

BETHLEHEM CITY COUNCIL MEETING
10 East Church Street - Town Hall
Bethlehem, Pennsylvania
Tuesday, March 19, 2024 - 7:00 PM

PLEDGE TO THE FLAG

1. ROLL CALL

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

President Colón announced that Ms. Leon will not be present tonight because she is ill.

President Colón also stated that he would accept a motion and a second to move agenda Item 3A Public Comment on subjects not being voted on this evening to the bottom of tonight's agenda. Mr. Callahan made a motion, seconded by Ms. Crampsie Smith, to move Item 3A to be the last item on the agenda.

President Colón said this agenda revision is "in direct response to our last Council meeting." Council adjourned the meeting because of the protest in the room without consideration or action on most agenda items. He said Council's primary function is to execute City business. This was unable to occur. The last two Council meetings have included hours of public comment. Council has shown the public courtesy and respect whether members agreed with what was said or not. With this being said, Council must still get through its agenda and conduct business.

Voting AYE: Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, Mr. Colón, 6. Motion passes.

President Colón noted that there have been several disruptions during recent meetings. He again asked that courtesy, respect, and order be maintained. In his nearly 10 years on Council, no one has ever been asked to excuse themselves from Town Hall because of behavior. He would not look forward to doing that, but if he feels that someone is being disruptive to the point where it is impeding Council's progress to move forward with a meeting, he would politely but directly ask someone to refrain from interrupting. If that were to continue, he would have to ask that person to leave.

CITATIONS HONORING: John J. Lawrence
Scott M. Ryan
Thomas L. Galloway, Jr.

President Colón observed that none of the three retiring employees was present, but Council has citations honoring their service to the City. Council recognized John J. Lawrence, who retired as Superintendent of the Wastewater Treatment Plant and served the Department of Water and Sewer Resources for more than 40 years. Scott M. Ryan retired as Lieutenant Inspector

after serving the Fire Department for more than 30 years. And Thomas L. Galloway, Jr. retired as a Sergeant after serving the Police Department for 20 years. All will be mailed their citations.

2. APPROVAL OF MINUTES

March 5, 2024

3.

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

Opposes Record Destruction and Budget Transfers

Resident Harry Farber referred to agenda Item 10B, the destruction of public documents by DCED. He asked why the City would want to destroy documents involving money. Is there something to hide? Mr. Farber also opposed budget transfers.

Mixed Emotions

Resident William Scheirer said he had mixed feelings on the legislation announced in a communication tonight that proposes limiting public comment to City residents or those owning property here. He has been proud of City Council for listening to all who wish to speak for so long. But after the disrespect shown at the March 5 meeting to this Council and the City in general, he is sympathetic to the motion. He takes no position on it. He pointed out that the previous speaker violated Council Rules by making a personal attack on the Mayor. Mr. Scheirer said we have a history in Bethlehem of acting with decorum and civility. These prior actions were not in accordance.

President Colón clarified that the proposed change to Council Rules would be read into the record as a Communication only (Agenda Item 6F) and would not be considered on tonight's agenda.

4. OLD BUSINESS

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

COMMUNICATIONS

6A. *Business Administrator – Proposed Adjustment for Resident Rate – Illick's Mill Facility*

The Clerk read a February 22, 2024 memorandum from Business Administrator Eric Evans with an attached Resolution. The memo explains a Resolution that would correct the intended resident rate of \$375 for use of the Illick's Mill facility. An incorrect amount of \$425 was reviewed at a

related Finance Committee meeting and later approved by Council at its February 20 meeting. The non-resident rate of \$475 was correct.

President Colón stated Resolution 10 C is on the agenda.

6B. *Director of Public Works – Contract – Fourth of July Fireworks – Garden State Fireworks, Inc.*

The Clerk read a February 22, 2024 memorandum with a proposed Resolution from Public Works Director Michael Alkhal. Mr. Alkhal recommends that a contract be awarded to Garden State Fireworks, Inc. of Millington, NJ, to provide the July 4th fireworks show. The cost is \$33,000. The rain date is July 5. There are no renewals.

President Colón stated Resolution 10 D is on the agenda.

6C. *City Solicitor – Use Permit Agreement – American Association of University Women – 2024 Book Fair*

The Clerk read a February 28, 2024 memorandum from Solicitor John F. Spirk, Jr. with an attached Use Permit Agreement and a Resolution. The Permittee is the American Association of University Women, Bethlehem Branch, to use the Earl E. Schaffer Ice Rink to hold its 2024 AAUW Book Fair. Event dates are April 25 through April 29, 2024 and the duration of the permit is April 1 through April 29, 2024.

President Colón stated Resolution 10 E is on the agenda.

6D. *City Solicitor – Use Permit Agreement – Work to Live d/b/a Run Lehigh Valley – 2024 Brew to Brew Event*

The Clerk read a February 28, 2024 memorandum from Solicitor John F. Spirk, Jr. with an attached Use Permit Agreement and a Resolution. The Permittee is Work to Live, LLC d/b/a Run Lehigh Valley for use of public property specified as Main Street from River Street to Broad Street and the Nevin Place right-of-way and a specified parcel along West Walnut Street. The event is the 2024 Brew to Brew Run, which will take place between 10:00 AM and 2:30 PM on April 13, 2024. The permit duration will be from 8:00 AM until 4:00 PM on April 13, 2024.

