

BETHLEHEM CITY COUNCIL MEETING  
10 East Church Street - Town Hall  
Bethlehem, Pennsylvania  
Tuesday, January 18, 2022 – 7:00 PM

INVOCATION

PLEDGE TO THE FLAG

1. ROLL CALL

President Colón called the meeting to order. Present were Grace Crampsie Smith, Hillary G. Kwiatek, Rachel Leon, Paige Van Wirt, Kiera L. Wilhelm, and Michael G. Colón, 6.

*Executive Session*

President Colón announced City Council held an Executive Session on Monday, January 10, 2022 to discuss a council personnel matter related to selection of a City Council Solicitor.

2. APPROVAL OF MINUTES

November 3, 2021 and December 7, 2021.

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

*Executive Session*

Stephen Antalics, 737 Ridge Street, mentioned Article 65 which is commonly known as the Sunshine Act allows agencies like City Council to have Executive Sessions which allows them in secrecy. It also states that these meetings should be either before or after the regular meeting. He does not recall any announcement of an Executive Session meeting at any previous Council Meetings. But tonight he hears there was an Executive Session held on January 10<sup>th</sup> which according to the Sunshine Law is not an Executive Session because it does not precede a regular meeting. He also sees on the agenda of January 18<sup>th</sup> there is Resolution appointing a person for Council Solicitor. Mr. Antalics remarked since there was no announcement about an Executive Session prior or after a regular meeting the question would be when and how that meeting was held. According to the Sunshine Law really from the fact there is a Resolution to be voted on tonight it means there was discussion about it. Whoever discussed this and were Members of Council and if the body was more than equal to a quorum they violated the Sunshine Law. This should be pursued and it will be pursued. He would also like to say that for the new Members of Council they should take this seriously because this could be a black mark against you and it would be a heck of a way to start your career as a City Council Member. Since the meeting in his estimation and according to the Sunshine Law was illegal then those deliberations do not stand. (Editor's Note; Correction; The Executive Session was held and announced in full compliance with the Sunshine Law and other applicable law.) He strongly urges the new Members of Council to consider this and suggests strongly that they table Resolution 10 O, because that meeting was done secretly without public knowledge and decisions were made privately. He is

interested in good government and he does not think this is good government. Mr. Antalics remarked this was not done in the spirit of good government according to the Sunshine Law. He believes this is serious and Council is implicated in this. He suggests this Resolution be tabled and then to show good faith in the public to have an open meeting inviting all candidates to come to a City Council Meeting. Also to protect Council's reputation to have each candidate 5 minutes to speak to tell you why he or she should be appointed, then each Council Member could accept or reject that person and explain to the public why they chose or did not choose that person. Mr. Antalics remarked his faith in this organization is diminished. You have the ability to amend that and have the courage to table this Resolution and do it in an open process, not in an Executive Session to show the public transparency. To not take that action you are complicit in a secret meeting which violates the Sunshine Law. (Editor's Note; as stated, this is incorrect. The meeting complied with applicable law.)

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

*Resolution 10 O*

Stephen Antalics 737 Ridge continued to speak about Resolution 10 O. He stated the person on the Resolution he does not know. He knows of one other candidate who applied for the position and neither are his personal friends. He only knows one by observing him at that table as Council Solicitor. All he knows about the candidate on Resolution 10 O is what he is getting from his website. First starting as an Intern while still in Law School, Mr. Panella has spent his entire legal career with Goudsouzian and Associates. While with Goudsouzian and Associates Mr. Panella has handled a wide variety of matters including contract disputes, landlord and housing matters, and criminal defense. Additionally Mr. Panella has been appointed by Northampton County Court of Common Pleas to serve as the Special Hearing Custody Master. As the County Custody Master, Mr. Panella serves as a mediator for parents, grandparents, guardians, and other involved individuals arguing over the custody of a minor child. Mr. Panella also works closely with the Northampton County Agency of Children, Youth, and Family services to ensure the mental and physical well-being of all local families. Mr. Antalics remarked he sees no mention of any litigation involving civil or municipal matters. He pointed out that Mr. Spadoni has 16 years in that position. Since a majority of Council will only have tenure of 2 weeks and the new person will have no tenure and we will assume that since no civil or municipal litigation is in the agenda for the person in Resolution 10 O, you could say that both will start a learning curve. He thinks the new people on Council will need the best advice they can get legally. It makes it clear what they should look for. He has no personal bias in this; his only interest is in good government and for you as public servants to serve in that capacity.

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 – D’Huy Engineering, Inc., Wastewater Treatment Plant East Intermediate Clarifier Upgrades Design*

The Clerk read a memorandum dated January 10, 2022 from Edward Boscola, Director of Water and Sewer Resources recommending a contract with D’Huy Engineering, Inc., for the Wastewater Treatment Plant East Intermediate Clarifier Upgrades Design. The term runs for a period of 12 months from the Notice to Proceed. The cost is \$79,900 and there are no renewals.

President Colón stated Resolution 10 A is on the agenda.

- B. *Director of Water and Sewer Resources – Recommendation of Award – Steven G. Lowry & Associates, Inc. – Annual Engineering Services for Department of Water & Sewer Resources – Water Engineering*

The Clerk read a memorandum dated January 10, 2022 from Edward Boscola, Director of Water and Sewer Resources recommending a contract with Steven G. Lowry & Associates, Inc. for the Annual Engineering Services for Department of Water & Sewer Resources – Water Engineering. The term runs from January 1, 2022 to December 31, 2022. The cost is \$66,000 and there are no renewals.

President Colón stated Resolution 10 B is on the agenda.

- C. *Director of Water and Sewer Resources – Recommendation of Award – Emerson Process Management Power & Water Solutions, Inc. – 2022 Licensed Software Support for SCADA System at Water Treatment Plant, Water Distribution Control, and Wastewater Treatment Plant*

The Clerk read a memorandum dated January 11, 2022 from Edward Boscola, Director of Water and Sewer Resources recommending a contract with Emerson Process Management Power & Water Solutions, Inc. for the 2022 Licensed Software Support for SCADA System at Water Treatment Plant, Water Distribution Control, and Wastewater Treatment Plant. The term runs from January 1, 2022 to December 31, 2022. The total cost is \$54,991.80 plus \$183.25 per hour for covered hourly services and there are potentially 3 annual renewals valued at \$170,000 in the aggregate.

President Colón stated Resolution 10 C is on the agenda.

- D. *Human Resources Director – Recommendation of Award – St. Luke’s University Health Network d/b/a St. Luke’s Occupational Medicine – DOT Regulated Random Testing Agreement*

The Clerk read a memorandum dated January 11, 2022 from Michelle Cichocki, Human Resources Director recommending a contract with St. Luke’s University Health Network d/b/a St. Luke’s Occupational Medicine for the DOT Regulated Random Testing Agreement. The term runs from January 1, 2022 to December 31, 2022. The cost is \$7,400 and there are no renewals.

