 City audit. Remaining items included five budget adjustments and three budget transfer requests involving mostly fire, police, and EMS transactions. Actions involved moving five Ordinances and three Resolutions to Council's agenda tonight.

8. ORDINANCES FOR FINAL PASSAGE

A. *Bill No. 44-2024 – Bill No. 44-2024 Cable Franchise Grant to Comcast*

The Clerk read Bill No. 44-2024 Cable Franchise Grant to Comcast, sponsored by Ms. Wilhelm and Ms. Crampsie Smith and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA,
PURSUANT TO ARTICLE 908, ET SEQ, OF THE
CODIFIED ORDINANCES OF THE CITY OF
BETHLEHEM GRANTING A CABLE TELEVISION
FRANCHISE SYSTEM TO COMCAST OF SOUTHEAST
PENNSYLVANIA, LLC.

Voting AYE: Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and Mr. Colón, 6. Bill No. 44-2024, now known as Ordinance 2024-45, passed on Final Reading.

9. NEW ORDINANCES

A. *Bill No. 56-2024 – Bill No. 56-2024 – Police Vehicle Replacement (3) – Budget Adjustment – Non-Utility Capital Fund*

The Clerk read Bill No. 56-2024 Police Vehicle Replacement (3) – Budget Adjustment, sponsored by Ms. Leon and Ms. Kwiatek and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA,
AMENDING THE 2024 CAPITAL BUDGET FOR NON-
UTILITIES

Voting AYE: Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and Mr. Colón, 6. Bill No. 56-2024 passed on First Reading.

B. *Bill No. 57-2024 – Bill No. 57-2024 – Police Vehicle Replacement (2) – Budget Adjustment – Non-Utility Capital Fund*

The Clerk read Bill No. 57-2024 Police Vehicle Replacement (2) – Budget Adjustment, sponsored by Ms. Leon and Ms. Kwiatek and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE 2024 CAPITAL BUDGET FOR NON-UTILITIES

Voting AYE: Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and

Mr. Colón, 6. Bill No. 57-2024 passed on First Reading.

C. *Bill No. 58-2024 – Bill No. 58-2024 – Roster Duty – Budget Adjustment – General Fund Budget*

The Clerk read Bill No. 58-2024 – Roster Duty – Budget Adjustment, sponsored by Ms. Leon and Ms. Kwiatek and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA,
AMENDING THE GENERAL FUND BUDGET FOR 2024

Voting AYE: Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and Mr. Colón, 6. Bill No. 58-2024 passed on First Reading.

D. *Bill No. 59-2024 – Bill No. 59-2024 Organized Crime Task Force Budget – Budget Adjustment – General Fund Budget*

The Clerk read Bill No. 59-2024 Organized Crime Task Force Budget – Budget Adjustment, sponsored by Ms. Leon and Ms. Kwiatek and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA,
AMENDING THE GENERAL FUND BUDGET FOR 2024

Voting AYE: Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and Mr. Colón, 6. Bill No. 59-2024 passed on First Reading.

E. *Bill No. 60-2024 – Bill No. 60-2024 Amend Health Immunization Account – Budget Adjustment – General Fund Budget*

The Clerk read Bill No. 60-2024 Health Immunization Account – General Fund Budget, sponsored by Ms. Leon and Ms. Kwiatek and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE GENERAL FUND BUDGET FOR 2024

Voting AYE: Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and Mr. Colón, 6. Bill No. 60-2024 passed on First Reading.

10. RESOLUTIONS

A. *Approve Resolution – Authorizing Budget Transfer – Fire and EMS Overtime*

Ms. Leon and Ms. Kwiatek sponsored Resolution No. 2024-261 that authorized that \$524,000 be transferred from Account # 0701-40001 Fire-Salaries, \$88,000 be transferred from Account #0701-43099 Fire-Equipment, \$20,000 be transferred from Account # 0702-40001 EMS-Salaries, \$55,000 be transferred from Account # 0702-40004 EMS-Temporary Help, and \$31,000 be transferred from Account #0702-43099 EMS-Equipment to \$670,000 to Account # 0701-40003 Fire-Overtime and \$48,000 to Account #0702-40003 EMS-Overtime. Overtime was necessary because the Fire Bureau had a large number of retirements and resignations in 2024 while EMS had several vacancies during the year.

Voting AYE: Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and Mr. Colón, 6. The Resolution passed.

B. Approve Resolution – Authorizing Budget Transfer – Police Vehicles (3)

Ms. Leon and Ms. Kwiatek sponsored Resolution No. 2024-262 that authorized that \$189,000 be transferred from Account # 0601-40001 Police – Police Salaries to Account # 0801-42083 the Non-Utility Capital Fund. This transfer will fund three police vehicles.

Ms. Leon offered appreciation to the department heads who found the most efficient ways to accomplish their mission without the need to raise taxes.

Voting AYE: Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and Mr. Colón, 6. The Resolution passed.