President Colón stated Resolution 10 F is on the agenda.

7. Mayor

7B1. *Administrative Order – Rocco Beltrami, Esquire – Assistant City Solicitor*

Mayor Reynolds appointed Rocco Beltrami to be an Assistant City Solicitor effective as of March 5, 2024. Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-042 to confirm the appointment.

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

8. Ordinances for Final Passage

8A. *Bill No. 03-2024 – Adopt Year-End Adjustments – General Fund Budget*

The Clerk read Bill No. 03-2024 – Year-End Adjustments – General Fund Budget, sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

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

Ms. Kwiatek noted that this was reviewed during the March 5 Finance Committee meeting. She asked Business Administrator Eric Evans to explain that this action is not taking away from one program and giving to another.

Mr. Evans said is correct and that this is not a change in priorities or allocations. The budget is prepared in August through October. Estimates must be made for how much money will remain in capital accounts for projects or purchases. The figures being discussed tonight reflect adjustments to the estimates to show the actual figures at year's end.

Voting AYE: Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, and Mr. Colón, 6. Bill No. 03-2024, now known as Ordinance No. 2024-04, was passed on Final Reading.

8B. *Bill No. 04-2024 – Northampton County Public Safety Grant – General Fund Budget*

The Clerk read Bill No. 03-2024 – Year-End Adjustments – General Fund Budget, sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

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

Ms. Kwiatek clarified with Police Chief Kott that this was a money grant received from Northampton County.

The Chief said this is the County's First Responder Grant that is available to all of the municipalities within Northampton County. The money will be used to purchase ballistic shields to be carried in police vehicles in case of a shooting incident.

Voting AYE: Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, and Mr. Colón, 6. Bill No. 03-2024, now known as Ordinance No. 2024-05, was passed on Final Reading.

8C. *Bill No. 05-2024 – Electrical Street Lights Repair-Replace – General Fund Budget*

The Clerk read Bill No. 05-2024 – Electrical Street Lights Repair-Replace – General Fund Budget, sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

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

Voting AYE: Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, and Mr. Colón, 6. Bill No. 05-2024, now known as Ordinance No. 2024-06, was passed on Final Reading.

8D. *Bill No. 06-2024 – Police DCED Grant – General Fund Budget*

The Clerk read Bill No. 06-2024 – Police DCED Grant – General Fund Budget, sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

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

Voting AYE: Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, and Mr. Colón, 6. Bill No. 06-2024, now known as Ordinance No. 2024-07, was passed on Final Reading.

8E. *Bill No. 07-2024 – Amend 2024 Storm Water Fund Budget*

The Clerk read Bill No. 07-2024 – Amend 2024 Storm Water Fund Budget, sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,
COUNTIES OF LEHIGH AND NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, AMENDING
THE 2024 STORM WATER FUND BUDGET ADJUSTMENT

Ms. Kwiatek asked if this was similar to other adjustments being made tonight.

Mr. Evans said the action with the Storm Water Budget is similar to the adjustment with the General Capital Fund. Estimates get updated to reflect completed projects or those that got delayed. It shows actual figures or reallocations.

Voting AYE: Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, and Mr. Colón, 6. Bill No. 07-2024, now known as Ordinance No. 2024-08, was passed on Final Reading.

8F. *Bill No. 08-2024 – Non-Utility Capital Fund – Year-End Budget Adjustments*

The Clerk read Bill No. 08-2024 – Non-Utility Capital Fund – Year-End Budget Adjustments, sponsored by Ms. Leon and Ms. Crampsie Smith and titled:

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

Voting AYE: Ms. Wilhelm, Mr. Callahan, Ms. Crampsie Smith, Ms. Kwiatek, Ms. Laird, and Mr. Colón, 6. Bill No. 08-2024, now known as Ordinance No. 2024-09, was passed on Final Reading.

9. New Ordinances.

None.

10. Resolutions

10A. *Approve Intermunicipal Liquor License Transfer – 77 Wind Creek Boulevard*

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-043 that authorized the transfer of Pennsylvania restaurant liquor license No. R-13866 purchased in a PLCB auction for use at a new restaurant at Wind Creek Casino, 77 Wind Creek Boulevard, Bethlehem, Northampton County, with the understanding that said transfer must be approved at a later date by the Pennsylvania Liquor Control Board.

President Colón advised that Attorney Ellen Freeman, who represented Aramark during the March 5 Public Hearing, is available remotely to answer questions if any arise.

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

10B. Approve Resolution – Records Destruction – DCED

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-044 that authorized the disposal of public records in the Department of Community and Economic Development, as set forth in Exhibit A.

Ms. Kwiatek asked Director of Community and Economic Development Director Laura Collins about the Municipal Records Retention Act and how long records must be kept.

Ms. Collins said this Act was passed by Council in 2008. It sets forth how long records must be kept. In the case of Community Development Block Grant documents, HUD rules also must be followed and were.

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

10C. Approve Resolution – Proposed Adjustment for Resident Rate – Illick's Mill Facility

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-045 that authorized reduction of the daily resident rate for the Illick's Mill Facility from \$425 to \$375.