President Colón stated Resolution 10 D is on the agenda.

- E. *Director of Community and Economic Development – Recommendation of Award –Britton Industries – On-Site Processing of Yard Waste & Leaves*

The Clerk read a memorandum dated January 7, 2022 from Alicia Karner, Director of Community and Economic Development recommending a contract with Britton Industries for On-Site Processing of Yard Waste & Leaves. The term is the initial 3 year contract beginning 2022 and ending 12/31/2024. The total initial 3 year cost will not exceed \$424,900. There are 5 possible one year extensions that if all executed would not exceed \$750,000.

President Colón stated Resolution 10 E is on the agenda.

- F. *Director of Budget and Finance – Recommendation of Award – Lehigh Valley With Love Media – Information Officer/Communication Support*

The Clerk read a memorandum dated January 11, 2022 from Mark W. Sivak, Director of Budget and Finance recommending a contract with Lehigh Valley With Love Media for Information Officer/Communication Support. The term of the contract is January 1, 2022 through December 31, 2022. The cost is \$18,000. There are no renewals.

President Colón stated Resolution 10 F is on the agenda.

- G. *Director of Water and Sewer Resources – Recommendation of Award – Borton-Lawson – Applebutter Road Sanitary Sewage Pump Station Evaluation*

The Clerk read a memorandum dated January 11, 2022 from Edward Boscola, Director of Water and Sewer Resources recommending a contract with Borton-Lawson for the Applebutter Road Sanitary Sewage Pump Station Evaluation. The term of the contract is 6 months from the Notice to Proceed. The cost is \$20,000. There are no renewals.

President Colón stated Resolution 10 G is on the agenda.

- H. *Director of Public Works – Recommendation of Award – WSP USA Inc. – Climate Action Plan (CAP) Support*

The Clerk read a memorandum dated January 12, 2022 from Michael Alkhal, Director of Public Works recommending a contract with WSP USA Inc. for Climate Action Plan (CAP) Support. The estimated completion date is December 31, 2022. The cost is \$60,000. There are no renewals.

President Colón stated Resolution 10 H is on the agenda.

- I. *Director of Public Works – Recommendation of Award – Herbert, Rowland & Grubic, Inc. – Johnston Detention Basin Improvements*

The Clerk read a memorandum dated January 13, 2022 from Michael Alkhal, Director of Public Works recommending a contract with Herbert, Rowland & Grubic, Inc. for the Johnston Detention Basin Improvements. The estimated completion date is 90 days. The cost is \$23,859. There are no renewals.

President Colón stated Resolution 10 I is on the agenda.

7. REPORTS

A. *President of Council*

B. *Mayor*

*Snow and Weather Event/Law Bureau Organization*

Mayor Reynolds thanked Mr. Alkhal and everybody in his department for their work over the past couple of days with our snow and weather event we had on the weekend leading into Monday. It is never easy when there is one of those events leading into a holiday. It was particularly important to us on Monday for the Martin Luther King March. Many people were there and we had multiple Martin Luther King Junior Events on Monday. The work to clear the roads and also clear parking lots and sidewalks surrounding the events were not an easy task considering it was a Monday and most city staff were not working. He just wanted to thank Mr. Alkhal for all that work. Mayor Reynolds wanted to publicly thank Fire Chief Warren Achey, Police Chief Michelle Kott, Health Director Kristen Wenrich and the whole Administration. Over the first two weeks here we have been doing a lot of work with the Bethlehem Emergency Shelter. That is both with the current situation which they are doing well but with colder temperatures and concerns about the pandemic we have done a lot of emergency planning that has taken up a lot of their time. We have focused on this over the past few weeks and they have gone above and beyond with this. We have 3 Administrative Orders but with President Colón's indulgence he would like to have Mr. Spirk the opportunity to talk a little bit about the organization of the Law Bureau before we get into the individual Administrative Orders.

Solicitor John Spirk explained as we went through the transition process we took a look at the existing position and the existing budget within the Solicitor's Office and we decided to reallocate some of those funds as Article 121 of the budget provides to reallocate those budgetary items. Most notably we have eliminated the full time Assistant Solicitor position and divided that salary into 2 part time Assistant City Solicitors. So the staff will be him, a part time City Solicitor, and 3 part time Assistant City Solicitors, the three individuals who are before you for appointment tonight. We will go to a duty day system much like he did when he was the County Solicitor at Northampton County or as the current County Solicitor in Northampton County also does. Each one of us on a rotation will be physically present every day in City Hall to the same extent as the full time Assistant City Solicitor had been. But we will allow for some specialization in that among the 4 Solicitors we will divide up the various duties that are in the Solicitor's Office. For example, someone may be the person designated to work with the Purchasing Bureau, or someone for the Planning Commission, or someone for Human Resources to handle employment law questions. So they will be available to those departments and develop relationships with the employees in those departments so whenever they have a question they can contact that person and if they cannot reach them there will be somebody physically present in the office as well. Solicitor Spirk added in addition to that benefit this will bring it also eliminates the healthcare benefits package and pension that went along with the full time Solicitor position. As you know or will learn, healthcare and pensions are two of the real drivers and accelerators of city budgets every year. So there is that financial advantage as well by eliminating that position which had that benefits package. He pointed out that during the last 8 years under the capable stewardship of Solicitor William Leeson there were some necessary changes to the Solicitor's Office. They took one of the 2 administrative support positions and turned it into a full time Right-To-Know Act Officer because of the huge increase in right-to-know act requests. They also added a half time clerical support position as well. As a corollary to that the salaries got a little out of line so that