C. Approve Resolution – Authorizing Budget Transfer – Police Vehicles (2)

Ms. Leon and Ms. Kwiatek sponsored Resolution No. 2024-263 that authorized that \$30,000 be transferred from Account # 0601-42047 Police – Department Contracts to Account # 0801-42083 the Non-Utility Capital Fund. The \$30,000 will be combined with insurance proceeds from damaged vehicles to purchase two new police vehicles.

Voting AYE: Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and Mr. Colón, 6. The Resolution passed.

D. Approve Resolution – Records Destruction – Solicitor's Office – November 2024

Ms. Leon and Ms. Kwiatek sponsored Resolution No. 2024-264 that authorized the disposal of public records in the Solicitor's Office, as set forth in Exhibit A.

Voting AYE: Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and Mr. Colón, 6. The Resolution passed.

E. Approve Resolution – Rules of Council Amendments – Rule 8 – Committees

Ms. Leon and Ms. Kwiatek sponsored Resolution No. 2024-265 that authorized that the Rules of Council be amended to transfer Council committee responsibilities involving the Parking Authority from the Public Safety Committee to the Community and Economic Development Committee.

President Colón proposed this change. Council Rules proscribe Council committees and their scopes. The Bethlehem Parking Authority (BPA) now falls under Public Safety Committee, a committee that he used to chair. He recalled committee discussion about citations. At that time, it was questioned whether the BPA best fit under Public Safety or perhaps Community Development. Two larger prior Authority issues led to a Committee of the Whole meeting and a joint meeting of the Public Safety and Community Development Committees. Since this question has arisen again, he proposed letting Council decide whether the BPA should best be considered by the Community Development Committee. If so, Council Rules would have to be amended.

Ms. Leon said when Residential Parking Permit amendments were being considered, she thought the matter was more one for the Community Development Committee rather than Public Safety.

Ms. Crampsie Smith asked the history of why the BPA was put under Public Safety to begin with. Knowing this answer might be important. She also pointed out that Community Development already has nine areas of consideration compared to three for Public Safety. Shifting BPA responsibilities might cause further imbalance.

Ms. Laird said the BPA matters that have arisen during her Council tenure seem more related to Community Development than Public Safety, so a change might be in order. But she also recommended that Council in the future look at all of its committee purposes and workloads to consider whether any other changes are in order. Ms. Laird also asked whether Council is permitted to refer an issue to a committee different than assigned if a particular issue lends itself to that.

President Colón does not believe that Council Rules permit this discretion. There are defined scopes. Joint committee meetings or Committee of the Whole meetings have been the solutions in the past when overlaps exist.

Solicitor Stephanie Steward said the state gives a lot of discretion on committee matters.

Ms. Kwiatek said another way to look at the “scope” of committee duties might be the number of employees and the size of the budget for departments that fall under its purview rather than the number of matters requiring committee meetings. Community Development and Public Safety tend to approach equal footing in these areas. Still, she is open to hearing BPA matters since many are integral to community development.

Ms. Leon said that, as chair of the Public Safety Committee, she believed there were three potential BPA matters to explore: 1. Amending the RPP, 2. Is the parking Ordinance too rigid? and 3. What is our parking system look like given all of the development that is going on? None of these seemed to best fit under Public Safety, but more under Community Development. She was glad to have this conversation and welcomes more to check the appropriateness of all committees.

Ms. Crampsie Smith asked whether the BPA could be returned to Public Safety if its move to Community Development were found to be a mistake. She was told it could. She also asked the police and fire chiefs whether they foresaw any problems with the change. They did not.

Voting AYE: Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and Mr. Colón, 6. The Resolution passed.

F. *Approve Resolution – 2024 08R GC WWTP Main Control Bldg Renovation – CMG of Easton, Inc.*

Ms. Leon and Ms. Kwiatek sponsored Resolution No. 2024-266 that authorized to execute all documents and agreements with CMG of Easton Inc. for additional work to be done on Phase 3 of renovations at the Waste Water Treatment Plant Main Control Building.

Voting AYE: Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and Mr. Colón, 6. The Resolution passed.

G. *Approve Use Permit Agreement – ArtsQuest – 2024 Peepsfest*

Ms. Leon and Ms. Kwiatek sponsored Resolution No. 2024-267 that authorized to execute a Use Permit Agreement with ArtsQuest for the 2024 Peepsfest.

Voting AYE: Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and Mr. Colón, 6. The Resolution passed.

H. *Approve Use Permit Agreement – Touchstone Theatre – 2025 Use of Parham Park*

Ms. Leon and Ms. Kwiatek sponsored Resolution No. 2024-268 that authorized to execute a Use Permit Agreement with Touchstone Theatre for arts events, rehearsals, lectures, workshops, and related activities at Parham Park.

Voting AYE: Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Ms. Leon, and Mr. Colón, 6. The Resolution passed.

President Colón announced that there were no proposed budget amendments by Council members. The tentative December 9 hearing has been cancelled. Second Reading/Enactment for budget Ordinances will be held on December 17, as previously scheduled.

11. ADJOURNMENT

The meeting was adjourned 7:51 PM.

ATTEST:

Tad J. Miller
City Clerk