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

10D. Approve Resolution – Contract – Fourth of July Fireworks – Garden State Fireworks, Inc.

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-046 that authorized to execute all documents and agreements with Garden State Fireworks, Inc. to provide the Fourth of July Fireworks Show.

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

10E. Approve Use Permit Agreement – American Association of University Women – 2024 Book Fair

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-047 that authorized to execute a Use Permit Agreement with the American Association of University Women, Bethlehem Branch, for the 2024 AAUW Book Fair.

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

10F. Approve Use Permit Agreement – Work to Live d/b/a Run Lehigh Valley – 2024 Brew to Brew Event

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-048 that authorized to execute a Use Permit Agreement with Work to Live, LLC d/b/a Run Lehigh Valley for the Brew to Brew Run Event.

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

10G. Certificate of Appropriateness – HCC – 375 Thirteenth Avenue

Ms. Leon and Ms. Crampsie Smith sponsored Resolution No. 2024-049 that granted a Certificate of Appropriateness to construct a second-floor addition atop an existing first-floor enclosed rear addition at the north wing of the main dwelling as an enclosure for a new elevator at 375 Thirteenth Avenue.

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

5. NEW BUSINESS

HUD Visit

Ms. Kwiatek was pleased to participate last week when HUD visited to discuss the Choice Neighborhoods planning grant that is a partnership between the City and the Bethlehem Housing Authority. As Council liaison, Ms. Kwiatek reported this to be a good and informative visit. She is excited about the continued progress of this project.

Work Toward Easing Some Pool Fees

Ms. Laird followed up on Council action that approved swimming pool fees for the year. She has since spoken with Recreation Director Jodi Evans, and she will meet with Eric Evans tomorrow to consider some options for making the pools more accessible for those who might not otherwise be able to afford entrance.

Meeting Questioned

Ms. Crampsie Smith referenced an email from a constituent about a Bethlehem Parking Authority meeting involving neighbors to the Walnut Street Parking Garage. The email said this was a closed meeting. The press was not allowed to attend as well as only certain residents. She asked if anyone from the Administration could speak to this.

Mayor Reynolds said his office received the same communication that BPA Executive Director Steven Fernstrom sent to all of City Council. He believes the meeting was just between BPA and affected neighbors. This had nothing to do with the City Administration or representatives. Otherwise, whatever was in the memo was between the Authority and neighbors.

Ms. Crampsie Smith is concerned that, if there is accuracy to the constituent's concern, she does not believe there should be closed meetings with only select people being invited. She is concerned about potential Sunshine Law violations. She said she could contact Mr. Fernstrom to inquire.

She also said that someone asked her why certain parking meters on Market Street have red bags on them that indicate these spaces are designated for certain property owners. She asked if anyone knows why.

Mayor Reynolds said this also should be directed to Mr. Fernstrom.

Opening Doors Questions Asked

Mr. Callahan noted that Mr. Fernstrom was not present tonight but should have attended this Council meeting to address the garage beam that fell on the adjacent property during the Walnut Street Garage demolition.

Mr. Callahan also raised the topic of the Opening Doors strategy. He said some residents of Edgeboro and nearby areas are concerned that their zoning could change to allow multi-family dwellings for low- or moderate-income residents in single-family neighborhoods as a result of the Opening Doors program.

Mayor Reynolds asked if Mr. Callahan has read about the Opening Doors initiative.

Mr. Callahan said he has not.

Mayor Reynolds said it is about 100 pages. This has been in the works for more than a year and has included several community meetings. Community Development Director Sara Satullo previously offered to sit down with anyone on Council to explain the program. This was a City initiative that came about from federal recovery money and a desire to make this a community process has gotten it this far. This has included participation from the largest institutions in the Lehigh Valley, including the hospitals, universities, and nonprofits that work in this field. It has included about 3,500 community surveys. The biggest takeaway has been a realization of the affordable housing crisis that has emerged through skyrocketing housing prices and rents. Opening Doors is about a process that brings together the largest institutions to focus on possible solutions. Strategies include looking at zoning, landlord incentive programs, accessory dwelling units, and more.

Mr. Callahan began to ask another question when the Mayor asked to be able to continue without interruption.

President Colón asked that the two not speak over each other.

Mr. Callahan said he asked a simple question.

President Colón said he was getting an answer. He said he also looked forward to getting an answer.

Mr. Callahan began to ask if it would be possible for the Mayor to answer the question.

President Colón said Mayor Reynolds “explicitly will answer” the question.

“I’d appreciate it if he would get to the point of my question,” Mr. Callahan said.

“This is America, Mr. Callahan,” the Mayor said. “You can pick the questions but you can’t pick the answers.”

“I would ask everyone ...”, Mr. Colón said. He asked the Mayor to continue with his answer.

The Mayor returned to commenting on the process the Administration went through to get to this point with Opening Doors. He said Council Members are welcome to contact the Administration to find out information about it. He knows that Mr. Callahan has no trouble contacting the Administration because he knows that Mr. Callahan last week contacted Public Works Director Alkhal about paving Madison Avenue where Mr. Callahan has his new house.

President Colón asked the Mayor not to “assign motive.”