the full time Assistant Solicitor Position was only making a few thousand dollars more than the full time Right-To-Know Act Officer even though the full time Right-To-Know Act Officer position did not require any legal credential at all. Another change was that the full time Assistant Solicitor was given the opportunity to do flex hours so it turned out that perhaps that office was covered on average of about 5 hours a day. Also, that position was allowed to have other employment so the full time Solicitor for us was also a Solicitor in another municipality and did other legal work as well. That apparently worked well so we looked at that and thought if we can get that same amount of coverage with a part time staff and save the benefits of the pension and get a little more specialized expertise we would be interested in doing that. Solicitor Spirk related the final change instituted under Mr. Leeson working with the Purchasing Director was with the contracts; the city does about 500 contracts a year and in the Solicitor's office a big part of what they do is prepare and review those contracts. But for construction contracts and professional services contracts working with the Purchasing Director they instituted a process doing those through Sharepoint (electronic contract management system). So they digitalized the contracting process. Before you had to prepare a big thick document in the Solicitor's Office and it had to be physically taken to the requesting department for changes made back and forth but now everyone has access to it under Sharepoint. Following along with those three trends he is confident that we will be able to streamline some of these processes further and move to the 4 person rotation he described. Looking to the future he can foresee more and more contracting becoming digitalized and using Sharepoint and the workload of the support staff being reduced and the possibility of reallocating some other positions. In the age of open data as more and more things are available on the city's website there will be fewer and fewer Right-To-Know Act requests, because a lot of these requests come from meta-data and groups that want something like all of your sexual assault arrests or all of the arrests of a certain thing to the extent that those can be through open data on the website that will also see some reduction on that as well. Solicitor Spirk remarked the three individuals that are here with us tonight who are up for appointment include Matthew Deschler who has been here for 8 years and is being retained in his position as an Assistant Solicitor. He has worked closely with Mr. Deschler over that time; he works in the law firm up the street with his father who is a contemporary of his. Solicitor Spirk related that Mr. Deschler's father was actually the City Solicitor under the Administration of Mayor Gordon Mowrer. Solicitor Spirk added he has worked with Matt for a couple of weeks now and remarked that he is very eager and is a hard worker, we are happy to have him and his expertise with us. Solicitor Spirk continue to say that Maraleen Shields has been a lawyer 18 years and from her resume she was Magna Cum Laude at the University Of Pittsburgh School Of Law which she attended free of tuition on a K. Leroy Irvis Scholarship. He looks at her resume and sees a lot work in health law and certainly that is an attribute that will be of value in these pandemic times looking at how medicine and law interact and what things the Health Bureau and what they cannot. She also has extensive litigation experience. Solicitor Spirk pointed out that Loren Speziale has been a lawyer for 20 years and she is the managing general partner of a law firm that has 32 lawyers and 16 paralegals. So in addition to her expertise in employment law issues, contracting and purchasing type issues he also looks forward to using her management expertise because he is sure she has focused on efficiencies within her very large law firm as a manager. He would look to her to help us try to implement that in the Solicitors Office as well especially in terms of contracting and purchasing processes. Our new Right-To-Know Officer is here tonight Zach Cole-Borghy and will be starting between now and the end of the month to gradually take over the Right-To-Know Act position in our office. Solicitor Spirk stated he is happy for the indulgence to talk for a few moments to talk about the team we have assembled and the reasons for it.

1. *Administrative Order – Matthew Deschler, Esq. – Assistant City Solicitor*

Mayor Reynolds appointed Matthew Deschler, Esq. as Assistant City Solicitor, effective as of January 18, 2022. Mr. Colón and Dr. Van Wirt sponsored Resolution No. 2022-003 to confirm the appointment.

President Colón remarked he has known Mr. Deschler going back to our high school days together at Liberty High School together but in a more professional capacity as he served as the Solicitor for the City's Human Relation Commission for the 7 years he was on that body. The only brief question he has is that Mr. Deschler is a carry over and is remaining in the same position that he had been in previously. Why are we voting on this appointment as opposed to some of the other carry-overs.

Mayor Reynolds explained he had asked the City Clerk to put all three of these on the agenda both for explanatory reasons as far as what we decided to do with the office. He thought as far as transparency is concerned it was better to bring all three together so people in this room would understand how the office was going to operate. It is true that we did not need to bring Mr. Deschler forward but he thought behind the idea of transparency that it was in the best interest to bring all three forward. Mayor Reynolds added that Solicitor Spirk also has all of their resumes with him if anyone wants to look at them.

President Colón stated he appreciates that.

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, and Mr. Colón, 6. The Resolution passed.

2. *Administrative Order – Loren L. Speziale, Esq. – Assistant City Solicitor*

Mayor Reynolds appointed Loren L. Speziale, Esq. as Assistant City Solicitor, effective as of January 18, 2022. Mr. Colón and Dr. Van Wirt sponsored Resolution No. 2022-004 to confirm the appointment.

President Colón echoed his same remarks. He has known Ms. Speziale for years as a fellow volunteer on the Human Relations Commission and he appreciates the remarks made by Solicitor Spirk to some of her background in the firm where she currently works. President Colón thinks that Ms. Speziale will be a wonderful asset to the Law Bureau.

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, and Mr. Colón, 6. The Resolution passed.

3. *Administrative Order – Maraleen D. Shields, Esq. – Assistant City Solicitor*

Mayor Reynolds appointed Maraleen D. Shields, Esq. as Assistant City Solicitor, effective as of January 18, 2022. Mr. Colón and Dr. Van Wirt sponsored Resolution No. 2022-005 to confirm the appointment.

Ms. Kwiatek remarked she has known Ms. Shields for a year now and she has really enjoyed getting to know her. She respects her intelligence and her community spirit; she will be a great asset to our Law Bureau.

President Colón related that even though he has never personally met her or had a chance to talk, he wishes her all the best. She will be another wonderful asset to the very important Law Bureau here at City Hall.

Ms. Crampsie Smith welcomed all of our new members in the Solicitor's Office.

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, and Mr. Colón, 6. The Resolution passed.

Mayor Reynolds thanked Mr. Spirk for taking on this kind of reorganization of the Law Bureau. As with everything a lot of thought went into it, something we have been discussing a long time about how to improve the efficiency of City Hall and how to improve the efficiency of the Law Bureau. He wanted to thank Mr. Spirk for also putting in long hours as well. We had a few people that have left in the past several weeks; one person was a part-time worker in City Hall and a part-time worker somewhere else and took a full-time job. We were disappointed to see them go but Mr. Spirk has been here, he is a part-time employee but he has been picking up a lot of the slack to make sure that contracts were getting approved and all of those types of things. Mayor Reynolds noted this extends to Mr. Deschler, Ms. Speziale, and Ms. Shields and also Mr. Cole-Borghini who is here as well, we could not be more excited that they are coming into City Hall with an energy and excitement to be a part of the vision we have laid out. Mayor Reynolds pointed out that Mr. Spirk talked about one of the reasons why we moved to this model, it was the type of person we were able to pull in. These individuals will be fantastic for the city and you will see them working on a lot of different things. They will be on different committees and will be reaching out to you to help answer questions. All three of these lawyers, their ethics are above reproach and have unquestioned qualifications and we are fortunate that they are interested in coming to work for the City of Bethlehem.

8. ORDINANCES FOR FINAL PASSAGE

None.

9. NEW ORDINANCES

None.

10. RESOLUTIONS

- A. *Approve Contract -D'Huy Engineering, Inc. - Wastewater Treatment Plant East Intermediate Clarifier Upgrades Design*

Mr. Colón and Dr. Van Wirt sponsored Resolution No. 2022-006 that authorized to execute a contract with D'Huy Engineering, Inc. for the Wastewater Treatment Plant East Intermediate Clarifier Upgrades Design.



Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, and Mr. Colón, 6. The Resolution passed.