Mayor Reynolds apologized. He said he was just stating a fact.

Mr. Callahan said that Mr. Alkhal has said that this street is already on the list for resurfacing and that it is one of the worst roads in the City.

President Colón said he was “not going to diverge into a conversation about paving.”

Mr. Callahan said, “He brought it up.”

President Colón said we are not going to speak over each other. He asked for Mayor Reynolds to please finish his answer.

Mayor Reynolds again recommended that Mr. Callahan, like the other five members on City Council sitting up there tonight have done, read the program and take advantage of the opportunity to meet with the Administration to answer questions that might arise. To directly answer his question, one of the suggestions was for the City to be open to rezoning some sections of the City, but no work has been done on this effort. The last update for the Zoning Ordinance was done in 2012. That was a process that took almost five years to accomplish. There would have to be a public process if a change like this were requested, whether it was to seek a variance or change the zoning for land. No decision has been made. No research has been done. This would be a multi-year project. He added that the Administration has offered to meet with any group that has a particular concern.

Mr. Callahan asked if the Mayor has spoken with anyone from the Edgeboro community.

Mayor Reynolds said they have spoken with people from every neighborhood.

Mr. Callahan asked about the Mount Airy neighborhood. He said he has spoken with residents in these neighborhoods and no one from the Administration has explained any of this to them.

Mayor Reynolds appealed to President Colón to control the interruption.

Mr. Callahan said he asked a simple question.

"When you ask a question, the completion of the question is what allows the other person to ask a follow-up question," Mayor Reynolds said. "This isn't gym class. You can't cut me off here as far as what I may answer."

Ms. Crampsie Smith stated, "A point of order – personal attacks. Please, we need to act civil in this room. This is ridiculous."

President Colón asked for order and reminded all of civility. He added that if a question is asked of the Mayor, he needs to be given time to complete that answer.

Mr. Callahan asked for an apology from the Mayor.

Mayor Reynolds said, "I'm sorry to referencing your experience as a gym teacher. I do not like to be interrupted."

Mr. Callahan said he was a health a phys ed teacher. "A gym is a room," he added.

President Colón acknowledged the apology was offered.

Mayor Reynolds said his response came because he cannot offer an answer without being interrupted by Mr. Callahan.

The Mayor said that they have gone out into many neighborhoods and intend to visit more. Nothing has been decided yet. Public meetings must be held. And several options exist including infill and building appropriate scale neighborhoods. There is not just one recommendation to rezone a neighborhood and build multi-family homes.

Mr. Callahan asked if the Mayor is in favor of changing the zoning of a single-family neighborhood to allow multi-family housing.

Mayor Reynolds said he is "in favor of the process playing out." It is not far enough along to provide specifics.

Mr. Callahan asked if there is anything in Opening Doors that suggests allowing this specific scenario.

Mayor Reynolds said that Opening Doors suggests reviewing zoning to see where possibilities exist. There is no recommendation at this time. We feel we should consider the options. Opening Doors and the resulting survey are not recommendations but the realm of possibilities.

Mr. Callahan said that those who offered opinions in the survey are not those who live in the affected neighborhoods. "Those people are up in arms right now," he said of those neighbors. He said he has been getting phone calls "non-stop." He encouraged those who are opposed to the potential changes to come to Council meetings and speak up during the planning process before it is too late.

President Colón reminded that the Opening Doors program is on the City's website. He encouraged all to read it. He also noted the two Community Development Committee meetings that discussed Opening Doors and added that those meetings can be viewed on the community YouTube channel for information.

Community Center Input

Ms. Wilhelm attended the recent meeting to obtain input on the potential South Side community center. It was well attended and there was a lot of positive energy about the proposal. She recommended those interested following the City's social media accounts to obtain updates.

Concerns for Violent Crime

Mr. Callahan asked Chief Kott about some recent incidents. About two months ago there were two shootings and then two weeks ago there was another. He said two people on the South Side were jumped and taken to a hospital with severe injuries. He asked if we are seeing an increase in crime or is this the new norm?

The Chief said there has not been a significant increase in crime. These numbers, while regrettable, are consistent with prior years.

Mr. Callahan asked if there is an online feature where residents can see recent police incidents.

Chief Kott said the daily blotter is released to the media. The Department's social media pages are very active. She is aware of a speaker at a Council meeting who discussed a website that would offer the daily blotter from the Department. BPD uses the Uniform Crime Reporting page through the Pennsylvania State Police, which provides the public with relative location of crimes occurring.

Mr. Callahan asked her if she knew how many shootings took place in Bethlehem in 2022 and 2023.

Chief Kott did not know without looking up statistics, but she did say that Bethlehem is a safe city compared to similar-sized cities in the Commonwealth.

Mr. Callahan said he is concerned because he believes that three shootings since the beginning of the year is abnormal for Bethlehem.

Ethics Training

President Colón announced that Council will hold a Committee of the Whole meeting on March 26 at 6:00 PM to provide its bi-annual Council Member Ethics Training Seminar. This is required by Ordinance. Department heads will attend as well.

6. COMMUNICATIONS

E. *Director of Health – Contract – 2024 18 Community Connections – Cedar Crest College*

The Clerk read a March 5, 2024 memorandum with an attached Resolution from Health Director Kristen Wenrich. Ms. Wenrich recommends a contract with Cedar Crest College of Allentown to prepare the Community Connections Evaluation. The cost of the contract is \$19,500.00. The work is to be completed by August 31, 2024. There are no renewals.

President Colón stated Resolution 10 H is on the agenda.

F. *City Council – Memo – Amended Rules of Council Non-Citizen/Non-Taxpayer*

The Clerk read a March 12, 2024 memorandum with an attached proposed Resolution from Council Member Grace Crampsie Smith recommending an amendment to the Rules of Council. Ms. Crampsie Smith recommends limiting public comment to residents and/or taxpayers of the City of Bethlehem. This change would conform with the Sunshine Law.

President Colón stated that, as required by Council Rules, this Resolution will be placed on the April 2 agenda.

G. *Director of Purchasing – 2024 Memo Equipment and Vehicle Auction*

The Clerk read a March 13, 2024 memorandum from Sandra Steidel, Director of Purchasing. Ms. Steidel provided an attached list of equipment and vehicles recommended for sale within the next 60 days at an online auction. The proposed auction is in accordance with the provisions of Resolution 2009-95.

President Colón stated if Council has no objection to the property listed, the items may be added to the online auction. If Council would like to discuss a specific item, the same shall be removed from the list and discussed at the next Council meeting on April 2, 2024. He asked if any Council Member would like to remove any item from the list and discuss it at the next City Council Meeting. If not, it will be communicated to the Purchasing Director that City Council has no objections to auctioning the listed property. No objections were raised. The Clerk's Office will communicate this to the Purchasing Director.

H. *Director of Public Works – 2024 11 Contract – ADA Curb Ramps – G&B Construction*

The Clerk read a March 13, 2024 memorandum with an attached Resolution from Michael Alkhal, Director of Public Works. Ms. Alkhal recommends a contract with G&B Construction Group of Feasterville-Trevose to construct 91 ADA curb ramps in conjunction with paving activities throughout the City. The cost of the contract is \$667,650.00. The work is to be completed within 90 days from the Notice to Proceed. There are no renewals. The contractor was selected as the lowest responsible/qualified bidder among 7 bids.

President Colón stated Resolution 10 I is on the agenda.

7. REPORTS

A. *President of Council*

B. *Mayor*

7B2. *Administrative Order – 2024-08 – Sara Satullo – Blighted Property Review Committee*

Mayor Reynolds appointed Sara Satullo to the Blighted Property Review Committee effective March 19, 2024 through December of 2026. Ms. Wilhelm and Ms. Kwiatek sponsored Resolution No. 2024-050 to confirm the appointment.

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

7B3. *Administrative Order – 2024-09 – Craig Larimer – Fine Arts Commission*

Mayor Reynolds appointed Craig Larimer to the Fine Arts Commission effective March 19, 2024 through January 2027. Ms. Wilhelm and Ms. Kwiatek sponsored Resolution No. 2024-051 to confirm the appointment.

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

7B4. *Administrative Order – 2024-10 – Kate Scuffle – Fine Arts Commission*

Mayor Reynolds appointed Kate Scuffle to the Fine Arts Commission effective March 19, 2024 through January 2027. Ms. Wilhelm and Ms. Kwiatek sponsored Resolution No. 2024-052 to confirm the appointment.

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

7B5. *Administrative Order – 2024-11 – Vince Gentilcore – Fine Arts Commission*

Mayor Reynolds appointed Vince Gentilcore to the Fine Arts Commission effective March 19, 2024 through January 2027. Ms. Wilhelm and Ms. Kwiatek sponsored Resolution No. 2024-053 to confirm the appointment.

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

7B6. Administrative Order – 2024-12 – Tracy Samuelson – Redevelopment Authority

Mayor Reynolds appointed Tracy Samuelson to the Redevelopment Authority effective March 19, 2024 through March 2029. Ms. Wilhelm and Ms. Kwiatek sponsored Resolution No. 2024-054 to confirm the appointment.

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

7B7. Administrative Order – 2024-13– Peter Schneck – Zoning Hearing Board

Mayor Reynolds appointed Peter Schneck to the Zoning Hearing Board effective March 19, 2024 through December 2026. Ms. Wilhelm and Ms. Kwiatek sponsored Resolution No. 2024-055 to confirm the appointment.

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

7B8. Administrative Order – 2024-14 – Paige Van Wirt – Zoning Hearing Board

Mayor Reynolds appointed Paige Van Wirt to the Zoning Hearing Board effective March 19, 2024 through January 2029. Ms. Wilhelm and Ms. Kwiatek sponsored Resolution No. 2024-056 to confirm the appointment.

Mr. Callahan wished that Dr. Van Wirt were present. He said she is very qualified but he was wondering her stance on the Opening Doors initiative. He will be supporting her candidacy anyway.

Ms. Wilhelm thanked those who volunteer for all of these boards for offering their expertise to the City.

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

Explaining the Selection Process

Mayor Reynolds said that, since the beginning of his administration in 2022, there have been 32 reappointments, 12 appointments to fill unexpired terms, and 24 appointments to fill expired terms to authorities, boards, and commissions. He explained that he looks for a level of sophistication in a candidate's approach to work and their interest in the subject matter.