*B. Approve Contract – Steven Lowry & Associates, Inc. – Annual Engineering Services for Department of Water & Sewer Resources Water Engineering*

Mr. Colón and Dr. Van Wirt sponsored Resolution No. 2022-007 that authorized to execute a contract with Steven G. Lowry & Associates, Inc. for the Annual Engineering Services for Department of Water and Sewer Resources Water Engineering.

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, and Mr. Colón, 6. The Resolution passed.

*C. Approve Contract – Emerson Process Management Power & Water Solutions, Inc. –2022 Licensed Software Support for SCADA System at Water Treatment Plant, Water Distribution Control, Wastewater Treatment Plant*

Mr. Colón and Dr. Van Wirt sponsored Resolution No. 2022-008 that authorized to execute a contract with Emerson Process Management Power & Water Solutions, Inc. for the 2022 Licensed Software Support for SCADA System at Water Treatment Plant, Water Distribution Control, and Wastewater Treatment Plant.

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, and Mr. Colón, 6. The Resolution passed.

*D. Approve Contract – St. Luke’s University Health Network d/b/a St. Luke’s Occupational Medicine - DOT Regulated Random Testing Agreement*

Mr. Colón and Dr. Van Wirt sponsored Resolution No. 2022-009 that authorized to execute a contract with St. Luke’s University Health Network d/b/a St. Luke’s Occupational Medicine for the DOT Regulated Random Testing Agreement.

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, and Mr. Colón, 6. The Resolution passed.

*E. Approve Contract – Britton Industries, Inc. – On-site Processing of Yard Waste & Leaves*

Mr. Colón and Dr. Van Wirt sponsored Resolution No. 2022-010 that authorized to execute a contract with Britton Industries, Inc. for the On-site Processing of Yard Waste & Leaves.

Ms. Kwiatek asked if Britton is the current contract holder.

Alicia Karner, Director of Community and Economic Development explained they are not the current contract holder.

Ms. Kwiatek remarked when their contract expired this was put out for bids.

Ms. Karner stated yes.

Ms. Kwiatek related in reading the materials it says that 90% of this is covered by a DEP Grant, she wondered if that is correct.

Ms. Karner stated yes, it is a 902 Grant, we get the funds back and we use it to purchase equipment so it is not an offset in the General Fund, it goes back into recycling activities or products to help us with recycling. She notes that with this contract half of the funds will come from Hanover Township who also uses our facility. So it is 90% of our portion.

Dr. Van Wirt asked if the scope and services have changed at all.

Ms. Karner stated no.

Dr. Van Wirt asked if the costs are about the same.

Ms. Karner explained the costs are higher. We are expecting more in our partnership with Hanover Township and have an agreement in process to have them to reimburse us for that. These are to not exceed costs, so it is an upper limit and it will really depend on how much we use them to come and break up the material based on the volume that we receive.

Dr. Van Wirt wondered if we can expect the same level of service.

Ms. Karner stated yes, absolutely.

Dr. Van Wirt asked if the citizens are unhappy, should they call the service center.

Ms. Karner informed they can call the service center or the recycling office directly. Unlike with our pickup for recycling, which is curbside and goes to the contract hauler, this is something we manage out of the recycling office. So those calls can be directed to the recycling office.

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, and Mr. Colón, 6. The Resolution passed.

F. *Approve Contract – Lehigh Valley with Love Media – Information Officer/Communication Support*

Mr. Colón and Dr. Van Wirt sponsored Resolution No. 2022-011 that authorized to execute a contract with Lehigh Valley With Love Media for the Information Officer/Communication Support.

Dr. Van Wirt remarked this is not a lot of money but she wondered what hole this is filling. Is this being done by someone right now or is this kind of a new scope.

Mayor Reynolds remarked it is a combination. One of the things that this grew out of was the communication survey we did a few years ago. We took a look at who we were communicating well with and who we were not communicating well with as well as what people were looking for from the City of Bethlehem. One of the things we talked about is how we can communicate differently as a city using social media, especially through the lens of equity as

we recover from the pandemic. It is about how we share information, talk about city services, one of the things we have seen through the years is when we looked at that communication survey we had 1,500 responses in English and 4 responses in Spanish yet 20% of our population speaks Spanish as their first language, there clearly is a disconnect. When you take a look at snow removal requests on our App which we are able to do, the fact that we do not have as many types of service requests from some of our most vulnerable communities and low income communities, we have been meeting a lot with Ms. Santoro to talk about how to present that information. One of the things we currently are working on with Ms. Collins is how we are going to reach out to the community as Council has asked us to with both the use of our ARP Funds but also what the community needs are. Mayor Reynolds pointed out that Ms. Augello in their office had done a lot of this stuff and she is still going to be doing a lot of the day to day emergency recycling changes but we really did not have somebody who was dedicated to this. So what we are looking at is maybe 8 things a month that this person will be able to work on with the Administration and with the different departments to be able to reach out in different ways. We have a lot of different ideas about how we will do that. Ms. Augello has posted or tweeted about things having to with our history and in our mind we have probably not done enough of that in the way or telling the stories. For example, Black History Month is coming up in February so we would like to highlight some of those stories of Bethlehem that maybe have not been told before. Those are things we are going to focus on with our communication strategy.

Ms. Wilhelm does feel strongly that good and frequent communication does speak to access and she wanted to thank the Administration for turning some attention to this. She added that Lehigh Valley With Love has not only has an extremely high level of experience but a deep knowledge and love of this city. They will do an excellent job of getting messages out.

Mayor Reynolds added that probably on a monthly or quarterly basis we will have those data metrics about how much we are expanding our ability. One of the things that it is easy to do now with the boost post and things like that is for \$5 or \$10 dollars as long as somebody lists Bethlehem as their residence or home they are able to get a lot of our information. We will do some experimenting with that for low cost to see what our reach is and then we will be able to produce those reports of how we are doing and if we are not doing well we will change it up until we find ways to meet those metrics.

Ms. Crampsie Smith remarked she is a little bit familiar with Lehigh Valley With Love and what she has seen them do she has been impressed with. She is happy to hear this.

President Colón echoes the support of his fellow Members of Council. It is nice to have a plan and this starts to put a plan together outside of just another task for someone already at City Hall but someone with a more defined function to get information and things we want the public to be aware of. Lehigh Valley With Love will be a great resource. The only thing he asks of the Administration, in the materials were shared it references quarterly analytical information but if that information can come to us as it is available periodically to share with Council so we can look at the efficiency of this information and the reach we are creating.

Mayor Reynolds stated 100%.

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, and Mr. Colón, 6. The Resolution passed.

G. *Approve Contract – Borton-Lawson – Applebutter Road Sanitary Sewage Pump Station Evaluation*

Mr. Colón and Dr. Van Wirt sponsored Resolution No. 2022-012 that authorized to execute a contract with Borton-Lawson for the Applebutter Road Sanitary Sewage Pump Station Evaluation.