Pension Return Update

The pension number has now been received for the return on pension fund investments for 2023. The return was 11.3 percent. The expected return is 7 percent, so the performance was

very good. The number was about 15 percent in 2021. The City, like all other municipalities, lost about 9 percent in 2022. The rebound in 2023 puts the City in good shape for 2024.

Celebrations Noted

The Mayor reported on his joint news conference with Janine Santoro, Director of Equity and Inclusion, involving upcoming celebrations of Women's History Month and African-American Month. Additionally, Trans-Gender Day Visibility will be celebrated on March 28 on Payrow Plaza.

Increased Repaving

In-house paving will begin near the end of April. The Mayor reported that in 2018-2019 the City paved about 23 miles of roads. In 2020-2021, 27 miles were paved. And in 2022-2023, 47 miles were paved. For 2024-2025, it is anticipated that 50 miles will be paved. This has increased with the support of City Council.

We Build Bethlehem Update

Ms. Santoro finished an update as to how the City is investing in different areas through We Build Bethlehem. This includes food access, affordable housing, and homelessness. This is showing the progress in these areas.

Fire Engine Arrives

The Fire Department recently took delivery on a new Engine 9. This was ordered about two years ago, but the supply chain has taken this long for the arrival.

Training Completed

Five sessions were held to educate staff on welcoming and affirming the LGBTQ+ community. Training involved 134 City workers and was provided by Bradbury-Sullivan.

Looking Toward Future Projects

The Mayor also mentioned the recent HUD visit involving the Choice Neighborhood grant. This included visits to the affected neighborhood to help plan and also outlined what the implementation process could look like. He also mentioned the community caucus, which included public input for a potential South Side community center. A needs assessment is being conducted now.

St. Patrick's Day Parade a Success

The Mayor termed the parade a big success. He thanked the organizations that came together to make this work. Several business owners said it was their biggest day ever.

C. *Public Works Committee – Mr. Callahan, Chairman*

Mr. Callahan said that the Public Works Committee met at 6:00 PM this evening in Town Hall to discuss water meter readings and related matters. There were no votes taken. He said the Committee expects to meet again to try to come up with a “compromise” as to how to deal with situations when there is no explanation in instances of high usage.

8. ORDINANCES FOR FINAL PASSAGE

None.

9. NEW ORDINANCES

None.

10. RESOLUTIONS

H. Approve Resolution – Contract – 2024 18 Community Connections – Cedar Crest College

Ms. Wilhelm and Ms. Kwiatek sponsored Resolution No. 2024-057 that authorized to execute a contract with Cedar Crest College to perform the Community Connections Evaluation.

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

I. Approve Resolution – Contract – 2024 11 ADA Curb Ramps – G&B Construction

Ms. Wilhelm and Ms. Kwiatek sponsored Resolution No. 2024-058 that authorized to execute a contract with G&B Construction Group to provide ADA curb ramps.

Ms. Laird asked if the new ramps would be concentrated in a particular area of the City.

Public Works Director Michael Alkhal said they are spread throughout the City. There is a rating system for roads most in need of repair. The ramp reconstruction gets worked in with when the street resurfacing is done. Generally speaking, there are attempts to do work throughout the City to provide benefits to all.

Mr. Callahan asked Mr. Alkhal to explain the rating system.

Mr. Alkhal said every two years the inspectors survey every lane mile for the condition of each road. Numerical ratings are given representing conditions. “A” is the worst.

Mr. Callahan said he brought to Mr. Alkhal’s attention a road that he drives on a regular basis. Mr. Alkhal previously said this was an “A”-rated road.

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

President Colón said he would accept a motion and a second to group consideration of three Certificates of Appropriateness, 10 J through 10 L. Ms. Wilhelm made a motion, seconded by Ms. Kwiatek, to consider the COAs as a group.

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

President Colón asked the Clerk to read 10 J through 10 L and call the roll.

J. Certificate of Appropriateness – 323 Center Street

Ms. Wilhelm and Ms. Kwiatek sponsored Resolution No. 2024-059 that granted a Certificate of Appropriateness to install hardscape, fencing, and landscape components as shown on their proposed landscaping plan;

K. Certificate of Appropriateness – 449 Linden Street

Ms. Wilhelm and Ms. Kwiatek sponsored Resolution No. 2024-060 to paint all doors, windows, trim, and siding, as well as to replace the rear door and replace missing shutters; and

L. Certificate of Appropriateness – 458 Main Street

Ms. Wilhelm and Ms. Kwiatek sponsored Resolution No. 2024-061 to install two new storefront signs. One is a wall sign and one is a blade sign.

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

3.

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

Potential Serious Consequences

Resident Stephen Antalics said that democracy permits the town hall meeting style held by Bethlehem City Council. He recognizes that citizens may express their displeasure in a peaceful manner. However, bringing the March 5 Council meeting to an abrupt halt and defying an order by the Police Chief to stop could have led to misdemeanor charges of obstructing a government operation and disorderly conduct at a government meeting. Mr. Antalics also noted that a number of audience members that night did not stand for the Pledge of Allegiance. This might suggest that they are not citizens. He warned that had charges been filed, it might have more seriously affected those with FJM student visas or those with Green Cards.

Support for Affordable Housing

Resident Natalie Sobrinski spoke on the affordable housing crisis in the Lehigh Valley. She noted that the Valley's rental market is currently higher than that of Philadelphia. Many are struggling to find an affordable place to live. In addition to fairness and healthier living, affordable housing often promotes cohesive communities in that people have more time to volunteer and get to know their neighbors. This is more than a moral imperative but a practical necessity as well. She encouraged Council to continue to support policies that promote housing in the City.

Punitive Tone Unwarranted

Resident Mark Will-Weber thanked the Public Works Committee members for asking pointed questions during tonight's Committee meeting that preceded this Council meeting. The Committee meeting focused on water meters, readings, and billing. Mr. Will-Weber has raised concerns during several Council meetings about an unusually high bill that he and his wife received. He said the punitive process, in particular, needs to be examined. He said there is a process to contest an abnormally high bill, but customers never win. He also has heard nothing from the Mayor's Office about his concerns. The Will-Webers have asked Council to get involved in some way to change the appeals process.

Misleading Number of Appeals

Sally Will-Weber reminded that they were billed for 54,000 gallons of water for the quarter that included last January when they were on vacation for 35 days. Their total usage for the entire prior year was 26,000 gallons. She referred to a memo prepared by Water and Sewer Resources Director Edward Boscola about recent metering and billing concerns. The memo states there have been 28 formal requests since 2015 by customers to test their water meter due to disagreement over usage. Ms. Will-Weber said that very few file a dispute. The Will-Webers know of 13 customers who disagree with readings. Only the Will-Webers have filed a dispute. She believes this total reported number of disputes is very misleading. To file a dispute, a customer must have money to pay inspectors, and time, energy and perseverance for the fight. Most do not. She also cited EPA figures and the Bethlehem Water Department's website as stating that a running toilet wastes about 200 gallons per day or 6,000 gallons per month. Noting that this is a common cause of increased water bills, Ms. Will-Weber said it would have taken 270 to reach the 54,000 gallons their meter showed.

Housing/Mediation Court Suggested

Resident Angela Mitchell said she is excited about plans for a South Side community center. She suggested that Bethlehem create a housing court or mediation court. She noted that there is Legal Aid, but unless a person has low income, they do not qualify for services. In many areas of the City, there are more landlords than homeowners. She is concerned about landlords taking advantage of tenants. Ms. Mitchell is glad to hear about the Opening Doors initiative and wants to learn more. We need clean and safe affordable housing.

Water Monitoring Suggesting/Parking Plea Renewed

Alex Hirsch suggested that water customers may wish to use a water monitoring device that can be seen on a phone. This would tell users if they have unusual usage and could stop water flow in an emergency. Mr. Hirsch also said his appeal to obtain a Residential Parking Permit has reached 613 days.

Letter Believed to Be Improper

Carol Baylor said we hear of Bethlehem's sister cities that have been developed through formal programs, but we do not hear much about its namesake in the occupied West Bank. Palestinians who live in Bethlehem cannot freely go to Jerusalem because of a wall. She advocated at Council's March 5 that Council pass a Resolution to urge a Middle East ceasefire. She said it was stated that Council could not pass the resident-suggested Resolution because it would violate the Sunshine Law yet Council seemingly violated that law by approving to send a letter urging peace.

Letter was not a Better Option

Annisa Amatul is passionate about affordable housing. She is furious that the letter provided supporting peace in the Middle East was considered a better option than a Council Resolution. Similar Resolutions offered by cities throughout the United States have aided in bringing about change. Their group will continue to come before Council to hold Council accountable. She additionally disagreed with the proposed Resolution to limit Public Comment to City residents and taxpayers. This will silence the people.

Do What is Right

A speaker identifying herself only as Yoshera and a Lehigh Valley resident told the story of Rachel Corrie, an American activist who was killed when she was run over by a bulldozer while peacefully protesting the demolition of Palestinian homes in Gaza in 2003. She asked Council to be "a mouthpiece for humanity and do what is right." She also urged Council to not limit Public Comment to City residents.

Be Prepared for Curative Amendment

Resident Mary Jo Makoul discussed her ongoing opposition to the proposed 317-unit Hanover Apartments project on the former Bennett Toyota lot straddling the Bethlehem and Allentown boundary along West Broad Street. The Bethlehem Zoning Hearing Board has denied a dimensional variance for the four proposed buildings. She is displeased that legal motions and appeals have kept the possibility of this project that is unpopular with neighbors alive. The Petition for a Curative Amendment that has been filed with the City is one more legal maneuver to this end. She encouraged Council to become familiar with this unusual action so that it is not taken by surprise. Ms. Makoul invited Council Members to walk their neighborhood to see how these large impacts would impact it.