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, and Mr. Colón, 6. The Resolution passed.

H. *Approve Contract – WSP – Climate Action Plan Support*

Mr. Colón and Dr. Van Wirt sponsored Resolution No. 2022-013 that authorized to execute a contract with WSP for Climate Action Support.

Dr. Van Wirt asked for an explanation of what this consultant will do for us with the Climate Action Plan.

Mayor Reynolds knows that the contract is \$60,000 but it is on an as needed basis, so it is not that WSP who is the same consultant run by Bethlehem residents Dan Sobrinski and Jeff Irvine. They will not be getting a monthly salary; it is as we need them to provide strategic guidance. One of the things Climate Action called for were these goals we laid out as far as year one and year two and essentially the different areas whether or not it is buildings or transportation. We are currently setting up our internal working group that will break up those individual responsibilities and WSP is providing an as needed kind of technical support. This is leading to our hiring of a Director of Sustainability at some point this year in 2022. One of the things that we wanted to get an idea of exactly what kind of responsibilities we will give that person versus what can already be offered within City Hall. For example Ms. Karner, Ms. Collins, and Ms. Heller have been studying our individual ordinances and how we can make them reflect the recommendations in the Climate Action Plan. That is not something we need to hire a Sustainability Director to do because then they will just go to them and say you are the specialist. So WSP will provide that technical expertise as we get the Climate Action Plan implemented here in the coming months.

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, and Mr. Colón, 6. The Resolution passed.

I. *Approve Contract – Herbert, Rowland, and Grubic, Inc. – Johnston Detention Basin Improvements*

Mr. Colón and Dr. Van Wirt sponsored Resolution No. 2022-014 that authorized to execute a contract with Herbert, Rowland & Grubic, Inc. for the Johnston Detention Basin Improvements.

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, and Mr. Colón, 6. The Resolution passed.

J. *Certificate of Appropriateness – 305 East Third Street – postponed until February 15, 2022*

President Colón noted that as of now he is the only sponsor for agenda items 10 J, 10 K, and 10 L. So sponsoring any of these resolutions is not necessarily a support, it is essentially a

second for us to have a discussion on the floor. Before he asks Mr. Vidoni to read resolution 10 J is there a second on the floor for purposes of discussion after he reads it.

Dr. Van Wirt queried about what would happen to the motion if there is no second sponsor.

President Colón remarked that we do not have a Council Solicitor tonight and he cannot recall a circumstance where we did not have a second even for the purposes of discussion. This is not a vote of support, but if it is okay with the Administration he would defer to the City Solicitor Spirk who was up here and was Council Solicitor a few weeks ago as to what the procedure would be if there would be no co-sponsor.

Solicitor Spirk stated it would fail for lack of a second and then could be reintroduced subsequently.

President Colón thanked Mr. Spirk for his input. So as Mr. Spirk noted it would fail for lack of a second but he asked if there is anyone on Council who would like to be a second to agenda item 10 J before Mr. Vidoni reads the resolution for purposes of discussion.

Dr. Van Wirt noted she is struggling here because we need to talk about it but clearly there is a lack of support for this moving forward.

President Colón explained we need a second if we want to talk about it.

Dr. Van Wirt seconded the resolution so we can have a discussion about it without this being an endorsement from her.

Mr. Colón and Dr. Van Wirt sponsored a Certificate of Appropriateness to construct a new building at 305 East Third Street. A COA was previously issued for constructing a new, detached, five-story building at the current location of a surface parking lot with ten mature trees. The structure will be mixed-use, including commercial space on the first floor and one-and two-bedroom apartments on the entry level and upper floor levels. The applicant returned from the August 30, 2021 HCC meeting with revisions and responses to HCC comments at 305 East Third Street.

President Colón remarked as we get started with our discussion here he would defer for our own reference and for new Members of Council that this is a Certificate of Appropriateness for something involving development, he will turn to the Administration to give Council a brief refresher on the process a development undergoes from the Certificate of Appropriateness just to before shovels are hitting the ground.

Mayor Reynolds then turned to Ms. Karner to go through that process and answer any questions about how these Certificates of Appropriateness do and do not work.

Ms. Karner informed typically what happens is we have an application process on our website and it is also paper applications, people can come in the office and get it. They will submit it and our deadline has been moved depending on the size of the project, 3 or 4 weeks before the subsequent meeting. They submit to us conceptual design and application detailing what they are doing with the project. She pointed out that projects are all over the place, some of them involved demolition and new construction; some of them involve signage or awnings, all kinds of things. We take those in and make sure those applications are complete and we share

them with our Historic Officer who will review them and then put them on the agenda with approval of the Chair of the HCC, in this case. We will hear those applicants at the subsequent meeting where they will be able to give a presentation. The Historic Officer will give his analysis of the project and how it does or does not comply with the Secretary of Interior Standards. The Historic Board which is made up of volunteers within the community, they are dedicated appointments based on the State Act on what you have to be to be qualified. Those folks will entertain the project and she pointed out that a lot of times they will come to the HCC more than once. If it is a new construction project it will be for size, massing, and large elements of it and then it will come back for greater detail which is what you see on tonight's agenda. A few of them have been approved previously and now they are back for, where are the windows placed and what will happen. Ms. Karner noted they are the recommending body to you folks so that you can entertain what their recommendations are moving into a Certificate of Appropriateness. So you are really the body that issues that Certificate of Appropriateness on these projects. At that point the projects then tend to go to the Planning Commission, and sometimes the Planning Commission and the Zoning Hearing Board depending on what kind of project it is and what additional approvals it needs. When it goes to the land development process that is when all issues related to the project are entertained, everything from storm water to traffic, recycling, what they do with the recycling materials, a much bigger comprehensive look at it. Ms. Karner remarked the historic point it is only supposed to be historic consideration; it is not supposed to be anything unrelated to the historic elements of the project.

President Colón mentioned that gives a nice frame of reference for everybody and he appreciates Ms. Karner taking the microphone.

Dr. Van Wirt remarked the presenter said that this Certificate of Appropriateness had been tabled once and by law they were not allowed to table it again in order to say you still do not do this. They said that by law now you have to say yes or no.

Ms. Karner asked if she is referring to the timeframe, this might be the second Certificate.

President Colón is asking Members of Council to stick with this Certificate of Appropriateness, any comments or questions related to 10 J. If it is specific to another project we should wait until we get to that agenda item.

Dr. Van Wirt stated she is referring to the minutes from the HCC Meeting regarding that Certificate of Appropriateness she is talking about. There was a statement that the presenting developer or his representative said that this issue had been tabled once so they were not allowed to table it again.