Non-residents Also Should be Heard

Resident Valerie Noonan admitted that there is some wording in the Sunshine Law that would permit Council to not take public comment from non-residents. However, it does not prohibit accepting public comment from them either. She also is concerned with what is considered personal attacks and what is relevant to City business. This is arbitrary and can be used as a tool to curb free speech. She believes that someone who has a negative opinion of a Council Member should be able to express that. This can further erode public trust. Ms. Noonan also considered the statement racist that those who did not stand for the Pledge of Allegiance were not citizens. She said she does not stand for the Pledge because she does not believe in what it says. Ms. Noonan assessed what happened at the March 5 meeting as her coalition responding to a broken promise made by Council with an act of civil disobedience.

Resign

Resident Harry Faber said that he does not stand for the Pledge of Allegiance because he does not pledge allegiance to a country that does not care about its people. He said Council lied in not passing a ceasefire Resolution after it promised to do so. He also disagreed with the wording of the letter that instead was approved. Words "Hamas", "genocide", "Apartheid" and "ethnic cleansing" were not used. Mr. Faber said Council Members should resign.

Ban Those Who Commit Violence

Resident Arthur Curatola termed himself a peace activist. He was appalled to hear there were three shootings in recent weeks and additional violence. He suggested cutting down on violence by Council creating legislation that those participating in violence may no longer reside in Bethlehem. This would be a deterrent to committing violence. He said this is done in Palestine.

Criticism of Council

Resident Mito Russo said he has seen "lukewarm acceptance" and boredom from Council tonight with the unanimous agreement on all Resolutions is baffling. Decorum by the public was urged by a resident yet he witnessed a lack of decorum in an exchange between a Councilman and the Mayor earlier in the meeting. He also opposes the proposed Resolution restricting those who may speak during future meetings.

Show Respect

Resident Eddie Rodriguez said that everyone is entitled to their opinions, but "it is important to voice your opinion with control, with respect, and not to disgrace yourselves, because that is what you are doing." There should not be this disrespect shown to Council Members and the Mayor. He also urged those present to respect and abide by the law and to not disrupt meetings.

Council Serves All Residents

Resident Mike Stauffer identified himself as a Marine veteran. After returning from his service in the Persian Gulf, he kissed the cement on U.S. soil. Those who have spoken tonight

disparagingly about our country and our flag will sleep without fear of being arrested for what they said because of the freedoms offered by this country. Ms. Stauffer said that he admired the passion in this room and he does not look down on those for their youth. He offered advice that a point is better made calmly. People tend to shut down when they are being yelled at. Mr. Stauffer also addressed that several speakers have “demanded” that Council act as those speaking wish. He said that the world does not work in the way that just because some residents make a demand of Council, Council shall vote that way. The world works by Council listening to all who speak, drawing conclusions based on all of that, and voting. Additionally, Mr. Stauffer has a concern that Council’s time is being used in a way that it cannot address all of the City’s needs. He admires the freedom that has been given for people to speak, but a balance is needed. He does not believe it was reasonable to give people five hours to speak and then Council not have the ability to conduct its business. He recommended reducing each speaker’s time limit from 5 minutes to 2 or 3 minutes. Mr. Stauffer also suggested moving some Public Comment to the end of the meeting. Lastly, he said he does not agree with all that Council does, but they are working and trying to make good decisions. He thanked them for their efforts.

Keep Apartment Houses Reasonable in Size

Resident Terry Kloiber spoke about the proposed Hanover Apartments. She knows that she and neighbors have discussed this many times before Council But they care. She asked when no is no and when will this be over. Ms. Kloiber said that neighbors know that something will be built there, but they want this to remain reasonable in size. She asked Council to reject the requested Curative Amendment.

Escort for Humanitarian Aid

Resident William Scheirer said Israeli Prime Minister Benjamin Netanyahu likely would not abide by a call for a permanent ceasefire anyway. Other problems continue with supplying humanitarian aid. He believes the United States should offer armed escort to any legitimate humanitarian aid.

Disruption Will Continue

Resident Kelsi Weber said there have been a lot of accidents in the past 6 to 12 months from Center and East Goepp Streets particularly between Center and High Streets. Several stray animals have been hit on the road. She believes a stop sign between Center and Linden Streets would help. She added her disappointment with Council’s actions and inactions on a ceasefire Resolution. She said a group will continue to disrupt, although she was not specific in what way. It is effective. Being quiet and peaceful does not bring results.

Opposes Limiting Speakers

A woman who identified herself only as Rhia and a Bethlehem resident stated disappointment in the proposed Resolution to limit comment to residents. She called the March 5 actions “a show of emotion” and noted that no one was physically hurt. This country was founded on protest, especially the Boston Tea Party against taxation. She also disagreed with the position that the situation in Gaza has nothing to do with Bethlehem is incorrect. Many Israeli

developers are buying up property locally and charging high rents. Federal tax money also is supporting Israel. She opposes the Resolution to limit who may speak before Council.

Pressure Federal Officials

Resident Todd Parise asked Council and the Mayor to do all that they can to support a ceasefire in Gaza. He somewhat appreciated the letter that Council sent to U.S. representatives but said it did not meet the urgency of the moment or call for a ceasefire. He is asking his city government to pressure the federal government to do what it is has not. There is law that the U.S. government is to shut off aid when it can be proven that a country has committed a gross violation of human rights. This should be abided by.

12. ADJOURNMENT

The meeting was adjourned 10:00 PM.

ATTEST:

Tad J. Miller
City Clerk