Ms. Karner explained there is a timeline or timeframe in the HCC ordinance that 60 days from submission the Board has to act either in an up or down fashion. We have done this before. What happened in December was we did not have a quorum; we had to cancel the meeting and push that to what was the first week of January. So looking at the 60 day time period she knows it related to the consideration in November, they were not able to come to consensus, they asked for modifications on what had been presented in November. The applicant did come back and had made the modifications and then they voted unanimously she believes, on the second agenda item of the HCC's, the 317-327 South New Street Certificate of Appropriateness.

Dr. Van Wirt remarked they did not do everything, one of the things they did not do specifically was they did not set back the top two stories.

Ms. Karner noted that was not part of the application that had already been considered.

Dr. Van Wirt stated they addressed it in this one.

Ms. Karner remarked, again, you have unanimous approval from the HCC on the items; those were the considerations that they have sent to Council for the Certificate of Appropriateness.

Dr. Van Wirt informed she found that troublesome. She will let other Members of Council ask questions.

Ms. Crampsie Smith has some questions because these properties, most of them had been before us before and from what she is reading they went to the HCC and the HCC recommended that they make some changes. She thinks that since we do not have a Council Solicitor right now and she has questions and concerns she would like to make a motion that we postpone the vote until we have a Solicitor on board, so we are covered if there are any questions or legalities regarding these. She is saying that for 10 J, 10 K, and 10 L because they are more complicated than the last two resolutions.

President Colón noted just so he is understanding Ms. Crampsie Smith correctly, you are making a motion to postpone agenda items 10 J, 10 K, and 10 L and so when would you be proposing to postpone them until.

Ms. Crampsie Smith stated she is open to discussion on that. In her mind she would say the next Council Meeting if not 4 weeks.

President Colón asked if she is introducing that motion or would she like to give other Council Members a chance to speak.

Ms. Crampsie Smith stated she would give other Council Members a chance to discuss this.

Ms. Leon informed she agrees with Councilwoman Grace Crampsie Smith. We should hold off because she does have some specific questions she would like to ask a Solicitor and being a little bit newer she would like to know what we can do legally that would not compromise us and does not make us seem like we are being unfair in any way. She would feel better if there is no rush to do this and that we wait until we have a Council Solicitor in place.

Ms. Wilhelm added she would also value the time. We all agree that we want to be as thoughtful and deliberate especially about significant projects like these. She appreciates the suggestion from Ms. Crampsie Smith and she would also value that extra time.

President Colón remarked he is not opposed to this, if it is the will of Council with the understanding that we do have this as our first official meeting with 3 new members of Council. He would express his wishes that if the will of Council is to postpone these agenda items that

were discussed, he would ask that we vote on them sooner rather than later. With that he would say that the next Council given what is on the rest of the agenda tonight as it relates to our City Council Solicitor and February 1<sup>st</sup> would give everyone 2 full weeks to gather thoughts and engage with our newly appointed Council Solicitor and engage with the Administration if anyone chooses to get any clarification that is needed. That would be his input, if it is the will of Council to postpone these he suggests that we postpone until the February 1, 2022 Council Meeting, understanding that we will have other items on the agenda that night that will require everyone's attention. These are the nature of these meetings, the longer we postpone we are just opening up more opportunity to have potentially more Certificates of Appropriateness or other city business or things that need Council's attention. While he is not opposed to the idea of postponing it would be for best to move these processes through with whatever the outcome will be to vote on them at the next Council Meeting on February 1, 2022. He will accept input from the Administration.

Mayor Reynolds added that if City Council wishes to postpone these for a few weeks we are not going to argue. He would say to follow up on the point made by President Colón is that it does create a backlog as far as HCC projects and things like that. If it is the decision to postpone until there is a Solicitor to ask questions we are not going to necessarily disagree with that, it is absolutely your right. He would encourage everyone in the next two weeks to not only talk to your own Solicitor but to talk to Ms. Karner and Ms. Collins. He added that their doors are always open to come in and have conversations with them and Ms. Heller who have dealt with the HCC for a long time and are able to provide some perspective and context. These projects, a lot of them have history. Mayor Reynolds remarked that Dr. Van Wirt talked about the one on South New Street and one of the things that happened to one of those applicants was that the HCC had sent them back or the came back and did not do not only what the HCC wanted but also what the previous Administration asked them to do. When they did not do that and it had been in a letter that Ms. Karner's department had asked for they HCC followed suit and said this is not something we are ready to vote on and the applicant came back afterwards. We are completely on board with the same idea that the HCC is about the architecture and historic nature of these parcels. He knows that Ms. Karner did not get into it but there is a lot of information that goes into this, whether or not a building is being built on an empty lot or is being rehabilitated or redeveloped as far as some of the things that the HCC is looking for as well as the Administration. Our doors are open, please reach out and sit down with us and if you want to talk to Ms. Karner we can certainly answer all the questions on February 1, 2022 as well if that is when they are voted on. Mayor Reynolds knows these are complex issues which is why we are not pushing them to be voted on tonight. Again, our doors are always open to come and reach out so everyone can have that conversation with Ms. Karner, Ms. Collins, and Ms. Heller about some of the history and what is in front of you and what is not in front of you.

President Colón informed that he always appreciates members of the Administration, present and past availing themselves to Members of Council when we have questions.

Ms. Karner noted she wanted to comment about agenda item 10 L, that is 127 East Fourth Street. She can understand the first two COAs are new construction projects, they are big and there is a lot of history and it has not been the first time that Council has seen those as COAs or as going through the Planning Commission. The one thing she wanted to point out about 10 L is that it is an adaptive reuse of a building. This is a good project in which they are taking a school, a building we did not want to see demolished and they are not doing any construction around it.



Aside from putting in some windows that had originally been there, to restore windows and an ADA ramp that was not approved and will be approved in the future, we will not push for any approvals like Mayor Reynolds said but just to know that is a dramatically different project to us as an adaptive reuse project within a very important structure to both the past Administration and the current Administration.

Dr. Van Wirt remarked the only reason she would stick with not approving this project is that there was a strong suggestion from the HCC that they modify the access and egress to the Greenway and it was not done. It is just this tiny little metal railing with a locked gate. There is no flow from the Greenway to the building and she thought that was a very valid concern and it was not addressed at all. There are reasons that we are here to approve these things and it is to speak up for the citizens and she thought that was an important suggestion that was not addressed when they came back again. That is why she is in agreement that this agenda item should also be postponed.

Ms. Karner explained they will be back again; she wanted to be clear that this is not their last time to the HCC. They do have to come back with modifications to HCC for the 127 East Fourth Street agenda item. Do not think this is the only time and the final time for any of those design elements.

Dr. Van Wirt noted they were given that input prior to this meeting and it was not addressed, that is why.

President Colón remarked it would be a similar circumstance potentially for 10 L, the Holy Infancy Project as we have before us for 10 J and 10 K where Certificates of Appropriateness were already issued and then now they would be coming forward for additional COAs.

Ms. Karner stated no, this is the first time you are seeing 10 L, the Holy Infancy School.

President Colón noted he is referencing the other two 10 J, and 10 K. These had COAs and had come before and are now on the agenda again, so it could be a similar circumstance in the future for 10 L.

Ms. Karner stated it will be because they did not get the approval of a number of things, so you would very much expect to see that again.

Ms. Crampsie Smith thanked Ms. Karner for the clarification. But as much as she does not want to delay this her concern is that already tomorrow is mid-week and we only have really one full week and then we come back to another meeting. Her concern is that this will not give us enough time, there are 6 members of Council with one Solicitor and talking to the people of the city in her mind it would be better to hold this off until the Council Meeting on February 15, 2022. That would give us enough time because we need to get the Solicitor on board and we are also looking at appointing a new Council Member.

President Colón stated he would echo the comment made by Mayor Reynolds comments as he stated previously, the further out we put this we will get backed up. He does understand the timing of this, when we get all our materials as we do at the end of last week. The next meeting would be two weeks from today so we would have tonight our new City Council

Solicitor would be available to Council as soon as possible once the votes are cast. If it is the will of Council to postpone to the second meeting in February, so be it but he would advise Council that there would potentially be more work to be done and more items that will come before us on the agenda and some that are unforeseen at this moment. He would try not to make a habit or create our own backlog; we are pushing an agenda out a month from now without knowing what business could be coming forward in those next 4 weeks that is his thought process behind this.

Ms. Crampsie Smith understands that, but we are in a unique situation which hopefully we will not be in for quite a long time. Right now we sit here with no Solicitor and then we will have that orientation of having that Solicitor on board and we will all need to discuss our issues. Again, this is a unique situation that hopefully we will not see for many years to come.

Dr. Van Wirt pointed out she agrees on the four weeks and to wait until the February 15, 2022 meeting.

President Colón related that would put us at the Tuesday, February 15, 2022 Council Meeting. The discussion now is what we will be postponing. There was a Member of Council that alluded to items 10 J, 10 K, and 10 L.

Ms. Crampsie Smith made the motion to postpone voting on agenda items, 10 J, 10 K, and 10 L until the February 15, 2022 Council Meeting. Dr. Van Wirt seconded the motion.

Ms. Leon mentioned that if we wait until February 15, 2022 for these COA's the new Council Member who will be appointed will be able to vote on this also.

President Colón stated that is correct.

Ms. Leon remarked if we had a 3-3 split on this that 7<sup>th</sup> person appointed could be a tie breaker.

President Colón remarked we would need 4 votes supporting if we voted tonight or if we voted on February 15, 2022 but now there are only 6 of us so far. At that February 15, 2022 Meeting we should have our 7<sup>th</sup> Member of Council.

Ms. Crampsie Smith noted that is a good point and is also a good reason to wait until February 15, 2022.

Voting AYE on the motion to postpone agenda items 10 J, 10 K, and 10 L: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, and Mr. Colón, 6. The Motion passed.

President Colón confirmed agenda items 10 J, 10 K, and 10 L are now postponed until the February 15, 2022 Council Meeting.

K. *Certificate of Appropriateness – 317-327 South New Street – postponed until February 15, 2022*

L. *Certificate of Appropriateness – 127 East Fourth Street – postponed until February 15, 2022*

M. *Certificate of Appropriateness – 321 East Fourth Street*

Mr. Colón and Dr. Van Wirt sponsored Resolution No. 2022-015 that granted a Certificate of Appropriateness to install a new EPDM roof system on top of the existing roof surface, including removal of existing terracotta coping tiles and replace with one-half-inch CDX plywood on the inner face and solid 2x10 lumber on top of the revealed brick surface topped by sheet aluminum coping at 321 East Fourth Street.

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, and Mr. Colón, 6. The Resolution passed.

*N. Certificate of Appropriateness –127-129 East Third Street*

Mr. Colón and Dr. Van Wirt sponsored Resolution No. 2022-016 that granted a Certificate of Appropriateness to install a new sign and to place vinyl stickers on the storefront windows at 127-129 East Third Street.

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, and Mr. Colón, 6. The Resolution passed.

*O. Approve Council Appointment – Brian J. Panella, Esq. – Council Solicitor*

Mr. Colón and Dr. Van Wirt sponsored Resolution No. 2022-017 that approved a Council Appointment of Brian J. Panella, Esq. as City Council Solicitor effective January 18, 2022.

President Colón invited Mr. Panella to the lectern to address Council.

Attorney Panella remarked if the Council chooses to approve this resolution it would be an honor and a privilege to serve not just this governing body but by extension the people of Bethlehem that this government serves. He pointed out that Solicitor Spirk leaves a very high bar behind and he would strive every single day to hit that bar. There is a famous saying here in the Lehigh Valley that hard work isn't easy but it is fair and honest. It would be his solemn vow to this Council, to the Mayor of the City of Bethlehem and to all people that are within these borders to work as hard as possible and to always serve honestly and always serve with fairness. He understands that some items may have been said tonight but the main part of his practice is municipal work. Along with himself and the firm he is with we bring decades of municipal law experience. He is eager, ready, and willing to bring that to Council and to the City of Bethlehem and the people he serves. He would be happy to answer any questions.

Ms. Crampsie Smith thanked Attorney Panella for coming to this meeting and just to clarify can he speak a little bit more regarding his experience in municipal government.

Attorney Panella noted his office serves as Solicitor for a number of Boroughs, Zoning Hearing Boards, and a number of Police Departments in the area. Through that practice and since the moment he had joined the firm he has been attending those meetings both as an additional Solicitor and as Acting Solicitor. That would be in the capacity of sitting in a meeting helping make decisions and helping draft, guide, and do legal research, legislation that has been enacted in all of those municipalities. He is fortunate to have the experience he has had and he believes that experience over his years of practice have completely armed him with everything necessary and the research and the ability to research on behalf of the City Council.

Ms. Crampsie Smith asked if he has any affiliations with anyone on Council or the City.

Attorney Panella stated not at all.

Dr. Van Wirt noted she was impressed with his resume and she has the utmost faith that he will be a good Solicitor and serve as Solicitor in all the capacities as well.

President Colón thanked Attorney Panella and everyone that expressed interest in the City Council Solicitor position. In the time that he has been on Council which is 7 years he had only known one previous City Council Solicitor, who did a fine job. President Colón believes that Mr. Panella brings both competency and integrity to the position and he will be a welcome addition from all Members of Council and someone that will be another asset to the city as is the other capable and competent attorneys that we had discussed earlier today. President Colón welcomes Mr. Panella to these meetings.

Ms. Crampsie Smith welcomed Attorney Panella and thanked him for applying and being willing to serve with us. He has been highly recommended by many people who are very well thought of in the whole Lehigh Valley and his municipal experience will be very beneficial to us. She looks forward to working with Attorney Panella.

Voting AYE: Ms. Crampsie Smith, Ms. Kwiatek, Ms. Leon, Dr. Van Wirt, Ms. Wilhelm, and Mr. Colón, 6. The Resolution passed.

#### 11. NEW BUSINESS

##### *Council Vacancy Appointment – February 1, 2022 Council Meeting*

President Colón noted as was referenced earlier and has been published and advertised through the city's website and other channels there are 6 Members of City Council as of now so Council is in the process of taking applications, letters of interest and resumes from members of the public who are interested in serving on City Council. Anyone who is interested following along at home can dial 610-865-7130 during normal business hours to reach the Clerk's Office or reference the city website social media accounts for the process in getting in contact with the City Clerk's Office. Any members of the public who meet the residency requirements and are so interested have until January 25, 2022 at Noon to contact City Council and then on February 1, 2022 which is our next scheduled City Council Meeting Members of Council will be selecting our 7<sup>th</sup> Member, our new Member.

##### *Phone In Public Comment – February 15, 2022*

President Colón explained on our February 15, 2022 City Council Meeting which will be our second meeting in February we will be reinstituting the opportunity for members of the public to call in. We had discussed this previously and he had discussions with Members of Council while we do have the GoToMeetings still in effect because of the nature of the world around us he thought it was only fair that if members of the Administration and Council can participate remotely that we would reopen the phone lines for the public. That will go back into effect February 15, 2022 to give our Clerk's Office and opportunity to prepare for that as we move forward.

*Legal Bureau/American Rescue Funds/Traffic*

Ms. Crampsie Smith remarked in her two and a half years here she has not heard Attorney Spirk speak as much as he did tonight, thank you for the update. She is very pleased with what Attorney Spirk is doing with the City Solicitor's Office. She welcomed all of the new Solicitor's and our Right-To-Know Officer and our new Council Solicitor. Ms. Crampsie Smith remarked we had talked in the past about a process for the American Rescue Fund money and she knows many people in the community are asking about a process. She is pleased that the Administration is working on a process, a way to allocate that money and also looking at community input, she thanks the Administration on that, the community needs to know that is indeed happening. Development is the buzzword in the city and she thinks we all see the benefits of development. We only have so much control with development but the one concern she has, especially in certain areas is how infrastructure is affected by development. She wonders if administratively, either through Mr. Alkhal or someone else, if we could look more closely at traffic in areas we are looking at developing, especially where we are looking at multiple residential developments. There is not only the traffic but the safety issue in these areas. She lived in one area of Bethlehem at one point and she was too busy raising her kids to realize that it became in front of her house traffic was backed up for 2 miles. That was a real lesson for her that we have to pay attention and emphasize the effect of development on infrastructure. Ms. Crampsie Smith is not sure who she could address that to but she would like us to look at that.

Mayor Reynolds stated that it is absolutely an issue. We look for the same things in supporting projects that you also do. One of the challenges that we run into as we have talked about before is what are the things we control versus what are the things we cannot control. We have talked about internally with Ms. Collins, Ms. Karner, and Ms. Heller is what the factors are when we take a look at as far as balancing out whether or not to support projects. We talk a lot about the HCC or the HARB around here but as we know there are important development steps whether it is the Planning Commission or even the Zoning Hearing Board. Those are conversations we always have. Mayor Reynolds pointed out that Ms. Heller is always considering as our Director of Planning and Zoning things such as walkability, how projects fit in. Also, where are our leverage points as a city, as we know if someone owns a piece of property and the zoning allows for a project we start to think how do we get the best possible project out of them and how do we get the project we think is in the best interest of the community with the different things we are able to push for. We have talked internally about each step of the way including with the Climate Action Plan. How do we require people to build a certain type of building when you are building on an empty lot is completely different than trying to require certain building codes and sustainability measures and the reuse of a building. Those types of things that we absolutely internally discuss and we are looking forward to having a process where we are able to say why we support projects or do not support projects or why we think this is the best project possible considering all the different factors. But we absolutely are concerned with walkability and traffic and how our neighborhoods connect to our downtowns.

Ms. Crampsie Smith knows we only have so much control with development and development is good but she is thinking how can we integrate looking at how the development will affect the traffic and at what level can that be an issue that is looked at in the development phase.

Mayor Reynolds explained it is absolutely an issue as far as our internal conversations. That includes traffic studies, includes Mr. Alkhal and for him personally it looks at things like our Planning Commission as a place where they are able to ask a lot of these questions. If we get behind a project and we say as you said, the traffic here is concerning to us, that what is the developer going to do. One of the places that those conversations come out in is the Planning Commission. Mayor Reynolds noted Mr. Alkhal is in on those internal conversations as well. That is one of the things we talk about at staff meetings over the past two weeks, whether or not a project that comes forward, how does it affect the different departments and what are the different opinions and how do we come forward to answer all the questions.

Ms. Crampsie Smith believes this is important because we here have to vote on so many different aspects of development. She hears the concerns in the community especially about the traffic and the safety issues.

*Opening up of Phone Lines*

Dr. Van Wirt is happy that we are opening up the phone lines again for public comment. It is really important to continue every opportunity that we can to engage the public in what we do here. Along those lines she noted that on the Bethlehem webpage there are two places where the City Council vacancy is announced, that is great but she thinks it would be also important to let our citizens know that we are now accepting phone in comment to City Council. She does not know how decisions are made about what gets up there. But if there could be a banner or another announcement and let the citizens know. Unless they are watching here tonight or if it is reported they will probably not know.

President Colón stated he can coordinate that with Mr. Vidoni.

*American Rescue Funds/Black History Month/Congratulations*

Mayor Reynolds wanted to follow up on Ms. Crampsie Smith's comments. Our outreach is not just that there are needed funds with these American Rescue Funds but needs in general as far as coming out of the pandemic and pandemic recovery. We focus a lot on the \$34 million dollars but as everyone has said from President Biden on down, this is an opportunity for us to look structurally at lot of these issues. We are going to be reaching out to both the community as far as what we think we should spend the money on but also what are the needs. Mayor Reynolds noted that February 1, 2022, two weeks from today is also the beginning of Black History Month and it is something we have been looking at as an Administration about all the great things we are going to be doing during Black History Month. Finally, he wanted to send the Administrations congratulations to Mr. Panella. Mayor Reynolds believes that Mr. Panella is now the 5<sup>th</sup> City Council Solicitor. As he knows he is following Mr. Spirk, Mr. Spadoni, Mr. Leeson, and Mr. Morganelli and those are big shoes to fill but congratulations, you will do a wonderful job for City Council. We look forward to our interactions as well.

12. ADJOURNMENT

The meeting was adjourned at 8:30 pm.

ATTEST:

Robert G. Vidoni, Esq.  
City Clerk